2024 ANNUAL SECURITY AND FIRE SAFETY REPORT

AND DRUG-FREE SCHOOLS ACT INFORMATION

Including 2021, 2022, and 2023 Statistics

Policy on Reporting the Annual Disclosure of Crime Statistics

The safety and well-being of all members of our community is of great concern for the school. All of us are dedicated to making the campus a safer place to live and work. A safe environment depends on the cooperation and involvement of individuals in safeguarding themselves and others. We encourage all members of the school's community to use this report as a guide for safe practices on and off campus. The school prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. We work with school offices and public agencies, such as the local police department, to compile the information. Each entity provides updated information on their educational efforts and programs to comply with the act.

This publication contains information to aid in the cooperative effort of keeping the campus safe. It contains specific information on safety and security, crime prevention, policies relating to reporting crime, campus disciplinary procedures, and crime statistics reported from 2021, 2022, and 2023. These statistics reflect reported crimes that occurred on campus controlled by the school, and on public property that is immediately adjacent to and accessible from the campus.

This publication is usually posted on the school's website by October 1 each year. We notify all students, staff, and faculty via email. You can obtain this report online at: www.nyib.edu

All current or prospective faculty, staff, and students can also obtain a paper copy by visiting the Admission Office, requesting from an owner or by writing to:

New York Institute of Beauty
Attn: Annual Security Report Request
11 Oval Drive, Suite 180
Islandia, NY 11749

Campus Safety and Security

Campus Safety and Security is a team effort and we are committed to ensuring the safety and security of the school community. We work with liaisons with our local emergency responders such as the Fire Department, the Police Department and County Emergency Management.

Fire Alarm Systems and Crime Prevention Services

The security alarms are monitored by third party vendor.

Relationship with Local Law Enforcement Agencies

The school maintains a close working relationship with law enforcement and communicates items of mutual concern with them. Each jurisdiction dispatches officers when a crime is reported, when the school requests them, or when an arrest may be made. The School Director meets with law enforcement about campus issues to discuss mutual concerns, coordinate programs, and exchange information.

Off-Campus Criminal Activity

The school does not provide services for off-campus criminal activity involving students. Off campus criminal activity is handled through local law enforcement and will be redirected to the appropriate law enforcement agency. The school coordinates with contacts on city, county and state levels on a frequent basis to receive follow-up reports on criminal activities that may affect the campus.

Weapons Policy

The possession or use of firearms, explosives, dangerous chemicals or other dangerous weapons or instrumentalities on campus is prohibited by New York Law. Violation of this policy by students, faculty, staff or visitors to the campus may be subject to disciplinary actions and/or civil or criminal citation.

Crime Prevention Tips

- Be aware of your surroundings.
- Travel in groups at night whenever possible, especially when walking.
- Use lighted walkways and thoroughfares, even if it means going out of your way.
- Walk briskly, with your head up, and with assurance. Do not walk in brush-covered areas or against buildings.
- Do not wear dangling jewelry when traveling into the city. Keep purses, backpacks, and money belts close to the body, and do not leave them unattended.
- Do not struggle if someone attempts to take your property.

Safety when Coming and Going to Campus

- Cross streets safely. Cross at using cross walks and traffic signals. Make eye contact with drivers and do not assume that the driver can see you. If you are not in a crosswalk wait until there is no traffic to cross.
- Lock your bicycle with a high-security lock.
- Park your vehicle in a well-lit and populated area. If this is impossible, scan the area before getting into or out of your vehicle. Know your surroundings!
- Get into your vehicle briskly, quickly, and confidently.
- Avoid becoming too absorbed with the task at hand, such as keeping your head down at the key lock, occupying yourself with bags, books, or keys; staying alert can help prevent your becoming a target for crime.
- Keep keys in hand to avoid unnecessary delay.
- Always plan ahead, even if you are late or in a rush.

Report Suspicious Activity/Object on Campus

Report suspicious activity or suspicious object to an Educator or staff member immediately, if you feel you are in immediate danger call 9-1-1. Reporting suspicious activity/objects as soon as possible are essential in reducing campus crimes. You would be assisting Campus Safety in promoting a safe, secure, and welcoming educational environment. Never hesitate to contact school staff regarding your own or someone else's safety on campus.

Timely Warnings Notification Policy

In the event that a situation arises either on or off campus that, in the judgment of the school, constitutes an ongoing or continuous threat, a campus "timely warning" will be issued. The warning will be issued to students and employees in a timely manner, and it will withhold the names of victims as confidential. The goal of the warning is to aid in the prevention of similar occurrences. Depending on the circumstances of the crime, especially in situations that could pose an immediate threat to the community and individuals with the school team may employ several different mechanisms to notify the campus of the threat. In all cases, the warning will be issued through the school e-mail system to students, faculty, staff and the campus.

The purpose of Crime Alerts is to notify the campus community of the incident in a timely manner and to provide information that may enable community members to protect themselves from similar incidents. Crime Alerts are issued whenever the following criteria are met:

- A crime is committed.
- The perpetrator has not been apprehended; and
- There is a substantial risk to the physical safety of other members of the campus community
- because of this crime.
- The school determines that the incident represents an ongoing threat to the campus
- community.
- Such crimes include, but are not limited to one of the following Clery crimes that are reported in good faith to any campus security authority or the local police:
    - Criminal Homicide, including: Murder, /Manslaughter by Negligence;
    - Sex Offenses, including Rape, Assault with Sexual Motives (Fondling), Incest, and Statutory Rape;
    - Robbery;
    - Aggravated Assault;
    - Major Incidents of Arson; and
    - All other Clery crimes as deemed appropriate.

All available information known at the time will be taken into consideration when evaluating the need for a timely warning. Those considerations include, but are not limited to:

- The nature and seriousness of the crime,
- When and where the incident occurred,
- When it was reported,
- The duration of time between the victim and perpetrator,
- The patterns or trends of other incidents,
- The continuing danger to the campus community, and
- The risk of compromising law enforcement efforts or identifying the victim. Although each case will be evaluated on an individual basis, timely warnings will not be issued when:
- A report is filed more than five (5) calendar days after the date of the alleged incident, unless it is determined that there is a continuing threat to the community;
- A report is filed anonymously or by a third party and there is not enough information to evaluate the situation;
- The pertinent information has not been acquired;
- The suspect has been apprehended;
- The report is made in bad faith;

- There is a possible risk of compromising law enforcement efforts; or
- The incident reported does not pose an ongoing threat to the campus

Emergency Response and Community Notification of Immediate Threat

An “immediate threat” is a significant emergency or dangerous situation on campus involving imminent danger to the health and/or safety of students, faculty, staff or guests, such as a natural disaster, act of terrorism or an active shooter. When a serious threat to campus safety occurs, The school coordinates with other first responders, which might include local fire and police to properly mitigate the threat to the campus. Depending on the nature and size of the incident, other local, state and federal agencies might be called upon to assist. You will be notified about emergencies in one or more of the following ways:

Daily Incident/Crime/Fire Log

The school maintains a daily incident/Crime/Fire log, which is written in an easily understood format and describes the basic nature of the incident, date reported, general location, and the disposition, if known. We enter new reports or update previous ones within 72 hours after receiving the information. The log records all crimes reported to Campus Safety and Security.

