The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC §

1092(f)) (“Clery Act”) requires colleges, universities and all postsecondary education institutions

across the United States to, on an annual basis, prepare and distribute this Annual Security Report

(“ASR”) that contains crime statistics for incidents occurring on or near the campus and security related

statements of policy regarding crime prevention, awareness and response at the institution.

There are three parts to this report:

Part I beginning on page 4 - Statements of Policy,

Part II beginning on page 45 - Drug-Free Schools and Communities Act Policy Statements

Part III beginning on page 64 - The Crime Statistics for Calendar Years 2013-2015

**PART I: STATEMENTS OF POLICY**

**AVAILABILITY OF ANNUAL SECURITY REPORT**

South Texas Barber College publishes this report to inform current or potential students

and staff members about campus security policies, initiatives to prevent and respond to crime and

emergencies, and the occurrence of crime on campus. This report complies with the Jeanne Clery

Disclosure of Campus Security Policy and Campus Crime Statistics Act and uses information

maintained by the school, as well as information provided by Campus Security Authority and

local law enforcement agencies surrounding the South Texas Barber College campus. Each

of these entities provides updated policy information and/or crime data.

This report provides statistics for the previous three years concerning reported crimes that occurred on

campus, leased or controlled by South Texas Barber College. This report also includes institutional policies concerning campus security, such as policies regarding sexual assault, alcohol, and other drugs.

South Texas Barber College distributes a Notice of Availability of this Annual Security Report by October 1st of each year to every student and staff member. Anyone, including prospective students and employees, may review part of the report on the web, but the entire report is available on campus or can view a paper copy of this report upon request by contacting South Texas Barber College located at 3917 Ayers, Corpus Christi, TX 78415 or by calling (361) 855-0262.

**PREPARATION OF ANNUAL SECURITY REPORT AND DISCLOSURE OF CRIME STATISTICS**

The U.S. Department of Education requires all participating Title IV schools, including South Texas Barber College, to distribute, by October 1 each year, a security report or a notice of the

report to all current and prospective students as well as all current employees and prospective

employees. South Texas Barber College will distribute the report by posting it on the school’s website and will provide a notice by October 1 that includes a statement of the report’s availability, a brief description of the report’s contents, and a statement that the school will make it available to read at the school. The report also includes statistics for incidents of crime reported during the three most recent calendar years. The covered categories include criminal homicide (murder and non-negligent manslaughter), forcible and non-forcible sex offenses, robbery, aggravated assaults, burglary, motor vehicle theft, and arson. Statistics for certain hate crimes as well as arrest and disciplinary referral statistics for violations of certain laws pertaining to illegal drugs, illegal usage of controlled substances, liquor and weapons are also disclosed. The crime statistics are published for the following geographical categories: (1) on campus; and (2) on public property within or immediately adjacent to the campus. on campus and certain adjacent and accessible public property South Texas Barber College does not own or control non-campus buildings or property and does not maintain on-campus student residential

facilities or non-campus buildings or properties.

For more information, a copy of South Texas Barber College annual campus safety and

security report (also known as our Annual Security Report, or ASR) is distributed October 1st hand delivered to all students and staff. The Drug and Alcohol Abuse Prevention (DAAP) prevention, policy and applicable laws is included in the Annual Security Report (ASR). This report is distributed in compliance with the Clery Act.

Gloria Garcia, is responsible for gathering the data used to prepare the annual campus crime statistics report. Mrs. Dubelia Lopez is the primary point of contact for all campus security issues.

Campus crime data is gathered the same day that it is reported. The data is obtained from reports

made to local law enforcement. Crimes are counted in the disclosure based upon the crime having

been reported, not whether there was a conviction. Data is obtained annually from local law

enforcement and compared with the data gathered at the School. The resulting data is used to prepare

the annual crime statistics report.

South Texas Barber College publishes and distributes the Annual Security Report by

October 1 of each year to current students and employees. A notice of the Annual Security Report

availability is also provided to prospective students and employees, with a notice that a paper copy is

available at the main office. The school’s handbook also includes the ASR and is available to view to all prospective students, prospective employees and interested persons.

**REPORTABLE OFFENSES UNDER THE CLERY ACT**

The Clery Act requires reporting on the following offenses:

• murder;

• manslaughter (negligent and non-negligent)

• sex offenses, forcible and non-forcible;

• robbery;

• aggravated assault;

• burglary;

• motor vehicle theft;

• arson;

• arrests of persons referred for campus Disciplinary action for liquor law violations;

• arrests of persons referred for campus Disciplinary action for drug-related violations;

• domestic violence

• dating violence

• sexual assault

• stalking

• arrests of persons referred for campus disciplinary action for weapons possession, carrying,

etc., and

• hate crimes, [which for Clery Act purposes include any crime listed in the preceding points

and, as of 2008, larceny-theft; simple assault; intimidation; and destruction, damage, or

vandalism of property in which the victim is intentionally selected because of his or her

actual or perceived race, gender, religion, sexual orientation, ethnicity, national origin, or

disability.

**Categories of Prejudice- Definitions**

• **Race** – A preformed negative attitude toward a group of persons who possess common physical

characteristics genetically transmitted by descent and heredity that distinguish them as a distinct

division of humankind.

• **Gender** – A preformed negative opinion or attitude toward a person or group of persons based on

their actual or perceived gender, e.g., male or female.

• **Religion** – A preformed negative opinion or attitude toward a group of persons who share the

same religious beliefs regarding the origin and purpose of the universe and the existence or

nonexistence of a supreme being.

• **Sexual Orientation** – A preformed negative opinion or attitude toward a group of persons based

on their actual or perceived sexual orientation.

• **Ethnicity** – A preformed negative opinion or attitude toward a group of people whose members

identify with each other, through a common heritage, often consisting of a common language,

common culture (often including a shared religion) and/or ideology that stresses common

ancestry.

• **National Origin** – A preformed negative opinion or attitude toward a group of people based on

their actual or perceived country of birth.

• **Disability** – A preformed negative opinion or attitude toward a group of persons based on their

physical or mental impairments/ challenges, whether such disability is temporary or permanent,

congenital or acquired by heredity, accident, injury, advanced age, or illness.

• **Gender Identity** – A preformed negative opinion or attitude toward a person or group of persons

based on their actual or perceived gender identity, e.g., bias against transgender or gender

non-conforming individuals

\*\*On March 7, 2013, President Obama signed the Violence Against Women Reauthorization Act of

2013 (VAWA). Among other provisions, this law amended the Clery Act to require

postsecondary institutions to include in their Annual Campus Security Report all instances of

domestic violence, dating violence, sexual assault, and stalking; and instances of gender identity and

national origin crimes which fall under the category of Hate Crimes. These new reportable items

must be included in the ASR released by October 1, 2014, using a good faith effort to comply with the

law until the final regulations are published with an effective date of July 1, 2015 for the October 1,

2015 ASR reporting deadline.

**GEOGRAPHIC AREA**

The Clery Act requires institution to disclose crime statistics that occur on three types of property:

campus, non-campus buildings or property, and public property areas.

“**Campus**” is defined as buildings or property owned or controlled by the institution within the

same reasonably contiguous geographic area and used by the institution in a manner related to the

institution’s educational purpose. It also includes property in that contiguous area owned by the

institution but controlled by another person, if that property is used by students and supports

institutional purposes (e.g. a food or retail vendor). Branch campuses and geographically

disconnected administrative divisions or schools would be considered separate campuses for the

purposes of reporting.

“**Public property**” is property that is located within the same reasonably contiguous geographic areas

of the campus, like a sidewalk, street or public parking lot, that is adjacent to a facility owned or

controlled by the institution for purposes related to the institution’s educational purposes.

Crimes occurring on “public property” must also be reported in the crime statistics.

A “**non-campus building or property**” is one that is owned or controlled by a school recognized

student organization, or one that is owned or controlled by the institution and used by students or by

the institution for education-related purposes and that is not within the same reasonably contiguous

geographic area of the campus. Crimes occurring on “non-campus property” must be reported.

However, incidents occurring on public property adjacent to “non-campus buildings or property” do

not have to be included.

**South Texas Barber College commitment to safety and security includes:**

* Providing a secure and crime free environment for students, staff and guests
* Performing regular evaluations of security policies and procedures
* Monitoring and following up on each crime reported at south Texas Barber College
* Assisting victims of crime to obtain assistance via local police or advocacy groups
* Prevention of crime and drug and abuse by providing monthly education and prevention

programs.

We believe students and staff members behavioral awareness will help to promote security awareness,

which is vital in all aspects of their lives. Students and staff members are encouraged to exercise

proper care in seeing to their own personal safety and the safety of others.

In addition to collecting Clery crime statistics from local police departments, all reports of crime

incidents made directly to the Corpus Christi Police (through police dispatchers and officers) are

reported and recorded. The South Texas Barber College also periodically examines data for appropriate reporting. South Texas Barber College also collects Clery crime statistics reports made to the campus. The statistics reported in the following charts generally reflect the number of criminal incidents reported to South Texas Barber College. The statistics reported for the subcategories on liquor laws, drug laws,

and weapons offenses represent the number of people arrested or referred to campus authorities for respective violations.

**POLICIES REGARDING PROCEDURES FOR STUDENTS AND OTHERS TO REPORT CRIMINAL ACTIONS AND POLICIES CONCERNING THE INSTITUTION’S RESPONSE TO SUCH REPORTS**

Students, faculty or staff who wish to report criminal actions, should immediately contact the

Campus Security Authority (CSA), Dubelia Lopez (the CSA is the individual specified in the School’s statement of campus security policy as the one to whom students and employees should report criminal offenses) **OR** other responsible supervisory personnel at the campus. The criminal action should then be immediately reported by students, faculty or staff to the local law enforcement authorities for assistance and /or investigation. In an emergency, dial 911. South Texas Barber College Accident/Incident Report Form is completed with the assistance of the person reporting the criminal action. The report should be filed as soon as possible with the Campus Director/Operation Manager who will follow up on the report personally or assign responsibility to another appropriate administrator to follow up and report on the outcome as well as any preventative or other actions taken to ensure the safety and security of all staff, faculty, and students.

**CRIME REPORTING**

**Reporting Crimes And Other Emergencies**

South Texas Barber College encourages students and staff members to promptly report all crimes and other emergencies. Students and staff member are cautioned never to attempt to apprehend or pursue a suspected criminal. Crimes or suspected criminals should be reported to the CSA, Dubelia Lopez (361) 855-0262; or other designated staff member, and then to local law enforcement at the non-emergency number Police Department (361) 866-2600, In an emergency, dial 911.

The Clery Act recognizes certain campus officials and offices as “Campus Security Authorities” (CSAs). The act defines these individuals, among other individuals, as “An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student discipline, and disciplinary proceedings. An official is defined as a person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

**How to Report Crimes on Campus**

South Texas Barber College has a number of ways for campus community members and visitors to report crimes, serious incidents, and other emergencies to law enforcement and to appropriate Campus officials. Efforts are made to inform students and staff members on a timely basis about campus crimes and crime-related issues. South Texas Barber College does not employ campus security personnel, law enforcement officers or security service. However, we encourage both employees and students to immediately report suspected criminal activity or other emergencies to the campus official CSA, school office and/or in the event of emergency to directly contact local law enforcement or other emergency response agencies by dialing (911).

South Texas Barber College will provide and assist the state and local law enforcement agencies in every way possible to ensure a safe and lawful environment. Any issues, questions or concerns about security at South Texas Barber College should be directed to Dubelia Lopez, Campus Director. Employees shall contact their immediate or nearest ranking supervisor to report any criminal action or emergency to the appropriate agency by calling (911).

Regardless of how and where you decide to report these incidents, it is critical for the safety of South Texas Barber College that you immediately and accurately report all incidents so that the Police and authorized personnel can investigate the situation and determine if follow-up actions are required, including issuing a Timely Warning or emergency notification.

Immediately report any crimes or suspicious activity on campus by contacting Mrs. Lopez or any administrator.

* Completing South Texas Barber College’s Accident/Incident Report form and submitting it to the CSA.
* Visit with Mrs. Lopez at South Texas Barber College CSA office (361)855-0262.

If you have any doubts about whether to report something that has occurred, report it. Victims of, or witnesses to, crimes may disclose them on a voluntary, confidential basis to the CSA, Dubelia Lopez, who can then determine whether the event constitutes a crime that has to be collected and statistically reported. Your cooperation in timely reporting assists the School in issuing equally timely warnings to the campus community**. All crimes must be reported immediately**.

