

**BELLUS ACADEMY**  
**Bellus Academy – Manhattan, KS**  
**Annual Security Report**  
**October 1, 2018**

This institution is required to publish and distribute an annual security report by October 1 to all enrolled students and all employees. Notice of the availability of the report is provided to all prospective students and employees. The report contains crime statistics and various policy statements. These statements accurately reflect how the institution's policies are currently implemented.

**POLICY STATEMENTS:**

**Procedures for Reporting**

Any person witnessing some form of criminal action or other emergency should report it to the manager on duty at the academy. The Academy Director will investigate the incident and report it to the local Police Department if appropriate.

Community members, students, educators, staff, and visitors are encouraged to report all crimes, emergencies, and safety concerns to the Academy Director in a timely manner.

**Timely Warning Reports Regarding the Occurrence of *Clery Act* Crimes**

A timely warning will be issued by the Academy Director when a situation arises that in the judgment of the Academy Director constitutes an ongoing or continuing threat regarding the occurrence of *Clery Act* crimes. The warning will be issued in the following manner:

- By e-mail to students through their e-mail account
- By e-mail to educators and staff through their personal e-mail account
- By text messages to the educators, staff and students

A timely warning will include the reported offense, the location of the reported offense, the date of the reported offense if known, a description of suspects if available, and any other information that would promote safety.

**Preparing the Annual Disclosure of Crime Statistics**

Each year before the Department of Education reporting website opens for registration, the Compliance Manager requests the crime statistics information from the police and/or sheriff's departments for the geographical jurisdictions in which the schools are located. The information is compiled into the Annual Security Report Statistics section and entered appropriately into the Department's website for each school location. The report is distributed on or before October 1 each year to current students and employees in person and via email at staff meetings and student theory classes and to new students and employees at Orientation sessions that are mandatory for new enrollees before starting class and new hires before starting work in their designated area.

**Documenting Crimes and VAWA Violations**

Crimes occurring on campus are to be documented in the Campus Crime Log with a brief narrative sent to Compliance. VAWA (Violence Against Women Act) Crimes occurring both on and off campus that are reported must be documented in the Campus Crime Log and have the complaint submitted to the Title IX Deputy to begin investigating the crime incident.

**A crime, emergency, or safety concern may also be reported to the following campus officials:**

- Vice President – Poway – Phone (858) 748-1490

- Khris Pool, Academy Director – El Cajon – Phone (619) 442-3407
- Vice President – Chula Vista – Phone (619) 474-6607
- David Yocum, Academy Director – Manhattan – Phone (785) 539-1837
- Crimes, emergencies, and safety concerns at the Poway campus should also be reported to the San Diego Sheriff's Department at (858) 565-5200.
- Crimes, emergencies, and safety concerns at the Chula Vista campus should also be reported to the Chula Vista Police Department at (619) 691-5151.
- Crimes, emergencies, and safety concerns at the El Cajon campus should also be reported to the El Cajon Police Department at (619) 579-3311.
- Crimes, emergencies, and safety concerns at the Manhattan campus should also be reported to the Riley County Police Department at (785) 537-2112.
- Reports may also be made by calling 911 for any of the campus locations.

### **Voluntary and Confidential Reporting Procedures**

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

### **Security of and Access to Campus Facilities**

Bellus Academy operates no on- or off-campus housing facilities.

During business hours, Bellus Academy is open to students, parents, employees, prospective students, clients, and guests. All facilities are locked during non-business hours. During these hours, only authorized personnel are permitted on the premises. During non-business hours, access to Bellus Academy is by key and security code password if issued to an individual. The receptionist, Academy Director, or supervisor will unlock the premises and terminate the alarm each morning. Academic and administrative areas on campus are normally locked after business hours unless they are being used for legitimate evening or educational purposes. The night supervisor, instructor and/or receptionist will lock up and set the alarm in the evening at closing time. A valid student ID card or employee name badge is required for campus access after business hours Monday through Saturday. Each building is secured according to the schedule established by the department responsible for the campus. There will always be two employees closing the facilities in the evening. The alarm system is a motion and infra-red security system. If the system is activated, the police are summoned automatically.

### **Maintenance of Campus Facilities**

Throughout the year, maintenance is performed weekly at the schools. The maintenance crew and administrators survey the security issues such as parking lots, landscaping, locks, alarms, lighting, and communications to make necessary changes when needed.

