



## **Campus Security Report**

September 19, 2018

NOVA Academy of Cosmetology (NOVA) maintains a strong commitment to campus safety and security. Parking lots, pedestrian walkways and building exteriors are lighted. A routine check is made of the interior lighting. Students are encouraged to report any exterior or interior lighting deficiencies to the School Director. Exterior doors at the school are locked and secured each evening by staff. Door and security hardware operating deficiencies are also reported by these staff members. Shrubbery, trees and other vegetation on campus are trimmed on a regular basis.

NOVA encourages all students and college community members to be fully aware of the safety issues at the school and to take action to prevent and to report illegal and inappropriate activities. Personal safety practices are the foundation of a safe community.

Pursuant to the Student Right to Know and Campus Security Act, NOVA monitors criminal activity, publishes this report, and maintains a three-year statistical history both on campus and the Public Property adjacent to the campus. The school will distribute a copy of and/or provide access to this report pursuant to Federal Law. NOVA Academy has no authority to require the Rochester Police Department, Olmsted County Sheriff's Office or the judicial court process to take any action in connection with a reported crime. NOVA encourages prosecution of all criminal violations through the criminal courts and if appropriate, through the campus conduct process for violations committed on campus by other students.

NOVA currently has a number of policies and procedures relating to campus security and safety, and it expressly reserves the right to modify them or adopt additional policies or procedures at any time without notice. Such changes may appear in successive issues of this report.

### Policies

Students, employees and visitors are encouraged to immediately report any and all criminal activity to school management or the Rochester Police Department, 101 SE 4th Street, Rochester, MN 55904-3761, phone: 507-328-6800, emergency 911 (from campus). NOVA employees *will* assist the student in notifying these authorities, if the student requests the assistance of the employees.

In the event that a situation arises, either on or off campus, that, in the judgment of the School Director, constitutes an ongoing or continuing threat, a campus wide "timely warning" will be issued. The warning will be issued through a posting by the time clock.

NOVA Academy maintains a security log. Information may be delayed in being placed on the log in cases where such disclosure is prohibited by the Minnesota Data Privacy Act or where such disclosure may jeopardize the confidentiality of the victim.

When alleged perpetrators are identified as students, the case will be forwarded to the school director for investigation and appropriate action. Criminal investigation, arrest, and prosecution can occur independently and at the same time as the campus investigative process.

NOVA Academy will assist the Rochester Police Department in any investigation as may be requested.

If NOVA or the Rochester Police Department concludes that the allegations reported are not substantiated by the facts or the law, no campus crime need be disclosed as a statistic (Federal Register, April 29, 1994).

Nova Academy employees have the authority to ask persons for identification and to determine whether individuals have lawful business at Nova Academy. Criminal incidents are referred to the local police who have jurisdiction on the campus. All crime victims and witnesses are strongly encouraged to immediately report the crime to a school manager and the appropriate police agency. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.

NOVA will issue an annual report of criminal reports made to Campus Security and other law enforcement agencies for crimes occurring on college property or facilities. The annual report includes reported crimes alleged to have occurred on the campus and facilities owned or rented by NOVA and/or recognized student organizations. Additionally crimes reported to have occurred on public property immediately adjacent to campus are also reported. It includes the following reports of crime:

1. Murder & Non-Negligent Manslaughter
2. Negligent Manslaughter
3. Aggravated Assault
4. Burglary
5. Robbery
6. Motor Vehicle Theft
7. Arson
8. Sexual Assault a. Forcible Rape b. Forcible Sodomy c. Sexual Assault with an object d. Forcible Fondling e. Non-Forcible Sex Offenses (Incest & Statutory Rape)
9. Alcohol Arrests
10. Drug Arrests
11. Weapons Arrests
12. Disciplinary Referrals for alcohol, drug, and weapons violations
13. Bias Motivated Crimes
14. Domestic Violence
15. Dating Violence
16. Stalking

NOVA Academy will report if any of the above criminal reports are also hate crimes. These reports shall be classified according to characterization of prejudice including race, gender, religion, sexual orientation, ethnicity or disability.

A hate crime is a criminal offense committed against persons, property, or society that is motivated, in whole or in part, by an offender's bias against an individual's or a group's perceived race, religion, ethnic/national origin, gender, age, disability, or sexual orientation. Hate incidents are those actions by an individual or group that, while motivated by bias, do not rise to the level of a criminal offense.

