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Campus Security Act Information Disclosure

Under the Crime Awareness Campus Security Act of 1990 (Title II of Public Law 101-542), which amended the Higher Education Act of 1965 HEA. This act required all postsecondary institutions participating in HEA's Title IV student financial assistance programs to disclose campus crime statistics and security information. The act was amended in 1992, 1998 and 2000. The 1998 amendments renamed the law the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act in memory of a student who was slain in her dorm room in 1986. It is generally referred to as the Clery Act. On Aug. 14, 2008, the Higher Education Opportunity Act or HEOA (Public Law 110-315) reauthorized and expanded the Higher Education Act of 1965, as amended. HEOA amended the Clery Act and created additional safety- and security-related requirements for institutions. We are required to provide the School staff, faculty, and students with safety information about our campus prior to October 1st each year. The School is committed to providing safety to all of its students, faculty, and staff. If a crime happens to the student or the student's property or if there is an emergency occurring on campus, report the incident to an instructor, director, or owner immediately. That individual will assist the student or guest in reporting the crime to the local police or other appropriate security force.

The School will provide students, faculty, and staff with a copy of this crime report from the previous calendar year by October 1st of the following year. Statistics will be gathered from the local police and compiled in the annual report.

The report will show the number of incidents on campus, including The School parking lot and adjacent streets. At any time, statistics can be accessed from The School Admissions Office. Although the School does not employ security officers, The School has a working relationship with the local police who are able to support and provide services promptly in the event of an incident. We encourage accurate and prompt reporting of all crimes to the local police.

Right To Know Policy

Student Right to Know and Consumer Information contains information required by law for the Student Right to Know and Clery Act and other information that might be helpful to you including FERPA [Family Educational Rights and Privacy Act]. It is designed to inform current and prospective students and their parents about information that is vital to understanding their rights and responsibilities and the policies of Apex Academy. Students will be notified yearly of the information available through various means such as the Apex Academy website, text messages, school wide assemblies, during orientation, or during the enrollment process.

Procedures To Report Criminal And Disciplinary Offences

1. Apex Academy does not employ campus security personnel but encourages both its employees and students to immediately report suspected criminal activity or other emergencies to the nearest available institutional official and/or in the event of an emergency to directly contact local law enforcement or other emergency response agencies by dialing (911).
2. All students and employees are required to promptly and accurately report any crime or emergency to one of the School Administrators. In the absence of the School Administrator, all crime activity should be reported to the Instructors. If a student or employee wishes to report a crime on a voluntary or confidential basis, the institutional official will be pre- pared to record and report the crime, but not the name of the informant. The student or employee may, in order to maintain confidentiality, submit the information in writing to an institutional official without signature. If the student wishes to maintain confidentiality, the student will contact his/her instructor or school official who in turn will contact the School Administrator or report criminal actions or emergencies to the appropriate agency by calling (911). The School Administrator will begin investigation into any reported crime the following business day of receiving notification of reported crime.

3. The School Administrators work together to assure all incidents, if applicable are maintained in the school's Crime Log Record Sheet. Annually, the Administrators prepare the Annual Disclosure of Crime Statistics Report from statistical data obtained from both the police department district in which the school resides and from the school's "Crime Log". This log includes: the nature, date, time, and general location of each crime, the disposition of the complaint, if known.
4. Students, employees, customers and other parties having business with this institution should be on Apex Academy property. Only staff members are allowed to enter and exit through the rear door. The rear door is locked by the staff member and re-entry is not allowed from the rear. Students wishing to enter the building must do so from the front entrance door. When the school closes in the evening, the closing school official or instructors will inspect each classroom and the floor to see that it is empty and lock down the school. Other individuals present on Apex Academy property at any time without written or verbal permission of the appropriate institutional official(s) shall be viewed as trespassing and may be subject to a fine and/or arrest. In addition, students and employees present on Apex Academy property without permission from the appropriate official(s) shall be viewed as trespassing and may be subject to a fine and/or arrest.
5. Students are highly encouraged to exercise proper care in making good judgments concerning their personal safety and the safety of others. The following is a description of policies, rules and programs designed to inform students and employees about the prevention of crimes on campus:
   a) Do not leave personal property in classrooms
   b) Report to your institutional official, any suspicious persons
   c) Don't linger on the outside, if leaving the campus, go straight to car and exit parking lot
   d) If you are waiting for a ride, wait within sight of other people
   e) Employees will close and lock all doors, windows and blinds, and turn off lights when leaving the facility
   f) The "Annual Security Report" is available upon request to students, employees and prospective students.
   g) The institution has no formal program, other than orientation, that disseminates this information. All information is available on request in the Administrator's Office.
   h) Information regarding any crimes committed on the campus or parking lot will be available and posted in a conspicuous place with two (2) business days after the reporting of the crime and be available for sixty (60) business days during normal business hours, unless the disclosure is prohibited by law, would jeopardize the confidentiality of the victim, or an ongoing criminal investigation the safety of an individual, cause a suspect to flee evade detection; or resulted in the destruction of evidence. Once the reason for the lack of disclosure is no longer in force, the institution must disclose the information. If there is a request for information that is older than sixty (60) days, that information must be made available with two (2) business days of the request.
6. Where all the institution's policies and regulations are properly disclosed to prospective students. In addition, information on campus crime and security is distributed to all students and employees annually through the e-mail and as could be given a paper copy as requested.
7. All incidents shall be recorded in the Apex Academy "Daily Incident Log" located on campus in the Administrative Office. The log includes the date, time, location, incident report, and disposition of incident and the name of the person who took the report. The report must be entered in the log within one (1) business after it is reported to the school's official, unless that disclosure is prohibited by law, would endanger the confidentiality of the victim.
8. Apex Academy does not permit the sale, possession, or consumption of alcoholic beverage on school property and adheres to and enforces all state underage-drinking laws.