### **Campus Law Enforcement**

Bellus Academy does not employ any private security personnel or have a campus police department. The individual academies work with their local law enforcement agency if an issue arises at the school. All incident reports involving students are forwarded to the Academy Director of each campus for review and

potential disciplinary action. If assistance is required from other law enforcement, local fire departments, or other emergency agencies, the Academy Director will contact the appropriate unit.

No written MOUs are in place with local law enforcement agencies. Assistance is requested on an as-needed basis.

### **Accurate and Prompt Reporting of all Crimes**

Community members, students, educators, staff, and visitors are encouraged to report all crimes, emergencies, and safety concerns to the Academy Director in a timely manner.

### **Pastoral and Professional Counselors**

Bellus Academy does not employ any pastoral or professional counselors. If deemed appropriate, students and staff are referred to outside professional agencies. A list of these agencies is available in the Resource Binder kept in the Academy Director's and/or Student Services office and includes up-to-date online contact information for San Diego and Manhattan health and human services sites.

### **Programs to inform students and employees about campus security procedures and practices for the prevention of crimes and to encourage students and employees to be responsible for their own security and the security of others**

Bellus Academy has programs in place to inform students and employees about campus security procedures and practices. During monthly new-student orientation, new employee on-boarding and regular staff meetings as well as periodically in theory classes or student huddles, students and employees are informed about the importance of maintaining secure premises, including the following safety tips:

- Stay alert of your surroundings, wherever you are.
- If you feel uncomfortable in a place, leave right away.
- Keep eyes and ears open, hands free.
- Choose busy streets and avoid going through deserted areas.
- At night, walk in well-lit areas in groups whenever possible.
- Try not to walk or jog alone. Take a friend or walk in groups.
- Avoid carrying large sums of cash.
- When in public spaces, keep valuable items including jewelry, mobile phones and wallets out of sight.
- Avoid returning to campus after dark, or walk in groups to and from buildings.

Staff is also reminded that they can assist in crime prevention by ensuring that all doors are locked at the appropriate times. Also, they must report any suspicious situation to the manager on duty.

### **Monitoring Criminal Activity at Off-Campus Locations**

Bellus Academy operates no off-campus housing and does not recognize any off-campus student organizations.

### **Possession, use and sale of alcoholic beverages and illegal drugs and enforcement of state and federal underage drinking and drug laws**

The sale or use of alcohol and illegal drugs are not permitted at the school or its adjacent parking facilities. Anyone observed using illegal drugs and any underage alcoholic consumption should be reported to the Academy Director and will be referred to local police authorities. The school has a drug and alcohol prevention program in place as required under Public Law 101-226.

The academy has a Zero Tolerance Policy regarding possession and/or use of drugs or alcohol on academy premises or at academy-related events. In compliance with the Drug-Free Schools and Communities Act Amendment of 1989 (Public Law 101-226), students shall not engage in the unauthorized or unlawful manufacture, distribution, dispensation, possession, use/abuse of alcohol and/or illicit drugs on academy

property or as part of any academy activity.

Any student who is convicted of the unlawful manufacture, distribution, dispensation, possession, use, or abuse of illicit drugs or alcohol is subject to criminal penalties under local, state, or federal law. The exact penalty assessed depends upon the nature and the severity of the individual offense.

Students who violate the Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226) are subject to dismissal and/or referral to authorities for prosecution, as appropriate.

### **Description of Drug or Alcohol Abuse Education Programs**

Information regarding drug and alcohol abuse prevention is presented to students and staff annually. Students have access to community resource binders that are maintained in the Student Services Offices at each campus. For the San Diego area schools, the binders show the link to the San Diego Health and Human Services website that provides a list of local agencies that offer professional assistance in the areas of drug and alcohol abuse prevention. Information regarding the agencies can be accessed from the SDHHS home page at:

<https://www.sandiegocounty.gov/content/sdc/hhsa/services/>.