NOVA Academy takes hate and bias crimes very seriously. Anyone who becomes a victim of a hate and/or bias motivated crime should report the incident immediately to the Rochester Police Department or NOVA Academy Staff.

During business hours, the School will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours access to all School facilities is by key to those whom it is issued.

NOVA does not have any officially recognized student organizations with off-campus locations.

The Drug Free Workplace Act of 1988 and the Drug Free Schools and Communities Act require that the school provide a drug free workplace and have a drug free awareness program and a drug and alcohol abuse prevention program for students and employees. Information on the school's drug free awareness program and drug and alcohol abuse prevention program may be obtained from the School Director.

The school prohibits the manufacture, unlawful possession, use, sale or distribution of illicit drugs and alcohol by students and employees on its property and at any school activity whether on campus or at an off-site location. A violation of these policies will result in appropriate disciplinary acts up to and including expulsion in the case of Student and separation from employment in the case of Employees. Violations of the law will also be referred to the appropriate law enforcement authority. Students or employees violating this drug policy may be referred to abuse help centers, counseling or treatment programs. Also as a part of this policy, Nova Academy of Cosmetology reserves the right to, at its discretion, to require a student or employee to submit to drug or alcohol tests, and to search vehicles, work stations, furniture, clothing, purses, briefcases, luggage,

toolboxes, personal items, mail, computers, voicemail, and e-mail and all other items within the control of the student or employee at issue. Failure to cooperate with such testing or search may result in disciplinary action including expulsion or separation from employment.

All students and employees are charged with the responsibility to read and understand that (1) Nova Academy of Cosmetology by participating in Title IV Federal Funds Programs, must establish a Drug Free Workplace Policy, and its students and employees must acknowledge it and agree to abide by it; (2) any student or employee who is convicted of a criminal drug statute violation that occurred at the school, must notify the School Director no later than five days after such conviction.

Nova Academy of Cosmetology cooperates in full compliance with the Office for Civil Rights of the Department of Education which enforces Title IX of the Education Amendment of 1972, 20 U.S.C. 1681 et. Seq. ("Title IX"). Title IX prohibits discrimination on the basis of sex in education programs and activities, including sexual harassment of employees and students. Nova Academy does not discriminate on the basis of sex in the education programs or activities it operates and extends to employment and admission.

Sexual harassment is anti-ethical to academic values and to a work environment free from the fact or appearance of coercion, and it is a violation of Nova Academy of Cosmetology's policy. Sexual harassment consists of requests for sexual favors, sexual advances made without consent, or other verbal or physical conduct of a sexual nature on or off campus, when: (1) submission to such conduct is made either explicitly or implicitly a condition of an individual's employment or academic standing; or (2) submission to or rejection of such conduct is used as the basis for employment decisions or for academic evaluation, grades, or advancement; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating or hostile academic or work environment. Sexual harassment may be found in a single episode, as well as in persistent behavior.

Incidents of sexual harassment must be reported, either verbally or in writing, to any manager or supervisor at Nova Academy of Cosmetology. Reported incidents will be immediately referred to the School Director or Title IX coordinator who will conduct an investigation and initiate prompt and appropriate action in an environment free of intimidation and retaliation. No one reporting sexual harassment will be retaliated against. If you believe you are being retaliated against, contact the School Director or Title IX coordinator immediately. This policy and procedure also applies to other types of illegal harassment based upon any harassment of a class protected under federal, state, or local law. Questions regarding Title IX may be referred to the Title IX coordinator Michele Delisle (General Manager) at 5979 Bandel Road NW, MN 55901 \*Phone: 507-280-6910  
[\\*mdelisle@nova-academy.com](mailto:mdelisle@nova-academy.com)

During their school tour, students are informed of crime on-campus. Similar information is presented to new employees. Crime Prevention Programs and Sexual Assault Prevention Programs are offered on a continual basis. Periodically during the academic year NOVA has a presenter on crime prevention awareness on personal safety. A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

If you are a victim of a sexual assault at this institution your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. NOVA strongly advocates that a victim of sexual assault report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An assault should be reported directly to a NOVA official and the Rochester Police Department. Filing a police report will:

- › ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim;
- › provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam);
- › assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

Counseling and support services can be obtained through AARDVARC: An Abuse, Rape & Domestic Violence Aid & Resource Collection Program 507-289-0636 and the Rochester Police Department.