Classification of Crimes

Crimes listed herein are classified using the FBI Uniform Crime Reporting Handbook and relevant federal law (the Clery Act). Please see definitions listed later in this report. For murder/non-negligent manslaughter, negligent manslaughter, rape, forcible fondling, incest and statutory rape, aggravated assault, domestic violence, dating violence and stalking the number of victims is indicated. For robbery, burglary, larceny, vandalism and arson, one offense is counted per distinct operation regardless of the number of victims. For motor vehicle theft, each vehicle taken (or attempted to be taken) is counted separately. For liquor, drug and weapons violations, the statistics indicate each person arrested. Incidents of domestic violence, dating violence and stalking are counted according to the underlying crime—i.e., property crimes and robbery are counted by operation and crimes against persons except robbery are counted by the number of victims. Hate crimes are not considered distinct offenses but are crimes (such as assault or vandalism) motivated by the suspect’s bias. Most hate crimes are counted in the crime statistics in this brochure. The exceptions are simple assault, intimidation, larceny, vandalism and other crimes that involve bodily injury that are not included in the required reporting categories but are reported separately as hate crimes. Starting in 2014, crimes motivated by prejudice against a victim’s national origin and crimes motivated by prejudice against a victim’s gender identity are also reported as hate crimes.

Reporting Criminal Actions and Emergencies

Always dial 911 for emergencies or crimes in progress on or off campus that require police, fire, or medical response. Students, faculty, staff, and visitors should also notify school officers. Reports will be included in annual statistical compilations and the daily incident log when appropriate and will be evaluated for timely warning consideration. You can report incidents to other officials at the New York Institute of Beauty, including directors and heads of administrative units. These reports in turn will be communicated to Campus Security lead for disposition. These reports will also be included in annual statistical compilations.

The school will help members of the New York Institute of Beauty community contact outside law enforcement agencies such as local police and other reporting authorities. When we receive a report of an urgent situation, we contact local police and/or fire when appropriate. School staff will conduct preliminary investigations of reported incidents. We contact the local authorities, when appropriate, if any criminal information is discovered or other emergency responder agencies such as fire or medical.

Policy Statements Relating to Sexual Assault, Dating Violence, Domestic Violence and Stalking

New York Institute of Beauty is committed to establishing and maintaining a safe working and learning environment that is free from violence. The school has published policies that describe its prevention and response processes, which include:

Sexual misconduct is prohibited by the code, which includes committing, or aiding, soliciting, or attempting the commission of, the following prohibited conduct: Sexual assault, sexual harassment, sexual exploitation, indecent exposure, stalking, and intimate partner violence, including both dating and domestic violence. The code also prohibits retaliation against those who file a complaint, grievance, or allegation of misconduct under any school policy or rule or under any law; participate in and/or cooperate with an investigation; appear as a witness at a hearing; or oppose an unlawful act, discriminatory practice, or policy. The school revised the Student Conduct Code to reflect the campus' compliance with developing laws, regulations, and guidance, particularly relating to adjudicating sexual misconduct matters.

Non-discrimination and Affirmative Action

This policy has the goal of promoting an environment that is free of discrimination, harassment, and retaliation. It prohibits sexual harassment, which is unwelcome and unsolicited language or conduct that is of a sexual nature and that is sufficiently severe, persistent, or pervasive that it could reasonably be expected to create an intimidating, hostile, or offensive working or learning environment, or has the purpose or effect of unreasonably interfering with an individual's academic or work performance.

Workplace Violence Policy

New York Institute of Beauty's Workplace Violence policy prohibits behavior, whether direct or using school facilities, property or resources that: is violent; threatens to harm; harasses or intimidates others; interferes with an individual's legal rights of movement or expression; disrupts the workplace, the academic environment or the school's ability to provide services to the public. These behaviors include relationship violence and stalking.

Definitions under the New York State Criminal Code

The school prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking as defined in the Clery Act. Another classification is "Assault," which also governs assault with a sexual motivation.

Domestic violence

(a) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household members;
(b) Sexual assault of one family or household member by another; or
(c) Stalking

"Family or household members" means spouses, domestic partners, former spouses, former domestic partners, persons who have a child in common regardless of whether they have been married or have lived together at any time, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past, persons sixteen years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship, persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship, and persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren. "Dating relationship" means a social relationship of a romantic nature. Factors include: (a) The length of time the relationship has existed; (b) the nature of the relationship; and (c) the frequency of interaction between the parties.

Stalking

A person commits the crime of stalking if, without lawful authority and under circumstances not amounting to a felony attempt of another crime:

1. He or she intentionally and repeatedly harasses or repeatedly follows another person; and
2. The person being harassed or followed is placed in fear that the stalker intends to injure the
3. person, another person, or property of the person or of another person. The feeling of fear must be one that a reasonable person in the same situation would experience under all the circumstances; and
4. The stalker either:
    a. Intends to frighten, intimidate, or harass the person; or
    b. Knows or reasonably should know that the person is afraid, intimidated, or harassed even if the stalker did not intend to place the person in fear or intimidate or harass the person.

Cyberstalking

A person is guilty of cyberstalking if he or she, with intent to harass, intimidate, torment, or embarrass any other person, and under circumstances not constituting telephone harassment, makes an electronic communication to such other person or a third party:

a) Using any lewd, lascivious, indecent, or obscene words, images, or language, or suggesting the commission of any lewd or lascivious act;
b) Anonymously or repeatedly whether or not conversation occurs; or
c) Threatening to inflict injury on the person or property of the person called or any member of his or her family or household.
d) For purposes of this section, “electronic communication” means the transmission of information by wire, radio, optical cable, electromagnetic, or other similar means. “Electronic communication” includes, but is not limited to, electronic mail, internet-based communications, pager service, and electronic text messaging.

New Student Programs

Orientation, a two-part program in which students are introduced to academic expectations, student life, and campus resources, covers various sessions including bias response resources, parking, student rights and responsibilities, self-Care, and sexual harassment/assault and prevention awareness.

Inter-collegiate Athletics

The school does not offer Inter-collegiate athletics

Fraternities and Sororities

The school does have any fraternities or sorority chapters.

Sexual Harassment Prevention

Human Resources provides a New Employee Orientation and an in-person Prevention of Sexual Harassment training for all new staff members, which they are expected to complete within two months of hire. The program introduces new employees to the school’s culture, shared values, leadership and key policies. Additionally, individual schools, colleges, and administrative departments offer their own training programs for new employees and current employees.

Procedures Victims Should Follow in the Case of Alleged Dating Violence, Domestic Violence, Sexual Assault, or Stalking

The school maintains a Sexual Assault Resource website for those impacted by sexual assault, dating/relationship violence, domestic violence, or stalking. This website is intended to provide comprehensive information about the available resources, reporting options, and school response policies and procedures. In addition, the school’s Title IX website provides information about policies,

code, education, outreach, reporting, and support resources. The Title IX website also includes a Know Your Rights & Resources guide, which includes information about resources and school processes. Following are the steps an individual who has experienced sexual misconduct may take.

Contact the School's Confidential Advocates

Individuals are urged to contact one of the school's confidential advocates, who can provide a private place for individuals to seek support, information, and assistance. They can also provide individuals with support in taking any or all of the following steps. Disclosures made to a confidential advocate do not constitute a report to the institution for the purposes of initiating an investigation. Individuals have the right to report sexual misconduct to the administration, to the police, to both or not at all. If individuals do choose to report to the police or the school, the advocates can provide individuals with information and support in reporting.

The advocates can also assist with how to apply for Orders of Protection, regardless of whether individuals make a police report. Orders of Protection can make it illegal for a person to contact individuals. The advocates can also assist individuals with implementing an order at the school.