9. Apex Academy does not permit the possession, use or sale of illegal drugs by its employees and students and adheres to and enforces all State and Federal Drug Laws. The violations of these policies by students or employees may result in expulsion, termination and/or arrest.
10. Information on "Drug and Alcohol Abuse Education Program" is available in the office and is discussed and/or distributed annually to students and staff. Apex Academy makes a biennial review of this program to determine its effectiveness and ensure that its penalties are being enforced. Further information on assistance with Drug and Alcohol Abuse Education can be made by contacting the following agency: SAMHSA's National Helpline, 800-662-4357 Other agency information can be obtained in the Administrative Office.
11. Any information provided by the institution on crime victims from Apex Academy about disciplinary hearings by the state of Ohio can be obtained from the Ontario Police Department criminal data.
12. Apex Academy will include in its Annual Security Report a statement of policy that addresses the school's program to prevent dating violence, domestic violence, sexual assault, and stalking. The statement in the Annual Security Report will include a description of the school's primary prevention and awareness programs for all incoming students and new employees, which will indicate:
    a. that the school prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking, as those terms are defined in 34 CFR 668.46(a)
    b. The definition of "dating violence," "domestic violence," "sexual assault," and "stalking" in the applicable jurisdiction
    c. The definition of "consent," in reference to sexual activity, in the applicable jurisdiction
    d. A description of safe and positive options for bystander intervention
    e. Information on risk reduction
    f. The information described in 34 CFR 668.46(b)(11) and (k)(2)
13. Apex Academy's prevention and awareness for students and employees will take place during orientation.

Timely Warning

In addition to the required annual campus security report, The School will provide a timely warning to students of any occurrences of the following crimes that are reported to local police agencies and are considered to represent a serious or continuing threat to students and employees. As soon as the school becomes aware of the crimes, students and employees will be notified via SMS notification.

- These crimes include: criminal homicide, forcible and non-forcible sex offenses, robbery, aggravated assault, simple assault, intimidation, vandalism, burglary, motor vehicle theft, larceny-theft, arson, hate crimes including crimes involving bodily injury reported to local police agencies that show evidence of prejudice based on race, gender, religion, sexual orientation, ethnicity or disability, arrests for violations of liquor and drug law violations, and illegal weapons possession, and persons not arrested but referred for disciplinary action for liquor, drug, and weapons law violations. Other reported statistics include Domestic Violence, Dating Violence and Stalking.

Emergency Notification

Immediate notification of an unforeseen combination of circumstances that calls for immediate action. Emergency Notification will be in written form, posted on the front door of the School as well as distributed by SMS to staff members and students.
The verbal/written communication will include:
1) Type of emergency
2) Steps to be taken for the emergency situation

Emergency Response Procedures

At the time of an urgent unanticipated event, staff members will assess the situation to determine the significance of an emergency. In the event of an emergency, staff and students will be notified by either verbal communication (for students currently in the building), or written communication/ SMS (for students not in attendance) to notify them of the situation. A count for all staff, students and guests will be taken as soon as reasonably possible to ensure all are accounted for at the time of the emergency. Without delay, all students will receive notification of the emergency by written communication in the form of a text message from the **Emergency Decision Team.**

The responsible members of the EDT consist of:

1) **The School Director – (Karli Blevins)**
2) **The School President – (Kathleen Hartings)**

Emergency procedures will be **tested twice a year**. Owners and staff will evaluate the testing results and implement improvements needed to secure the safety of all concerned.

Emergency Procedures Due to Criminal or Terrorists Threats

Upon receipt of information pertaining to a threat during business hours, the person receiving the information should notify a staff member of the impending or occurring emergency. The staff member will respond to the immediate situation, when necessary, and will contact civil authorities to determine appropriate action, which may include evacuation of entire campus for a length of time to be determined based on the situation at hand. If necessary, The School will post on outside doors the time class will resume. In the event that staff, students and guest would be safer inside the building, the EDT will direct everyone to an internal room in the School.

Tornado Warning

When a tornado warning is issued:

- A tornado has actually been sighted
- Or has been indicated by radar
- Public warning will come over the radio.

Tornado Policy

- DO NOT leave the building
- Move away from the windows
- Report to the Shampoo hallway, restrooms or administrative offices. (These are safe areas marked by the Tornado Safety Area sign)
- Take shelter under tables, if necessary.
- Go to the center of the room.
- Sit down and cover your head.
- Make every effort to remain calm and encourage those around you to do likewise.
- Remain in the shelter location until instructed to return to your previous activities.

Fire Drills

Fire evacuation plans will be practiced with each class start and require your most serious cooperation and consideration. All exits must be in working condition and unobstructed.

Fire Policy

- If you smell smoke or see fire, report it immediately to staff.
- Do not continue with a salon service
- The students and staff should evacuate the building in an orderly fashion to a safe place. (to the “the grass area directly in front of the school”)
- Students and staff may move cars if it is safe.

- If it is safe to return after the fire department inspect the building for safety, then the students will return on the Fire Marshal's approval.
- If it is unsafe, then the students and staff members will be sent home until further notice via email and/or text.

Extreme Weather Conditions Policy

- Check local listings (WMFD) if extreme weather conditions are present
- Apex Academy may call or text students if time is permitted
- If at school when extreme weather conditions arise, student may choose to leave at own discretion. Student will not receive hours for time missed

In Case Of Serious Accident Or Illness

- Call 9-1-1.
- Do not move sick or injured person(s).
- Be careful to avoid personal contact with any body fluids such as blood, vomit, or saliva.
- Stay with the victim and reassure her/him that help is on the way.