For the Manhattan, Kansas, location, links are provided to the following resources:

Kansas State University School of Family Studies and Human Services –

[www.ksu.edu/fshs](http://www.ksu.edu/fshs)

Riley County Health Department – [www.rileycountyks.gov/286/Health-Department](http://www.rileycountyks.gov/286/Health-Department)

Kansas Welfare Department – [www.welfareinfo.org/manhattan.ks](http://www.welfareinfo.org/manhattan.ks)

Because the access is web based, the students are assured that the information is always current.

### **Disclosure to the alleged victim, the report on the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of the crime or offense**

Bellus Academy will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in 18 U.S.C. § 16), the results of any disciplinary proceeding against a student who is an alleged perpetrator of such crime or offense. If the alleged victim of such crime or offense is deceased as a result of such crime or offense, the next of kin of such victim will be treated as the alleged victim.

### **Emergency Response and Evacuation Procedures**

**All Campuses** – The academy has established procedures to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on a campus. These procedures provide for rapid notice to local law enforcement and administration to evaluate and confirm an emergency or dangerous situation and if confirmed, for academy administrators to determine the appropriate campus to be notified and the content of the notification.

The academy will, without delay, and taking into account the safety of the community, determine the content of emergency/dangerous situation notifications and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Fire alarm systems are present and active in all campus facilities. In the event of an emergency and/or fire alarm, occupants must evacuate from the building. It is helpful to have reviewed and practiced the building evacuation procedures prior to an evacuation. As a general guideline, stop working as soon as it is safe to do so and gather personal belongings, such as glasses, keys and purse or handbag. Use the nearest door with an EXIT sign to leave the building. Proceed to your designated assembly area, report for a head count and stay in the area until you receive direction from emergency responders or authorized staff.

Following are the titles of the persons responsible for carrying out the actions/procedures described in the above paragraphs: President, Academy Directors, Human Resources, Local Law Enforcement Officers, Admissions Representatives, Educators, Administrative Staff, and/or Experience Coordinators.

The dissemination of emergency information to the larger community shall be coordinated by the President and the Academy Directors in cooperation with local law enforcement agencies.

The Academy Director is responsible for testing the emergency response and evacuation procedures on at least an annual (calendar year) basis and for documenting such testing. Documentation for each test shall include a description of the exercise, the date, the time, and whether the test was announced or unannounced. Such testing may include a review of procedures by the Academy Director and local law enforcement officers, meetings with responsible persons to review and walk-through procedures, and tests of communication equipment.

**Poway Campus** – 13266 Poway Rd., Poway, CA 92064 – This campus consists of a one-story building that is part of a strip shopping mall. If an emergency or dangerous situation is confirmed, the campus procedures provide for any one of several academy administrators, Academy Director, or law enforcement officers to authorize a mass notice to the appropriate segment(s) of the campus using a campus emergency notification system. The designated assembly area is the front parking lot closest to the car wash business and farthest from the main campus building.

**Chula Vista Campus** – 970 Broadway, Chula Vista CA 91911 – This campus consists of a one-story building that is part of a strip shopping mall. Procedures provide for educators/staff on site to evaluate and confirm an emergency or dangerous situation and if confirmed, to verbally provide notice to the campus, local law enforcement, and senior administration. The designated assembly area is in the rear parking lot near the south fence.

**El Cajon Campus** – 1073 E. Main St., El Cajon, CA 92021 – This campus consists of a one-story building that is part of a strip shopping mall. Procedures provide for educators/staff on site to evaluate and confirm an emergency or dangerous situation and if confirmed, to verbally provide notice to the campus, local law enforcement, and senior administration. The designated assembly area is the front parking lot close to Main Street.

**Manhattan Campus** – 1130 Westloop Pl., Manhattan, KS 66502 – This campus consists of a one-story building that is part of a strip shopping mall. Procedures provide for educators/staff on site to evaluate and confirm an emergency or dangerous situation and if confirmed, to verbally provide notice to the campus, local law enforcement, and senior administration. The designated assembly area is the front parking lot farthest from the main campus building.

#### **Missing Student Notification**

Bellus Academy does not have any on- or off-campus housing facilities.