Advocates have limitations to confidentiality when on notice of:

- Abuse and neglect of a child under the age of 18
- Elder abuse or the abuse of a disabled adult
- A plan for suicide or harm to others

Confidential advocates may also be required to disclose information that is otherwise protected from disclosure in response to a valid subpoena or court order.

Seek Medical Care and Forensic Exams

Individuals are urged to seek medical care. Medical care after a sexual assault can be helpful for treating or preventing illness and injury. It is also an important way to preserve evidence. Not all hospitals provide forensic exams/rape kits. If individuals are interested in evidence collection, as well as medical care, individuals must go to a hospital with trained Sexual Assault Nurse Examiners (SANE). SANE nurses are specially trained to work with patients who have been sexually assaulted.

Important things to know:

- Individuals are not required to make a police report to get a SANE exam.
- There is no charge for a SANE exam.
- Individuals may bring a friend or family member with them.
- Preserving evidence keeps options open in case individuals decide to report.

It is recommended to be treated as soon as possible; evidence is best collected within 120 hours (five days) of the assault. Information relating to local hospitals and SANE nurses is available on the Sexual Assault Resources website.

Seek Support for Safety Planning

The school can assist individuals by implementing safety measures, such as arranging for housing, academic and work accommodations, and/or providing assistance with transportation planning. These safety measures can be implemented when reasonably available and may be on an interim or permanent basis. The school will maintain the confidentiality of any safety measures provided to the extent practicable. Safety measures are available whether or not a report is made to the administration or local law enforcement.

Seek Counseling

For support, the school offers several options for counseling services. Counseling can assist with recovery from a traumatic experience.

Seek Disability Accommodations

If individuals are experiencing impacts of a medical condition or the experience has triggered an existing condition, they should consider seeking accommodations through the school offices.

Consider Reporting to the School

The school provides procedures for the investigation and resolution of complaints relating to domestic violence, relationship violence, sexual assault, stalking or retaliation. The school will respond to complaints regardless of whether a complaint is filed with a law enforcement agency. Following is the contact information:

New York Institute of Beauty
Title IX Investigation Office
mpercoco@nyib.edu

Consider Reporting to Law Enforcement

The local police department supports members of the New York Institute of Beauty community with its Sexual Assault Response Commitment that pledges to assist with courtesy, sensitivity and professionalism.
Reporting the incident to the police is encouraged regardless of the availability of evidence. The school also has long, collaborative relationships with local authorities. These departments have recently entered into a memorandum of understanding that confirms and clarifies this collaboration, including how information is shared between these departments.

Seek Supportive Measures

If individuals decide they want the school to conduct an investigation or they make a report to the police, the school will evaluate and implement supportive measures designed so that they can avoid contact with the other person while an investigation is ongoing. The types of supportive measures that the school can put in place will depend on their unique circumstances and needs and the impacts on the other person.
Options for supportive measures may include, but are not limited to:

- Issuing a no-contact directive that prohibits contact between them and the other person; and/or
- Adjusting the other person's campus work or academic schedules.

Seek Other School and Community Resources

The school has a variety of other services available including legal assistance, visa and immigration assistance, and student financial aid assistance. Information about available services at the school and in the local community can also be obtained from a confidential advocate or on the Sexual Assault Resource webpage.

Procedures the School will Follow in the Case of Alleged Dating Violence, Domestic Violence, Sexual Assault, or Stalking

When students or employees report to the administration that they have experienced sexual assault, dating/relationship violence, domestic violence, or stalking, they will be provided with written notification of:

- information about preserving evidence, which may be necessary to the proof of a crime or in obtaining a protection order; from whom they may formally request an investigation of the alleged offense, including options regarding law enforcement and campus authorities and their options to notify proper law enforcement authorities, including on-campus and local police; r
- Receive assistance in notifying law enforcement authorities if they choose; and declines to notify such authorities; Their rights and the school's responsibilities regarding protection orders, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court;
- Grievance or investigation procedures for allegations of domestic violence, dating violence, sexual assault, or stalking, all of which will:
- Provide a prompt, fair, and impartial investigation and resolution; 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 those involved and promotes accountability;

- provide the complainant and respondent with the same opportunities to have others present during a disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice;
- simultaneously inform the complainant and the respondent, in writing, of the outcome of any disciplinary proceeding; the school's procedures for the complainant and respondent to appeal the results of the disciplinary proceeding, if available; of any change to the results that occurs prior to the time that such results become final; and when the results become final.
- Possible sanctions or remedial measures that the school may impose following a final determination of a disciplinary procedure;
- Information about how the school will protect confidentiality and/or privacy, including how publicly available recordkeeping will be accomplished without the inclusion of identifying information, to the extent permissible by law;
- Information about existing health, mental health, victim advocacy, legal assistance, and other services both on-campus and in the community;
- Options for, and available assistance in, changing academic, living, transportation, and working situations, if requested, and if such accommodations are reasonably available, regardless of whether they choose to report the crime to campus police or local law enforcement.

Anyone who has concerns that they have not appropriately received this information should contact: Miriam Percoco, Title IX Coordinator

Procedures for School Investigation and Disciplinary Action

The process New York Institute of Beauty will follow to investigate and resolve the complaint depends on the relationship to the school of an Individual against whom the complaint is made. The school's processes for investigation and resolution of complaints are as follows:

Investigations are designed to provide a prompt, fair, and impartial complaint investigation and resolution, and to equitably protect the rights of individuals participating in the investigation. Participants may be supported by an advisor that may be an attorney throughout the process. The following is general information about the investigation process. The individuals who conduct school investigations or participate in school hearings receive, at a minimum, annual training on the issues related to domestic violence, relationship violence, stalking, sexual assault, and retaliation and on conducting investigations and hearings that fosters safety, equitable treatment of the parties, and that promote accountability.

First, a staff member of the investigation office meets with each complainant to gather information about the complaint and to provide information about the complaint process, including the complainant's rights and options under this and other school policies. After initial review of the complaint, the complainant will be informed of the action the administration will take. Before an investigation is opened, protective measures will be considered and implemented as they are reasonably available. Protective measures may include changing academic, living, transportation, and/or working arrangements, and taking steps to limit contact between the individuals involved. As necessary, investigation offices will assist individuals potentially at risk with safety planning, either directly or with the assistance of other school offices, such as the confidential advocates or Safe Campus.

When an investigation is opened, the subject of the investigation will be provided with a written explanation of their rights and options under this and other relevant school policies and information about the investigation process. The assigned investigator will gather evidence, conduct interviews of the complainant, subject, and witnesses. During the investigation, the complainant and the subject will have the opportunity to identify witnesses and provide the investigator with evidence. The school strives to complete the investigation within 60 days. The school uses a "preponderance of evidence" standard to determine whether a violation of school policy has occurred. "Preponderance of evidence" means that based on all of the relevant evidence, the facts demonstrate that it is "more likely than not" that the subject of the investigation violated one or more

school policies. The complainant and the subject of the complaint will concurrently be informed in writing of the result of the investigation, the rationale for the result, and whether there is an option to appeal a result. The result includes any initial, interim, or final decisions. The school's goal is to complete investigations within 60 business days. This timeframe may need to be extended depending on the complexity of the matter or to coordinate with law enforcement. The school follows the Student Conduct Code or the Faculty Code in matters where a student or faculty member is the subject of a complaint. In accordance with these processes, a hearing may be convened to assess the evidence relating to the complaint, make findings, and determine appropriate actions, if any. The complainant and subject will be concurrently informed in writing of the result of the hearing, the rationale for the result, and whether there is an option to seek an appeal. The result includes any initial, interim, or final decisions.
Information relating to an investigation is kept confidential by the investigation offices and is provided only to those persons who have a legitimate educational or business need to know, including the subject of the complaint, witnesses, the administrative head of the school unit involved, the Title IX Coordinator, and the appropriate human resources staff and/or the Student Services Office, as necessary. Some information relevant to the investigation may be protected from disclosure, such as healthcare information protected by the Health Insurance Portability and Accountability Act (HIPAA) or student records protected by the Family Educational Rights and Privacy Act (FERPA).