Also contact the CSA, Mrs. Dubelia Lopez at (361) 855-0262 when you see:

* Strangers loitering in office areas, hallways, classrooms, or lounge areas, etc.
* Unsecured doors or windows in campus buildings that are supposed to be locked
* Anyone tampering with a motor vehicle or loitering in a parking lot
* Persons publicly displaying a weapon
* Persons loitering in dark or secluded areas
* Suspicious persons carrying articles, equipment, luggage, or other packages out of campus buildings

**Reporting to Police and Public Safety**

We encourage all student and staff members at South Texas Barber College to report all crimes and other emergencies to the authorized security personnel in a timely manner. You can do so in person in the School’s business office or by phone 361-855-0262 twenty-four hours a day. The Director, Operation Manger, and/or CSA should be notified of any crime, whether or not an investigation ensues, to assure the campus can assess any and all security concerns and inform others if there is a significant threat to the campus. Listed below are the responsible personnel that will issue timely warnings and notifications.

**Campus Security Authorities Official: (CSA) Mrs. Debelia Lopez**

Telephone: (361) 855-0262

Email: southtexasbarber@sbcglobal.net

**Institution Official:**

**Juan A. Garcia**

Telephone: (361) 855-0262

Email: [southtexasbarber@sbcglobal.net](mailto:southtexasbarber@sbcglobal.net)

Students and staff are also encouraged, but not required, to notify police of any crime at:

**Corpus Christi Police Department or 911**

When an incident has been reported, the Local Administrator shall promptly contact and accurately inform the Director/Operation Manger and/or local police for assistance and further instructions.

**POLICY ADDRESSING VOLUNTARY CONFIDENTIAL REPORTING**

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

**POLICY ENCOURAGING ACCURATE AND PROMPT CRIME REPORTING**

Students, staff members, and guests are encouraged to report all crimes and public safety related incidents to the Campus Director or Operations Manager and to the local Corpus Christi Police Department in a timely manner. Only by the prompt reporting of crime and the subsequent action by appropriate authorities can issues be quickly investigated and resolutions made. By making accurate and prompt reports the community, students, staff and guests help ensure increased safety for all.

**POLICIES CONCERNING SECURITY AND ACCESS TO CAMPUS FACILITIES**

The security of the educational and work environment is a high priority at South Texas Barber College. Access to the buildings is secured between the hours of 6:00 p.m. and 9:00 a.m. so that unauthorized individuals are not able to lawfully enter the building. To maintain a secure facility, all rear access doors leading to the campus are closed and locked. During normal business hours and hours in which the building is accessible, visitors (including vendors, etc.) are required to sign in at the main campus entrance (the main lobby.

Only students, employees, and salon guests and other parties having business with South Texas Barber College should be on campus. Prospective students, staff member or any person entering the premises must have permission from the school office. When the school closes for the night, the school's official or supervisor will inspect each room to see that it is empty and then lock down the campus. Other individuals present on the campus at any time without the approved permission of the appropriate campus official may be viewed as trespassing and may as such be subject to a fine and/or arrest.

In addition, students and employees present on campus during periods of non- operation without the approved permission of the appropriate campus official shall also be viewed as trespassing and may also be subject to a fine and/or arrest.

**PROCEDURES FOR SECURING CAMPUS FACILITIES**

Because safety is of utmost concern at South Texas Barber College at all times, the following policies, procedures and routines have been adopted to maintain the security of the campus.

**ROUTINE LOCK CHECKS**

At the end of each day, Mrs. Lopez, the CSA or her designee, examines each door that grants entrance to the school to make sure each door is secure and locked prior to leaving the campus.

Each month, during monthly campus maintenance, the maintenance workers or administrator examine the proper functioning of all door locks inside the building, as well as locks to doors that grant entrance/exit to the campus.

**ROUTINE MAINTENANCE ON LIGHTING SYSTEMS**

The maintenance employees also perform monthly inspections of all lighting systems in the building, including all hallways and lights on the exterior of the building, so that students can have proper lighting to reach their vehicles at the close of each day.

**IDENTIFICAITON BADGES**

All employees and staff are required to carry name identification badges at all times when accessing the campus. New badges are printed for all new students and staff as they join the same. Also, all current students and staff are provided with new identification badges each year during orientation week. Lost badges will be replaced.

**POLICY ADDRESSING TIMELY WARNINGS**

In the event that a situation arises, either on or off campus, that, in the judgment of the school, constitutes an ongoing or continuing threat, a campus-wide “timely warning” will be issued. The purpose of a Timely Warning is to notify the campus of the incident and to provide information that may enable the campus to take steps to protect themselves from similar incidents. South Texas Barber College will issue Timely Warnings whenever the following criteria are met: (1) one of the below listed crimes are reported; (2) the perpetrator has not been apprehended; and (3) there is a substantial risk to the safety of students and staff members because of this crime. South Texas Barber College may also issue a Timely Warning in other circumstances, as outlined below.

In an effort to provide timely notice to the campus community in the event of a Clery Act Crime that may pose a serious or ongoing threat to students and staff member, “Timely Warnings will be issued for the following: arson; aggravated assault; criminal homicide; robbery; burglary; sex assaults; and hate crimes. Timely warnings will be posted to included but not limited to posters, emails, and media.

Additionally, Timely Warnings may be issued when there is a pattern of crimes against persons or property. At South Texas Barber College the Director/ Operation Manager will make the determination, if a Timely Warning is required. For incidents involving off-campus crimes, Timely Warning maybe issued if the crime occurred in a location near the campus and frequented by the campus population.

**TIMELY CAMPUS WARNINGS**

A timely warning to the campus community is distributed regarding any of the above listed crimes (see Reportable Offenses under the Clery Act) which are deemed to represent a threat to the students and employees, and which are reported to campus officials or to local police agencies. The campus crime alert is issued within 10 minutes by text message and or email and will aid in the prevention of similar crimes. The emergency text message/email system is verified once a year. All students and employees are requested to update cellphone numbers and email addresses to ensure delivery of timely warning notification.

**Safety, Our Number One Priority**

South Texas Barber College takes great pride in the campus community and has many advantages for students, and staff members. This school is a great place to, learn, work, and study; however, this does not mean that the campus community is immune from problems. With that in mind, South Texas Barber College has taken progressive measures to create and maintain a safe environment on campus.

Though the School is progressive with its policies, programs, and education, it is up to each of us to live with a sense of awareness and use reasonable judgment when, working, or visiting on campus.

**POLICY REGARDING EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

South Texas Barber College has in place on campus emergency response protocol. In an emergency or a dangerous situation, upon confirmation with the Campus Director/ Operations Manager, or designee, of the need for mass notification, the Campus director/ Operations Manager, or designee, will without delay, taking into account the safety of the campus, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of the responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Emergency or dangerous situations may include, but are not limited to, gas leaks, tornadoes, contagious viruses, etc.

**EMERGENCY NOTIFICATIONS**

In the event of an emergency or a dangerous situation that poses an immediate threat to the campus, South Texas Barber College may utilize some or all of its mass notification capabilities to notify its campus community. These capabilities may include e-mail, voice mail and text messages to alert the campus community. This emergency notification requirement does not replace the timely warning requirement. They differ in that the timely warning applies only to Clery Act reportable crimes while the emergency notification requirement addresses a much wider range of threats (i.e., gas leaks, tornadoes, contagious viruses, etc.). The CSA or other campus officials will post relevant warnings, updates and advisories on the school website and may also utilize campus bulletin boards, posters, and its social media web pages. Emergency notifications may be made by one or more of the following methods: e-mail, voice mail, and text messages. Campus officials may decide to issue an alert about a crime occurring off-campus but in a location frequented by students, even though such a crime would not be included in the annual report.

**EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

**Emergency Management at South Texas Barber College**

South Texas Barber College CSA and authorized personnel work together with developing, maintaining, and implementing emergency operations plans, developing and conducting exercises, hazard and risk education, and building partnerships with external response agencies. Both South Texas Barber College CSA and authorized personnel are responsible for assisting with and coordinating the campus preparedness, response, and recovery programs.

South Texas Barber College maintains emergency management plans. Within the context of these plans, the campus develops and distributes emergency response procedures to students and employees. These procedures are maintained and distributed in a variety of ways. Some information is posted in the hallways, classrooms and break areas. Pamphlets and brochures with emergency response information are available on campus.

**Drills, Exercises, and Training**

To ensure the campus’s emergency management plans remain current and actionable, the campuses conduct at least one exercise annually. These exercises include, but are not limited to: tabletops, drills, functional, or full-scale. The campus conducts after-action reviews of all emergency management exercises. South Texas Barber College CSA and authorized personnel work together to develop exercise scenarios, schedule and coordinate events with local, state, and federal response agencies as well as stakeholders.

**EMERGENCY RESPONSE AND EVACUATION PROCEDURE TESTING**

**Emergency Notification System Testing Procedure**

South Texas Barber College’s emergency notification system is tested twice each calendar year on the 1st Tuesday of October and the 1st Tuesday of January at 10:00a.m. Upon an Emergency test (both announced and unannounced), the CSA, Mrs. Lopez or Mr. Garcia, will issue a campus wide text alert (The Emergency Notification), which will go out immediately to all students and staff.

The yearly tests are designed to ensure that said emergency notification is sent and received immediately upon the onset of any emergency.

All tests will be documented, including a description of the exercise, the date and time and whether the test was announced or unannounced.

**Emergency Evacuation System Testing Procedure**

Emergency evacuation drills will be held twice annually to help students and staff understand the most efficient way to exit the building during an emergency. It is the goal of the evacuation test to achieve 100% evacuation in an emergency situation in less than two minutes.

As would be the case in an emergency, the evacuation drills will be initiated by sounding the school’s alarm system. Once sounded, staff and faculty, will take their students to pre-arranged safe zones to evacuate the building.

The CSA, Mrs. Lopez and Mr. Garcia will coordinate will local law enforcement during drills and in real emergency situations in order to have emergency responders on site as soon as possible and to record the time it takes for emergency responders to arrive.

After the test, all information learned will be reviewed by the CSA, Mrs. Lopez and Mr. Garcia in order to improve on the evacuation procedure.

In conjunction with at least one emergency management exercise each year, the campus will notify the campus of the exercise and remind the community of emergency response procedures. Training, exercises and tests will be conducted annually by management on the campus level and by the individuals relevant to mass notification. All tests will be documented by the management, conducted by relevant entities, including a description of the exercise, the date and time and whether the test was announced or unannounced.

**Emergency Notification**

South Texas Barber College is committed to ensuring the campus receives timely, accurate, and useful information in the event of a significant emergency or dangerous situation on campus or in the local area that poses an immediate threat to the health and safety of campus students and staff members. South Texas Barber College will immediately notify the campus upon confirmation of an emergency or dangerous situation, by cell phone text messages. The decision to issue an alert shall be decided on a case-by- case basis in light of all the facts surrounding an incident or crime, including factors such as the nature of the incident/crime, the continuing threat to the campus community and the possible risk of compromising law enforcement efforts. When an emergency warrants the issuance of an emergency notification, South Texas Barber College Director/Operation Manager on duty will confirm that a significant emergency or dangerous situation exists, taking into account the safety of the community, and authorize notification of the Emergency Alert. When an emergency warrants the issuance of an emergency notification, the South Texas Barber College Director/Operation Manager first notifies the local emergency authorities, Corpus Christi Police Department and Corpus Christi Fire Department who typically respond work together to manage the incident. Depending on the nature of the incident, other emergency departments and other local or federal agencies could also be involved in responding to the incident. All staff members and students on campus will be notified immediately.

In the event of a serious incident that poses an immediate threat to members of the campus community, South Texas Barber College has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the campus community. These methods of communication include network emails, phone, bulletins posted on building entrances and exits, emergency text messages that can be sent to a phone. In the event a situation requires the activation of the campus emergency notification system, updates will be available on the campus website once available. Students should take responsibility for regularly checking their email and providing up to date cell phone number. In order to receive campus-wide email or text announcements, students must have an active email account and phone number.

In the event of an emergency, an Emergency Notification will be sent advising the appropriate members of the campus community of the emergency and brief instructions for action. If appropriate, Emergency Notification or also delivered directly in persons to the staff and students on campus. South Texas Barber College has emergency plans posted in designed areas of the campus for immediate instructions to follow. The emergency plan provides timely and accurate information to evacuate if needed without delay. The notification will include a short description of the crime or incident, giving the time and date, location, reported offense, suspect description, and any other pertinent information used to facilitate the crime. The notification will also include personal safety information to aid members of the school in protecting themselves from becoming victims of a similar crime. In order to make this program effective, students are to familiarize themselves with the following emergency procedures. Nothing herein precludes any student, staff or faculty from contacting the appropriate authorities directly in the event they feel in threat of physical harm or imminent danger.

**\*\*\* In case of emergency - dial 911\*\*\***

**Department of Homeland Security- Active Shooter**

<http://www.dhs.gov/video/options-consideration-active-shooter-training-video>

**Student Emergency Responses**

There is potential for students to be involved in a variety of emergency situations for which appropriate actions must be taken. These possible situations include incidences that may require emergency evacuation, emergency lockdown, external lockdown, or to shelter in place.