The accused and the victim will each be allowed to choose one person who has had no formal legal training to accompany them throughout the hearing. Both the victim and accused will be informed of the outcome of the hearing. A student found guilty of violating NOVA's sexual misconduct policy could be criminally prosecuted in the state courts and may be suspended or expelled from the school for the first offense.

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed at, institutions of higher education. The CSCPA is an amendment to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Act. NOVA is required to inform the campus community that a list of all registered sex offenders in Minnesota is available from the Minnesota Bureau of Criminal Apprehension at <https://por.state.mn.us/>. Minnesota's Predatory Offender Registry was established on August 1, 1991. Since then, the BCA's POR unit has maintained the state's central database of information on predatory offenders.

Those who are required to register must provide information about their primary and secondary addresses, employment, and vehicles they own or operate. They are also required to return periodic verification forms to ensure all information on file with the BCA remains up to date. When predatory offenders fail to report changes in the required information or if they fail to return verification forms they are classified as "non-compliant."

Most registration information is classified as private; however, pursuant to *M.S. § 243.166, Subd. 7a.*, the BCA is authorized to make registration information available to the public when a registrant who is over the age of 16 has failed to provide information regarding his/her primary or secondary address and has been non-complaint for thirty days or longer. The BCA is limited by statute to release only enough information about non-compliant registrants to allow the public to assist in locating them.

According The Rochester Police Department's website, it "complies with the requirements of Minnesota Statutes 243.166, 244.052 and 244.053 to provide for the registration of sexual offenders and other predatory offenders and to provide community notification relative to the release of certain of those offenders, while maintaining the legally required privacy and other rights of those offenders.

Until this law came about the public has been left out regarding who these people are and where they reside upon their release from prison. As a matter of policy the State of Minnesota has found that "If members of the public are provided adequate notice and information about a sex offender who has been or is about to be released from custody and who lives or will be living in or near their neighborhood, the community can develop constructive plans to prepare themselves and their children for the offenders release" (Legislative intent).

In order to implement this policy, it is the policy of the Rochester Police Department to facilitate the registration of sexual and other predatory offenders. It is further the policy of this agency to provide community notification relative to the release of those offenders as designated by statute, while preserving the legal rights of those offenders.

It is the policy of the Rochester Police Department to provide the maximum information authorized by law, consistent with the requirements of public safety and the legal rights of the offender.

Who determines what offenders are subject to the Community Notification Act?

In Minnesota, 90 days prior to being released from prison, a sex offender is assigned a Re-offense Risk Level. This Risk Level is determined by the End of Confinement Review Committee (ECRC), a group of psychologists, criminal justice professionals, and victim advocates. The Risk Level assigned ultimately determines the scope of community notification. The levels are as follows:

- **LEVEL I** - This offender has a risk assessment score indicating a "low" risk of re-offense.
  - Mandatory Disclosure - Victims and Offenders.
  - Discretionary Disclosure - Witnesses and Other Law Enforcement Agencies.
- **LEVEL II** - This offender has a risk assessment score indicating a "moderate" risk of re-offense.

- Mandatory Disclosure - Same as Level I.
- Discretionary Disclosure - Same as Level I, Public and Private Educational Institutions, Day Care Establishments and Establishments and Organizations that primarily serve individuals likely to be victimized by the offender.
- **LEVEL III** - This offender has a risk assessment score indicating a "high" risk of re-offense.
  - Mandatory Disclosure - Same as Level I & Level II.
  - Discretionary Disclosure - Same as Level I & Level II and Other Members of the Community whom the Offender is likely to Encounter.

Disclosure of information to the public is based on the Risk Level assigned to that particular offender. The extent of the information disclosed and the community to whom disclosure is made must relate only to, and include, all of the following: 1) the level of the danger posed by the offender, and 2) the offender's pattern of the offending behavior, and 3) the need of the community members for information to enhance their individual and collective safety. Notification required and/or allowed per Risk Level are: To search for Level III sex offenders in the State of Minnesota, see the [Minnesota Department of Corrections Level 3 Predatory Offender Information](#) website.”

