Montana Academy of Salon 2026 Annual Security Report

Information for the 2025-2026 Academic Year

Contains crime statistics for calendar years: 2025,2024,2023

Montana Academy of Salons

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Great Falls, MT 59405

Montana Academy of Salons

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Billings, MT 59102

TABLE OF CONTENTS

CAMPUS SAFETY AND SECURITY 4

CAMPUS LAW ENFORCEMENT POLICIES 4

PREPARATION OF DISCLOSURE OF CRIME STATISTICS 5

HOW TO REPORT CRIMINAL OFFENSES AND OTHER EMERGENCIES 5

RESPONSE TO A REPORT 5

REPORTING TO MEET DISCLOSURE REQUIREMENTS 6

VOLUNTARY CONFIDENTIAL REPORTING 6

ENCOURAGEMENT OF ACCURATE AND PROMPT CRIME REPORTING 7

PASTORAL AND PROFESSIONAL COUNSELORS 7

SECURITY AWARENESS AND CRIME PREVENTION PROGRAMS 7

MONITORING AND RECORDING OF CRIMINAL ACTIVITY BY STUDENTS AT NON-CAMPUS LOCATIONS 7

SECURITY OF AND ACCESS TO CAMPUS FACILITIES 7

SECURITY CONSIDERATIONS USED IN MAINTENANCE OF CAMPUS FACILITIES 8

SEX OFFENDER REGISTRY 8

TIMELY WARNINGS 8

EMERGENCY RESPONSE AND EVACUATION PROCEDURES 10

EMERGENCY EVACUATION PROCEDURES 10

GENERAL EVACUATION GUIDELINES 11

SHELTER-IN-PLACE PROCEDURES 11

EMERGENCY (IMMEDIATE) NOTIFICATIONS 13

CRIME STATISTICS 15

DISCLOSURE OF ANNUAL CRIME STATISTICS 17

DRUG-FREE SCHOOLS AND COMMUNITIES ACT (DFSCA) 17

DRUG-FREE SCHOOL POLICIES 17

JEANNE CLERY DISCLOSURES OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT, AS AMENDED BY THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013 25

FEDERAL CLERY ACT DEFINITIONS 25

JURISDICTIONAL DEFINITIONS..... 27

HOW TO BE AN ACTIVE BYSTANDER 30

RISK REDUCTION..... 30

PROGRAMS TO PREVENT DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING 32

PROCEDURES VICTIMS SHOULD FOLLOW IF A CRIME OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING OCCURS 33

INVOLVEMENT OF LAW ENFORCEMENT AND CAMPUS AUTHORITIES 34

REPORTING INCIDENTS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING 34

PROCEDURES MONTANA ACADEMY WILL FOLLOW WHEN A CRIME OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING IS REPORTED..... 35

ASSISTANCE FOR VICTIMS: RIGHTS AND OPTIONS 37

RIGHTS OF VICTIMS AND THE INSTITUTION'S RESPONSIBILITIES FOR ORDERS OF PROTECTION 37

ACCOMMODATIONS AND PROTECTIVE MEASURES AVAILABLE FOR VICTIMS 41

ON AND OFF CAMPUS SERVICES FOR VICTIMS 41

CONFIDENTIALITY..... 44

ADJUDICATION OF VIOLATIONS..... 45

TYPES OF DISCIPLINARY PROCEEDINGS UTILIZED IN CASES OF ALLEGED DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING 46

ACADEMY-INITIATED MEASURES..... 53

This Annual Security Report applies to the following campuses: Great Falls and Billings. All policy statements contained in this report apply to all campuses unless otherwise indicated.

CAMPUS SAFETY & SECURITY

Montana Academy of Salons is committed to providing safety to all its students and employees. If a crime happens to the student or the student's property or if there is an emergency occurring on campus, students, employees and/or guests are encouraged report the incident to the Chief Executive Officer or a Campus Security Authority immediately. That individual will assist the student, employee, or guest in reporting the crime to the local police or other appropriate security force.

Montana Academy does not offer on-campus student housing and does not have any noncampus locations. Montana Academy of Salons will provide students and employees with a copy of this Annual Security Report by October 1st of each year. Crime statistics will be gathered from the local police and campus security authorities and compiled in this Annual Security Report. The report will show the number of incidents on campus, including the Montana Academy parking lot and adjacent streets. At any time, crime statistics information can be obtained from the Montana Academy Admissions Office. Additionally, regarding the Billings campus, Montana Academy is not to park in any spaces that are immediately adjacent to the back entrance of Rimrock Mall as they are to be used by Magic City Gymnastics. Students, employees, and others should park in the spaces that abut Stewart Park Road. In addition, students and employees are encouraged to use the back entrance to the mall corridor to access the Billings campus.