Confidentiality and Recordkeeping

Information relating to an investigation is kept confidential by the investigation offices and is provided only to those persons who have a legitimate educational or business need to know, including the subject of the complaint, witnesses, the administrative head of the the unit involved, the Title IX Coordinator, and the appropriate human resources staff and/or the Student Services Office, as necessary. Records retained by school offices may be subject to disclosure under New York Law, unless otherwise protected from disclosure by law. Some information, such as healthcare information protected by the Health Insurance Portability and Accountability Act (HIPAA) or other state laws, student records protected by the Family Educational Rights and Privacy Act (FERPA), or information that is otherwise exempt from the Public Records Act, will not be subject to disclosure under that Act. Information retained in school records that is otherwise protected from disclosure, may be subject to disclosure pursuant to a valid subpoena or court order. In accordance with the Clery Act, the school must also disclose statistical information relating to crimes of domestic violence, relationship violence, stalking, sexual assault, in its annual security report and issue timely warnings. This reporting is done without disclosing personally identifying information relating to the victim of such crimes, including information likely to disclose the location of the victim.

Sex Offenders

In accordance to the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act, the Family Educational Rights and Privacy Act of 1974, and Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921), New York Institute of Beauty provides a link to the New York State Sex Offender Registry. All sex offenders are required to register in the State of New York. Institutions of higher education in New York are notified if that person is employed, carries a vocation or is a student at that institution: https://www.criminaljustice.ny.gov/nsor/
In addition, all sex offenders are required to deliver written notice of their status as a sex offender to the school no later than three (3) business days prior to their enrollment in, employment with or volunteering at the school. Such notification may be disseminated by New York Institute of Beauty to, and for the safety and well-being of, the campus community, and may be considered by the the school for enrollment and discipline purposes.

Missing Person Policy and Protocol

In compliance with the Higher Education Opportunity Act (P.L. 110-315), The school maintains a missing student policy and includes the option to register a confidential contact for investigation of a missing person, how to report a missing person, and notification protocol for persons determined to

be missing.

Registering a Confidential Contact

It is also policy to notify parents or guardians of students less than 18 years old who are not legally emancipated within 24 hours of being determined missing..

Emergency Contact Information

At the beginning of your chosen program all students will be notified of the following:

- Students will have the opportunity to identify a contact person or persons through their electronic housing operations.
- The school will notify the designated person or persons within 24 hours of the determination that the student has been determined to be missing by law enforcement.
- This contact information will be confidential and will be accessible only to authorized school officials, and it will not be disclosed except to law enforcement personnel involved in a missing person investigation.
- For students who are 18 years of age or older, this notification to the designated emergency contact person will be done within but no later than 24 hours after the student is determined to be missing.
- For students under 18 years of age and not emancipated, the school must notify the student's custodial parent or guardian within 24 hours of the determination that the student is missing and will also notify the student's designated emergency contact person.
- The school will also notify the appropriate law enforcement agency within 24 hours of the determination that the student is missing whether or not the student identifies an emergency contact person.

How to Report a Missing Person

If you believe a person is missing, you can report to any of the following law enforcement or campus security authorities on campus:

- Local Police Department: Dial 911
- Campus Safety & Security Department
- If you report a missing person to any school official, that official must make a report to the local police authority immediately.

Missing Person Protocol

When the school employees receive a report of a student who is missing more than 24 hours and lives in student on-campus housing, school protocol includes the following, which must be performed within 24 hours of receiving the report:

- The school employee notifies Campus Safety & Security and local police.
- An administrator accesses the missing student's confidential contact and releases the information to police or to the confirmed requesting law enforcement agency.
- Either the school or a law enforcement agency notifies the missing student's emergency contact typically parent(s) or guardian(s)) if he/she is less than 18 years old and not legally emancipated.
- The Police Department will initiate a police investigation for a missing person and will notify the appropriate law enforcement agency of all confirmed missing students as necessary. Additionally, if a student registers multiple emergency contacts, a school official and/or Police will contact all registered persons even if one of the contacts states the student is not missing, unless the person reported missing contacts the school or the law enforcement agency. Police will document all unsuccessful attempts at locating the missing person as part of their investigation.

Access to Campus Facilities

New York Institute of Beauty has an environment allowing individuals to move freely around the campus; however, the school restricts access to its facilities to members of the academic

community and bona fide guests. Your vigilance is essential in helping Campus Safety and Security promote campus safety and reduce campus crime. In order to uphold this policy, all students, faculty, and staff must have a name badge and present it when requested by a school official. Individuals who do not have legitimate business or academic reasons for being on campus and who refuse to comply with a request to leave, may be subject to being trespassed from the campus or arrested by the local police department.

Academic and Administrative Buildings

The school is open 6 days a week Monday thru Saturday. While classes are in session exceptions are reserved events or cleaning schedules may impact exterior building access doors. Faculty, staff and students are encouraged to work with their supervisors for any access needs. Other areas may be scheduled to unlock as needed for scheduled reserved events.

On-Campus Student Housing

The school does not offer students the opportunity to live on-campus

Off-Campus Student Housing

The school does not provide off-campus housing. Students should contact landlords directly about off-campus rentals or property.

School Alcohol and Drug Policy

New York Institute of Beauty is committed to maintaining a healthy and safe community through education and intervention efforts for alcohol and other drugs. School community members uphold institutional policies and abide by local, state, and federal laws pertaining to alcohol and other drugs. Individuals accept personal responsibility for the outcome of their decisions regarding alcohol and other drugs. Policies of school regarding alcohol and other drugs are covered in the staff manual, the Student Conduct Code and the alcohol and drug policies.

Student Conduct Code

In addition to the residence hall regulations, the following types of student misconduct, which subject a student to disciplinary action, include but are not limited to: unauthorized possession, use, manufacture, distribution, and/or sale of any controlled substance or illegal drug and illegal drug paraphernalia; violation of school policies pertaining to the sale, distribution, use, or possession of alcohol; violation of local, state, or federal law.

Faculty and Staff Conduct

Employee misconduct, including that of all full-time faculty and staff, adjunct faculty, and part-time staff, related to alcohol or other drug abuse will not be tolerated. Violation of the school's Alcohol and Drug Abuse Policy or the Guidelines for Serving Alcohol at school events will result in appropriate disciplinary action in accordance with school policies. Such disciplinary action may include termination of employment and referral for legal prosecution.
Obvious examples of prohibited conduct include, but are not limited to, the following:

- The unauthorized use, possession, manufacture, distribution, dispensation or sale of alcohol, drugs or drug paraphernalia on school premises, on school business, in school- supplied vehicles, during the employee's work hours, or during school-sponsored activities.
- Coming to work, or performing any job duties, while impaired by alcohol or drugs on school premises, in school-supplied vehicles, in any location while on school business, or during school-sponsored activities.
- The possession, use, manufacture, distribution, dispensation or sale of alcohol or drugs off school premises that may adversely affect the individual's work performance, his or her own or others safety at work or the school's reputation in the community.
- Failure to adhere to the requirements of any drug treatment or counseling program in which

the employee is enrolled or conviction under any criminal drug statute for a violation occurring in the workplace or in another location while on school business or during school-sponsored activities, or conviction under any criminal drug statute under circumstances that adversely affect the school's reputation in the community.