Power Failure Policy

- Administration investigates issue in a timely manner
- Do not continue with a salon service
- Student and staff await instructions from administration
- Apex Academy may call or text students if failure happens prior to scheduled school day
- If at school when power failure arises, student may choose to leave at own discretion. Student will not receive hours for time missed

Water Failure Policy

- Administration is notified if present at the time of failure
- Administration investigates issue in a timely manner
- Do not continue with a salon service
- Student and staff await instructions from administration
- Apex Academy may call or text students if failure happens prior to scheduled school day
- If at school when water failure arises, student may choose to leave at own discretion. Student will not receive hours for time missed

EMERGENCY CONTACT NUMBERS		
Emergency (Fire, Police, Rescue): 9-1-1	US Marshal: 614-469-5540	National Response Center (Hazardous Spills): 800-424-8802
Fire Department: 419-524-2424	US Secret Service: 202-406-5708	Poison Information Center: 800-222-1222
Sheriff Department: 419-524-2412	FBI: 419-525-2200	National Runaway Switchboard: 800-RUNAWAY
Local Police: 419-529-2115	Alcohol, Tobacco & Firearms: 800-800-3855	Child Abuse Hotline: 800-422-4453
Police Department **Non**-Emergency: 419-755-5686	Suicide Prevention Hotline: 800-273-TALK	Adult Abuse Hotline: 800-282-1206
Deaf/ Hearing Impaired Emergency: 9-1-1 (call or text)		

Title IX of the Education Amendments of 1972 is codified into law in 20 U.S.C. § 1681 and 30 C.F.R. Part 106. This law prohibits Gender Discrimination and provides that "no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance." Gender Discrimination includes, but is not limited to, Sexual Harassment and Sexual Assault.

The Violence Against Women Reauthorization Act of 2013 (VAWA) requires the University to provide a prompt and equitable procedure for resolving complaints of dating violence, domestic violence and stalking.

Title IX Coordinator

The Institutions Title IX Coordinator is responsible for monitoring and overseeing ***Apex Academy*** compliance with Title IX and the prevention of sex harassment, sexual misconduct and discrimination. The Title IX Coordinator is:

- Knowledgeable and trained in ***Apex Academy***. policies and procedures and relevant state and federal laws;
- Available to advise any individual, including a complainant, respondent, or a third party, about ***Apex Academy*** and community resources and reporting options;
- Available to provide assistance to ***Apex Academy*** employee regarding how to respond appropriately to a report of Title IX-related prohibited conduct and related retaliation;
- Participates in ensuring the effective implementation of this Policy, including monitoring compliance with all procedural requirements, record keeping, and timeframes; and
- Responsible for overseeing training, prevention, and education efforts and annual reviews of climate and culture.

Inquiries or concerns about Title IX may be referred to the Institutions Title IX Coordinator:
(enter Karli Blevins, 1788 West 4th Street, Ontario Ohio, 419-544-8899 and apexacademy2013@hotmail.com)

Domestic and Dating Violence, Sexual assault, and Stalking Policies

*Please be advised ***Apex Academy*** strictly prohibits any of the following and also holds an annual class / PowerPoint in order to educate students on each of the following topics in hopes to help prevent the following*

- **Domestic Violence:**
  Acts of violence or abuse against a person living in one's household, especially a member of one's immediate family. Also, any type of abuse between a couple. Although ***Apex Academy*** cannot control what goes on in the homes of our students /staff and are also not responsible for what occurs in the homes of our students / staff we will not allow domestic violence of any form to take place inside the building or on the premises of ***Apex Academy***. We will immediate contact the police in order to resolve the issue.
- **Dating Violence:**
  Dating abuse or **Dating Violence** is defined as the perpetration or threat of an act of violence by at least one member of an unmarried couple on the other member within the context of dating or courtship. It is also when one partner tries to maintain power and control over the other through abuse/violence. This abuse/violence can take a number of forms: sexual, sexual harassment, threats, physical violence, verbal, mental, or emotional abuse, social sabotage,

and stalking. It can include psychological abuse, emotional blackmail, sexual abuse, physical abuse and psychological manipulation.[1]
Although ***Apex Academy*** cannot control what goes on in our student's/staff personal lives we will not allow dating violence of any type to occur on the premises or inside the building at any time. We do not allow the institution or its premises to be used for anything other than education. If at any time we learn that this has occurred or taken place we will immediately speak with the student, encourage them to receive counseling, and possibly contact the police in order to resolve the issue if deemed necessary. Any reports or claims of this nature will be written down and kept in students file.

- **Sexual Assault:**
  A statutory offense forcible or non-forcible
  that provides that it is a crime to knowingly cause another person to engage in anunwanted sexual act by force or threat;
  No forms of assault including sexual are allowed within the intuition or on the premises. We will have zero tolerance for this and if at any time a member of staff or students has been proven to sexually assault anyone, the police will be called, and the person who committed the assault will be automatically terminated. Again, this will be documented and maintained in the students file.
- **Consent**:
  To permit, approve, or agree; comply or yield. In reference to sexual activity is extremely important. NO means NO! If an individual at any time for any reason says no, this means that they are not consenting, or agreeing to the activity or activities that are taking place.
- **Stalking:**
  The act or an instance of stalking, or harassing another in an aggressive, often threatening and ille gal manner: No forms of stalking will be allowed within the institution or on the premises. We will have zero tolerance for this and if any time a member of staff or students has been proven to stalk another individual, or if they themselves have been stalked we will immediately contact the police, and if the person stalking another individual happens to be one of our students or staff they will be automatically terminated. This again will be documented and maintained in students file.
- **Bystander Intervention:**
  If you are a bystander and you know of or you witness any of the above taking place, or know that it took place it is important for you to bring it to the attention of the school staff immediately and complete a campus crime report. If the act is in progress, it's important that you contact the police immediately. You can do this anonymously. Do NOT put yourself or your safety at risk. Notify someone. More information about bystander intervention will be provided in the annual class / PowerPoint.

Sex Offender Registration

In accordance to the Campus Sex Crimes Prevention Act of 2000, the Clery Act, and the Family Rights and Privacy Act of 1974, ***Apex Academy*** are providing information for where students and employees may obtain information regarding registered sex offenders. The Sex Offenders Registry may be found at: www.familywatchdog.us.
The Campus Sex Crimes Prevention Act requires institutions of higher education to provide a statement advising the campus community where law enforcement information provided by a state concerning registered sex offenders can be obtained.