CAMPUS LAW ENFORCEMENT POLICIES

Montana Academy does not have a campus police or security department. Montana Academy of Salons has a working relationship with the local police, who are able to support and provide services promptly in the event of an incident. Montana Academy will accept reportable incidents from the closest source of the victim. Montana Academy does not have a working relationship with the State Authorities, so it is unlikely they would get involved with the campus. The State Authorities have referred us to the local authorities for support. Montana Academy sends the local police department's an annual request for crime statistics associated with any of Montana Academy's Clery geography. Local police do not enforce College policies and will only respond to calls made by the public.

The Montana Academy's administration attempts to provide a safe, secure educational environment for all students and employees. The Montana Academy does not have any written agreements with local police departments for the investigation of alleged criminal offenses. Academy officials have the authority to contact the local police to request assistance in preventing or reacting to crime within or in the immediate vicinity of academy facilities. The Montana Academy's Chief Executive Officer is Montana Academy's coordinator of security issues and has the ability to manage issues within the jurisdiction or physical premises of the Montana Academy sites. The CEO and other Campus Security Authorities are not authorized to arrest individuals but do have the authority to detain suspected criminal offenders if it is deemed safe to do so. The CEO and Other Campus Security Authorities have the authority to enforce policies and procedures but have no authority to enforce State or Federals laws. The administration at the Montana Academy has a strong, working relationship with the local police and works in partnership to offer students and employees the safest possible environment.

PREPARATION OF DISCLOSURE OF CRIME STATISTICS

Linda McPherson, Chief Executive Officer (CEO) of the Montana Academy of Salons, prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act) as amended by the Violence Against Women Reauthorization Act of 2013. This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported. A written request for statistical information is made on an annual basis to all Campus Security Authorities (as defined by federal law). All of the statistics are gathered, compiled, and reported to the Academy community via this ASR. The full text of this report can be located on our website at http://www.montanaAcademy.edu. The CEO also submits the annual crime statistics published in this brochure to the Department of Education (ED). The statistical information gathered by the Department of Education is available to the public through the ED website.

Campus crime, arrest, and referral statistics include those reported to the Great Falls Police Department, Billings Police Department, and Campus Security Authorities. Montana Academy does not have campus housing, police, or a security department, therefore is not required to maintain a daily crime log. Montana Academy refers all campus crime(s) to the Great Falls Police Department and Billings Police Department. In addition, Montana Academy does not keep a fire log.

Each year, an e-mail notification is made to all enrolled students that provide the website to access this report. Employees receive similar notifications at our faculty meetings and Professional Development. All employees and potential students may obtain copies of the report online at montanaacademy.edu or by contacting the Montana Academy of Salons, 501 2nd ST S, Great Falls, MT 59405 in the Admissions Office or by calling (406) 771-8872 x 5.

HOW TO REPORT CRIMINAL OFFENSES AND OTHER EMERGENCIES

Great Falls Location

To report a crime on or off campus:

Crimes and emergencies can be reported by contacting Great Falls Police Department at (406) 454-6978 (non-emergencies), Dial 9-1-1- (emergencies only).

Billings Location

To report a crime on or off campus:

Crimes and emergencies can be reported by contacting the Billings Police Department at (406) 657-8200 (non-emergencies), Dial 9-1-1- (emergencies only).

RESPONSE TO A REPORT

Dispatchers are available at these respective telephone numbers for the local Police Departments listed 24 hours a day to answer your calls. In response to a call, the Great Falls Police Department or the Billings Police Department will take the required action, either dispatching an officer or asking the victim to report to Great Falls PD or to Billings PD to file an incident report. Great Falls Police Department and Billings Police Department Investigators will investigate a report when it is deemed appropriate. If assistance is required from the Great Falls Police Department, the City of Great Falls Fire Department, the Billings Police Department or the Billings Fire Department, the CEO will contact the appropriate unit(s). If a sexual assault or rape

should occur, Montana Academy's Title IX Coordinator or Deputy is available to offer the victim a wide variety of services.