The CSCPA further amends the Family Educational Rights and Privacy Act of 1974 (FERPA) to clarify that nothing in the Act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders.

NOVA Academy will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the college 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, NOVA Academy will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

Nova Academy prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking. If you are a victim domestic violence, dating violence or stalking first priority should be to get to a place of safety. You should then obtain necessary medical treatment. NOVA strongly advocates that a victim of violence or stalking report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. Violence and stalking should be reported directly to a NOVA official and the Rochester Police Department. Filing a police report will:

- › ensure that a victim of violence receives the necessary medical treatment and tests, at no expense to the victim;
- › provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (scratching, bruising); and may assist in obtaining a protection order.
- › assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

Counseling and support services can be obtained through AARDVARC: An Abuse, Rape & Domestic Violence Aid & Resource Collection Program 507-289-0636 and the Rochester Police Department.

The accused and the victim will each be allowed to choose one person who has had no formal legal training to accompany them throughout the hearing. Such proceedings shall provide a prompt, fair, and impartial investigation and resolution and be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. Both the victim and accused will be informed of the outcome of the hearing. A student found guilty of violating NOVA's misconduct policy could be criminally prosecuted in the state courts and may be suspended or expelled from the school for the first offense. Nova will protect the

confidentiality of victims. Publicly-available recordkeeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.

If requested and reasonable available, Nova Academy will cooperate to the best of its ability, in the interest of the victim, in changing student schedule and working situations, regardless of whether the victim chooses to report the crime to campus police or local law enforcement. In cases of orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court, Nova staff will fulfill its responsibilities by ensuring discrete communication with staff as to maintain the safety of the student.

## Definitions

- a. Campus: any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls, and any building or property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes.
- b. Student Residences: a subset of "On Campus" crimes which includes only those crimes that were reported to have occurred in residence halls or other residential facilities.
- c. Non-campus Buildings or Property: any building or property owned or controlled by a student organization recognized by the institution; or any building or property (other than a branch campus) owned or controlled by an institution that is used in direct support of, or in relation to the institution's educational purposes; is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.
- d. Public Property: (1) all public property, including Rochester streets, sidewalks, and parking facilities, that is within the outer perimeter surrounding all property and buildings on the campus of the institution that are adjacent to one another; (2) any sidewalk, street or parking facility immediately adjacent to any property or building on the outer perimeter described in clause (1); and (3) any street, sidewalk or parking facility immediately adjacent to any facility or property within the same reasonably contiguous geographic area that is outside the perimeter described in clause (1) and is used by the institution in direct support of, or in a manner related to the institution's educational purpose.
- e. Domestic Violence: felony or misdemeanor crime of violence committed by (1) a current or former spouse or intimate partner of the victim (2) a person with whom the victim shares a child in common (3) a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner (4) a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies [under VAWA] (5) 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.
- f. Dating Violence: violence committed by a person (1) who is or has been in a social relationship of a romantic or intimate nature with the victim (2) where the existence of such a relationship shall be determined based on a consideration of the following factors; the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- g. Stalking: engaging in a course of conduct directed at a specific person that would cause a reasonable person (1) fear for his or her safety or the safety of others (2) suffer substantial emotional distress.
- h. Sexual Assault: an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

## Crime Statistics

Members of the campus community who wish to access crime statistics within the State of Minnesota may obtain that information by accessing the following web site:

Additional information can be accessed through the Bureau of Criminal Apprehension at:

<http://www.bca.state.mn.us/bca.asp>

The following statistics, provided in compliance with the Crime Awareness and Campus Security Act of 1990, are for your information. If you have any questions, contact the School Director at 507-280-6910.