Hate Crime Definition

The Clery Act requires institutions collect crime statistics for hates crime associated with either the commission of a primary crime or the lesser offenses of larceny-theft, simple assault, intimidation, destruction of or vandalism of a buildings or property.

A **Hate Crime** is *a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.*
Under the *Clery Act*, Hate Crimes include any of the following offenses motivated by bias: Murder and Non-negligent Manslaughter, Sexual Assault, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Larceny-Theft, Simple Assault, Intimidation, Destruction/Damage/Vandalism of Property. Larceny-Theft, Simple Assault, Intimidation, and Destruction/Damage/Vandalism of Property are included in your *Clery Act* statistics only if they are Hate Crimes

Larceny-theft
The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Simple Assault
An unlawful physical attack by one person on another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

Intimidation
To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or conduct, but without displaying a weapon or subjecting the victim to actual attack. Includes cyber-intimidation if victim is threatened on Clery geography.

Destruction, damage or vandalism of property
To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of the property.

Risk Reduction (Behavior): It is also important that we are able to recognize risk, as well as warning signs of abusive behavior. Males and females alike can be abusive or abused. Signs of an abusive person could be past abuse, threats, breaking objects, use of force during an argument, jealousy, controlling behavior, quick involvement, isolation, blaming others, hypersensitivity, cruelty to animals or children, force or rigid sex roles during intimacy, Jekyll and Hyde personalities. Signs of a person being abused could be: Physical Signs of Abuse

- Bruises (old and new, clustered on one part of body, or on both upper arms)
- Burns
- Cuts or scars
- Marks left by a gag (or some form of restraint)
- Imprint injuries (e.g., marks shaped like fingers, thumbs, hands, belts or sticks)
- Missing teeth
- Spotty balding (from pulled hair)
- Eye injuries (black eyes or detached retinas)
- Broken bones
- Sprains
- Abrasions or scrapes
- Vaginal or rectal pain
- Bleeding from the ears, nose or mouth
- Frequent urinary tract infections or yeast infections
- Painful urination
- Abrasions, bleeding, or bruising in the genital area
- Incontinence in someone who was previously toilet-trained

- Frequent sore throats
- Sudden onset of psychosomatic complaints (males most frequently complain of stomach aches while females most frequently report headaches)
- Sudden difficulty walking or sitting[2]

If you see any of the above listed in an individual it's important to recognize them for what they are. Don't get involved in a relationship with and abuser, and don't turn your back when you know someone is being abused.

Title IX - Miscellaneous

Take Back the Night and other public awareness events. Public awareness events such as "Take Back the Night," the Clothesline Project, candlelight vigils, protests, "survivor speak outs" or other forums in which students disclose incidents of sexual violence, are not considered notice to ***Apex Academy*** of sexual misconduct for purposes of triggering its obligation to investigate any particular incident(s). Such events may, however, inform the need for campus-wide education and prevention efforts.

Reporting to Title IX Coordinator

When a victim tells the Title IX Coordinator about an incident of sexual misconduct, the victim has the right to expect ***Apex Academy*** to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably. To the extent possible, information reported to the Title IX Coordinator will be shared only with people responsible for handling the school's response to the report. The Title IX Coordinator should not share information with law enforcement without the victim's consent or unless the victim has also reported the incident to law enforcement.
Before a victim reveals any information to the Title IX Coordinator, the Coordinator should ensure that the victim understands the Coordinator's reporting obligations –and, if the victim wants to maintain confidentiality, direct the victim to confidential resources. If the victim wants to tell the Title IX Coordinator what happened but also maintain confidentiality, the Coordinator should tell the victim that ***Apex Academy*** will consider the request but cannot guarantee that the school will be able to honor it. The Title IX Coordinator will not pressure a victim to request confidentiality, but will honor and support the victim's wishes, including for ***Apex Academy*** to fully investigate an incident. By the same token, the Title IX Coordinator will not pressure a victim to make a full report if the victim is not ready to.

Reporting to the Institution

An incident of sexual misconduct may be reported directly to the school Title IX Coordinator. If the school Title IX Coordinator is the alleged perpetrator of the sexual misconduct, the report should be submitted to the ***Apex Academy*** Owner. Filing a report with a school official will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. An individual who has experienced an incident of sexual misconduct may report the incident at any time, regardless of how much time has elapsed since the incident occurred. ***Apex Academy*** is committed to supporting the rights of a person reporting an incident of sexual misconduct to make an informed choice among options and services available. ***Apex Academy***. will respond to all reports in a manner that treats each individual with dignity and respect and will take prompt responsive action to end any misconduct, prevent its recurrence, and address its effects.

> *Please be advised any campus crime needs to be reported in writing within 24 hours. The report form is located on the wall beside the main office* If you yourself are filing the report please remember to keep as much evidence as possible. ***Apex Academy*** will review all forms of evidence; however, it will be up to the authorities as to which types of evidence would be admissible.

Reporting to Law Enforcement

An incident of sexual misconduct can be reported to law enforcement at any time, 24 hours a day/7 day a week, by calling 911. At the complainant's request, ***Apex Academy*** will assist the complainant in contacting law enforcement. If the complainant decides to pursue the criminal process, the school will cooperate with law enforcement agencies to the extent permitted by law. A complainant has the option to decide whether or not to participate in any investigation conducted by law enforcement. Filing a police report will:

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests
- Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam)
- Assure the victim has a referral to confidential counseling from counselors specifically trained in the area of sexual assault

School Policy on Confidentiality

Apex Academy encourages victims of sexual misconduct to talk to somebody about what happened –so victims can get the support they need, and so the school can respond appropriately. This policy is intended to make students aware of the various reporting and confidential disclosure options available to them so they can make informed choices about where to turn should they become a victim of sexual misconduct. ***Apex Academy*** encourage victims to talk to someone identified in one or more of these groups.

