



school of MAKEUP

One Embarcadero Center, Ste R-1206, San Francisco, CA 94111; (415) 357-1117; [www.blushschoolofmakeup.edu](http://www.blushschoolofmakeup.edu)

## **BLUSH SCHOOL OF MAKEUP**

**San Francisco Campus  
Annual Security Report  
December 31, 2020**

In 2020, this Institution is required to publish and distribute an annual security report by December 31 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 School Director, Associate School Director or Instructor on duty at the School. The School 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 School Director in a timely manner.

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

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

- By email to students through their email account
- By email to educators and staff through their personal email 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 School Director requests the crime statistics information from the police and/or sheriff's departments for the geographical jurisdictions in which the School is located, as well as a similar request of the security office of the property managers of the Embarcadero Center. The information is compiled into the Annual Security Report Statistics section and entered appropriately into the Department's website. The report is distributed on or before October 1<sup>st</sup> of each year, and December 31<sup>st</sup> in 2020 due to Covid-19, 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 role.

### **Documenting Crimes and VAWA Violations**

Crimes occurring on campus are to be documented in the Campus Crime Log with a brief narrative. 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 Coordinator to begin investigating the crime incident.

### **Reporting a Criminal Offense, Emergency or Safety Concern**

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

- Armand Adkins, School Director / CEO - (626) 344-7676;
- Tish Drew, Student Services Administrator - (415) 357-1117;
- Security Department for One Embarcadero Center - (415) 772-0511;
- For non-emergencies, the San Francisco Police Department Central Station - (415) 315-2400;
- San Francisco Police Department Central Station Anonymous Tip Line – (415) 392-2623;
- San Francisco Police Department Text-a-Tip – Enter TIP411 (847411) in the “to” field and the keyword “SFPD” in the text field followed by the message; and/or,
- For emergencies, dial 911.

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

If you are the victim of a crime and do not want to pursue action through Blush School of Makeup or the criminal justice system, you may still want to consider making a voluntary, confidential report. With your permission, the School 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 School 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 Blush School of Makeup.

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

Blush School of Makeup operates no on- or off-campus housing facilities.

During business hours, Blush School of Makeup 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 Blush School of Makeup is by key if issued to an individual, or through properly authorized coordination with the Security Department of the Embarcadero Center. Academic and administrative areas on campus are normally locked after business hours unless they are being used for legitimate evening or educational purposes. The AM Instructor unlocks the School in the morning and the PM Instructor performs a final walkthrough of the campus and locks all doors for the evening. A 24-hour security personnel assigned to One Embarcadero Center patrol the common areas and observe the interior of Blush School of Makeup along the entire length of the campus that is glass walled. Security personnel are stationed within 100 yards of campus with a near immediate ability to respond.

### **Maintenance of Campus Facilities**

Throughout the year, maintenance is performed as needed at the School. The administrators and instructors survey the security issues such as locks, lighting, and communications to make necessary changes or repairs.

### **Campus Law Enforcement**

Blush School of Makeup does not employ any private security personnel or have a campus police department. The School works with the 24-hour Security Department of One Embarcadero Center and with the local law enforcement agency if an issue arises. All incident reports involving students are forwarded to the School Director for review and potential disciplinary action. If assistance is required from law enforcement, local fire department, or other emergency agencies, the School 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 School Director in a timely manner.

### **Pastoral and Professional Counselors**

Blush School of Makeup 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 School 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**

Blush School of Makeup 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**

Blush School of Makeup 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 School 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 School has a Zero Tolerance Policy regarding possession and/or use of drugs or alcohol on School premises or at School-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 School property or as part of any School 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. Drug awareness programs, counseling, treatment, rehabilitation and other related services are available on an ongoing basis to students and employees of this institution through the following local mental health and substance abuse services:

- Alcohol and Drug Abuse 24 Hrs Addictions Referral Network: (800) 577-4740
- San Francisco Department of Public Health: (415) 503-4730 or (800) 750-2727
- Mental Health & Crisis Intervention National Hopeline Network 24 Hrs: (800) 784-2433
- Westside Community Mental Health Center: (415) 355-0311

Additional information about drug and alcohol abuse, health risks, addiction and prevention can be accessed at the National Institute on Alcohol Abuse and Alcoholism ([www.collegedrinkingprevention.gov](http://www.collegedrinkingprevention.gov)) as well as the National Institute on Drug Abuse ([www.drugabuse.gov/DrugPages/DrugsofAbuse.html](http://www.drugabuse.gov/DrugPages/DrugsofAbuse.html)). 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**

Blush School of Makeup 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**

The School 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 School administrators to determine the appropriate campus to be notified and the content of the notification.