#### **Programs to Prevent Dating Violence, Domestic Violence, Sexual Assault and Stalking**

Bellus Academy prohibits the crimes of dating violence, domestic violence, sexual assault and stalking as those terms are defined for purposes of the *Clergy Act*. Monthly new-student orientation, new employee on-boarding programs and regular staff meetings, as well as periodic presentations in theory classes or student huddles, inform students and employees about the importance of maintaining awareness for the prevention of dating violence, domestic violence, sexual assault and stalking. All supervisors and managers receive mandatory anti-harassment training within six (6) months

of becoming a supervisor or manager, and every two (2) years thereafter, that includes information on the prevention and awareness of dating violence, domestic violence, sexual assault and stalking.

## Definitions

### Federal VAWA Definitions

The following definitions are used for purposes of reporting dating violence, domestic violence, sexual assault and stalking under the *Clery Act* as amended by VAWA.

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

- The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- For the purposes of this definition –

(A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

(B) Dating violence does not include acts covered under the definition of domestic violence.

**Domestic Violence** - A felony or misdemeanor crime of violence committed –

(A) By a current or former spouse or intimate partner of the victim;

(B) By a person with whom the victim shares a child in common;

(C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;

(D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or

(E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Sexual Assault** - An offense that meets the definition of rape, fondling, incest, or statutory rape.

- Rape - The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- Fondling - The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- Incest - Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape - Sexual intercourse with a person who is under the statutory age of consent.

**Stalking** - Engaging in a course of conduct directed at a specific person that would cause a reasonable person to –

(A) Fear for the person's safety or the safety of others; or

(B) Suffer substantial emotional distress.

For the purposes of this definition –

(A) "Course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

(B) "Reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim.

(C) "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

## State Definitions

The following definitions reflect Kansas state law and may be different from the federal definitions above. The federal definitions are used for purposes of reporting crime statistics as mandated by the *Clery Act* as amended by VAWA. It is important to be aware of state law definitions that govern criminal proceedings.

- **Dating Violence** – Based on good-faith research, Dating Violence is not specifically defined in the Kansas statutes. However, it is captured under the definition of Domestic Violence stated above when there is an act or threatened act of violence with whom the offender is involved or has been involved in a dating relationship.
- **Domestic Violence** – Kan. Stat. Ann. § 21-511 provides the following: “Domestic violence” means an act or threatened act of violence against a person with whom the offender is involved or has been involved in a dating relationship, or an act or threatened act of violence against a family or household member by a family or household member. Domestic violence also includes any other crime committed against a person or against property, or any municipal ordinance violation against a person or against property, when directed against a person with whom the offender is involved or has been involved in a dating relationship or when directed against a family or household member by a family or household member. For purpose of this definition:
  - (1) “Dating relationship” means a social relationship of a romantic nature. In addition to any other factors the court deems relevant, the trier of fact may consider the following when making a determination of whether a relationship exists or existed: Nature of the relationship, length of time the relationship existed, frequency of interaction between the parties and time since termination of the relationship, if applicable.
  - (2) “Family or household member” means persons 18 years of age or older who are spouses, former spouses, parents or stepparents and children or stepchildren, and person who are presently residing together or have resided together in the past, and persons who have a child in common regardless of whether they have been married or have lived together at any time. Family and household member also includes a man and woman if the woman is pregnant and the man is the alleged father, regardless of whether they have been married or have lived together at any time.
- **Sexual Assault** – Based on good-faith research, Sexual Assault is not specifically defined in the Kansas statutes and it is a broad term that can cover various types of sexual offenses. Below are the Kansas statutory definitions for Rape, Sexual Battery, and Aggravated Sexual Battery, all of which could be classified as Sexual Assault.
  - Rape. Rape is defined under Kan. Stat. Ann. § 21-3502 as follows:
    - (a) Rape is
      - (1) Sexual intercourse with a person who does not consent to sexual intercourse, under any of the following circumstances:
        - (A) When the victim is overcome by force or fear;
        - (B) When the victim is unconscious or physically powerless;
        - (C) when the victim is incapable of giving consent because of mental deficiency or disease, or when the victim is incapable of giving consent because of the effect of any alcoholic liquor, narcotic, drug or other substance, which conduction was known by, or was reasonably apparent to, the offender.
      - (2) Sexual intercourse with a child who is under 14 years of age;
      - (3) Sexual intercourse with a victim when the victim’s consent was obtained through a knowing misrepresentation made by the offender that the sexual intercourse was a medically or therapeutically necessary procedure; or
      - (4) Sexual intercourse with a victim when the victim’s consent was obtained through a knowing misrepresentation made by the offender that the sexual intercourse was a legally required procedure with the scope of the offender’s authority.
    - Sexual Battery. Sexual Battery is defined under Kan. Stat. Ann. § 21-3517 as follows:

(a) Sexual battery is the intentional touching of the person of another who is 16 or more years of age, who is not the spouse of the offender and who does not consent thereto, with the intent to arouse or satisfy the sexual desires of the offender or another.