**Emergency Evacuation**

Evacuation is the movement of campus occupants from a dangerous or potentially dangerous location to a safe location. There are two types of evacuation: fire evacuation and non-fire evacuation.

**Fire Evacuation:**

• Evacuation is mandatory when a fire alarm is activated.

• Follow authorized personnel’s (e.g., faculty, staff, or fire department personnel, etc.)

instructions if given.

• Assist people with disabilities, if possible.

• Ensure all doors and windows are closed as a room and building are evacuated. (Do not lock

doors)

• Do not attempt to reenter the facility unless and until directed to do so by authorized

personnel.

• Evacuate to a safe distance and location from the building affected, away from fire hydrants,

fire lanes, and not under power lines.

**Non-fire Evacuation:**

• A non-fire evacuation will be initiated by campus CSA or Mr. Garcia

• Follow administrator instructions if given.

• Assist people with disabilities if possible.

• Do not attempt to reenter the facility unless directed to do so

**Emergency Evacuation for a Fire Incident**

**Definition**

A fire emergency evacuation is initiated when a fire incident occurs. Depending upon the campus size, it may require an evacuation of a single particular building affected by the fire incident, rather than the entire campus.

The objective: all building occupants are safely evacuated to a safe distance and location from the building affected, away from fire hydrants, fire lanes, and not under power lines.

**Staff Response**

Staff/faculty responsible for the affected areas should conduct a sweep of the building(s) to ensure all students are aware of and appropriately responding to the fire alarm and safely evacuated.

**Fire evacuation procedures:**

• Evacuation is mandatory when a fire alarm is activated.

• Designated staff or faculty check the affected building(s) to ensure all personnel are

appropriately evacuating.

• Assist people with disabilities if possible.

• Ensure all doors and windows are closed as a room and building are evacuated.

• Do not attempt to reenter the facility unless and until directed to do so by authorized personnel.

• Evacuated persons are directed to a safe distance and location from the building affected, away from

fire hydrants, fire lanes, and not under power lines.

**Emergency Evacuation for Bomb Threat or Other Non-Fire Situation**

**Definition**

Non-fire emergency evacuation is used for any emergency evacuation not related to a fire incident. It is important to remember that evacuation distances significantly expand, up to hundreds of yards, for suspicious object evacuations. Nevertheless, not all bomb threats will necessarily result in evacuation, depending upon the individual event circumstances.

The objective: move all campus occupants to a remote, predefined and controlled location.

**Staff Response**

Team members who are designated to sweep evacuation routes and sites should locate a staff member to take responsibility for students under their supervision, and should then sweep the evacuation route and evacuation site for secondary hazards. They should immediately report their findings to the lead administrator.

**Note:** The lead administrator will typically direct that this step be completed before making the general announcement for evacuation of the building.

Other staff:

1. Gather all students and visitors in your area of responsibility and evacuate using the route and s designated by the lead administrator or designee.

2. Ensure that all special needs persons are provided assistance by their designees as per the site evacuation plan.

3. Remain alert to your surroundings. Be particularly alert to any people or conditions that might pose a danger to evacuees. If you encounter a significant hazard, quickly evaluate the situation; adjust your evacuation route and attempt to notify the lead administrator or the appropriate public safety officials. 4. Once you reach the designated evacuation site, search the site for suspicious objects and adjust accordingly.

5. On evacuation site - develop a written list of all evacuees and provide the list to the lead administrator or his/her designee. Also indicate the presence or lack of any suspicious objects in your room/work area.

6. Supervise students under your care.

7. Do not attempt to reenter the facility unless the lead administrator or his/her designee directs you to do so.

**Fire Incident Reporting**

Students and staff member are instructed to call 911 to report a fire emergency. Non-emergency notifications (e.g., evidence that something burned) are made to:

Corpus Christi Police Department: Phone: (361) 886-2600

Corpus Christi Fire Safety Department: Phone: (361) 826-3932

**Emergency Lockdown**

Emergency Lockdown is used to dramatically and rapidly enhance the level of security of the campus. By locking all exterior, interior and classroom doors, staff can make it more difficult for dangerous person(s) in the vicinity of the campus and in the campus to gain access to staff and students;

• Lock or barricade doors of classroom and internal student areas of congregation.

• Close blinds, turn off lights.

• Remain quiet and out of sight.

• If gunshots are heard, lie on the floor and try to use available resources for additional cover and

concealment.

• If you are outside when a lockdown is declared, seek shelter away from danger.

• If a fire alarm is activated during a lockdown, proceed with extreme caution.

• Do not open the door for people claiming to be public safety personnel unless you have an

opportunity to view photo identification or are instructed to do so by a staff member whom you

recognize.

**External Lockdown**

External lockdown creates a physical layer of security between the internal and external dimensions of the campus. In addition to locked entrances, this may also include supervised entry and exit to campus facilities, and/or barricade to campus property (e.g., barricades or chains restricting access to campus parking and grounds). This lockdown allows staff and students continue activities while maintaining access control to the campus and remain in an elevated state of security.

• Remain in classroom.

• Follow faculty and staff instructions

• Remain attentive to any change in status.

**Missing Student Notification Procedures**

South Texas Barber College does not have residential on-campus student housing. In the case that a South Texas Barber College staff member is notified that a student, or employee has been reported missing for 24 hours Mrs. Dubelia Lopez, CSA will work as close as need with the Corpus Christi Police Department. The local law enforcement agency will be notified regardless. Mrs. Lopez, CSA is the contact person designated to notify and advised all information confidential. If student is under age 18 and not emancipated the school is required to notify a custodial parent or guardian within 24 hours of the determination that the student is missing in addition to notify the contact person that was designated by the student.

**Shelter in place**

Sheltering in place procedures is traditionally utilized when:

1. A tornado has been spotted.

2. There has been a chemical or biological incident outside of, but in proximity to a campus and available information indicates that there is no adequate time to evacuate building occupants to another safe location before the dangerous contaminants reach the facility.

• Follow staff and faculty instructions.

• Assist people with disabilities if possible

• If you are outside when a shelter in place is declared, immediately seek an interior room or

hallway with no windows.

• Close windows and doors – do not lock doors.

• Remain in shelter until an all clear is given.

**Weapons Policy**

The possession, carrying, and use of weapons, ammunition, or explosives are prohibited on South Texas Barber College campus property. The only exception to this policy is for authorized law enforcement officers. Failure to comply with the campus weapons policy will result in disciplinary action up to termination against any violators.

**The Daily Crime Log**

South Texas Barber College does not maintain a campus police or security department. Therefore, in accordance with federal guidelines at 34 CFR 668.46(f), South Texas Barber College does not maintain a crime log but does maintain a log of campus incident reports.

**SECURITY PROGRAMS FOR STUDENTS AND EMPLOYEES**

The Institution informs our students on how to recognize the signs of possible abuse. The Office on

Women of the US Department of Health and Human Services work to stop violence against women

and girls in our country and around the world. The campus has literature to assist in advising students

on getting help for domestic violence. The National Domestic Violence Hotline is 1-800-799-7233.

Hotline staff is available 24 hours a day, 7 days a week. If you are immediate danger, call 911. There

are several websites to get help for domestic violence- WomensLaw.org, www.womenshealth.gov,

www.violenceprevention.gov.

**RAPE PREVENTION AWARENESS PROGRAM**

Annually, South Texas Barber College sponsors a Rape Prevention Awareness Program for

students and faculty.

The annual Rape Prevention Program is coordinated by the CSA, Mrs. Lopez.

The annual Rape Prevention Awareness Programs purpose is to advise students and staff of common warning signs of abusive relationships and to advise how students and staff can engage in simple behaviors to reduce the risk of victimization.

The actual program consists of a presentation by a speaker from the local Rape Crisis Center.

Paper copies of materials are distributed to all participants.

**DOMESTIC VIOLENCE/RAPE PREVENTION PROGRAM (MONTHLY)**

Twice a year, a 30-minute class regarding domestic violence/rape prevention is conducted by one of the

school’s authorized campus safety personnel. Students and staff are also reminded of the National

Domestic Violence Hotline is 1-800-799-7233 and provided with contact information CSA, (Mrs. Dubelia Lopez; (361) 855-0262.

During the program, said individual reviews the latest information regarding prevention/recognition of

domestic violence and prevention of rapes on or off campus.

Materials received from, www.violenceprevention.gov.are used as a guide for the presentation. Also,

students and faculty are given paper materials from website above to help with understanding of the

program.

**A STATEMENT OF PROGRAMS AVAILABLE TO STUDENTS AND EMPLOYEES RELATED TO CAMPUS SECURITY, PERSONAL SAFETY, AND CRIME PREVENTION**

**Education and Prevention Programs**

Twice a year, a 30-minute class is conducted regarding personal safety and crime prevention. The

Additionally, the CSA office has a directory of services that are available, within the community, to

assist those who have suffered from a criminal act. These services are usually free and are provided

by organizations or agencies within the community. The office also has available resource materials

that address Domestic Violence, Dating Violence, Sexual Assault and Stalking.

Once a year, South Texas Barber College invites law enforcement and other authorized

professionals to conduct its educational program regarding the prevention of sexual assault and

other crimes. South Texas Barber College encourages victims to report crimes committed against them, however, reporting is voluntary and optional. Comprehensive educational programs are provided to help prevent domestic violence, dating violence, sexual assault and stalking monthly. South Texas Barber College prohibits the crimes of dating violence, domestic violence, sexual assault and stalking. Other educational programming consists of primary prevention and awareness to all incoming students and new employees and ongoing awareness and prevention to the campus community that:

a. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;

b. Defines domestic violence, dating violence, sexual assault, and stalking including how those

terms are defined

c. Provides safe and positive options for bystander intervention that may be carried out by an

individual to prevent harm or intervene when there is a risk of domestic violence, dating violence,

sexual assault, or stalking against a person other than the bystander;

d. Provides information on risk reduction so that students and employees may recognize warning

signs of abusive behavior and how to minimize the risk of potential attacks;

e. Provides an overview of information contained in the Annual Security Report in compliance with

the Clery Act.

**POLICY REGARDING MONITORING/RECORDING OF SAFETY INFORMATION**

**AT NON-CAMPUS LOCATIONS WHERE STUDENTS MEET**

South Texas Barber College does not have any off campus facilities or off campus activities

for students; therefore, monitoring and recording of off campus criminal activities are not required at

this location. South Texas Barber College does not have any officially recognized student

organizations.

**STATEMENT ADVISING OF AVAILABILITY OF INFORMATION ON**

**REGISTERED SEX OFFENDERS**

**Sex Offender Registration — Campus Sex Crimes Prevention Act**

The Federal Campus Sex Crimes Prevention Act that became effective October 27, 2002 and the

Adam Walsh Child Protection and Safety Act of 2006 require eligible institutions participating in

the Title IV Federal Student Aid program to issue a statement advising the campus community where

the State law enforcement agency information concerning registered sex offenders/predators may be

obtained. South Texas Barber College students, staff, and members of the general public may request community notification fliers for information concerning sexually violent predators in a particular community by visiting the chief law enforcement officer in that community.

By Phone

State Sex Offender and Child Predator Registry

By Mail

By E-Mail

This information is also available on the Texas website:

[www.kidlivesafe.com/Sex-Offenders](http://www.kidlivesafe.com/Sex-Offenders)

Texas Public Sex Offenders Registry – Texas DPS Crime Records Service

<https://records.txdps.state.tx.US>.

**POLICY REGARDING INSTITUTIONAL RESPONSE TO SEXUAL VIOLENCE**

Title IX of the Education Amendments of 1972 ("Title IX") protects people from discrimination

based on sex in education programs or activities that receive Federal financial assistance. Title IX

states:

No person in the United States shall, on the basis of sex, be excluded from participation in, be

denied the benefits of, or be subjected to discrimination under any program or activity receiving

Federal financial assistance.

South Texas Barber College not only complies with the letter of Title IX's

requirements but also endorses the law’s intent and spirit. The School’s response to crimes of sexual

violence, including sexual assault, dating violence, domestic violence and stalking, follows the

School’s Title IX policy related to sexual violence, as provided and made available to students and employees.

**The purpose of this policy is to ensure that the Institution's policies are applied and interpreted in ways consistent with Title IX and other applicable law.**

It is the policy of the Institution to provide educational, preventative and training programs

regarding sexual or gender-based harassment; to encourage reporting of incidents; to prevent

incidents of sexual and gender-based harassment from denying or limiting an individual’s ability to

participate in or benefit from the South Texas Barber College programs; to make

available timely services for those who have been affected by discrimination; and to provide prompt

and equitable methods of investigation and resolution to stop discrimination, remedy any harm, and

prevent its recurrence. Violations of this policy may result in the imposition of sanctions up to, and

including, termination, dismissal, or expulsion, as determined by the appropriate officials at South Texas Barber College.