Privilege and confidential communication— Professional & Pastoral Counselors

Professional, licensed counselors and pastoral counselors who provide mental-health counseling to members of the community (and including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Title IX coordinator without a victim's permission. ***Apex Academy*** does not provide professional or pastoral counseling but can assist a victim of sexual misconduct in obtaining support services from these groups or agencies. Contact information for these support organizations is listed in Section 4 of this Policy. A victim who at first requests confidentiality may later decide to file a complaint with ***Apex Academy*** or report the incident to local law enforcement, and thus have the incident fully investigated.

NOTE: While these professional and pastoral counselors and advocates may maintain a victim's confidentiality vis-a -vis ***Apex Academy***, they may have reporting or other obligations under state law.

ALSO NOTE: If ***Apex Academy*** determine that the alleged perpetrator(s)pose a serious and immediate threat to the school community, the School Director may be called upon to issue a timely warning to the community. Any such warning should not include any information that identifies the victim.

Requesting Confidentiality: How the School Will Weigh the Request and Respond.

If a victim discloses an incident to the Title IX Coordinator but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, ***Apex Academy*** must weigh that request against the school's obligation to provide a safe, non-discriminatory environment for all students, including the victim. If ***Apex Academy*** honor the request for confidentiality, a victim must understand that the school's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) maybe limited. Although rare, there are times when ***Apex Academy*** may not be able to honor a victim's request in order to provide a safe, non-discriminatory environment for all students. The Title IX Coordinator will evaluate requests for confidentiality. When weighing a victim's request for confidentiality or that no investigation or discipline be pursued, the Title IX Coordinator will consider a range of factors, including the following:

- The increased risk that the alleged perpetrator will commit additional acts of sexual misconduct or other violence, such as:
- whether there have been other sexual misconduct complaints about the same alleged perpetrator;
- whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence;
- whether the alleged perpetrator threatened further sexual misconduct or other violence against the victim or others;
- whether the sexual misconduct was committed by multiple perpetrators;
- Whether the sexual misconduct was perpetrated with a weapon;
- Whether the victim is a minor;
- Whether ***Apex Academy*** possess other means to obtain relevant evidence of the sexual misconduct (e.g., security cameras or personnel, physical evidence);
- Whether the victim's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead ***Apex Academy*** to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the school will likely respect the victim's request for confidentiality.

If *Apex Academy* determine that it cannot maintain a victim's confidentiality

The school will inform the victim prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the school's response. ***Apex Academy*** will remain ever mindful of the victim's well-being and will take on going steps to protect the victim from retaliation or harm and work with the victim to create a safety plan. Retaliation against the victim, whether by students or school employees, will not be tolerated. ***Apex Academy*** will also:

- Assist the victim in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance;
- Provide other security and support, which could include issuing a no contact order, helping arrange a change of course schedules (including for the alleged perpetrator pending the outcome of an investigation) or adjustments for assignments or tests; and
- Inform the victim of the right to report a crime to local law enforcement –and provide the victim with assistance if the victim wishes to do so

Apex Academy may not require a victim to participate in any investigation or disciplinary proceeding. Because ***Apex Academy*** is under a continuing obligation to address the issue of sexual violence campus-wide, reports of sexual violence (including non-identifying reports) will also prompt the school to consider broader remedial action–such as increased monitoring, supervision or security at locations where the reported sexual violence occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments/ victimization surveys; and/or revisiting its policies and practices. If ***Apex Academy*** determines that it can respect a victim's request for confidentiality, the school will also take immediate action as necessary to protect and assist the victim.

Impact of Victim's Confidentiality

Request a victim's request for confidentiality will likely limit ***Apex Academy*** ability to investigate a particular matter. The school may take steps to limit the effects of the alleged sexual misconduct and prevent its recurrence without initiating formal action against the alleged perpetrator or revealing the identity of the student complainant. Examples include providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred; providing training and education materials for students and employees; revising and publicizing ***Apex Academy*** policies on sexual misconduct; and conducting climate surveys regarding sexual misconduct.

Off-campus Counselors and Advocates

Off-campus counselors, advocates, and health care providers will also generally maintain confidentiality and not share information with ***Apex Academy*** unless the victim requests the disclosure and signs a consent or waiver form. Contact information for these off-campus resources can be found in Section 4 of this Policy. Investigation Procedures and Protocols the Title IX Coordinator oversees the Institute's investigation, response to, and resolution of all reports of prohibited sexual misconduct, and of related retaliation, involving students, faculty, and staff. The Title IX Coordinator will designate a specially trained investigator (or team of investigators) to interview the complainant, respondent and any witnesses. The investigator will also gather pertinent documentary materials (if any) and other information.

Notice of Investigation

The Title IX Coordinator will inform the complainant before starting an investigation. The complainant may request that an investigation not be undertaken. The Title IX Coordinator will consider such a request in light of ***Apex Academy*** commitment to provide a safe and non-discriminatory environment for all students. If the Title IX Coordinator determines not to investigate, she will notify the complainant in writing, including that the determination was made at the complainant's request. At the complainant's request, the Title IX Coordinator will also notify the respondent in writing, including that the complainant asked ***Apex Academy*** not to investigate. The investigator will direct the complainant, respondent, witnesses and other interested individuals to preserve any relevant evidence. If an investigation proceeds, ***Apex Academy*** will notify the respondent in writing that a report has been filed. The notice will describe the allegations in the report. The complainant and respondent will be given the opportunity to meet separately with the Title IX Coordinator to review the Policy and these Procedures.