• **Aggravated Sexual Battery.** Aggravated Sexual Battery is defined under Kansas state law as follows:

(a) Aggravated sexual battery is the intentional touching of the person of another who is 16 or more years of age and who does not consent thereto, with the intent to arouse or satisfy the sexual desires of the offender or another under any of the following circumstances:

- (1) When the victim is overcome by force or fear;
- (2) When the victim is unconscious or physically powerless;
- (3) when the victim is incapable of giving consent because of mental deficiency or disease, or when the victim is incapable of giving consent because of the effect of any alcoholic liquor, narcotic, drug or other substance, which condition was known by, or was reasonably apparent to, the offender

• **Stalking -**

Kan. Stat. Ann. § 21-5427 provides the following:

Stalking is:

(1) Recklessly engaging in a course of conduct targeted at a specific person which would cause a reasonable person in the circumstances of the targeted person to fear for such person's safety, or the safety of a member of such person's immediate family and the targeted person is actually placed in such fear;

(2) Engaging in a course of conduct targeted at a specific person with knowledge that the course of conduct will place the targeted person in fear for such person's safety or the safety of a member of such person's immediate family; or

(3) After being served with, or otherwise provided notice of any protected order...that prohibits contact with a targeted person, recklessly engaging in at least one act listed in subsection (f) (1) that violates the provisions of the order and would cause a reasonable person to fear for such person's safety, or the safety of a member of such person's immediate family and the targeted person is actually placed in such fear...

(4) As used in [the definition of stalking]:

(A) "Course of conduct" means two or more acts over a period of time, however short, which evidence a continuity of purpose. A course of conduct shall not include constitutionally protected activity nor conduct that was necessary to accomplish a legitimate purpose independent of making contact with the targeted person. A course of conduct shall include, but not be limited to, any of the following acts or a combination thereof:

- (a) Threatening the safety of the targeted person or a member of such person's immediate family;
- (b) Following, approaching or confronting the targeted person or a member of such person's immediate family;
- (c) Appearing in close proximity to, or entering the targeted person's residence, place of employment, school or other place where such person can be found, or the residence, place of employment or school of a member of such person's immediate family;
- (d) Causing damage to the targeted person's residence or property or that of a member of such person's immediate family;
- (e) Placing an object on the targeted person's property or the property of a member of such person's immediate family, either directly or through a third person;
- (f) Causing injury to the targeted person's pet or a pet belonging to a member of such person's immediate family;

(g) Any act of communication;

(B) "Communication" means to impart a message by any method of transmission, including, but not limited to: Telephoning, personally delivering, sending or having delivered, any information or material by written or printed note or letter, package, mail, courier service or electronic transmission, including electronic transmissions generated or communicated via a computer.

(C) "Computer" means a programmable, electronic device capable of accepting and processing data; ...

(5) "Immediate family" means father, mother, stepparent, child, stepchild, sibling, spouse or grandparent of the targeted person; any person residing in the household of the targeted person; or any person involved in an intimate relationship with the targeted person.

- **Consent –**

Based on good-faith research, Consent, as it relates to sexual assault, is not specifically defined in the Kansas statutes. Generally, consent refers to a person affirmatively agreeing to sexual contact pursuant to his or her own free will.

### **Bystander Intervention Techniques**

Bystander intervention is when someone chooses to take action when witnessing an uncomfortable situation. It encompasses safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking.

- Interrupt - Ask a question that's not related to what's going on. "Excuse me, where's the bathroom?"
  - Distract - Draw attention to something else. "Hey, your car is getting towed!"
  - Engage Peers - Involve a friend or someone else around you. "Let's do something."
  - Alert Authorities - In some situations, authorities may be the best source for help (e.g., Police, campus administrators, party hosts, bar staff, and/or designated drivers).
  - Safety First - Keep your safety and the safety of others in mind and let that determine how you respond.
- Bystander Intervention is included in the programs provided by Bellus Academy.