The School 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: School Director, Associate School Director, Local Law Enforcement Officers, Admissions Representatives, Educators and/or Administrative Staff.

The dissemination of emergency information to the larger community shall be coordinated by the School Director in cooperation with local law enforcement agencies.

The School 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 School Director and local law enforcement officers, meetings with responsible persons to review and walk-through procedures, and tests of communication equipment.

Blush School of Makeup's San Francisco campus consists of a portion of retail space on the lobby level of a financial district high rise. If an emergency or dangerous situation is confirmed, the campus procedures provide for any one of several School administrators, School 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 of the building near the street entrance of the Comerica Bank at One Embarcadero Center.

## **Missing Student Notification**

Blush School of Makeup does not have any on- or off-campus housing facilities.

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

Blush School of Makeup prohibits the crimes of dating violence, domestic violence, sexual assault and stalking as those terms are defined for purposes of the Clery 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 California 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** - Included within the definition of domestic violence as set forth in California Penal Code § 13700.
- **Domestic Violence** - "Domestic violence" means abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. For purposes of this subdivision, "cohabitant" means two unrelated adult persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to:
  - (1) sexual relations between the parties while sharing the same living quarters,
  - (2) sharing of income or expenses,
  - (3) joint use or ownership of property,
  - (4) whether the parties hold themselves out as spouses,
  - (5) the continuity of the relationship, and
  - (6) the length of the relationship.
- **"Abuse"** means intentionally or recklessly causing or attempting to cause bodily injury, or placing another person in reasonable apprehension of imminent serious bodily injury to himself or herself, or another.
- **Sexual Assault** (Defined under the Clery Act to be an offense that meets the definition of rape, fondling, incest, or statutory rape):
  - **Rape** –
    - (A) Rape is an act of sexual intercourse accomplished with a person not the spouse of the perpetrator, under any of the following circumstances:
      - (1) Where a person is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving consent.
      - (2) Where it is accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another.
      - (3) Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused.

(4) Where a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph, “unconscious of the nature of the act” means incapable of resisting because the victim meets any one of the following conditions:

(A) Was unconscious or asleep.

(B) Was not aware, knowing, perceiving, or cognizant that the act occurred.

(C) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator’s fraud in fact.

(D) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator’s fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.

(5) Where a person submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief.

(6) Where the act is accomplished against the victim’s will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. As used in this paragraph, “threatening to retaliate” means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.

(7) Where the act is accomplished against the victim’s will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. As used in this paragraph, “public official” means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

(B) As used in this section, “duress” means a direct or implied threat of force, violence, danger, or retribution sufficient to coerce a reasonable person of ordinary susceptibilities to perform an act which otherwise would not have been performed, or acquiesce in an act to which one otherwise would not have submitted. The total circumstances, including the age of the victim, and his or her relationship to the defendant, are factors to consider in appraising the existence of duress.

(C) As used in this section, “menace” means any threat, declaration, or act which shows an intention to inflict an injury upon another.

• **Sexual Battery (Fondling) –**

(A) Any person who touches an intimate part of another person while that person is unlawfully restrained by the accused or an accomplice, and if the touching is against the will of the person touched and is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery.

(B) Any person who touches an intimate part of another person who is institutionalized for medical treatment and who is seriously disabled or medically incapacitated, if the touching is against the will of the person touched, and if the touching is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery.

(C) Any person who touches an intimate part of another person for the purpose of sexual arousal, sexual gratification, or sexual abuse, and the victim is at the time unconscious of the nature of the act because the perpetrator fraudulently represented that the touching served a professional purpose, is guilty of sexual battery.

(D) Any person who, for the purpose of sexual arousal, sexual gratification, or sexual abuse, causes another, against that person’s will while that person is unlawfully restrained either by

the accused or an accomplice, or is institutionalized for medical treatment and is seriously disabled or medically incapacitated, to masturbate or touch an intimate part of either of those persons or a third person, is guilty of sexual battery.

(E)

(1) Any person who touches an intimate part of another person, if the touching is against the will of the person touched, and is for the specific purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of misdemeanor sexual battery.

(2) As used in this subdivision, "touches" means physical contact with another person, whether accomplished directly, through the clothing of the person committing the offense, or through the clothing of the victim.