Investigation Process

Apex Academy process for responding to, investigating and adjudicating sexual misconduct reports will continue during any law enforcement proceeding. The investigator may need to temporarily delay an investigation while the police are gathering evidence but will resume the investigation after learning that the police department has completed its evidence-gathering and will generally not wait for the conclusion of any related criminal proceeding. The investigator will interview the complainant, respondent and any witnesses. They will also gather pertinent documentary materials (if any) and other information. Investigation Report The investigator will prepare a report detailing the relevant content from the interviews and the documentation gathered. The report will include the assessment of individual credibility and recommended findings of responsibility. The respondent and complainant will each have the opportunity to review a copy of the investigative report and any other information that will be used during the disciplinary proceedings. The names and other identifying information of other students will be redacted from such materials in accordance with the Family Educational Rights and Privacy Act (FERPA), except to the extent that doing so would interfere with the purpose of Title IX to eliminate sex-based discrimination. The Title IX Coordinator will supervise this review and ensure that reasonable time is afforded for review prior to the hearing. Time Frame for Investigation Consistent with the goal to maximize educational opportunities and minimize the disruptive nature of the investigation and resolution, the Title IX Coordinator seeks to resolve all reports in a timely manner. In general, an investigation may last upto30 days, from receipt of written notice from the complainant of the intent to proceed with an investigation. Adjudication will generally take up to 30 days from the date the investigative report is provided to both the complainant and the respondent. The Title IX Coordinator may set reasonable time frames for required actions under the Policy. Those time frames may be extended for good cause as necessary to ensure the integrity and completeness of the investigation, comply with a request by external law enforcement, accommodate the availability of witnesses, accommodate delays by the parties, account for school breaks or vacations, or address other legitimate reasons, including the complexity of the investigation (including the number of witnesses and volume of information provided by the parties) and the severity and extent of the alleged conduct. Any extension of the timeframes, and the reason for the extension, will be shared with the parties in writing. Best efforts will be made to

complete the process in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness. Where necessary, ***Apex Academy*** will take immediate steps to protect complainant spending the final outcome of an investigation, including academic accommodations and other interim measures. These steps may include the ability to change class schedules; withdraw from/retake a class without penalty; access academic support such as tutoring; issue no contact orders; and change the alleged perpetrator's class schedule.

Voluntary Resolution

Voluntary resolution, when selected by the complainant and deemed appropriate by the Title IX Coordinator, is a path designed to eliminate the conduct at issue, prevent its recurrence, and remedy its effects in a manner that meets the expressed preference of the complainant and the safety and welfare of the ***Apex Academy*** community. Voluntary resolution is not appropriate for all forms of conduct under the Policy. ***Apex Academy*** retains the discretion to determine, when selected by the complainant, which cases are appropriate for voluntary resolution. If a complainant requests voluntary resolution, and the Title IX Coordinator concludes that voluntary resolution is appropriate, then the Title IX Coordinator will take appropriate action by imposing remedies designed to maximize the complainant's access to all employment, educational, and extracurricular opportunities and benefits at the school and to eliminate a potential hostile environment. A complainant may request and decide to pursue voluntary resolution at any time. In those cases, in which the voluntary resolution involves either the notification to or participation by the respondent, it is the respondent's decision whether to accept voluntary resolution. Voluntary resolution may include: conducting targeted or broad-based educational programming or training for relevant individuals or groups; providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred; facilitating a meeting with the respondent with the complainant present (in cases that do not involve sexual assault); and any other remedy that can be tailored to the involved individuals to achieve the goals of the Policy. In some forms of voluntary resolution, the remedies imposed will focus on supporting the complainant with no participation or involvement by the respondent. In other forms of voluntary resolution, the respondent may agree to participate. Depending on the type of remedy used, it may be possible for a complainant to maintain anonymity. Voluntary resolution may also include restorative principles that are designed to allow a respondent to accept responsibility form is conduct and acknowledge harm to the complainant or to the ***Apex Academy*** community. Restorative models will be used only with the consent of both parties and following a determination by the Title IX Coordinator that the matter is appropriate for a restorative approach.

Apex Academy will not compel a complainant to engage in mediation, to confront directly the respondent, or to participate in any particular form of informal resolution. Mediation, even if voluntary, is never appropriate in sexual misconduct cases and will not be used in such cases. As the title implies, participation in voluntary resolution is a choice, and either party can request to end this manner of resolution and pursue an investigation and adjudication at any time, including if voluntary resolution is unsuccessful at resolving the report. Similarly, a complainant can request to end an investigation and pursue voluntary resolution at any time.

The time frame for completion of voluntary resolution may vary, but ***Apex Academy*** will seek to complete the process within 15 days of the complainant's request.

Hearing Panel

If voluntary resolution is not available, ***Apex Academy*** will convene a hearing panel following the end of the investigation. The hearing panel determines whether the respondent is responsible or not responsible for a violation of the Policy. If the respondent is determined to be responsible, the matter proceeds to the sanctions stage. The hearing panel will generally include the Title IX Coordinator and two additional members who will be individuals associated with ***Apex Academy*** These additional hearing panel members may include administrators, officers, lawyers or other individuals with relevant experience and

special training. Panel members may participate remotely so long as the hearing room is equipped with telephone equipment that allows the panel member to hear all the participants and to be heard by all the participants throughout the hearing proceedings. All panelists will receive training from experts in the field at least once a year. In addition to training on how the adjudicatory process works, the training will include specific instruction about how to approach students about sensitive issues that may arise in the context of sexual misconduct. The complainant and respondent will be informed of the panel's membership before the hearing process begins.

Advisors

Both the complainant and the respondent are entitled to be accompanied to any meeting or proceeding relating to the allegation of sexual misconduct by an advisor or support person of their choice, provided the involvement of such advisor or support person does not result in the postponement or delay of such meeting as scheduled.

Written Submissions

Both the complainant and respondent will have the opportunity to submit written responses to the investigation report and other relevant information to the hearing panel. Each of the complainant and respondent will have the opportunity to review any written submissions by the other. The hearing panel may set reasonable parameters for these written submissions. The hearing panel will review the investigation report and written submissions.