**South Texas Barber College Title IX Officer**

Dubelia Lopez

3917 Ayers

Corpus Christi, TX 78415

(361) 855-0262

South Texas Barber College will take appropriate action (i.e., an investigation, adjudication and

Disciplinary and remedial/corrective steps) in response to a complaint made pursuant to the complaint

policies/procedures. South Texas Barber College will make every effort to handle complaints and investigations with sensitivity to both the rights of the person who complains and the rights of the accused.

South Texas Barber College handles complaints discreetly and attempts to maintain privacy

throughout the investigative process, to the extent practicable and appropriate under the circumstances.

However; in order to conduct an investigation, it is generally necessary to discuss the allegations with

the accused and other potential witnesses. Additionally, the school may have legal obligations to

disclose information to law enforcement or in the context of legal proceedings.

Complaints may be made anonymously. While the school endeavors to investigate all complaints,

including anonymous complaints, the nature of anonymous complaints makes investigation,

determination, and remediation more difficult and, at times, impossible. Further, while the school

attempts to protect the identity of complainants who do not wish to be identified, this may not always

be possible.

In appropriate cases as determined by the school, conflict resolution may be possible. This is

permitted only where both the complainant and accused voluntarily agree to participate, and either

party may terminate informal resolution attempts and commence formal Grievance procedures at

any time prior to reaching a mutually acceptable resolution. Depending on the circumstances, a

mediated resolution may not necessarily involve face-to-face discussions between the complainant and

the accused. Certain cases are not appropriate for conflict resolution, such cases involving sexual assault or violence.

Occasionally, an individual makes a complaint and later wishes to revoke or discontinue the

investigation or adjudication process. Similarly, it may occur that someone other than the victim

reports an incident, and the victim declines to participate in the investigation or adjudication process.

In other instances, complaints may be received anonymously and/or the victim may not wish to be

personally identified. The school endeavors to respect the wishes of a victim to either not be

identified and/or not participate in the process. In these situations, South Texas Barber College attempts to investigate and address complaints in accordance with the victim's wishes.

If a victim wishes to talk about an incident with the assurance that the discussion will be

confidential and will not result in an investigation or follow up action, the Institution offers

confidential resources through the school’s Director or Operation Manager.

Anyone wishing to have an incident investigated, mediated or adjudicated must make a complaint

either orally or in writing in accordance with the procedures described above.

In determining whether sex discrimination, sexual harassment or sexual misconduct occurred, South Texas Barber College does not apply the criminal standard of "beyond a reasonable doubt," nor do formal court rules of evidence apply. Instead, the school uses a "preponderance of the evidence" standard, and the school may consider any evidence it deems relevant. A "preponderance of the evidence" means the evidence which is of greater weight or is more convincing than opposing evidence such that it is "more likely than not" that an act occurred.

If the applicable investigative or adjudication process allows for parties to offer witnesses and

evidence, the complainant and the accused will have an equal opportunity to do so. The complainant

and the accused will be informed in writing of the outcome of the complaint, to the extent permitted by

law. An accused that is a student may appeal the outcome to an impartial decision maker. An employee

who is deemed guilty shall have whatever rights granted under law. The particular method and grounds

for appeal are explained in the student policies listed above.

South Texas Barber College will, upon written request, disclose to the alleged victim of a crime of violence (see definition below), or a non-forcible sex offense, the results of any disciplinary hearing conducted by the school against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, South Texas Barber College will provide the results of the disciplinary hearing to the victim’s next of kin, if so requested.

*§ 16. Crime of violence defined. The term ‘‘crime of violence’’ means— (a) an offense that has as*

*an element the use, attempted use, or threatened use of physical force against the person or*

*property of another, or (b) any other offense that is a felony and that, by its nature, involves a*

*substantial risk that physical force against the person or property of another may be used in the*

*course of committing the offense.*

South Texas Barber College endeavors to resolve complaints promptly. Ordinarily, the

investigative stage will take no longer than 60 calendar days from the time the complaint is received.

In exceptional circumstances (including but not limited to especially complex cases or when

the school is not in session), it may be necessary to extend these timelines. If that occurs, the

parties will be informed of the expected timeline for completion.

South Texas Barber College prohibits retaliation against any individual who in good faith

makes a complaint of sex discrimination, sexual harassment, or sexual misconduct or

participates as a witness in a proceeding under this or any other school policy. Retaliation is also

unlawful pursuant to Title IX and other laws.

Compliance with the provisions of the changes that VAWA made to the Clery Act does not constitute

a violation of the Family Educational Rights and Privacy Act (FERPA)

**POLICY FOR PROVIDING VICTIM STUDENTS AND EMPLOYEES WITH RESOURCES TO ASSIST THEM AFTER AN INCIDENT**

It is the policy of South Texas Barber College to provide all victims of crimes, including, but

not limited to sexual offenses with written notification of and or about existing counseling, mental

health, victims advocacy, legal assistance, visa and immigration assistances, student financial aid, and

other services available for victims, both at the school, if any and in the community. The written

notification will be mailed to the students last known address or provided in person, if the victim

continues to be present.

It is also the policy of South Texas barber College to provide all victims of crimes with

written notification explaining the student’s or employee’s rights and options as described in 34CFR

668.46(b)(11)(ii)through(vi)

**POLICIES CONCERNING THE SEXUAL ASSAULT PREVENTION PROGRAM AND THE PROCEDURES THAT ARE FOLLOWED**

The new Campus Sexual Violence Elimination Act of 2013 (SAVE Act) requires schools to educate

students, staff, and faculty on the prevention of rape, acquaintance rape, domestic violence, dating

violence, sexual assault, and stalking. As part of South Texas Barber College compliance with the SAVE Act requirements for prevention and awareness programs that address the specified areas above, the school has several relevant brochures available on display in the CSA office and student bulletin boards. These brochures are from nationally recognized organizations and include awareness and preventive information. These brochures also include help hotlines related to these specific topics.

**Male Victims**

While most victims of sexual assault are women, some men are also victims and will be treated the

same as a female victim and have the same rights, resources and access to help.

**Institutional Notice of Petitioner’s Rights under the Violence against Women Act**

No person in the United States shall, on the basis of sex, be excluded from participation in, be

denied the benefits of, or be subjected to discrimination under any program or activity receiving

Federal financial assistance.

South Texas Barber College not only complies with the letter of Title IX’s requirements but also endorses the law’s intent and spirit. South Texas Barber College is committed to compliance in all area addressed by Title IX including access to higher education, career education, math and science, standardized testing, education for pregnant and parenting students, learning environment, and technology, as well as sexual harassment.

Sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms

of sex-based discrimination and include dating violence, domestic violence, sexual assault and

stalking. As such should you report a form of sex-based discrimination, South Texas Barber College wants to inform you of our policy and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus as

well as your rights, and the school’s responsibilities.

As a petitioner of sexual assault, dating violence, domestic violence or stalking, you will receive a full

copy of our institution’s Title IX Policy. This policy has procedures in place that serve to be

sensitive to those who report sexual assault, domestic violence, dating violence, and stalking. These

procedures include our right to inform you of your rights to file criminal charges as well as the

availability of medical, counseling, and support services. We also offer additional remedies to prevent

contact between a complainant and an accused party. The policy also addresses possible sanctions

and interim and/or long-term protective measures that South Texas Barber College may impose as mentioned above.

**Applicable State Law Definitions**

**Consent** is defined that a person commits a sex crime:

1. when the victim resists the act to the utmost, but whose resistance is overcome by force;
2. (2) when the victim is prevented from resisting the act by threats of great and immediate bodily harm, accompanied by apparent power of execution;

(3) when the victim is prevented from resisting the act because the offender is armed with a

dangerous weapon;

(4) when two or more offenders participated in the act;

(5) when the victim is prevented from resisting the act because the victim suffers from a physical or

mental infirmity preventing such resistance (“mental infirmity” means a person with an

intelligent quotient of seventy or lower; “physical infirmity” means a person who is a

quadriplegic or paraplegic);

**Sexual Assault** is defined as an offense classified as a forcible or non-forcible sex offense under the

uniform crime reporting system of the Federal Bureau of Investigation.

**Sexual Violence**

A person commits the crime of forcible rape by engaging in oral, anal, or vaginal sex

when: the victim is prevented from resisting by force or threats of physical violence,

**Sexual Violence** includes any one incident of:

1. Sexual battery, as defined in a lewd or lascivious act, as defined in upon in the presence of a

person younger than 16 years of age.

2. Luring or enticing a child

3. Sexual performance by a child

4. Any other forcible felony wherein a sexual act is committed or attempted regardless of whether

criminal charges based on the incident were filed, reduced, or dismissed by the state attorney.

**Domestic Violence**- includes felony or misdemeanor crimes of violence committed by a current or

former spouse of the victim, by a person with whom the victim shares a child in common, by a

person cohabitating with or has cohabitated with the victim as a spouse, or by any other person

against an adult or youth victim who is protected from that person’s acts under the domestic or family

violence laws of the jurisdiction.

Domestic violence means any assault, aggravated assault, battery, aggravated battery, sexual

assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal

offense resulting in physical injury or death of one family or household member of another family or

household member. A family or household member means spouses, former spouses, persons related

by blood or marriage, persons who are presently residing together as if a family or who have resided

together in the past as if a family, and persons who are parents of a child in common regardless of

whether they have been married. With the exception of persons who have a child in common, the

family or household members must be currently residing or have in the past resided together in the

same single dwelling unit.

**Dating Violence** means violence committed by a person—

1. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and

2. Where the existence of such a relationship will be determined based on a consideration of the

following factors:

a. The length of the relationship

b. The type of relationship

c. The frequency of interaction between the persons involved in the relationship

Dating violence means violence between individuals who have or have had a continuing and

significant relationship of a romantic or intimate nature. The existence of such a relationship shall be

determined based on the consideration of the following factors:

1. A dating relationship must have existed with in the past 6 months.

2. The nature of the relationship must have been characterized by the expectation of affection or

sexual involvement between the parties.

3. The frequency and type of interaction between the persons involved in the relationship must

have included that the persons have been involved over time, and on a continuous basis during the

course of the relationship.

The term does not include violence in a casual acquaintanceship or violence between individuals who

have engaged in ordinary fraternization in a business or social context.

**Stalking** means engaging in a course of conduct directed at a specific person that would cause a

reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional

distress.

**“Credible Threat”** means a verbal or nonverbal threat, or a combination of the two, including

threats delivered by electronic communication or implied by a pattern of conduct, which places the

person who is the target of the threat in reasonable fear for his or her safety, or the safety of his or

her family members or individuals closely associated with the person, and which is made with the

apparent ability to carry out the threat to cause such harm. It is not necessary to prove that the person

making the threat had the intent to actually carry out the threat. The present incarceration of the

person making the threat is not a bar to prosecution under this section.

**“Cyber Stalk”** means to engage in a course of conduct to communicate, or to cause to be

communicated, words, images, or language by or through the use of electronic mail or electronic

communication, directed at a specific person, causing substantial emotional distress to that person

and serving no legitimate purpose. A person who willfully, maliciously, and repeatedly follows,

harasses, or cyber stalks another person commits the offense of stalking, a misdemeanor of the first

degree, punishable as provided in Louisiana statutes/code). A person who willfully, maliciously,

and repeatedly follows, harasses, or cyber stalks another person and makes a credible threat to that

person commits the offense of aggravated stalking, a felony of the third degree, punishable as

provided in Louisiana statutes/code).

**Bystander Intervention** A bystander is someone other than the victim who is present when an act of

dating violence, domestic violence, stalking, or sexual assault is occurring or when a situation is

occurring in which a reasonable person feels as though some protective action is required to prevent

sexual assault, dating violence, domestic violence, or stalking. Bystanders, if active, can prevent

harm or intervene before a situation gets worse.

**Reporting sexual assault, dating violence, domestic violence, or stalking**

After an incident of sexual assault or domestic violence, the victim should consider seeking medical

attention as soon as possible at a local hospital that will supply a physical evidence recovery

collection kit. Evidence may be collected even if you chose not to make a report to law enforcement. A victim’s name and identifying information will be withheld from the public and press in accordance with the Public Records Law. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence as may be necessary to the proof of criminal activity may be preserved. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease.

Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also

preserve evidence by saving text messages, instant messages, social networking pages, other

communications, and keeping pictures, logs or other copies of documents, if they have any, that would

be useful to the Institution’s hearing boards/investigators or police. Although the institution strongly

encourages all members of its community to report violations to law enforcement, it is the victim’s

choice whether or not to make such a report, and victims have the right to decline involvement with

the police.