### **Risk Reduction and Awareness**

Bellus Academy offers guest speakers, posters, and/or a variety of events throughout the year to bring about awareness to these issues.

### **Procedures to follow in the case of alleged dating violence, domestic violence, sexual assault, or stalking, including:**

#### **Preserving Evidence**

It is important that victims take steps to preserve and collect evidence; doing so preserves the full range of options available, be it through the university's administrative complaint procedures or criminal prosecution. To preserve evidence:

1. do not wash your face or hands
2. do not shower or bathe
3. do not brush your teeth
4. do not change clothes or straighten up the area where the assault took place
5. do not dispose of clothes or other items that were present during the assault, or use the restroom
6. seek a medical exam immediately

If the victim has already cleaned up from the assault, he/she can still report the crime, as well as seek medical or counseling treatment.

## **Reporting**

Any person who believes he or she has been the victim of sexual harassment or violence by a student, faculty member, administrator or other academy personnel of Bellus Academy should report the occurrence to any agent or responsible employee of the academy. An employee may be required only to report the harassment to other school officials who have the responsibility to take appropriate action or to take the appropriate action themselves if they are a designated official.

The victim has the option to notify proper law enforcement authorities, including local police. The victim has the option to be assisted by campus authorities in notifying law enforcement authorities if the victim chooses. The victim also has the option to decline to notify such authorities.

## **Rights of Victims**

Victims of dating violence, domestic violence, sexual assault and stalking have the right to choose whether they want to pursue criminal or civil remedies in court and/or administrative remedies through the academy. Victims also have the right not to pursue a criminal, civil or administrative remedy. When a student or employee victim reports to the academy that they have been a victim of dating violence, domestic violence, sexual assault or stalking, whether the offense occurred on or off campus, the academy will provide the victim with a written explanation of their rights or options relating to the following:

- Resources for victims (including resources in the areas of victim advocacy, counseling, health, mental health, legal assistance, visa and immigration assistance, student financial aid and other areas);
- Non-reporting options;
- Understanding confidentiality versus privacy;
- Law enforcement reporting options, including medical exams and the importance of preserving evidence;
- Civil reporting options & protective orders;
- Academy reporting options, including the investigative and disciplinary process;
- Academy-issued No Contact Orders; and
- Academy-facilitated interim measures and remedies.

## **Procedures the Institution Will Follow in Reporting**

Bellus Academy will protect the confidentiality of victims and other necessary parties in cases of alleged dating violence, domestic violence, sexual assault, or stalking.

## **Clery Act Reporting**

Bellus Academy does not publish the names of victims or other personally identifiable information regarding victims in the Daily Crime Log or in the crime statistics that are disclosed in the Annual Security Report. Furthermore, if a Timely Warning is issued on the basis of a report of dating violence, domestic violence, sexual assault or stalking, the name of the victim and other personally identifiable information about the complainant will be withheld.

## **Confidentiality for Accommodations or Protective Measures**

The academy will protect the privacy of everyone involved in a report of sexual violence to the greatest degree possible under applicable law and academy policy. Personally identifiable information about the complainant and other necessary parties will be shared only on a need-to-know basis, e.g., to those who are investigating the report or those involved in providing support services to the victim, including interim measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the academy will maintain as confidential any interim measures and remedies provided to the victim, to the

extent that maintaining such confidentiality would not impair the ability of the academy to provide interim measures and remedies.

#### **Written Notification Regarding Counseling, Health, Etc.**

Bellus Academy will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services available for victims, both within the institution and in the community.

#### **Written Notification Regarding Changes to Academics, Living Arrangements, etc.**

Bellus Academy will provide written notification to victims about options for available assistance in, and how to request changes to academic, living, transportation and working situations or protective measures. The academy will make such accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to local law enforcement.