Hearing Procedures

The Title IX Coordinator will, whenever possible, give the complainant and respondent at least five days' advance notice of the hearing. The Title IX Coordinator will arrange to hold the hearing at an off-campus location. The hearing is a closed proceeding, meaning that no one other than the panel members, the complainant and respondent, their respective advisors, witnesses (when called), and necessary ***Apex Academy*** personnel may be present during the proceeding. The School Director will work with school staff so that any student whose presence is required may participate in the hearing.

In general, hearings will proceed as follows:

- The Title IX Coordinator may set reasonable time limits for any part of the hearing. Each of the complainant and respondent will have the opportunity to present witnesses and other information consistent with the Policy and these Procedures. The panel may determine the relevance of, place restrictions on, or exclude any witnesses or information. When the complainant and respondent are not able to be present for the hearing panel, arrangements will be made for participation via alternate means.
- In cases where either the complainant or respondent opts not to participate in the hearing, the panel may still hear from the other. Additional hearing rules include:
- Questioning. Only the panel may ask questions of the complainant and respondent and any witnesses. Both the complainant and respondent will have the opportunity to suggest questions of the other and of witnesses by submitting suggested questions to the panel in writing. The panel may revise or not ask any or all submitted questions.
- Information Regarding Romantic or Sexual History. The panel will not consider the romantic or sexual history of either the complainant or respondent in cases involving allegations of sexual misconduct, except for testimony offered by one or the other about the complainant's and respondent's shared sexual history that the panel deems relevant. If such information is offered by the complainant or respondent, the other has the right to respond. The existence of a prior consensual dating or sexual relationship between the complainant and respondent by itself does not support an inference of consent to alleged sexual misconduct.
- Prior Conduct Violations. The hearing panel will not consider the respondent's prior conduct violations, unless the investigator provided that information to the hearing panel because the

respondent was previously found to be responsible, and the previous incident was substantially similar to the present allegation(s) and/or the information indicates a pattern of behavior by the respondent.

Apex Academy will keep an audio recording of the hearing for the use of the panel, for sanctioning, and for purposes of appeal. The panelists may request a transcript of the recording. Cell phones and recording devices may not be used in the hearing room(s) unless approved by the panel in advance.

Panel Determinations/Standard of Proof

The panel will use "preponderance of the evidence" as the standard of proof to determine whether a violation of the Policy occurred. Preponderance of the evidence means that a panel must be convinced based on the information it considers that the respondent was more likely than not to have engaged in the conduct at issue in order to find the respondent responsible for violating the Policy. The panel will find a student responsible, or not responsible, based on a majority vote. The panel will generally render a decision within 10 days after the conclusion of a hearing. The panel's decision will include an explanation of the basis for the decision. If the panel finds the respondent responsible, the matter will proceed to the sanctions stage.

Sanctions and Other Remedies

The Title IX Coordinator, with the advice and counsel of the other hearing panel members, shall be responsible for imposing sanctions that are:

- Fair and appropriate given the facts of the particular case;
- Consistent with ***Apex Academy*** handling of similar cases;
- Adequate to protect the safety of the campus community; and
- Reflective of the seriousness of sexual misconduct.

The Title IX Coordinator will consider relevant factors, including if applicable:
(1) the specific sexual misconduct at issue (such as penetration, touching under clothing, touching over clothing, unauthorized recording, etc.);
(2) the circumstances accompanying the lack of consent (such as force, threat, coercion, intentional incapacitation, etc.);
(3) the respondent's state of mind (intentional, knowing, bias-motivated, reckless, negligent, etc.);
(4) the impact of the offense on the complainant;
(5) the respondent's prior disciplinary history;
(6) the safety of the ***Apex Academy*** community; and
(7) the respondent's conduct during the disciplinary process.

The Title IX Coordinator will render a sanctioning decision within five days following the receipt of the panel's determination. The sanctioning decision will be communicated in writing to the complainant and the respondent.

Apex Academy may impose any one or more of the following sanctions on a student determined to have violated the Policy:

- Reprimand/warning
- Changing the respondent's academic schedule
- Disciplinary probation
- Restricting access to ***Apex Academy*** facilities or activities
- Community service
- Issuing a "no contact" order to the respondent or requiring that such an order remain in place
- Dismissal or restriction from ***Apex Academy*** employment
- Suspension (limited time or indefinite)
- Expulsion

In addition to any other sanction (except where the sanction is expulsion), ***Apex Academy*** may require any student determined to be responsible for a violation of the Policy to receive appropriate education and/or training related to the sexual misconduct violation at issue. ***Apex Academy*** may also recommend counseling or other support services for the student. Whatever the outcome of the hearing process, a complainant may request ongoing or additional accommodations and the Title IX Coordinator will determine whether such measures are appropriate. Potential ongoing accommodations include:

- Providing an escort for the complainant
- Changing the complainant's academic schedule
- Allowing the complainant to withdraw from or retake a class without penalty
- Providing access to tutoring or other academic support, such as extra time to complete or retake a class

Apex Academy may also determine that additional measures are appropriate to respond to the effects of the incident on the school community. Additional responses for the benefit of the ***Apex Academy*** community may include:

- Increased monitoring, supervision, or security at the school or activities where the misconduct occurred
- Additional training and educational materials for students and employees
- Revision of ***Apex Academy*** policies relating to sexual misconduct
- Climate surveys regarding sexual misconduct

Appeals

Either the respondent or the complainant or both may appeal the determination of the hearing panel and/or the sanctions. Appeals are decided by the Owner of ***Apex Academy*** The three grounds for appeal are:

- A procedural error affecting the determination or sanction;
- New information that was not available at the time of the investigation or hearing and that may change the determination or sanction; and
- Excessiveness or insufficiency of the sanction.

Disagreement with the finding or sanctions is not, by itself, grounds for appeals.