To report an incident involving a sexual assault, domestic violence, stalking or dating violence,

contact the School’s Title IX Coordinator, Dubelia Lopez. The purpose and authority of the institution staff is limited to the enforcement of campus rules and regulations. Incidents that go beyond this scope are referred and investigated by the Corpus Christi Police Department.

A victim of domestic violence, dating violence, sexual assault or stalking has the following rights:

a WRITTTEN COPY WILL BE PROVIDED

1. A law enforcement officer who investigates an alleged sexual battery shall:

(a) Assist the victim in obtaining medical treatment, if medical treatment is necessary as a

result of the alleged incident, a forensic examination, and advocacy and crisis-intervention

services from a certified rape crisis center and provide or arrange for transportation to the

appropriate facility.

(b) Advise the victim that he or she may contact a certified rape crisis center from which the

victim may receive services.

(c) Prior to submitting a final report, permit the victim to review the final report and provide a

statement as to the accuracy of the final report.

2. The law enforcement officer shall give the victim immediate notice of the legal rights and

remedies available to a victim on a standard form developed and distributed in conjunction with

the Corpus Christi Law Enforcement. The notice will include the resource listing, including

telephone number, for the area certified rape crisis center as designated by the State.

A person who is the victim of sexual violence or the parent or legal guardian of a minor child who

is living at home who is the victim of sexual violence has standing in the circuit court to file a

sworn petition for an injunction for protection against sexual violence on his or her own behalf, or

on behalf of the minor child if:

1. The person has reported the sexual violence to a law enforcement agency and is cooperating in

any criminal proceeding against the respondent, regardless of whether criminal charges based

on the sexual violence have been filed, reduced, or dismissed by the state attorney; or

2. The respondent who committed the sexual violence against the victim or minor child was

sentenced to a term of imprisonment in state prison for the sexual violence and the respondent’s

term of imprisonment has expired or is due to expire within 90 days following the date the

petition is filed.

Further, the Institution complies with State law in recognizing orders of protection for dating

violence, domestic violence, repeat violence, and sexual violence. Any person who obtains an

order of protection from the State or any reciprocal state should provide a copy to the Director/

Operation Manager at South Texas Barber College. A petitioner should then meet with

Director/ Operations Manager or CSA to develop a Safety Action Plan, which is a plan to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, or other measures to assist the petitioner.

Below are details on how to file a restraining order:

1. Prepare a petition and file the petition with Clerk of Court.

a. Petition includes information on the petitioner and respondent, such as, address,

employment, children, and description of the respondent.

b. Allegation

1) Must be described in detail

2) Relationship to the respondent

3) Dates of incidents

c. Reviewed by Judge immediately

1) If requirements are met

2) Judge will grant a temporary restraining order

3) Restraining order will be valid for 21 days, long term 18 months

4) Once order is served to the respondent it will be valid and enforceable

2. Court Hearing

a. Scheduled 15 days after filing.

b. Hearing will be extended 15 days if respondent cannot be found. (Temporary

restraining order will not be valid or enforceable until respondent is served.)

c. Gather witnesses, and any other evidence to present to the Judge.

d. All documents must be certified under State Rules of Evidence, or a live witness must

testify at the hearing to document authenticity of the documents.

e. Evidence must relate to the allegation on the petition.

3. Hearing

a. Respondent does not appear at hearing.

1) Petitioner allowed to present evidence.

2) Ruling will be based on evidence presented.

b. Respondent appears at hearing.

1) Respondent can object to evidence which is based on State Rules of Evidence.

2) Respondent can cross-examine witnesses and the petitioner.

c. Petitioner will rest their case.

d. Respondent can introduce evidence.

e. Judge Rules on:

1) Custody (if required)

2) Visitation (if required)

3) Restraining Order can be for a certain time period or indefinitely.

4) Judge can also deny petition.

5) At any time either the petitioner or respondent can file to remove the Restraining Order.

To the extent of the victim’s cooperation and consent, all school offices will work cooperatively to

ensure that the petitioner’s health; physical safety, work and academic status are protected, pending

the outcome of a formal Institution investigation of the complaint. Additionally, personal identifiable

information about the victim will be treated as confidential and only shared with persons with a

specific need to know who are investigating/adjudicating the complaint or delivering resources or

support services to the complainant. South Texas Barber College does not publish the name of crime victims nor publish any identifiable information regarding victims in its crime reports and/or records.

**Procedures for Responding to Reports of Sexual Assault, Domestic Violence, Dating Violence, and Stalking**

In addition to police, the person to report all crimes to at South Texas Barber College is:

Dubelia Lopez, Campus Security Authority

Address: 3917 Ayers, Corpus Christi, TX 78415

Phone: 361-855-0262

Concerns about conduct by an employee, third party or student should follow the reporting procedures

set forth by the school.

Upon making a report to the School that you are the victim of domestic violence, dating violence,

sexual assault, or stalking whether the offense occurred on or off campus, the School will provide you

with a written explanation of your rights and options.

If you or someone you know is the victim of a sexual assault, domestic violence, dating violence,

and/or stalking, the victim has several rights, including:

• The right to report the incident to the school’s CSA or local authorities. The school will assist victims

in notifying either the schools CSA or local police. Filing a police report does not mean the victim

must pursue criminal charges. The victim maintains his or her rights throughout the process.

• The right to receive written information about existing counseling health, mental health, victim

advocacy, legal assistance, Visa/immigration assistance and student financial aid.

• The right to receive written notification about options for available assistance in, and how to request

changes to academic, living, transportation, and working situations or protective measures.

• In addition to the campus services, several community service organizations can provide counseling,

mental health, and other related services to sexual assault victims.

If a victim of an alleged sexual assault or relationship violence incident requests a change in her or his

living arrangements or academic schedule, the administrator and other offices at the school is

obligated to assist the individual with making these changes, as long as they are reasonably available.

Furthermore, the school may assist victims with student financial aid assistance and/or

visa/immigration assistance if requested and to the extent they are reasonably available.

**Internal Procedures for Reports of Alleged Dating Violence, Domestic Violence, Sexual Assault, and Stalking**

**Preliminary Assessment**

When a report of a potential incident of domestic violence, dating violence, sexual assault, or stalking

is received, Mrs. Dubelia Lopez will conduct a preliminary assessment of the available information.

The preliminary assessment may include the following:

1. Evaluating whether the report provides identifying information for the Complainant, Respondent,

and/or witnesses to the reported incident.

2. Conducting a Preliminary Investigation by gathering additional information from the Complainant,

Respondent, and/or witnesses to the reported incident in order to assess the need for additional

action by the School.

3. Contacting the Complainant, if identified, in order to provide written information regarding the

following:

• The School’s commitment to providing support and resources to survivors of dating violence,

domestic violence, sexual assault, and stalking

• The Complainant’s right to seek medical treatment, as well as an explanation of the importance of

preserving forensic and other evidence

• The Complainant’s option to make a report—or to refuse to make a report—to law enforcement,

as well as the potential of obtaining a Protection from Abuse or Sexual Violence Protection

Order

• The Complainant’s right to invoke formal or informal School disciplinary/resolution processes in

connection with their experience, as well as an explanation of what the formal and informal

procedural options entail and the Complainant’s rights under each

• The Complainant’s right to request appropriate remedial and protective measures, and an

explanation of how to request those measures, including:

1. “No Contact” Directives or Agreements

2. Academic accommodations

3. Modifications to housing

4. Transportation assistance

5. Modifications to employment situations

• The School’s policy prohibiting retaliation, and its commitment to take prompt action in response

to reports of retaliation

• The Complainant’s right to meet with Mrs. Lopez to discuss their situation, including

the procedural options, resources, and support services that may be available in connection with

the Complainant’s experience

• The Complainant’s right to be accompanied by an advisor of their choosing to any meeting or

interview conducted in connection with the reported incident

4. Contacting the Respondent or other witnesses to obtain additional information regarding the

reported incident

5. Communicating with local Police & Public Safety and/or or other School administrators in order to

determine whether the reported incident triggers obligations under the Clery Act or child abuse

reporting laws.

If the Complainant is willing, the Title IX Coordinator or a designated CSA staff member will meet

with the Complainant for an initial discussion of the Complainant’s need for support and/or

accommodations, as well as their preference for pursuing formal or informal School

disciplinary/resolution processes. Possible outcomes of an initial discussion with a Complainant can

include the following:

1. The Complainant may wish/agree for the School to proceed with a Preliminary Investigation or

informal process only, which may include contacting the Respondent or other witnesses in order to

gather additional information or discuss the reported incident and to assess appropriate next steps.

The Complainant will be eligible for appropriate accommodations, and appropriate

protective/remedial measures may be provided. The Complainant will also be informed that they

may request that the School take formal action in response to the reported incident at a later date. It

will also be explained that, while there is no deadline for requesting to invoke the School’s formal

processes in response to an incident of dating violence, domestic violence, sexual assault, or

stalking, the passage of time may impact the School’s ability to gather information related to the

incident. A timeline for next steps will be reviewed. The Complainant will be advised that there

may be occasions where the School may determines that additional formal or informal resolution

processes are required, even if the Complainant does not express a desire to engage in additional

process. The Complainant will be informed of the process by which the School makes such

determinations, and will be kept apprised of any decision-making processes as they take place.

2. The Complainant may request that the School proceed with the formal process. The Complainant

will be eligible for appropriate accommodations, and appropriate protective/remedial measures may

be provided. Additional information necessary to proceed with the formal process will be obtained.

A timeline for next steps will be reviewed and when appropriate, additional meetings scheduled.

3. The Complainant may express uncertainty as to what protective/ remedial measures or procedural

options they want or need. In such cases, whenever possible, the Complainant will be provided

some reasonable period of time to consider their options and communicate whatever

needs/preferences they may have. A timeline for next steps will be reviewed and when appropriate,

additional meetings scheduled.

4. The Complainant may request that the School keep their identity confidential, which may include a

request that the School decline to proceed with any additional fact-gathering, or formal or informal

resolution processes with respect to the reported incident. In such instances, the Complainant will

be advised and the School will follow procedures in evaluating the Complainant’s request and in

taking appropriate action.

If a decision is reached to institute formal or informal School resolution processes, or to impose

remedial or protective measures that will affect the Respondent, the Respondent will be notified of the

proposed action by Mrs. Dubelia Lopez, and will receive written notification of the available

procedural options and resources available to them as well as the opportunity to meet with Mr. Garcia

or a designated CSA staff member to discuss the same.

**If a determination is made to honor a request from a Complainant**

The Title IX Coordinator and President, Mr. Garcia will communicate the decision to the Complainant in a prompt and sensitive manner. The Complainant will be advised that the School’s ability to investigate and/or respond to a reported incident. All attempts to maintain the confidentiality of all parties will be of tantamount concern and a priority; however, some circumstances make maintaining confidentiality impossible. Any student whose confidentiality cannot be protected will be notified. The School may nevertheless take other appropriate steps designed to eliminate the reported conduct, prevent its recurrence, and remedy its effects on the Complainant and the campus community. Those steps may include offering appropriate remedial measures to the Complainant, providing targeted training or prevention programs, and/or providing or imposing other remedies tailored to the circumstances. The Complainant will be advised of any additional steps, and will also be informed of their right to request that the School pursue formal or informal resolution processes at a later date.

**Preliminary Investigations, and Formal and Informal Resolution Procedures for Reports of Alleged Domestic Violence, Dating Violence, Sexual Assault, and Stalking Involving Students**

**Preliminary Investigation**

During a preliminary investigation into a report of potential dating violence, domestic violence, sexual

assault, or stalking, or when an informal resolution process is requested by a Complainant, a CSA staff

and/or Mr. Garcia will contact the Respondent to schedule a meeting. In that meeting, the staff member will:

1. review the rights of the Respondent (including available resources, accommodations, and support

options, as well as the right to be accompanied by an advisor of their choosing to any meeting or

interview conducted in connection with the reported incident);

2. review the alleged details of the reported incident, as appropriate; and

3. solicit the Respondent’s perspective on the allegations

South Texas Barber College will provide a prompt, fair and impartial process from the

initial investigation to the final results.

**Informal Resolution Process**

If the Complainant has expressed a desire to proceed with an informal resolution process, the CSA

staff member may also discuss with the Respondent:

1. actions requested by the Complainant, as appropriate; and

2. actions recommended by the School.

If, following the discussion, the Respondent voluntarily agrees to participate with the actions necessary

to honor the Complainant’s and School’s requests, steps will be taken to complete those actions in a

prompt and timely manner. Examples of requests include, but are not limited to, counseling for the

Respondent, commitment to change/end the behavior, restricted activity, schedule modification, and

educational intervention. The Complainant will be notified of the Respondent’s agreement and

appropriate documentation will be maintained. No reportable disciplinary record is created; however,

the information will remain on file should future concerns be reported.