- Failure to notify the administration of any conviction, within five (5) days of the conviction, under any criminal drug statute for a violation occurring in the workplace, on school premises, on school business, in school-supplied vehicles, during employee's work hours, in school-supplied vehicles, during employee's work hours, or during school-sponsored activities.
- Deliberate failure to comply with the requirements of law or federal rules and regulations under the school's Alcohol and Drug Abuse Policy.

Alcohol Policy

New York Institute of Beauty is committed to maintaining a healthy and safe academic community that reflects high standards of personal responsibility and behavior. Generally, possession or consumption of alcoholic beverages is not permitted on campus. It is illegal to sell alcohol without a permit and no one under the age of 21 is permitted to consume or possess alcohol. Alcohol abuse will not be tolerated under any circumstances. This policy permits the responsible use of alcohol in moderation by persons of legal drinking age and in accord with these guidelines.

Additional Information

Questions about the Alcohol Policy should be directed to an Owner. The school reserves the right to amend this policy in accordance with local and federal laws, community standards, or the best interests of the institution.

Drug Policy

Possession and/or use of illicit drugs and unauthorized controlled substances are contrary to school policy and in violation of federal and New York state laws. The school prohibits the possession, use, manufacture, distribution and/or sale of illegal drugs and illegal paraphernalia.
Students, staff or faculty at the the school using or otherwise involved with drugs in violation of school drug policy are subject to disciplinary action, in addition to any action taken by local or federal law enforcement authorities.

Cooperation with Law Enforcement Authorities

The institution cooperates fully with law enforcement authorities. Violations of the Code of Conduct or on campus housing, which are also violations of federal or local law, may be referred to external enforcement. In such situations, cases may proceed concurrently at the school and in the criminal justice system.

School Sanctions for Violating Alcohol and Drug Policies

Students and employees who are found to be in violation of this state prohibition may be subject to arrest and conviction under the applicable criminal laws of local municipalities, the state of New York or the United States. Conviction can result in sanctions including probation, fines and imprisonment. While the school will make every reasonable effort to assist employees who make it known that they have an alcohol or drug abuse problem, it will not intrude upon the private decisions of its employees who are responsible for resolving any alcohol or drug abuse problems they may have. Unresolved job performance problems that result from alcohol or drug abuse are grounds for disciplinary action, including termination. Students found in violation of this stated prohibition are also subject to discipline in accordance with the requirements and procedures of the Student Conduct Code. Discipline may include disciplinary probation, suspension, or dismissal from the school.

Description of Drug and Alcohol Abuse Education Programs

Off-Campus Resources

While New York Institute of Beauty thrives to help members of the campus community learn about

alcohol and other drugs, we realize that sometimes students may wish to seek off-campus help. Following is a list of contacts and resources:

Alcoholics Anonymous (AA)
Nassau County
(516)292-3040
https://nassauintergroup.org

Suffolk County
(631)669-1124
https://suffolkny-aa.org

Local and Federal Laws

The following is a brief summary of state of New York and federal laws pertaining to alcohol and drugs. This is not an exhaustive list and is subject to change. The law constantly evolves and is subject to different interpretations.

New York State Crimes and Penalties — Alcohol

Persons under 21 - Minor in Possession and Consumption

§ 65-c. Unlawful possession of an alcoholic beverage with the intent to consume by persons under the age of twenty-one years. 1. Except as hereinafter provided, no person under the age of twenty-one years shall possess any alcoholic beverage, as defined in this chapter, with the intent to consume such beverage.

2. A person under the age of twenty-one years may possess any alcoholic beverage with intent to consume if the alcoholic beverage is given:

(a) to a person who is a student in a curriculum licensed or registered by the state education department and the student is required to taste or imbibe alcoholic beverages in on-campus or off-campus courses which are a part of the required curriculum, provided such alcoholic beverages are used only for instructional purposes during class conducted pursuant to such curriculum; or

(b) to the person under twenty-one years of age by that person's parent or guardian.

3. Any person who unlawfully possesses an alcoholic beverage with intent to consume may be summoned before and examined by a court having jurisdiction of that charge; provided, however, that nothing contained herein shall authorize, or be construed to authorize, a peace officer as defined in subdivision thirty-three of section 1.20 of the criminal procedure law or a police officer as defined in subdivision thirty-four of section 1.20 of such law to arrest a person who unlawfully possesses an alcoholic beverage with intent to consume. If a determination is made sustaining such charge the court may impose a fine not exceeding fifty dollars and/or completion of an alcohol awareness program established pursuant to section 19.25 of the mental hygiene law and/or an appropriate amount of community service not to exceed thirty hours.

4. No such determination shall operate as a disqualification of any

such person subsequently to hold public office, public employment, or as a forfeiture of any right or privilege or to receive any license granted by public authority; and no such person shall be denominated a criminal by reason of such determination, nor shall such determination be deemed a conviction.

5. Whenever a peace officer as defined in subdivision thirty-three of section 1.20 of the criminal procedure law or police officer as defined in subdivision thirty-four of section 1.20 of the criminal procedure law shall observe a person under twenty-one years of age openly in possession of an alcoholic beverage as defined in this chapter, with the intent to consume such beverage in violation of this section, said officer may seize the beverage, and shall deliver it to the custody of his or her department.

6. Any alcoholic beverage seized in violation of this section is hereby declared a nuisance. The official to whom the beverage has been delivered shall, no earlier than three days following the return date for initial appearance on the summons, dispose of or destroy the alcoholic beverage seized or cause it to be disposed of or destroyed. Any person claiming ownership of an alcoholic beverage seized under this section may, on the initial return date of the summons or earlier on five days notice to the official or department in possession of the beverage, apply to the court for an order preventing the destruction or disposal of the alcoholic beverage seized and ordering the return of that beverage. The court may order the beverage returned if it is determined that return of the beverage would be in the interest of justice or that the beverage was improperly seized.

Drivers under the Influence of Alcohol or Drugs

§ 1192. Operating a motor vehicle while under the influence of alcohol or drugs. 1. Driving while ability impaired. No person shall operate a motor vehicle while the person's ability to operate such motor vehicle is impaired by the consumption of alcohol.

2. Driving while intoxicated; per se. No person shall operate a motor vehicle while such person has .08 of one per centum or more by weight of alcohol in the person's blood as shown by chemical analysis of such person's blood, breath, urine or saliva, made pursuant to the provisions of section eleven hundred ninety-four of this article.

2-a. Aggravated driving while intoxicated. (a) Per se. No person shall operate a motor vehicle while such person has .18 of one per centum or more by weight of alcohol in such person's blood as shown by chemical analysis of such person's blood, breath, urine or saliva made pursuant to the provisions of section eleven hundred ninety-four of this article.

(b) With a child. No person shall operate a motor vehicle in violation of subdivision two, three, four or four-a of this section while a child who is fifteen years of age or less is a passenger in such motor vehicle.

3. Driving while intoxicated. No person shall operate a motor vehicle while in an intoxicated condition.

4. Driving while ability impaired by drugs. No person shall operate a motor vehicle while the person's ability to operate such a motor vehicle is impaired by the use of a drug as defined in this chapter.

4-a. Driving while ability impaired by the combined influence of drugs or of alcohol and any drug or drugs. No person shall operate a motor vehicle while the person's ability to operate such motor vehicle is impaired by the combined influence of drugs or of alcohol and any drug or drugs.