All reported incidents are reviewed, and applicable information is collected and presented to the proper authority. In order to ensure that our campus remains safe, it is important for members of the campus to report this information in a timely manner. Any suspicious activity should be considered a reasonable suspicion and reported. Examples of suspicious activities include seeing an unescorted guest in an unapproved area, doors propped open, or unauthorized individuals using campus equipment or offices. If it seems a situation appears abnormal to you in any way, you are encouraged to report it.

The Montana Academy of Salons prohibits any retaliation against anyone who in good faith reports any violations of the campus security policy.

REPORTING TO MEET DISCLOSURE REQUIREMENTS

Members of the community are helpful when they immediately report crimes or emergencies to the Great Falls Police Department (for the Great Falls location), to the Billings Police Department (for the Billings location), and/or to the Montana Academy's Chief Executive Officer (CEO). The CEO can be reached via phone by calling 406-771-8772 x 3 or by email at linda@montanaacademy.edu. Reporting to the Academy's CEO helps to facilitate inclusion of reported Clery crimes in the applicable campus's annual statistical disclosure. It also ensures these reports are reviewed for Timely Warning purposes.

VOLUNTARY CONFIDENTIAL REPORTING

If you are the victim of a crime and do not want to pursue action within Montana Academy or the criminal justice system, you may still want to consider making a confidential report. With your permission, the CEO 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, Montana Academy can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime regarding 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 the institution. Montana Academy has an open-door policy that allows victims of crimes at any time, during academy hours, to walk in and ask to speak with the CEO.

LIMITED VOLUNTARY CONFIDENTIAL REPORTING

The Great Falls Police Department and the Billings Police Department encourage anyone who is the victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, the Great Falls Police Department and the Billings Police Department cannot hold reports of crime in confidence. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to the CEO or to Campus Security Authorities (CSAs) listed in this report. Please note CSAs are not required to disclose personally identifiable information. Reporting to a CSA is not the same as reporting a crime voluntarily and confidentially to the CEO. Confidential reports of crime may also be made to Great Falls/Cascade County Crime Stoppers at (406)727-8477 and to the Billings Police Department Crime Stoppers at (406)245-6660.

ENCOURAGEMENT OF ACCURATE AND PROMPT CRIME REPORTING
Employees, students, and guests are encouraged to report all crimes and public safety-related incidents to Montana Academy's CEO, and/or the appropriate police agency, when the victim of a crime elects to, or is unable to, make such a report.

PASTORAL AND PROFESSIONAL COUNSELORS
Montana Academy does not employ professional or pastoral counselors and does not have such policies or procedures for confidential crime reporting. All reports of crime will be investigated. Violations of the law will be referred to law enforcement agencies and when appropriate, to the Montana Academy CEO or designee for review.

SECURITY AWARENESS & CRIME PREVENTION PROGRAMS FOR EMPLOYEES AND STUDENTS
One of the essential ingredients of any successful crime prevention program is an informed public. It is the intent of the Montana Academy of Salons to inform students of good crime prevention and security awareness practices.

During the 2023 calendar year, Montana Academy offered an orientation session at the beginning of each new course. Montana Academy starts an average of 1-3 courses per month.

Student orientation is conducted prior to every course start. Students are informed that the Montana Academy does not have campus police. Students are informed about the campus security policies and procedures contained in this report and about crime awareness at Montana Academy and in the surrounding neighborhoods. Similar information is presented to all new employees. A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

Crime Prevention Programs on personal safety and theft prevention are discussed at the orientation. In addition, information is disseminated to students and employees through tips posted in Montana Academy buildings, in-class announcements, and announcements through social media. Anyone interested in attending an orientation session should contact the Orientation Office at (406) 771-8772 x 5.

To enhance personal safety, especially after dark, students and employees are encouraged to walk with friends or colleagues from Montana Academy to their destination.

MONITORING AND RECORDING OF CRIMINAL ACTIVITY BY STUDENTS AT NONCAMPUS LOCATIONS OF RECOGNIZED STUDENT ORGANIZATIONS
Montana Academy does not have any non-campus locations of officially recognized student organizations. Therefore, local PD is not used to monitor and record any criminal activity at such locations.

SECURITY OF AND ACCESS TO CAMPUS FACILITIES:

<u>Great Falls Location</u>
Montana Academy has three entrances/exits equipped with locks. They are located on the north side, south side, and west side of the building. The front entrance (south side) is monitored by

the front desk staff when Montana Academy is open for business. The north side and west side entrance/exit always remained locked. These doors are unable to be opened from the outside but can be opened at any time from the inside. All employees have keys to all outside doors. Students only have access to enter the building by the south door.