If the Respondent is **not willing to honor** the requests of the Complainant or the School, a follow-up

meeting will be held with the Complainant to determine the next steps. In addition, even if the

Complainant initially expresses a desire to engage in the informal resolution process only, they may

choose to invoke the School’s formal resolution processes at a later date.

**Formal Resolution Process**

**Proposed Timeline and How to File a Complaint**

A Complainant may issue a formal complaint with respect to an alleged incident of dating violence,

domestic violence, sexual assault, or stalking in person, or via phone, by contacting the Campus

Safety Authority:

Dubelia Lopez

Address: 3917 Ayers, Corpus Christi, TX 78415

Phone: (361) 855-0262

If a Complainant issues a formal complaint, or if a determination is made to pursue a formal

resolution procedures South Texas Barber College will initiate a prompt, thorough, fair,

and impartial investigation and resolution process. Reports will be investigated and managed by

professional staff, which has been trained annually on issues related to domestic violence,

dating violence, sexual assault, stalking, and victimization, and on how to conduct an investigation

and hearing process that protects the safety of victims and promotes accountability.

South Texas Barber College will observe the following procedures in conducting the formal resolution process, and will strive to complete any formal resolution process, up to and including a determination of responsibility and assignment of sanctions, within 30 business days of its initiation. If circumstances require that the proposed 30-day timeline be extended in any particular case, both parties will be notified of the extension and the reason it is being sought.

**Protecting the Confidentiality of Victims**

South Texas Barber College Director/ Operation Manager has been trained in confidentiality of student records and the provisions of the Family Educational Rights to Privacy Act. Personally identifiable information about the victim and other necessary parties where appropriate, will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering accommodations or protective measures or

support services to the complainant. South Texas Barber College does not publish the personally identifiable information of the crime victims in its Annual or other publicly available disclosures.

**Formal Investigations**

Formal Investigations will be conducted by the schools trained Title IX Coordinator. When a formal

investigation process is initiated, the Title IX Coordinator and Administrator will attempt to gather whatever relevant information may be reasonably available regarding the alleged incident. This may include interviewing the Complainant, Respondent, and/or any other witnesses who are identified during the course of the investigation, as well as gathering available documentary, electronic, or physical

evidence. Parties will be provided with adequate notice of the investigation and a meaningful

opportunity to be heard.

At the conclusion of the investigation, the Title IX Coordinator and Administrator will prepare a draft

Investigative Packet, which will contain all material information gathered during the investigation and

being put forward for consideration in determining whether to hold the Respondent responsible for the

alleged incident. The draft Investigative Packet will not contain any findings of responsibility/nonresponsibility. The Title IX Coordinator and Administrator will attempt to complete the investigation, including

the completion of the draft Investigative Packet, within 30 business days of initiation. If circumstances

require that the proposed 30-day investigative timeline be extended in any particular case, both parties

will be advised of the extension and the reason it is being sought.

The Complainant and Respondent will be provided with an opportunity to meet with Title IX

Coordinator and CSA in order to review the draft Investigative Packet, submit additional information

or comments, identify additional witnesses or evidence for the investigator to pursue, and submit any

additional questions that they believe should be asked of any other party or witness. The parties will

have up to 5 business days to submit any additional questions or follow-up after reviewing the draft

Investigative Packet.

Once the parties have responded to the draft Investigative Packet or the 5 business days have elapsed,

the Title IX Coordinator and Administrator will review and address any questions or follow-up submitted by the parties in response to the draft Investigative Packet, as appropriate. This may include conducting

additional investigation. The Title IX Coordinator and Administrator will then incorporate any revisions or new information into a final Investigative Packet within 5 business days, if possible. The parties will be

provided with an opportunity to review any new information that is added to the Investigative Packet

before it is finalized.

The final Investigative Packet will be reviewed by the Administrator and CSA. A recommended

finding of responsibility will be included in the final Investigative Packet.

**Processes for Determining Responsibility**

Whenever a final Investigative Packet is complete the Administrator and CSA will review the

Packet and, if it is determined that the information in the Investigative Packet reasonably supports a

Code of Conduct violation, the Administrator and CSA may recommend charges and sanctions

to the Respondent. If the Administrator and CSA determine that the information in the

Investigative Packet does not reasonably support a Code of Conduct violation, then the case will be

closed without charges.

If charges are issued, the Respondent and Complainant will both be provided with an opportunity to

meet with the Administrator and CSA to discuss and respond to the charges and ask questions

about the adjudicative process. If charges are assigned and the Respondent chooses to accept responsibility, both the Respondent and Complainant will have the opportunity to request a sanction review.

If the Respondent does not accept responsibility for the charges, the School may adjudicate the matter

The School will maintain ultimate discretion regarding which process to use in adjudicating each

particular case, but cases involving allegations of non-consensual sexual penetration (anal, oral, or

vaginal), as well as those involving the use of significant physical violence and/or the issuance of

threats of significant physical violence will typically be resolved through a Decision Panel process.

**Participation and the Right to Advisors**

The Respondent and Complainant will both be afforded reasonable opportunity to attend and

participate in proceedings before the Decision Panel and/or School Conduct Hearing. In addition, the

Respondent and Complainant may each be assisted during proceedings by an advisor of their choice.

Each party will be allowed to submit an impact statement that will be reviewed by the Decision Panel

or School Conduct Hearing officer(s), should the Respondent be found responsible for violating the

Code.

**Notification of Determination and the Right to Appeal**

Both the Respondent and the Complainant will be notified simultaneously, in writing, of the decision

once the written outcome has been submitted by the Decision Panel or School Conduct Hearing. Both

the Respondent and the Complainant will also be notified, in writing, of the appeal procedure, of any

change to the decision that occurs prior to the time that the decision becomes final, and when the

decision becomes final. If suspension or expulsion is either assigned or was within range for the

charges, both the Complainant and the Respondent will have the opportunity to file an appeal. At the

conclusion of any appeal process, both the Complainant and the Respondent will be notified

simultaneously, in writing, of the final outcome.

**Appeal of Disciplinary Proceeding**

In cases of reports of sexual assault, dating violence, domestic violence, or stalking against an

employee or student, both the Complainant and the Respondent shall be given simultaneous written

notice of their right to appeal from the Disciplinary Report as to findings of policy violation and

appropriateness of disciplinary action and recommendations for prevention of retaliation. In cases

where the Respondent is a staff member, academic administrator or other academic employees, appeal

shall be handled/led by the Director/ Operations Manager. In cases where the Respondent is any other

(non-academic) employee, appeal shall also be handled by the Director/ Operations Manager. An

appeal shall be in writing within fifteen (15) business days of receipt of the Disciplinary Report, and

shall list the specific matters to be appealed. Appropriate grounds for appeal are instances where

procedural error or previously unavailable relevant evidence could significantly impact the outcome of

a case or where a sanction is substantially disproportionate to the findings. Within fifteen (15) business

days of the written appeal, the Director/ Operations Manager shall issue a Final Determination in

writing simultaneously to the Complainant, Respondent, and the appropriate School Office Administrators.

Throughout the process outlined, the Complainant shall be offered appropriate remedial measures and

protection from retaliation. The Complainant shall also be informed by the Title IX Coordinator on

how to make a criminal report and how to file a complaint with the appropriate state or federal agency.

**South Texas Barber College may impose the following sanctions** or protective measures:

following a final determination of an institutional review regarding domestic violence, dating violence,

sexual assault or stalking.

**Students Sanctions**

The following sanctions may be imposed upon any student found to have been responsible for an

incident of dating violence, domestic violence, sexual assault, or stalking. More than one of the

sanctions listed below may be imposed for any single violation.

**Primary Administrative Sanctions:**

• **CONDUCT CONVERSATION:** A conduct conversation is used in limited circumstances in very

minor level cases. It is formal documentation that the student’s misconduct has been discussed and

future violations may result in further discipline action.

• **CONDUCT WARNING:** A conduct warning is an indication to a student that his/her conduct

violated the Students Code of Conduct and that further misconduct will result in more severe

disciplinary action.

• **CONDUCT PROBATION:** Conduct probation is assigned for a specified period of time and is

intended to foster reflection, responsibility, and improved decision-making. Additional conditions

and/or educational programs may be assigned as a component of the probation. Future established

misconduct, failure to comply with any conditions or to complete any assignments may lead to a

more severe disciplinary action, including suspension or expulsion. Conduct probation may be recorded on the official School transcript when, either due to the serious nature of the offense or when a student’s disciplinary history is significant.

• **CONDUCT SUSPENSION:** Disciplinary suspension from the School is assigned for a specified period of time. A suspended student is precluded from registration, participation in any class, activity or program of the School... In addition, the student is prohibited from using or visiting School facilities unless special permission is obtained from the School Director/ Operation Manager. During the period of the suspension, a notation will appear on the student’s official transcript.

• **INDEFINITE EXPULSION:** Indefinite expulsion from the School is for a period of not less than one calendar year, and re-enrollment must be approved by the School Director. During a period of indefinite expulsion, a student is precluded from registration, participation in any class, activity or program of the School. In addition, the student is prohibited from using or visiting School facilities unless special permission is obtained from the School Director/ Operations Manager. If a student wishes to return to the School after the period of his or her indefinite expulsion, he/she must request re-enrollment (in writing) from the School Director. During the period of the expulsion, a notation will appear on the student’s official transcript.

• **EXPULSION:** Expulsion of a student from the School is permanent. A student is precluded from registration, participation in any class, activity or program of the School. In addition, the student is prohibited from using or visiting School facilities unless special permission is obtained from the School Director. Expulsion requires administrative review and approval by the Director. The sanction of expulsion is permanently noted on a student’s official transcript.

**Active Sanctions:**

• Active sanctions are sanctions that the School reserves the right to assign to students in addition to administrative sanctions. These include but are not limited to the following: administrative directives, alcohol or drug education, counseling, reflection papers, projects, decision-making workshops/modules, meetings with staff or others, restitution, and sanctioned service.

**Other Sanctions:**

• The School reserves the right to impose other sanctions in addition to those listed above in response to specific circumstances of a case.

• Administrative Directives for No Contact: (Students may request a Directive for No Contact through the Director

• Restriction from portions of Campus

• Change in course assignment

• Mandated Evaluation and/or Counseling

• Mandated Education

**Faculty/Staff Sanctions**

• Employee termination from the School

• Unpaid suspension

• Restrictions from all or portions of campus

• Change in working facility

• Mandated education

• Written reprimand in personnel file

• Removal from classroom teaching

• Tenure revocation

• Withhold salary increase (from one to several years)

• Removal from administrative position

**Definitions:**

• Advisor- a person who gives advice, typically someone who is expert in a particular field.

• Proceeding- begins or continues a course of action, do something as a natural or seemingly

inevitable next step.

• Results- a consequence, effect, or outcome of something

**Disciplinary Procedures Following a Complaint**

The investigative process involves interviewing the parties involved and any witnesses while gathering documentary or other evidence. In cases involving alleged criminal conduct, the complainant may file a criminal complaint with the local police department. A complainant need not pursue a criminal complaint in order to seek, or to hold the accused responsible through South Texas Barber College Code of Conduct. As soon as possible, the complainant will be offered appropriate assistance.

Based on the outcome of the investigation, the assigned Title IX Officer or their designee will determine if there is sufficient cause to proceed with the complaint. If so, the Title IX Officer or the designee will arrange for an informal resolution conference with the accused. Complainants do not attend informal resolution meetings but are apprised of the meeting's outcome. If the accused does not accept responsibility for the allegations and/or the proposed sanction, the Title IX Officer or their designee will determine if the evidence warrants a formal grievance hearing. The exact nature of the responsive action depends on the circumstances, but may include disciplining up to and including suspension or dismissal from South Texas Barber College for a student, staff or faculty who is found to have violated school policies.

South Texas Barber College will take appropriate action i.e., an investigation, adjudication and disciplinary and remedial/corrective steps in response to a complaint made pursuant to the complaint policies/procedures listed above. South Texas Barber College will make every effort to handle complaints and investigations with sensitivity to both the rights of the person who complains, and the rights of the accused.

South Texas Barber College handles complaints discreetly and attempts to maintain privacy throughout the investigative process, to the extent practicable and appropriate under the circumstances. However, in order to conduct an investigation, it is generally necessary to discuss the allegations with the accused and other potential witnesses. Additionally, South Texas Barber College may have legal obligations to disclose information to law enforcement or in the context of legal proceedings.

Complaints may be made anonymously. While South Texas Barber College endeavors to investigate all complaints, including anonymous complaints, the nature of anonymous complaints makes investigation, determination, and remediation more difficult and, at times, impossible. Further, while South Texas Barber College attempts to protect the identity of complainants who do not wish to be identified, this may not always be possible.