5. Commercial motor vehicles: per se - level I. Notwithstanding the provisions of section eleven hundred ninety-five of this article, no person shall operate a commercial motor vehicle while such person has .04 of one per centum or more but not more than .06 of one per centum by weight of alcohol in the person's blood as shown by chemical analysis of such person's blood, breath, urine or saliva, made pursuant to the provisions of section eleven hundred ninety-four of this article; provided, however, nothing contained in this subdivision shall prohibit the imposition of a charge of a violation of subdivision one of this section, or of section eleven hundred ninety-two-a of this article where a person under the age of twenty-one operates a commercial motor vehicle where a chemical analysis of such person's blood, breath, urine, or saliva, made pursuant to the provisions of section eleven hundred ninety-four of this article, indicates that such operator has .02 of one per centum or more but less than .04 of one per centum by weight of alcohol in such operator's blood.

6. Commercial motor vehicles; per se - level II. Notwithstanding the provisions of section eleven hundred ninety-five of this article, no person shall operate a commercial motor vehicle while such person has more than .06 of one per centum but less than .08 of one per centum by weight of alcohol in the person's blood as shown by chemical analysis of such person's blood, breath, urine or saliva, made pursuant to the provisions of section eleven hundred ninety-four of this article; provided, however, nothing contained in this subdivision shall prohibit the imposition of a charge of a violation of subdivision one of this section.

7. Where applicable. The provisions of this section shall apply upon public highways, private roads open to motor vehicle traffic and any other parking lot. For the purposes of this section "parking lot" shall mean any area or areas of private property, including a driveway, near

or contiguous to and provided in connection with premises and used as a means of access to and egress from a public highway to such premises and having a capacity for the parking of four or more motor vehicles. The provisions of this section shall not apply to any area or areas of private property comprising all or part of property on which is situated a one or two family residence.

8. Effect of prior out-of-state conviction. A prior out-of-state conviction for operating a motor vehicle while under the influence of alcohol or drugs shall be deemed to be a prior conviction of a violation of this section for purposes of determining penalties imposed under this section or for purposes of any administrative action required to be taken pursuant to subdivision two of section eleven hundred ninety-three of this article; provided, however, that such conduct, had it occurred in this state, would have constituted a misdemeanor or felony violation of any of the provisions of this section. Provided, however, that if

such conduct, had it occurred in this state, would have constituted a violation of any provisions of this section which are not misdemeanor or felony offenses, then such conduct shall be deemed to be a prior conviction of a violation of subdivision one of this section for purposes of determining penalties imposed under this section or for purposes of any administrative action required to be taken pursuant to subdivision two of section eleven hundred ninety-three of this article.

8-a. Effect of prior finding of having consumed alcohol. A prior finding that a person under the age of twenty-one has operated a motor vehicle after having consumed alcohol pursuant to section eleven hundred ninety-four-a of this article shall have the same effect as a prior conviction of a violation of subdivision one of this section solely for the purpose of determining the length of any license suspension or revocation required to be imposed under any provision of this article, provided that the subsequent offense is committed prior to the expiration of the retention period for such prior offense or offenses set forth in paragraph (k) of subdivision one of section two hundred one of this chapter.

9. Conviction of a different charge. A driver may be convicted of a violation of subdivision one, two or three of this section, notwithstanding that the charge laid before the court alleged a violation of subdivision two or three of this section, and regardless of whether or not such conviction is based on a plea of guilty.

10. Plea bargain limitations. (a) (i) In any case wherein the charge laid before the court alleges a violation of subdivision two, three, four or four-a of this section, any plea of guilty thereafter entered in satisfaction of such charge must include at least a plea of guilty to the violation of the provisions of one of the subdivisions of this section, other than subdivision five or six, and no other disposition by plea of guilty to any other charge in satisfaction of such charge shall be authorized; provided, however, if the district attorney, upon reviewing the available evidence, determines that the charge of a violation of this section is not warranted, such district attorney may consent, and the court may allow a disposition by plea of guilty to another charge in satisfaction of such charge; provided, however, in all such cases, the court shall set forth upon the record the basis for such disposition.

(ii) In any case wherein the charge laid before the court alleges a violation of subdivision two, three, four or four-a of this section, no plea of guilty to subdivision one of this section shall be accepted by the court unless such plea includes as a condition thereof the requirement that the defendant attend and complete the alcohol and drug rehabilitation program established pursuant to section eleven hundred ninety-six of this article, including any assessment and treatment required thereby; provided, however, that such requirement may be waived by the court upon application of the district attorney or the defendant demonstrating that the defendant, as a condition of the plea, has been required to enter into and complete an alcohol or drug treatment program prescribed pursuant to an alcohol or substance abuse screening or assessment conducted pursuant to section eleven hundred ninety-eight-a

of this article or for other good cause shown. The provisions of this subparagraph shall apply, notwithstanding any bars to participation in the alcohol and drug rehabilitation program set forth in section eleven hundred ninety-six of this article; provided, however, that nothing in this paragraph shall authorize the issuance of a conditional license unless otherwise authorized by law.

(iii) In any case wherein the charge laid before the court alleges a violation of subdivision one of this section and the operator was under the age of twenty-one at the time of such violation, any plea of guilty thereafter entered in satisfaction of such charge must include at least a plea of guilty to the violation of such subdivision; provided, however, such charge may instead be satisfied as provided in paragraph (c) of this subdivision, and, provided further that, if the district attorney, upon reviewing the available evidence, determines that the charge of a violation of subdivision one of this section is not warranted, such district attorney may consent, and the court may allow a disposition by plea of guilty to another charge in satisfaction of such charge; provided, however, in all such cases, the court shall set forth upon the record the basis for such disposition.

(b) In any case wherein the charge laid before the court alleges a violation of subdivision one or six of this section while operating a commercial motor vehicle, any plea of guilty thereafter entered in satisfaction of such charge must include at least a plea of guilty to the violation of the provisions of one of the subdivisions of this section and no other disposition by plea of guilty to any other charge in satisfaction of such charge shall be authorized; provided, however, if the district attorney upon reviewing the available evidence determines that the charge of a violation of this section is not warranted, he may consent, and the court may allow, a disposition by plea of guilty to another charge is satisfaction of such charge.

(c) Except as provided in paragraph (b) of this subdivision, in any case wherein the charge laid before the court alleges a violation of subdivision one of this section by a person who was under the age of twenty-one at the time of commission of the offense, the court, with the consent of both parties, may allow the satisfaction of such charge by the defendant's agreement to be subject to action by the commissioner pursuant to section eleven hundred ninety-four-a of this article. In any such case, the defendant shall waive the right to a hearing under section eleven hundred ninety-four-a of this article and such waiver shall have the same force and effect as a finding of a violation of section eleven hundred ninety-two-a of this article entered after a hearing conducted pursuant to such section eleven hundred ninety-four-a. The defendant shall execute such waiver in open court, and, if represented by counsel, in the presence of his attorney, on a form to be provided by the commissioner, which shall be forwarded by the court to the commissioner within ninety-six hours. To be valid, such form shall, at a minimum, contain clear and conspicuous language advising the defendant that a duly executed waiver: (i) has the same force and effect as a guilty finding following a hearing pursuant to section eleven hundred ninety-four-a of this article; (ii) shall subject the defendant to the imposition of sanctions pursuant to such section eleven hundred

ninety-four-a; and (iii) may subject the defendant to increased sanctions upon a subsequent violation of this section or section eleven hundred ninety-two-a of this article. Upon receipt of a duly executed waiver pursuant to this paragraph, the commissioner shall take such administrative action and impose such sanctions as may be required by section eleven hundred ninety-four-a of this article.