#### **Procedures for Disciplinary Action**

##### **Types of Disciplinary Proceedings**

If you believe that you have experienced or witnessed harassment or sexual violence, notify your Educator, Academy Director, Title IX Coordinator, Human Resources or Bellus Academy President as soon as possible after the incident. Do not allow an inappropriate situation to continue by not reporting it, regardless of who is creating the situation. No employee, contract worker, student, vendor or other person who does business with the academy is exempt from the prohibitions in this policy. Managers will refer all harassment complaints to the Title IX Coordinator for student-related complaints and to the Human Resources Department if the complaint involves an employee. In order to facilitate the investigation, your complaint should include details of the incident or incidents, names of the individuals involved and names of any witnesses. The Title IX Coordinator is listed below and has the responsibility of overseeing all Title IX complaints and identifying and addressing any patterns or systemic problems that arise during the review of such complaints.

*Title IX Coordinator:*

**Melissa Tierney, Vice President – Title IX Coordinator**

**Office Location: 13266 Poway Road, Poway, CA 92064**

**Phone: 858-748-1490**

**Email : [titleixcoordinator@bellusacademy.edu](mailto:titleixcoordinator@bellusacademy.edu)**

The academy ensures that its employee(s) designated to serve as Title IX Coordinator(s) have adequate training on what constitutes sexual harassment, including sexual violence, and that they understand how the academy's grievance procedures operate. Because complaints can also be filed with an employee's manager or Human Resources, these employees also receive training on the academy's grievance procedures and any other procedures used for investigating reports of sexual harassment.

In response to all complaints, Bellus Academy promises prompt and equitable resolution through a reliable and impartial investigation of complaints, including the opportunity for both parties to present witnesses or other evidence. The time necessary to conduct an investigation will vary based on complexity but will generally be completed within sixty (60) days of receipt of the complaint. The academy shall maintain confidentiality for all parties to the extent possible, but absolute confidentiality cannot be guaranteed. In cases where a victim does not give consent for an investigation, the academy will weigh the victim's request for confidentiality against the impact on academy safety to determine whether an investigation must proceed. Complainants should be aware that in a formal investigation due process generally requires that the identity of the charging party and the substance of the complaint be revealed to the person charged with the alleged crime.

### **Standard of Evidence**

The preponderance of the evidence standard will apply to investigations and disciplinary proceedings arising from an allegation of dating violence, domestic violence, sexual assault or stalking, meaning Bellus Academy will evaluate whether it is more likely than not that the alleged conduct occurred.

### **Sanctions**

If a student or a staff member is convicted of a sexual offense, domestic violence, dating violence, sexual assault or stalking regardless of whether or not the action took place on the Bellus Academy campus, that individual is subject to disciplinary actions by the academy. Any student or staff member may be subject to sanctions leading up to or including termination if convicted of any domestic violence, sex offense, including rape, acquaintance rape, any other forcible or non-forcible sex offenses or stalking.

### **Protective Measures**

During the investigation, Bellus Academy will provide interim measures, as necessary, to protect the safety and wellbeing of students and/or employees involved. Examples of temporary and permanent measures to protect the complainant as necessary are:

- No contact order
- Change academic situations as appropriate with minimum burden on the complainant
- Counseling
- Health and mental services
- Escort services
- Academic support
- Retake a program or withdraw without penalty

### **Proceeding Will Accomplish the Following:**

Bellus Academy will follow a prompt, fair and impartial process from the initial investigation to the final result, conducted by officials who receive annual training on the issues related to dating violence, domestic violence, sexual assault and stalking and on how to conduct an investigation and hearing process that protects the safety of the victims and promotes accountability.

### **Same Opportunities for Accuser and Accused**

Both the accuser and the accused have the same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. Neither the accuser nor the accused shall be limited in the choice of advisor or the advisor's presence in any meeting or institutional disciplinary proceeding.

### **Simultaneous Notification**

Both the accuser and the accused will be simultaneously informed in writing of the result of any disciplinary proceeding relating from any allegation of dating violence, domestic violence, sexual assault or stalking; the procedures for appealing the results of the disciplinary proceeding; any change to the results that occurs before the results become final; and when such results become final.

### **Statement of Victim's Rights and Options**

When a student or employee reports to the institution that the student or employee has been a victim of dating violence, domestic violence, sexual assault or stalking, whether the offense occurred on or off campus, Bellus Academy will provide the student or employee a written explanation of the student's or employee's rights and options.

### Sex Offender Registration

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 and the Family Education Rights and Privacy Act of 1974, this institution is required to issue a statement advising the campus community where law enforcement information provided by a State concerning sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice to each institution of higher education in that State at which the person employed, carries a vocation, or is a student.