In appropriate cases as determined by South Texas Barber College, conflict resolution may be possible. This is permitted only where both the complainant and accused voluntarily agree to participate, and either party may terminate informal resolution attempts and commence formal grievance procedures at any time prior to reaching a mutually acceptable resolution. Depending on the circumstances, a mediated resolution may not necessarily involve face-to-face discussions between the complainant and the accused. Certain cases are not appropriate for conflict resolution, such as complaints of particularly egregious sexual harassment or cases involving sexual assault or violence.

Occasionally, an individual makes a complaint and later wishes to revoke or discontinue the investigation or adjudication process. Similarly, it may occur that someone other than the victim reports an incident, and the victim declines to participate in the investigation or adjudication process. In other instances, complaints may be received anonymous and/or the victim may not wish to be personally identified South Texas Barber College endeavors to respect the wishes of a victim to either not be identified and/or not participate in the process. In these situations, South Texas Barber College attempts to investigate and address complaints in accordance with the victim's wishes.

If a victim wishes to talk about an incident with the assurance that the discussion will be confidential and will not result in an investigation or follow up action, South Texas Barber College will also proceed in this regard.

In determining whether sex discrimination, sexual harassment or sexual misconduct occurred, the South Texas Barber College does not apply the criminal standard of "beyond a reasonable doubt," nor do formal court rules of evidence apply. Instead, South Texas Barber College uses a "preponderance of the evidence" standard, and the school may consider any evidence it deems relevant. A "preponderance of the evidence" means the evidence which is of greater weight or is more convincing than opposing evidence such that it is "more likely than not" that an act occurred.

If the applicable investigative or adjudication process allows for parties to offer witnesses and evidence, the complainant and the accused will have an equal opportunity to do so. The complainant and the accused will be informed in writing of the outcome of the complaint, to the extent permitted

to the extent permitted by law. An accused that is a student may appeal the outcome to an impartial decision maker. An employee who is deemed guilty shall have whatever rights the law grants. The particular method and grounds for appeal are explained in the student policies listed above.

South Texas Barber College endeavors to resolve complaints promptly. Ordinarily, the investigative stage will take no longer than 60 calendar days from the time the complaint is received. In exceptional circumstances (including but not limited to especially complex cases, or when the school is not in session), it may be necessary to extend these timelines. If that occurs, the parties will be informed of the expected timeline for completion.

South Texas Barber prohibits retaliation against any individual who in good faith

makes a complaint of sex discrimination, sexual harassment, sexual misconduct or participates as

a witness in a proceeding under this or any other Institution policy. Retaliation is also unlawful

pursuant to Title IX and other laws.

South Texas Barber College engages in educational programming to prevent domestic

violence, dating violence, sexual assault and stalking. Educational programming consists of primary

prevention and awareness programs for all incoming students and new employees and ongoing

awareness and prevention campaigns for students and faculty that:

1. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;

2. Defines what behavior constitutes domestic violence, dating violence, sexual assault, and

stalking;

3. Defines what behavior and actions constitute consent to sexual activity in the State of Louisiana

4. Provides safe and positive options for bystander intervention that may be carried out by an

individual to prevent harm or intervene when there is a risk of domestic violence, dating

violence, sexual assault, or stalking against a person other than the bystander;

5. Provides information on risk reduction so that students and employees may recognize warning

signs of abusive behavior and how to avoid potential attacks.

6. Provides an overview of information contained in the Annual Security Report in compliance

with the Clery Act

This educational campaign will consist of but not be limited to the distribution of educational

materials to new students, participating in and presenting information and materials during

student/employee orientation and through newsletters among other means of distribution through

the year.

**Risk Reduction/Warning Signs of Abusive Behavior**

No victim is ever the blame for being assaulted or abused. Unfortunately, a person who is the victim

of sexual or dating violence is more likely to be re-victimized. Below are some tips to help reduce

your risk, to recognize warnings signs of abusive behavior and how to avoid potential attacks.

**Warning Signs of Abusive Behavior**

Domestic and dating abuse often escalates from threats and verbal abuse to violence. And, while

physical injury may be the most obvious danger, the emotional and psychological consequences of

domestic and dating violence are also severe. Warning signs of dating and domestic violence

include:

1. Being afraid of your partner.

2. Constantly watching what you say to avoid a “blow up.”

3. Feelings of low self-worth and helplessness about your relationship.

4. Feeling isolated from family or friends because of your relationship.

5. Hiding bruises or other injuries from family or friends.

6. Being prevented from working, studying, going home, and/or using technology (including your

cell phone.)

7. Being monitored by your partner at home, work, or school.

8. Being forced to do things you don’t want to do.

**Help Reduce Your Risk and Avoid Potential Attacks**

If you are being abused or suspect that someone you know is being abused, speak up or intervene.

1. Learn how to look for “red flags” in relationships so you can learn to avoid some of those

characteristics in future partners.

2. Consider making a report with the Campus Security Administrator and ask for a “no contact”

directive to prevent future contact.

3. Consider getting a protective order or stay away order.

4. Learn more about what behaviors constitute dating and domestic violence, understand it is not

your fault and talk with friends and family members about ways you can be supported.

5. Trust your instincts—if something doesn’t feel right in a relationship, speak up or end it.

**Sexual Assault Prevention (From Rape, Abuse and Incest National Network)**

 Try not to leave your drink unattended.

 Only drink from un-opened containers, or from drinks you have watched being made and

poured.

 Cover your drink. It is easy to slip in a small pill even while you are holding your drink.

Hold a cup with your hand over the top, or choose drinks that are contained in a bottle and keep

your thumb over the nozzle.

 If you feel extremely tired or drunk for no apparent reason, you may have been drugged.

Find your friends and ask them to leave with you as soon as possible.

 If you suspect you have been drugged, go to a hospital and ask to be tested.

 Keep track of how many drinks you have had.

 Try to come and leave with a group of people you trust.

 Avoid giving out your personal information (phone number, where you live, etc.). If

someone asks for your number, take his/her number instead of giving out yours.

**Traveling around campus**

 Make sure your cell phone is easily accessible and fully charged.

 Take major, public paths rather than less populated shortcuts.

 Avoid dimly lit places and talk to campus services if lights need to be installed in an area.

 Avoid putting music headphones in both ears so that you can be more aware of your

surroundings, especially if you are walking alone.

 Carry a noisemaker on your keychain.

 Carry a small flashlight on your keychain.

South Texas Barber College has a sexual assault prevention policies and procedures that

includes, but is not limited to the following:

 If an assault occurs, notify the Campus Director or CSA immediately

 Do not disturb the crime scene

 Notify local law enforcement officials

 Secure counseling for the victim

 Change the academic schedule and/or living situation (on campus housing) if victim

requests

 Disciplinary actions include dismissal from South Texas Barber College

The nature of sexual assault, particularly when perpetrated by an acquaintance, makes it

difficult for many survivors to report their experience.

**Important Phone Numbers:**

Cut It Out the beauty community against domestic abuse 1 (800)799-7233

The hotline.org

provide rape crisis counseling and follow-up services for victims of sexual

assault

**PART II: DRUG-FREE SCHOOLS AND COMMUNITIES ACT POLICY**

**STATEMENTS**

Federal law requires South Texas Barber College to notify all staff members, and students

of certain information pertaining to the unlawful possession, use, or distribution of illicit drugs and

alcohol on its property or as part of its activities. The information included in this report complies with

the notification requirements of the Drug-Free Schools and Communities Act and its implementing

regulations. The Drug and Alcohol Abuse Prevention (DAAP) prevention program is described on

page ……

South Texas Barber College prohibits the unlawful possession, use, manufacture, or

distribution of alcohol or controlled substances by students, staff member, and guests in buildings,

facilities, grounds, or property controlled by South Texas Barber College or used as part of

school activities. For students, this includes prohibiting the possession and consumption of any

beverage containing alcohol. In addition, the smoking of any material is prohibited in all facilities of

South Texas Barber College.

**Policies Specific to Faculty and Staff**

As a condition of employment, every employee shall abide by the terms of this policy. Any

employee who violates this policy will be terminated. The employee may be subject to criminal

sanctions provided by federal, state, or local law.

An employee must notify his or her supervisor of any criminal drug conviction for a violation

occurring in the workplace no later than five (5) days after such conviction.

An employee who does not violate the policy but fails a random drug/ alcohol sobriety test may be

terminated or may be required to participate in an alcohol abuse or drug rehabilitation program to

regain employment.

**Policies Specific to South Texas Barber College Students**

Any student who violates this policy will be terminated in addition to any penalties resulting from

violating local, state, and/or federal laws.

The student is able to complete the student grievance process as explained on the catalog and apply for readmission if the student is willing to participate in alcohol abuse or drug rehabilitation program. Students must notify the campus of any criminal drug conviction for a violation occurring on the campus no later than five (5) days after such conviction.

**POLICY REGARDING THE POSSESSION, USE, AND SALE OF ALCOHOLIC BEVERAGES AND ENFORCEMENT OF STATE UNDERAGE DRINKING LAWS, AND POSSESSION, USE, AND SALE OF ILLEGAL DRUGS AND ENFORCEMENT OF FEDERAL AND STATE DRUG LAWS**

It is illegal for anyone under 21 years of age to attempt to purchase, consume, possess, or knowingly

and intentionally transport any liquor, malt, or brewed beverage. It is also illegal to lie about age to

obtain alcohol and to carry a false identification card. By law, the local police department and School’s

CSA are required to notify parents or guardians of all underage-drinking violations. South Texas Barber College has a zero-tolerance policy associated with students consuming beverage alcohol

under the age of 21. Not only is this against the Texas law, it is also a violation of the Student

Code of Conduct.

**A DESCRIPTION OF DRUG AND ALCOHOL ABUSE PREVENTION PROGRAMS**

South Texas Barber College has resources readily available to students to view at: <http://www.drugfreeworld.org/download.html> and <https://www.drugabuse.gov/publications>

Additionally, South Texas Barber College publishes and distributes annually October 1ST to all current students and employees a copy of the Drug and Alcohol Abuse Prevention Policy and Procedures.

Drug abuse affects all aspects of American life. It threatens the workplace, our homes, our schools

and our community. The U.S. Department of Education requires institutions of higher education to

implement a drug prevention and awareness program for their students and employees through the

Safe and Drug-Free Schools and Communities Act. All students are expected to conduct

themselves as mature adults and as members of an academic community. The consumption of

alcohol or drugs while attending class is prohibited and may be subject to disciplinary action.

**STANDARDS OF CONDUCT**

The School community must adhere to a code of conduct that recognizes that the unlawful

manufacture, sale, delivery, unauthorized possession or use of any illicit drug is prohibited on

property owned or otherwise controlled by South Texas Barber College. If an individual associated with the School is apprehended for violating any drug- or alcohol-related law when on

School property, or participating in a School activity, the School will fully cooperate with all law

enforcement agencies. Underage possession or consumption of alcoholic beverages is not permitted

on property owned or controlled by the School and the state laws will be enforced. Intentionally or

knowingly selling, or intentionally or knowingly furnishing alcoholic beverages to persons under the

age of 21, or to persons obviously inebriated, is not permitted on property owned or controlled by the

School.

This is to inform you of the requirements of the Drug-Free Schools and Communities Act

Amendments of 1989, Public Law 101-226 and what South Texas Barber College requires of the

employees and students.

Students are prohibited from the unlawful manufacture, distribution, possession, or use of illicit drugs

or alcohol. This prohibition applies while on the property of the school or participating in any

institutional activity.

Students are reminded that as a pre-condition to accepting a Pell grant that they sign a certificate

stating they would not engage in the unlawful manufacture, distribution, dispensation, possession or

use of a controlled substance during the period covered by a Pell Grant. A Pell Grant recipient

convicted of a criminal drug offense resulting from a violation occurring during the period of

enrollment covered by the Pell Grant must report the conviction in writing, within 10 calendar

days of the conviction, to the:

Director, Grants and Contracts Service

U. S. Department of Education

400 Maryland Avenue, S.W.

Room 3073, FOB-6

Washington, D.C. 20202-4571

Prior to employment, the employee receives a briefing and acknowledge in writing that they understand the provisions of the Drug-Free Workplace Act of 1988. Employees are prohibited from the unlawful manufacture, distribution, possession, or use of illicit drugs or alcohol. This prohibition applies while on the property of the school or participating in any institutional activity.

**SANCTIONS IMPOSED ON STUDENTS AND EMPLOYEES WHO VIOLATE THE**

**DRUG AND ALCOHOL POLICY**

Students who violate this policy will be terminated and employees who violate this policy will be terminated. South Texas Barber College asserts that its officials will contact the police if they suspect a student or employee is in possession of drugs.