(F) As used in subdivisions (a), (b), (c), and (d), "touches" means physical contact with the skin of another person whether accomplished directly or through the clothing of the person committing the offense.

(G) As used in this section, the following terms have the following meanings:

(1) "Intimate part" means the sexual organ, anus, groin, or buttocks of any person, and the breast of a female.

(2) "Sexual battery" does not include the crimes defined in Section 261 or 289.

(3) "Seriously disabled" means a person with severe physical or sensory disabilities.

(4) "Medically incapacitated" means a person who is incapacitated as a result of prescribed sedatives, anesthesia, or other medication.

(5) "Institutionalized" means a person who is located voluntarily or involuntarily in a hospital, medical treatment facility, nursing home, acute care facility, or mental hospital.

(6) "Minor" means a person under 18 years of age.

• **Incest –**

Persons being within the degrees of consanguinity within which marriages are declared by law to be incestuous and void, who intermarry with each other, or who being 14 years of age or older, commit fornication or adultery with each other, are punishable by imprisonment in the state prison.

• **Statutory Rape –**

(A) Unlawful sexual intercourse is an act of sexual intercourse accomplished with a person who is not the spouse of the perpetrator, if the person is a minor. For the purposes of this section, a "minor" is a person under the age of 18 years and an "adult" is a person who is at least 18 years of age.

(B) Any person who engages in an act of unlawful sexual intercourse with a minor who is not more than three years older or three years younger than the perpetrator, is guilty of a misdemeanor.

(C) Any person who engages in an act of unlawful sexual intercourse with a minor who is more than three years younger than the perpetrator is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170.

(D) Any person 21 years of age or older who engages in an act of unlawful sexual intercourse with a minor who is under 16 years of age is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170 for two, three, or four years.

• **Stalking –**

(A) Any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking.

(B) For the purposes of this section, “harasses” means engages in a knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, torments, or terrorizes the person, and that serves no legitimate purpose.

(C) For the purposes of this section, “course of conduct” means two or more acts occurring over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of “course of conduct.”

(D) For the purposes of this section, “credible threat” means a verbal or written threat, including that performed through the use of an electronic communication device, or a threat implied by a pattern of conduct or a combination of verbal, written, or electronically communicated statements and conduct, made with the intent to place the person that is the target of the threat in reasonable fear for his or her safety or the safety of his or her family, and made with the apparent ability to carry out the threat so as to cause the person who is the target of the threat to reasonably fear for his or her safety or the safety of his or her family. It is not necessary to prove that the defendant had the intent to actually carry out the threat. The present incarceration of a person making the threat shall not be a bar to prosecution under this section. Constitutionally protected activity is not included within the meaning of “credible threat.”

(E) For purposes of this section, the term “electronic communication device” includes, but is not limited to, telephones, cellular phones, computers, video recorders, fax machines, or pagers. “Electronic communication” has the same meaning as the term defined in Subsection 12 of Section 2510 of Title 18 of the United States Code.

(F) This section shall not apply to conduct that occurs during labor picketing.

(G) For purposes of this section, “immediate family” means any spouse, parent, child, any person related by consanguinity or affinity within the second degree, or any other person who regularly resides in the household, or who, within the prior six months, regularly resided in the household.

**Consent** - In reference to sexual activity is defined under California law as the following:

- Positive cooperation in act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved. A current or previous dating or marital relationship shall not be sufficient to constitute consent where consent is at issue in a prosecution; or
- Evidence that the victim suggested, requested, or otherwise communicated to the defendant that the defendant use a condom or other birth control device, without additional evidence of consent, is not sufficient to constitute consent.

### **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 Blush School of Makeup.

## **Risk Reduction and Awareness**

Blush School of Makeup 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 School personnel of Blush School of Makeup should report the occurrence to any agent or responsible employee of the School. 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 School. Victims also have the right not to pursue a criminal, civil or administrative remedy. When a student or employee victim reports to the School that they have been a victim of dating violence, domestic violence, sexual assault or stalking, whether the offense occurred on or off campus, the School 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;
- School reporting options, including the investigative and disciplinary process;
- School-issued No Contact Orders; and
- School-facilitated interim measures and remedies.

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

Blush School of Makeup 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**

Blush School of Makeup 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 School will protect the privacy of everyone involved in a report of sexual violence to the greatest degree possible under applicable law and School 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 School 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 School to provide interim measures and remedies.