<b>Registered Sex Offender Database Websites</b>	
<i>State of California:</i>	<i>State of Kansas:</i>
California Registered Sex Offender Database	Kansas Bureau of Investigation
<a href="http://www.caag.state.ca.us">www.caag.state.ca.us</a>	<a href="http://www.kbi.ks.gov/registeredoffender">http://www.kbi.ks.gov/registeredoffender</a>

### Crime Statistics

See below

**ANNUAL SECURITY REPORT**  
**BELLUS ACADEMY – MANHATTAN – 1130 WESTLOOP PL., MANHATTAN, KS 66502**  
**CAMPUS CRIME STATISTICS**  
**October 1, 2018**

Bellus Academy – Manhattan, KS provides its students and employees an Annual Security Report. In accordance with the Crime Awareness and Campus Security Act of 1990, the school has gathered crime statistics from January 1, 2015 through December 31, 2017. Included below are reportable criminal offenses and violations that occurred on campus and/or public property. “On campus” is defined as buildings or property owned or controlled by the institution within the same reasonably contiguous geographic area and used by the institution in a manner related to the institution’s educational purpose. “Public property” is defined as property that is located within the same reasonably contiguous geographic areas of the campus, like a sidewalk, street or public parking lot, that is adjacent to a facility owned or controlled by the institution for purposes related to the institution’s educational purposes. The academy does not have any non-campus buildings or property. The campus security policy is available for review or copy during normal business hours by submitting a request to the Academy Director or Manager or online at [www.bellusacademy.edu](http://www.bellusacademy.edu).

Offense	Year	On Campus Property	Public Property
Murder/non-negligent manslaughter	2015	0	0
	2016	0	0
	2017	0	0
Negligent manslaughter	2015	0	0
	2016	0	0
	2017	0	0
Rape	2015	0	0
	2016	0	0
	2017	0	0
Fondling	2015	0	0
	2016	0	0
	2017	0	0
Incest	2015	0	0
	2016	0	0
	2017	0	0
Statutory Rape	2015	0	0
	2016	0	0
	2017	0	0
Robbery	2015	0	0
	2016	0	0
	2017	0	0
Aggravated assault	2015	0	0
	2016	0	0
	2017	0	0
Burglary	2015	0	0
	2016	0	0
	2017	0	0
Motor vehicle theft	2015	0	0
	2016	0	0
	2017	0	0
Arson	2015	0	0
	2016	0	0
	2017	0	0

* VAWA Offenses	Year	On Campus Property	Public Property
Domestic Violence	2015	0	0
	2016	0	0
	2017	0	1
Dating Violence	2015	0	0
	2016	0	0
	2017	0	0
Stalking	2015	0	0
	2016	0	0
	2017	0	1

Hate Crimes	Year	On Campus Property	Public Property
Murder/non-negligent manslaughter	2015	0	0
	2016	0	0
	2017	0	0
Rape	2015	0	0
	2016	0	0
	2017	0	0
Fondling	2015	0	0
	2016	0	0
	2017	0	0
Incest	2015	0	0
	2016	0	0
	2017	0	0
Statutory Rape	2015	0	0
	2016	0	0
	2017	0	0
Robbery	2015	0	0
	2016	0	0
	2017	0	0
Aggravated assault	2015	0	0
	2016	0	0
	2017	0	0
Burglary	2015	0	0
	2016	0	0
	2017	0	0
Motor vehicle theft	2015	0	0
	2016	0	0
	2017	0	0
Arson	2015	0	0
	2016	0	0
	2017	0	0
Larceny-theft	2015	0	0
	2016	0	0
	2017	0	0
Simple Assault	2015	0	0
	2016	0	0
	2017	0	0
Intimidation	2015	0	0
	2016	0	0
	2017	0	0
Destruction/damage/vandalism of property	2015	0	0
	2016	0	0
	2017	0	0
Arrests and Referrals for Disciplinary Action	Year	On Campus Property	Public Property
Weapons: Carrying, Possessing. Etc.	2015	0	0
	2016	0	0
	2017	0	0
Drug Abuse Violations	2015	0	0
	2016	0	0
	2017	0	0
Liquor Law Violations	2015	0	0
	2016	0	0
	2017	0	0