DRUG AND ALCOHOL COUNSELING

There is no campus-based drug or alcohol counseling on the South Texas Barber College campus. Listed here are drug or alcohol counseling, treatment and rehabilitation facilities available in our area where you can seek advice and treatment. Providers listed below offer free services, accept insurance or payment is on a sliding scale.

Local Recovery Centers include but are not limited to:

* **[](https://charliesplacerecovery.com/)**

**Set up an Appointment:**  
Call 833-893-7282 or 361-405-5007 (24-hour)

[**Acorn Christian Counseling**](https://www.yellowpages.com/corpus-christi-tx/mip/acorn-christian-counseling-505146110?lid=1000814183794)

9708 S Padre Island Dr, Corpus Christi, TX 78418

(361) 563-872

[**The Watershed**](https://www.yellowpages.com/nationwide/mip/the-watershed-540710663?lid=1001784176443&ctn=3ba74e548da32515917469355d56ad041f1eaa9073f52fe019898c25efd44e491a0b37bb29f92d9e0e071071b8834e4b)

Serving the Corpus Christi area.

(855) 803-3469

[**Luminance Recovery Center**](https://www.yellowpages.com/nationwide/mip/luminance-recovery-center-534727960?lid=1001850016043&ctn=ae30c75a7e570442f6f82a08fd14752cf6f8019207adea49de71eed69eedd775fd6031bfe7cbfbd6b1b103c43f37c950)

Serving the Corpus Christi area.

(855) 230-4394

[Physicians & Surgeons, Addiction...](https://www.yellowpages.com/corpus-christi-tx/physicians-surgeons-addiction-medicine)

[Website](http://local.yp.com/Listings/Details.aspx?NUM=a%3a13598944%3a13%3a4859924%3a14%3a0%3a7)[More Info](https://www.yellowpages.com/nationwide/mip/luminance-recovery-center-534727960?lid=1001850016043)

[**The Treatment Helpline**](https://www.yellowpages.com/nationwide/mip/the-treatment-helpline-519470425?lid=1001849992170&ctn=c050a4ea34893530fdd80e46bcf0cf67df23728a236af0b8673435bf897ace0ac14c4f66d1dbdde7d17dc7c158b4d166)

Serving the Corpus Christi area.

(866) 670-9218

[Rehabilitation Services](https://www.yellowpages.com/corpus-christi-tx/rehabilitation-services)

 [Council Alcohol & Drug](https://www.yellowpages.com/corpus-christi-tx/mip/council-alcohol-drug-30301346?lid=30301346)

1633 18th StCorpus Christi, TX 78404

(361) 887-7070

[Drug Abuse & Addiction Centers](https://www.yellowpages.com/corpus-christi-tx/drug-abuse-addiction-centers)

[Website](http://www.coada-cb.org/)

[Mc Caig & Associates](https://www.yellowpages.com/corpus-christi-tx/mip/mc-caig-associates-537602281?lid=537602281)

5151 Flynn PkwyCorpus Christi, TX 78411

(361) 855-3133

[Drug Abuse & Addiction Centers](https://www.yellowpages.com/corpus-christi-tx/drug-abuse-addiction-centers)

[Add to mybook](javascript:void(0))

**.**[**Harbor Village Detox & Treatment Center**](https://www.yellowpages.com/nationwide/mip/harbor-village-detox-treatment-center-503984479?lid=1001711963451)

Serving the Corpus Christi Area (888) 266-8359 [Drug Abuse & Addiction Centers](https://www.yellowpages.com/corpus-christi-tx/drug-abuse-addiction-centers) [Website](http://harborvillageflorida.com/?utm_source=yp&utm_medium=listing&utm_campaign=drug-PLL&insrc=ypdrugpll)[More Info](https://www.yellowpages.com/nationwide/mip/harbor-village-detox-treatment-center-503984479?lid=1001711963451)

There are national organizations one can contact for help. The alcoholism and Drug Abuse

Hotline is open 24 hours, 1-800-252-6465 (1-800-ALCOHOL). The Cocaine Hotline, 1-800-262-

2463 (1-800-COCAINE) is open 24 hours a day. The National Institute on Drug Abuse Hotline is

available. 8:00 a.m./2:00 a.m., Monday through Friday and 11:00 a.m./2:00 a.m., on weekends, 1-

800-662-4357 (1-800-662-HELP).

**Resources for Faculty and Staff**

South Texas Barber College does not offer an Employee Assistance Program (EAP) to staff members. However, we do encourage all staff members that may have a problem with substance abuse or if someone they know may have a problem to seek immediate help. If you suspect that you or someone close to you may have a problem with alcohol or other drugs . . . stop hurting and start healing. For more information about the School’s drug and alcohol prevention efforts available for

staff and students may consult with:

• The School’s CSA for assistance.

• Any employee or supervisor with additional questions related to alcohol and other drug problems

may contact the school’s Director/ Operations Manager

**PENALTIES/ SANCTIONS UNDER LOCAL, STATE, AND FEDERAL LAW FOR**

**UNLAWFUL POSSESSION, USE OR DISTRIBUTION OF ILLICIT DRUGS AND**

**ALCOHOL**

There are numerous legal sanctions under local, state and federal laws which can be used to

punish violators. Penalties can range from suspension, revocation and denial of a driver's

license to 20 - 50 years imprisonment without benefit of parole. Property may be seized.

Community service may be mandated.

Recent federal anti-drug laws affect a number of areas in everyone's lives. Students could lose

eligibility for financial aid, could be denied other federal benefits, such as Social Security,

retirement, welfare, health, disability, and veterans benefits. The Department of Housing and

Urban Development, which provides funds to states and communities for public housing,

now has the authority to evict residents and members of their household who are involved in drug related crimes on or near the public housing premises. Businesses could lose federal contracts if

the company does not promote a drug-free environment. Finally, a record of a felony or conviction

in a drug-related crime may prevent a person from entering certain careers.

The laws are adequate to protect the innocent, but stringent enough to insure that persons involved with the illegal dealing of drugs or excessive use of alcohol can be adequately punished. For example, a small amount of drugs found on a person may lead to an arrest which could require the person to make payment of all court costs as well as participate in mandatory community service. A person found with drugs with the intention to distribute could be imprisoned. A person found to be intoxicated while driving could be forced to pay court costs, lawyer's fees, participate in community service, receive an increase in the cost of automobile insurance or even lose their driver's license and end up in prison.

In addition to local and state authorities, the federal government has four agencies employing

approximately 52,500 personnel engaged in fighting illicit drugs. These agencies are: The

Drug Enforcement Agency, U. S. Customs Service, Federal Bureau of Investigation and the U. S.

Coast Guard.

Here are a few legal facts of which you should be aware. It is a crime to hold someone else's drugs.

It is a crime to sell fake drugs. You can be arrested if you are in a house (or a school) where people

are using drugs, even though you are not. You can be charged with possessing drugs even if it is

not on you. You are considered to possess, under legal terms of "constructive" possession", drugs

that are in your locker, purse, car or house.

**TEXAS PENALTIES FOR CONTROLLED DANGEROUS SUBSTANCES**

All states regulate and control the possession of controlled dangerous substances (CDS), though

each differs in its exact definition of CDS and the penalties for possession. Texas classifies not

only well-known drugs like marijuana, heroin, and cocaine as CDS, but also the compounds used to

manufacture them. This pertains to the possession of CDS for personal use only. Making and

selling CDS carries different penalties.

**Health Risks Associated with the use of Illicit Drugs and the Abuse of Alcohol**

Moderate to high doses of alcohol cause marked impairments in higher mental functions and the

loss of memory. High doses of alcohol can cause respiratory depression and death. Long-term

consumption, particularly when combined with poor nutrition, can also lead to dependence and

permanent damage to vital organs such as the brain and the liver. Physical effects of drugs include

increased heart rate, bloodshot eyes, dry mouth and throat, and increased appetite. The use of drugs

may impair or reduce short-term memory and comprehension, alter sense of time, and reduce the

ability to perform tasks requiring concentration and coordination. Motivation and cognition may

also be altered making the acquisition of new information difficult. As one can see from the above,

there are major health risks associated with the use of illicit drugs and the abuse of alcohol.

**Federal Financial Aid Penalties for Drug Violations**

Federal guidelines focus strongly on illicit drug use and distribution. The Higher Education

Opportunity Act states students convicted of an illicit drug violation can be denied federal financial

aid for a specific period, in addition to other legal penalties. The Free Application for Federal Student

Aid (FAFSA) asks students if they have been convicted of a drug-related offense: “Have you ever

been convicted of possessing or selling illegal drugs?” If you answer “yes,” the School will send

a worksheet in the mail to determine if your conviction affects your eligibility for aid. Failure

to answer the question automatically disqualifies students from receiving federal financial aid.

Answering this question falsely could result in fines up to $20,000, imprisonment or both.

**Other Potential Federal Penalties for Drug Violations**

Some other potential federal penalties and sanctions applicable to drug-related offenses include:

**21 U.S.C. 844**

1st conviction: Up to 1 year imprisonment and fined at least $1,000, or both.

After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least

$2,500.00 or both.

After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined

at least $5, or both.

Provisions relating to increased penalties in cases of certain serious crack possession offenses,

making offenders subject to fines under Title 18 or imprisonment to terms not less than 5 years and

no more than 20 years, or both.

Possession of flunitrazepam shall be imprisoned for not more than 3 years, shall be fined as

otherwise provided in this section, or both after mixture or substance exceeds 1 gram.

**21 U. S. C. 844a**

Civil fine up to $10,000

**21 U. S. C. 847 Additional Penalties**

Any penalty imposed for violation of this subchapter shall be in addition to, and not in lieu of, any

civil or administrative penalty or sanction authorized by law.

**21 U. S. C. 854 Investment of illicit drug profits**

Whoever violates this section shall be fined no more than $50,000 or imprisoned not more than 10

years, or both.

**21 U. S. C. 862**

a. Drug Traffickers - Denial of Federal benefits, such as student loans, grants, contracts, and

professional and commercial licenses, up to 5 years for the first offense, up to 10 years for

second and permanently ineligible for subsequent offenses.

b. Drug Possessors – 1st offense is up to 1 year and 2nd and subsequent offenses are up to 5

years.

c. Suspension of period of ineligibility (A) (B) (C)

**21 U. S. C. 862a**

Denial of assistance and benefits for certain drug related convictions, i.e., state program funded

under the Social Security Act or food stamp program or state program under the Food Stamp Act.

More information about federal penalties and sanctions for unlawful possession, use, sale, and/or

distribution of controlled substances is located at:

<http://www.deadiversion.usdoj.gov/21cfr/21usc/index.html>

**How to Regain Federal Student Aid Eligibility**

1. A student can regain eligibility for federal student aid funds the day after the period of

ineligibility ends or upon having a conviction reversed, set aside, or removed from the student’s

record so that fewer than two convictions for sale of illegal drugs or three convictions for

possession remain on the record. In such cases, the nature and dates of the remaining

convictions will determine when the student regains eligibility.

2. A student may also regain eligibility upon successful completion of a qualified drug

rehabilitation program that must:

 Include the student passing at least two unannounced drug tests;

AND

 Have received or is qualified to receive funds directly or indirectly under a federal, state or local

government program, or

 Be administered by a federal, state, or local government agency or court, or

 Be qualified to receive payment directly or indirectly from a federally or state-licensed

insurance company, or

 Be administered or recognized by a federally or state-licensed hospital, health clinic, or medical

doctor.

3. A student may further regain eligibility upon successful completion of two unannounced drug

tests which are part of an approved rehab program (the student does not need to complete the

rest of the program).

The student is responsible to certify that a rehabilitation program was successfully completed. As

with the conviction question on the FAFSA, the School is not required to confirm the reported

information unless conflicting information is determined.

**Convictions during Enrollment**

Federal regulations require enrolled students convicted of a drug offense after receiving federal

financial aid to notify ABC School immediately. The student will then become ineligible for

further federal financial aid and must repay federal financial aid received after the conviction.

**Institutional Sanctions for Alcohol and Drug Violations**

Any member of South Texas Barber College found consuming or selling drugs on

School property shall be subject to discipline on a case-by-case basis.

• Discipline will be based on the seriousness of the situation.

• A case may result in dismissal from the School.

• In all cases, the School will abide by local, state and federal sanctions regarding unlawful

possession of drugs and the consumption of alcohol.

• Additional state penalties and sanctions may also apply.

• The School has adopted a zero-tolerance policy regarding underage drinking.

• Successful completion of an appropriate rehabilitation program by an individual confirmed to

have been in violation of alcohol or drug policies and/or laws who have since sought admission

or readmission to the school will be considered on a case-by-case basis.