The appealing student must submit the appeal in writing to the Owner of ***Apex Academy*** within five days after receiving the sanctioning notice. If either the complainant or respondent submits an appeal, the Title IX Coordinator will notify the other that an appeal has been filed and the grounds of the appeal. The non-appealing student may submit a written response within five days after notice of an appeal.

If the Owner concludes that a change in the hearing panel's determination is warranted, the Owner may enter a revised determination, reconvene the panel to reconsider the determination, or return the matter for additional investigation. After consultation with the Title IX Coordinator, the Owner may also change the sanction. If both the complainant and respondent appeal, the appeals will be considered concurrently. The Owner will notify the complainant and respondent of the final decision in writing. Appeals decisions will be rendered within 15 days after the receipt of the written appeal. All appeal decisions are final.

Education Programs

This information is published, and annually a class is held where we provide this information to promote awareness and prevention of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking ***Apex Academy*** prohibits all of the above! There is a zero-tolerance policy!

- In the event a stalking, alleged stalking, or any other crime is reported to the institution in writing in the form of a campus crime report, any evidence will be required to be submitted as well, along with any witnesses. At which point the staff, or a member of the staff will review and submit to a member of local law enforcement. This will ensure that it is investigated fairly, impartially, and

by someone who receives the necessary annual training to protect the safety of the victim as well as promote accountability. Both parties may be asked to take a leave of absence until the situation is resolved unless otherwise deemed necessary.

- Once the investigation is complete the accused if found to be guilty will be called into the office and released from his or her program at the full cost of their tuition. He or she is welcome to have others present including any advisors he or she may have.
  Both parties will be informed in writing of the decisions and or results of the investigation. This will include the directions for appeal for both the accuser and the accused. As well as procedures going forward for both the accuser and the accused if found guilty or not guilty.
  Any meetings both accuser and accused have rights to have others present, including advisors. This does not mean however that other individuals will be allowed to speak during the meeting unless they are a witness or have proof of some type to submit. All new evidence and statuses or changes will be given to both parties at the same time. As well as the final results.
  As an institution we will work hard to protect the privacy and confidentiality of the victims, as well as the accused. We will not make available public information regarding victims. We will make available the names of the accused if threat of reoccurrence is deemed necessary. This will be something that we will also discuss this with authorities as well.
  We provided information on counseling in the consumer information handbook along with phone numbers. All students are notified of this upon enrollment by signing the internet notification disclaimer. A Few other resources can be found on:
- https://www.rainn.org/national-resources-sexual-assault-survivors-and-their-loved-ones.

We do not offer on campus housing, or any type of housing so we cannot make changes to a students' living situation. We also do not offer school transportation. However public transportation is available in our area.

We do not have on campus jobs, so no control over working conditions.

Any student or employee who reports a campus crime of any type will be provided written explanation of his or her rights, Wither the offense occurred on or off campus. This document is also published on the website under student right to know. (policies related to VAWA)

No officer, employee, or agent of the institution shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities. Any person or persons who are found guilty to have violated this policy shall be terminated from their program at full cost to them or employment if they are a staff member.

Reporting of Crimes & Annual Security Reports

Campus safety and security are important issues at ***Apex Academy*** Our goal is to provide students with a safe environment in which to learn and to keep students, parents, and employees well informed about campus security. The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, or Clery Act, requires institutions of higher education to record and report certain information about campus safety, including the number of incidents of certain crimes on or near campus, some of which constitute sexual misconduct under this Policy. Each year ***Apex Academy*** prepares this report to comply with the Clery Act. This report is prepared in cooperation with the local law enforcement agencies around our campus. Each year notification is made to all enrolled students and employees that provides the web site to access this report. Copies of the report may also be obtained in person from or by calling the School Director. All prospective employees may obtain a copy from the School Director.

Campus Crime Report

	2024			2023			2022		
Offense	**On-Campus**	**Non-campus Property**	**Public Property**	**On-Campus**	**Non-campus Property**	**Public Property**	**On-Campus**	**Non-campus Property**	**Public Property**
Criminal homicide	0	0	0	0	0	0	0	0	0
Murder/ Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses, Forcible	0	0	0	0	0	0	0	0	0
Sex Offenses, Non-Forcible	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Violence Against Women	0	0	0	0	0	0	0	0	0
	2021			2020			2022		
Offense	**On-Campus**	**Non-Campus Property**	**Public Property**	**On-Campus**	**Non-Campus Property**	**Public Property**	**On-Campus**	**Non-Campus Property**	**Public Property**
Arrests: Weapons	0	0	0	0	0	0	0	0	0
Discipline Actions: Weapons	0	0	0	0	0	0	0	0	0
Arrests: Drug Abuse	0	0	0	0	0	0	0	0	0
Discipline Actions: Drugs	0	0	0	0	0	0	0	0	0
Arrests: Liquor Laws	0	0	0	0	0	0	0	0	0
	2021			2020			2022		
Offense	**On-Campus**	**Non-Campus Property**	**Public Property**	**On-Campus**	**Non-Campus Property**	**Public Property**	**On-Campus**	**Non-Campus Property**	**Public Property**
Larceny	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction of Property, Damage, Vandalism	0	0	0	0	0	0	0	0	0
	2021			2020			2019		
VAWA – Offense	**On-Campus**	**Non-Campus Property**	**Public Property**	**On-Campus**	**Non-Campus Property**	**Public Property**	**On-Campus**	**Non-Campus Property**	**Public Property**
Domestic	0	0	0	0	0	0	0	0	0
Dating	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

Updated 2/2020

I am requesting the following address be considered

"ON CAMPUS" 1

-1788 West Fourth Street Ontario, Ohio 44906

"NONCAMPUS" 2

-Parking Lot in front of 1788 West Fourth Street Ontario, Ohio 44906

"PUBLIC PROPERTY" 3

-Bus Stop in front of 1788 West Fourth Street Ontario, Ohio 44906