**On Campus:**

<b>OFFENSE</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
MURDER/NON-NEGLIGENT MANSLAUGHTER	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0
ROBBERY	0	0	0
AGGRAVATED ASSAULT	0	0	0
MOTOR VEHICLE THEFT	0	0	0
ARSON	0	0	0
BURGLARY	0	0	0
SEX OFFENSES, FORCIBLE	0	0	0
SEX OFFENSES, NON-FORCIBLE	0	0	0
LIQUOR LAW ARRESTS	0	0	0
LIQUOR LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	0	0	0
DRUG LAW ARRESTS	0	0	0
DRUG LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	0	0	0
ILLEGAL WEAPONS POSSESSION ARRESTS	0	0	0
ILLEGAL WEAPONS POSSESSION VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	0	0	0
DOMESTIC VIOLENCE	0	0	0
DATING VIOLENCE	0	0	0
STALKING	0	0	0

**NonCampus:**

Not Applicable

Public Property:

<b>OFFENSE</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
MURDER/NON-NEGLIGENT MANSLAUGHTER	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0
ROBBERY	0	0	0
AGGRAVATED ASSAULT	0	0	0
MOTOR VEHICLE THEFT	0	0	0
ARSON	0	0	0
BURGLARY	0	0	0
SEX OFFENSES, FORCIBLE	0	0	0
SEX OFFENSES, NON-FORCIBLE	0	0	0
LIQUOR LAW ARRESTS	0	0	0
LIQUOR LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	0	0	0
DRUG LAW ARRESTS	0	0	0
DRUG LAW VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	0	0	0
ILLEGAL WEAPONS POSSESSION ARRESTS	0	0	0
ILLEGAL WEAPONS POSSESSION VIOLATIONS REFERRED FOR DISCIPLINARY ACTION	0	0	0
DOMESTIC VIOLENCE	0	0	0
DATING VIOLENCE	0	0	0
STALKING	0	0	0



## Hate Crime:

OFFENSE	CHARACTERIZATION	2015	2016	2017
MURDER/NON-NEGLIGENT MANSLAUGHTER	NA	0	0	0
NEGLIGENT MANSLAUGHTER	NA	0	0	0
ROBBERY	NA	0	0	0
AGGRAVATED ASSAULT	NA	0	0	0
MOTOR VEHICLE THEFT	NA	0	0	0
ARSON	NA	0	0	0
BURGLARY	NA	0	0	0
LARCENY THEFT	NA	0	0	0
SIMPLE ASSAULT	NA	0	0	0
INTIMIDATION	NA	0	0	0
DAMAGE OR VANDALISM TO PROPERTY	NA	0	0	0
SEX OFFENSES, FORCIBLE	NA	0	0	0
SEX OFFENSES, NON-FORCIBLE INCEST	NA	0	0	0
SEX OFFENSES, NON-FORCIBLE STATUTORY RAPE	NA	0	0	0
DOMESTIC VIOLENCE	NA	0	0	0
DATING VIOLENCE	NA	0	0	0
STALKING	NA	0	0	0

## Annual Fire Safety Compliance Report

The Higher Education Opportunity Act (Public Law 110-315) became law in August, 2008, requiring all United States academic institutions to produce an annual fire safety report outlining fire safety practices, standards, and all fire-related on-campus statistics. The following public disclosure report details all information required by this law as it relates to NOVA Academy of Cosmetology.

### General Statement of College Owned/Controlled Student Housing

NOVA Academy of Cosmetology does not have Student Housing.

The school is equipped with an emergency light and emergency exit maps in all classrooms and offices. Fire alarms, smoke detectors, sprinkler equipment, exit signs and firefighting equipment installed throughout the college is for your safety. Tampering with them hinders their efficiency and endangers the safety of everybody on campus.

### Fire Statistics

	<u>2015</u>	<u>2016</u>	<u>2017</u>
DAMAGES	0	0	0
INJURIES	0	0	0
FATALITIES	0	0	0
TOTAL FIRES:	1	0	0

\*There were no fire drills held in 2015.

### Fire Procedure

If a fire occurs within the school please notify a school manager immediately.

### Evacuation Procedures

If a circumstance arises that requires evacuation, NOVA Academy staff will notify all students, staff members, and visitors. All students, staff, and visitors should follow the evacuation routes posted throughout the building, either exiting out the south (Nova) entrance or east (Etoile) entrance.

Once outside, proceed to a clear area that is at least 500 feet away from the affected building(s). Keep streets, fire lanes, hydrants, and walkways clear for emergency vehicles and personnel. Evacuate further if directed by emergency personnel.

Do not return to an evacuated building until an all clear is given by emergency personnel.

### Taking Shelter During Storms and Tornadoes

If weather becomes dangerous and there is a Tornado Warning issued, NOVA staff will notify all students, staff, and visitors to report to the safe internal part of the school inside the middle two classrooms.