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

Blush School of Makeup 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.**

Blush School of Makeup 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 School 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 Instructor, Associate School Director or Blush School of Makeup School Director 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 School is exempt from the prohibitions in this policy. 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:

Armand Adkins, School Director / CEO – Title IX Coordinator

Office Location: One Embarcadero Center, Ste R-1206, San Francisco, CA 94111

Phone: (415) 357-1117

Email : [titleixcoordinator@blushschoolofmakeup.edu](mailto:titleixcoordinator@blushschoolofmakeup.edu)

The School 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 School's grievance procedures operate.

In response to all complaints, Blush School of Makeup 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 School 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 School will weigh the victim's request for confidentiality against the impact on School 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 Blush School of Makeup 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 Blush School of Makeup campus, that individual is subject to disciplinary actions by the School. 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, Blush School of Makeup will provide interim measures, as necessary, to protect the safety and well being 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:**

Blush School of Makeup 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, Blush School of Makeup 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.

Registered Sex Offender Database Website for State of California:

California Sex Offender Registry

[www.meganslaw.ca.gov/](http://www.meganslaw.ca.gov/)

**Crime Statistics**

See below

NOTE: Blush School of Makeup began participation in federal financial aid programs as of March, 2018, and, accordingly, the regulatory requirement to obtain and report crime data on started as of the participation date. The "public property" is therefore blank prior to 2018, however, Blush School of Makeup had no identified crimes "on campus" for any time period covered in this disclosure.

**ANNUAL SECURITY REPORT  
BLUSH SCHOOL OF MAKEUP  
One Embarcadero Center, Ste R-1206, San Francisco, CA 94111  
CAMPUS CRIME STATISTICS  
December 31, 2019**

Blush School of Makeup – 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, 2017 through December 31, 2019. 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 School 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 School Director.

Offense	Year	On Campus Property	Public Property
Murder/Non-negligent Manslaughter	2017	0	0
	2018	0	0
	2019	0	0
Negligent Manslaughter	2017	0	0
	2018	0	0
	2019	0	0
Rape	2017	0	0
	2018	0	0
	2019	0	0
Fondling	2017	0	0
	2018	0	0
	2019	0	0
Incest	2017	0	0
	2018	0	0
	2019	0	0
Statutory Rape	2017	0	0
	2018	0	0
	2019	0	0
Robbery	2017	0	0
	2018	0	0
	2019	0	0
Aggravated Assault	2017	0	0
	2018	0	0
	2019	0	1
Burglary	2017	0	0
	2018	0	0
	2019	0	0
	2017	0	0

Motor Vehicle Theft	2018	0	0
	2019	0	1
Arson	2017	0	0
	2018	0	0
	2019	0	0

*VAWA Offenses	Year	On Campus Property	Public Property
Domestic Violence	2017	0	0
	2018	0	0
	2019	0	1
Dating Violence	2017	0	0
	2018	0	0
	2019	0	0
Stalking	2017	0	0
	2018	0	0
	2019	0	0

Hate Crimes	Year	On Campus Property	Public Property
Murder/Non-negligent Manslaughter	2017	0	0
	2018	0	0
	2019	0	0
Rape	2017	0	0
	2018	0	0
	2019	0	0
Fondling	2017	0	0
	2018	0	0
	2019	0	0
Incest	2017	0	0
	2018	0	0
	2019	0	0
Statutory Rape	2017	0	0
	2018	0	0
	2019	0	0
Robbery	2017	0	0
	2018	0	0
	2019	0	0
Aggravated Assault	2017	0	0
	2018	0	0
	2019	0	0
Burglary	2017	0	0
	2018	0	0
	2019	0	0
Motor Vehicle Theft	2017	0	0
	2018	0	0
	2019	0	0
Arson	2017	0	0
	2018	0	0

	2019	0	0
Larceny-Theft	2017	0	0
	2018	0	0
	2019	0	0
Simple Assault	2017	0	0
	2018	0	0
	2019	0	0
Intimidation	2017	0	0
	2018	0	0
	2019	0	0
Destruction/Vandalism	2017	0	0
	2018	0	0
	2019	0	0

Arrests & Disciplinary Referrals	Year	On Campus Property	Public Property
Weapons: Carrying, Possessing, etc.	2017	0	0
	2018	0	0
	2019	0	0
Drug Abuse Violations	2017	0	0
	2018	0	0
	2019	0	0
Liquor Law Violations	2017	0	0
	2018	0	0
	2019	0	0