(d) In any case wherein the charge laid before the court alleges a violation of subdivision two-a of this section, any plea of guilty thereafter entered in satisfaction of such charge must include at least a plea of guilty to the violation of the provisions of subdivision two, two-a or three of this section, and no other disposition by plea of guilty to any other charge in satisfaction of such charge shall be authorized; provided, however, if the district attorney, upon reviewing the available evidence, determines that the charge of a violation of this section is not warranted, such district attorney may consent and the court may allow a disposition by plea of guilty to another charge in satisfaction of such charge, provided, however, in all such cases, the court shall set forth upon the record the basis for such disposition. Provided, further, however, that no such plea shall be accepted by the court unless such plea includes as a condition thereof the requirement that the defendant attend and complete the alcohol and drug rehabilitation program established pursuant to section eleven hundred ninety-six of this article, including any assessment and treatment required thereby; provided, however, that such requirement may be waived by the court upon application of the district attorney or the defendant demonstrating that the defendant, as a condition of the plea, has been required to enter into and complete an alcohol or drug treatment program prescribed pursuant to an alcohol or substance abuse screening or assessment conducted pursuant to section eleven hundred ninety-eight-a of this article or for other good cause shown. The provisions of this paragraph shall apply, notwithstanding any bars to participation in the alcohol and drug rehabilitation program set forth in section eleven hundred ninety-six of this article; provided, however, that nothing in this paragraph shall authorize the issuance of a conditional license unless otherwise authorized by law.

11. No person other than an operator of a commercial motor vehicle may be charged with or convicted of a violation of subdivision five or six of this section.

12. Driving while intoxicated or while ability impaired by drugs--serious physical injury or death or child in the vehicle. (a) In every case where a person is charged with a violation of subdivision two, two-a, three, four or four-a of this section, the law enforcement officer alleging such charge shall make a clear notation in the "Description of Violation" section of a simplified traffic information (i) if, arising out of the same incident, someone other than the person charged was killed or suffered serious physical injury as defined in section 10.00 of the penal law; such notation shall be in the form of a "D" if someone other than the person charged was killed and such notation shall be in the form of a "S.P.I." if someone other than the person charged suffered serious physical injury; and (ii) if a child

aged fifteen years or less was present in the vehicle of the person charged with a violation of subdivision two, two-a, three, four or four-a of this section; such notation shall be in the form of "C.I.V.". Provided, however, that the failure to make such notations shall in no way affect a charge for a violation of subdivision two, two-a, three, four or four-a of this section.

(b) Where a law enforcement officer alleges a violation of paragraph (b) of subdivision two-a of this section and the operator of the vehicle

is a parent, guardian, or custodian of, or other person legally responsible for, a child aged fifteen years or less who is a passenger in such vehicle, then the officer shall report or cause a report to be made, if applicable, in accordance with title six of article six of the social services law.

New York State Crimes and Penalties — Drugs

§ 220.00 Controlled substances; definitions.

1. "Sell" means to sell, exchange, give or dispose of to another, or to offer or agree to do the same.
2. "Unlawfully" means in violation of article thirty-three of the public health law.
3. "Ounce" means an avoirdupois ounce as applied to solids or semisolids, and a fluid ounce as applied to liquids.
4. "Pound" means an avoirdupois pound.
5. "Controlled substance" means any substance listed in schedule I, II, III, IV or V of section thirty-three hundred six of the public health law.
7. "Narcotic drug" means any controlled substance listed in schedule I(b), I(c), II(b) or II(c) other than methadone.
8. "Narcotic preparation" means any controlled substance listed in schedule II(b-1), III(d) or III(e).
9. "Hallucinogen" means any controlled substance listed in paragraphs (5), (17), (18), (19), (20) and (21) of subdivision (d) of schedule I of section thirty-three hundred six of the public health law.
10. "Hallucinogenic substance" means any controlled substance listed in schedule I(d) other than concentrated cannabis, lysergic acid diethylamide, or an hallucinogen.
11. "Stimulant" means any controlled substance listed in schedule I(f),II(d).
12. "Dangerous depressant" means any controlled substance listed in schedule I(e)(2), (3), II(e), III(c)(3) or IV(c)(2), (31), (32), (40).
13. "Depressant" means any controlled substance listed in schedule IV(c) except (c)(2), (31), (32), (40).
14. "School grounds" means (a) in or on or within any building, structure, athletic playing field, playground or land contained within the real property boundary line of a public or private elementary, parochial, intermediate, junior high, vocational, or high school, or (b) any area accessible to the public located within one thousand feet of the real property boundary line comprising any such school or any parked automobile or other parked vehicle located within one thousand feet of

the real property boundary line comprising any such school. For the purposes of this section an "area accessible to the public" shall mean sidewalks, streets, parking lots, parks, playgrounds, stores and restaurants.
15. "Prescription for a controlled substance" means a direction or authorization, by means of an official New York state prescription form, a written prescription form or an oral prescription, which will permit a person to lawfully obtain a controlled substance from any person authorized to dispense controlled substances.
16. For the purposes of sections 220.70, 220.71, 220.72, 220.73, 220.74, 220.75 and 220.76 of this article:

(a) "Precursor" means ephedrine, pseudoephedrine, or any salt, isomer or salt of an isomer of such substances.
(b) "Chemical reagent" means a chemical reagent that can be used in the manufacture, production or preparation of methamphetamine.
(c) "Solvent" means a solvent that can be used in the manufacture, production or preparation of methamphetamine.
(d) "Laboratory equipment" means any items, components or materials that can be used in the manufacture, preparation or production of methamphetamine.
(e) "Hazardous or dangerous material" means any substance, or combination of substances, that results from or is used in the manufacture, preparation or production of methamphetamine which, because of its quantity, concentration, or physical or chemical characteristics, poses a substantial risk to human health or safety, or a substantial danger to the environment.
17. "School bus" means every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities or privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities.
18. "Controlled substance organization" means four or more persons sharing a common purpose to engage in conduct that constitutes or advances the commission of a felony under this article.
19. "Director" means a person who is the principal administrator, organizer, or leader of a controlled substance organization or one of several principal administrators, organizers, or leaders of a controlled substance organization.
20. "Profiteer" means a person who: (a) is a director of a controlled substance organization; (b) is a member of a controlled substance organization and has managerial responsibility over one or more other members of that organization; or (c) arranges, devises or plans one or more transactions constituting a felony under this article so as to obtain profits or expected profits. A person is not a profiteer if he or she is acting only as an employee; or if he or she is acting as an accommodation to a friend or relative; or if he or she is acting only under the direction and control of others and exercises no substantial, independent role in arranging or directing the transactions in question.

Federal Drug and Crimes and Penalties

Federal law of controlled substances prohibits possession, use, distribution, manufacture or dispensing. Federal sanctions for drug felonies may include: Ultimate punishment for drug crimes generally depends on the quantity, classification, and purpose of possession of the drug. The most serious drug crimes are producing, manufacturing, or selling illegal drugs.

Federal Drug Possession Penalties

(1) First violation, a minimum fine of $1,000 but not more than $100,000 and a maximum jail term of one year.
(2) Second violation, a minimum fine of $2,500 but not more than $250,000 and/or minimum jail term of 15 days, but not more than two years.
(3) Third or subsequent violation, a minimum fine of $5,000 but not more than $250,000 and/or a minimum jail term of 90 days, but not more than three years.
(4) Federal penalties have special sentencing provisions for the possession of crack cocaine: a maximum fine of $250,000 and/or a minimum five years jail term, but not more than 20 years if it is a first conviction and the amount of crack cocaine possessed exceeds 5 grams; second crack cocaine conviction, and the amount possessed exceeds 3 grams; third conviction and the amount possessed exceeds 1 gram.

Federal Drug Trafficking Penalties

Updated information about federal drug trafficking penalties for most drugs can be found at: www.usdoj.gov/dea/agency/penalties.htm Campus Safety and Security maintains a close relationship with the local police to ensure it is notified of crimes that have occurred on or near New York Institute of Beauty's campus and non-campus property, public property and student housing which were reported directly to them.

Criminal Homicide

Murder is the willful (non-negligent) killing of one human being by another.

Sex Offenses - Rape

Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent:

- Forcible compulsion: means physical force which overcomes resistance, or a threat, express or implied, that places a person in fear of death or physical injury to herself or himself or another person, or in fear that she or he or another person will be kidnapped
- Mental incapacity: is the condition existing at the time of the offense which prevents a person from understanding the nature or consequences of the act of sexual intercourse whether that condition is produced by illness, defect, and the influence of a substance or from some other cause.
- Physically helpless: is a person who is unconscious or for any other reason is physically unable to communicate unwillingness to an act.
- Sexual assault with an object: is the use of an object or instrument to unlawfully penetrate, any amount of the vagina or anus however slight, by an object, when committed on one person by another, whether such persons are of the same or opposite sex, except when such penetration is accomplished for medically recognized treatment or diagnostic purposes.

Non-Forcible Sex Offenses

* Incest. Is defined as non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Other Crimes

• ***Robbery***: A person commits robbery when he unlawfully takes personal property from the person

of another or in his presence against his will by the use or threatened use of immediate force, violence, or fear of injury to that person or his property or the person or property of anyone. Such force or fear must be used to obtain or retain possession of the property, or to prevent or overcome resistance to the taking; in either of which cases the degree of force is immaterial. Such taking constitutes robbery whenever it appears that, although the taking was fully completed without the knowledge of the person from whom taken, such knowledge was prevented by the use of force or fear.

- ***Aggravated Assault***: Any assault resulting in physical injury and requiring medical care.
- ***Motor Vehicle Theft:*** The theft or attempted theft of a motor vehicle is a felony in the state of New York. "Motor vehicle" means every vehicle that is self-propelled and every vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated upon rails. An electric personal assistive mobility device is not considered a motor vehicle. A power wheelchair is not considered a motor vehicle

• ***Arson:*** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
• ***Negligent Manslaughter***: The killing of another person through gross negligence.
• ***Hate Crimes:*** Any of the aforementioned offenses and any other crime involving bodily injury reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias.
• ***Domestic Violence:*** (a) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household members; (b) sexual assault of one family or household member by another; or (c) stalking

Stalking/Dating Violence/Domestic Violence:

Starting with the 2014 Annual Security Report, the Department of Education asked institutions to make their "best efforts" to include statistics for these new crime categories.

Dating Violence: is controlling, abusive, and aggressive behavior in a romantic relationship
• ***Domestic Violence:***

(a) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household members;
(b) Sexual assault of one family or household member by another; or
(c) Stalking

• ***Stalking:*** Stalking is unwanted, repeated and continuing contact — either in person or online which directly or indirectly causes a person to feel threatened, harassed or intimidated.

Other Offenses

• ***Liquor Law Violations:*** The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)
• ***Drug Law Violations:*** These are violations of federal, state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).
• ***Illegal Weapons Possession***: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

Crime Statistics

Note: In accordance with the U.S. Department of Education's Handbook for Campus Crime Reporting, Public Property is defined as thoroughfares, streets, sidewalks, and parking facilities within the campus, or immediately adjacent to and accessible from the campus.

2021-2023 Crime Statistics

Criminal Offenses:	Year	On-Campus	Public Property
Murder/Non-negligent manslaughter	2021 2022 2023	0 0 0	0 0 0
Negligent manslaughter	2021 2022 2023	0 0 0	0 0 0
Sex offenses – Forcible	2021 2022 2023	0 0 0	0 0 0
Sex offenses – Non-forcible (include only incest and statutory rape)	2021 2022 2023	0 0 0	0 0 0
Robbery	2021 2022 2023	0 0 0	0 0 0
Aggravated assault	2021 2022 2023	0 0 0	0 0 0
Burglary	2021 2022 2023	0 0 0	1 0 0
Vandalism	2021 2022 2023	0 0 0	0 0 0
Motor vehicle theft	2021 2022 2023	0 0 0	0 0 0
Arson	2021 2022 2023	0 0 0	0 0 0
VAWA Victims	**Year**	**On-Campus**	**Public Property**
Intimidation - Stalking	2021 2022 2023	0 0 0	0 0 0
Dating Violence	2021 2022 2023	0 0 0	0 0 0
Domestic Violence	2021 2022 2023	0 0 0	0 0 0

Hate Crime Offences

Criminal Offenses:	Year	On Campus	Public Property

a. Murder/Non-negligent manslaughter	2021 2022 2023	0 0 0	0 0 0
b. Negligent manslaughter	2021 2022 2023	0 0 0	0 0 0
c. Sex offenses – Forcible	2021 2022 2023	0 0 0	0 0 0
d. Sex offenses – Non-forcible (include only incest and statutory rape)	2021 2022 2023	0 0 0	0 0 0
e. Robbery	2021 2022 2023	0 0 0	0 0 0
f. Aggravated assault	2021 2022 2023	0 0 0	0 0 0
g. Burglary	2021 2022 2023	0 0 0	0 0 0
h. Motor vehicle theft	2021 2022 2023	0 0 0	0 0 0
i. Arson	2021 2022 2023	0 0 0	0 0 0
j. Simple assault	2021 2022 2023	0 0 0	0 0 0
k. Larceny-theft	2021 2022 2023	0 0 0	0 0 0
l. Intimidation	2021 2022 2023	0 0 0	0 0 0
m. Destruction/damage/ vandalism of property	2021 2022 2023	0 0 0	0 0 0

Crimes that Resulted in an Arrest or Referral for Disciplinary Action

Arrests:	**Year**	**On-Campus**	**Public Property**
Illegal weapons possession	2021 2022 2023	0 0 0	0 0 0
Drug law violations	2021 2022 2023	0 0 0	0 0 0
Liquor law violations	2021 2022 2023	0 0 0	0 0 0
Disciplinary Actions/Judicial Referrals:	Year	On- Campus	Public Property
Illegal weapons possession	2021 2022 2023	0 0 0	0 0 0
Drug law violations	2021 2022 2023	0 0 0	0 0 0
Liquor law violations	2021 2022 2023	0 0 0	0 0 0

Fire Statistics for On Campus- Student Housing Facilities

Fires - On-campus	2021	2022	2023
Fires	0	0	0
Injuries	0	0	0
Death	0	0	0

Fire Safety Report

The Higher Education Act of 2008 requires disclosure of fire safety standards and measures for on-campus student housing facilities. ***The school has NO student housing***

Campus Evacuation and Emergency Maps

Emergency Evacuation Maps are posted throughout the school

Campus Safety and Security

The school provides equal opportunity for all qualified persons in its educational programs and activities. The school does not discriminate on the basis of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, family responsibilities, political affiliation, and source of income, veteran status or physical handicap. The policy of equal opportunity applies to every aspect of the operations and activities of the school generally, and includes admissions and employment.