Billings Location

Montana Academy has two entrances/exits equipped with locks. They are located at the front and at the back of the building. The front entrance is monitored by the front desk staff when Montana Academy is open for business. The back door is open for students and employees until 5:30 pm. Montana Academy is open on Mondays and Tuesdays from 8:00 am to 5:30 pm, Wednesdays and Fridays from 11:00 am to 7:00 pm, and Fridays from 9:00 am to 4:30 pm. If employees and students need to access Montana Academy after those designated hours, they must call mall security to open the door(s).

SECURITY CONSIDERATIONS USED IN THE MAINTENANCE OF CAMPUS FACILITIES

Montana Academy of Salons maintains campus facilities in a manner that minimizes hazardous and unsafe conditions. The Montana Academy staff administer the maintenance of the campus facilities by doing a "walkabout". The staff oversees the property and equipment maintenance. Such maintenance consists of security cameras, overhead lighting, and station repairs. The staff will conduct "walkabouts" and determine if such maintenance is warranted; if so, the CEO is typically notified.

SEX OFFENDER REGISTRY

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services, or is a student.

In Montana, convicted sex offenders must register with the State's Department of Justice. Individuals wishing to learn additional information about registered sex offenders in Montana may check the following website: https://dojmt.gov/sexual-or-violent-offender-registry/.

HEOA NOTIFICATION TO VICTIMS OF CRIMES OF VIOLENCE

Information will be disclosed upon written request to any alleged victim of any crime of violence and non-forcible sex offenses cases regarding the results of any disciplinary proceedings conducted by Montana Academy against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased because of the crime or offense, the information shall be provided upon request to the next of kin of the alleged victim. In accordance with its Title IX policy, if Montana Academy receives a complaint of sexual harassment, violence, or discrimination, the alleged victim and the alleged perpetrator will receive written notice of the outcome of the complaint.

TIMELY WARNINGS

In the event a crime is reported within the Montana Academy of Salons Clery Geography (On Campus and Public Property), that, in the judgment of the Chief Executive Officer, or designee, constitutes a threat to students, employees, or guests, a campus-wide "timely warning" will be issued.

Timely Warnings are typically issued for the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) crime classifications:

- Murder/Non-Negligent Manslaughter
- A string of Burglaries or Motor Vehicle Thefts that occur in reasonably close proximity to one another;
- Aggravated Assault (cases involving assaults among known parties, such as two roommates fighting, which results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an ongoing threat to the larger Montana Academy community)
- Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a Timely Warning Notice, but will be assessed on a case-by-case basis)
- Sexual Assault (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount information known by the Chief Executive Officer, or designee). In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a "timely" warning notice to the community. All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a Timely Warning Notice.
- Major incidents of Arson
- Other Clery crimes as determined necessary by the Chief Executive Officer, or his/her designee in his or her absence.

Timely Warning Notices will be distributed as soon as pertinent information is available, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences.

Timely Warning Notices are typically developed and distributed by the Chief Executive Officer, or his/her designee.

Timely warnings will be issued to the campus community via verbal communications and/or email blast to all students and staff at Montana Academy assigned email accounts. On a case-by-case basis, verbal notification may be the sole distribution method used. If the situation or crime occurs on campus and represents an immediate threat to the health or safety of students, employees, or guests, Montana Academy will follow the Emergency Notification procedures contained in this report in lieu of the Timely Warning procedures.

Anyone with information warranting a timely warning should report the circumstances to the Chief Executive Officer or another Campus Security Authority, by phone (406) 771-8772 or in person at Montana Academy of Salons, 501 2nd St S, Great Falls, MT 59405.

The institution is not required to issue a Timely Warning with respect to crimes reported to a pastoral or professional counselor.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

EMERGENCY RESPONSE AND EVACUATION PROCEDURES
Montana Academy of Salons maintains an Emergency Response Plan that outlines responsibilities of campus units during emergencies. This plan outlines incident priorities, campus organization and specific responsibilities of particular units or positions.

Academy units are responsible for developing emergency response and continuity of operations plans for their areas and staff. Campus emergency management provides resources and guidance for the development of these plans. Emergencies occurring on campus should be reported to Linda M. McPherson.

Montana Academy will provide the Fire Department and the Police Department with a floor plan of the building. The administration will also notify these agencies of any new construction, long-term functions, or any other events which may affect routing or access to the campus.

In conjunction with other emergency agencies, the Academy conducts emergency response drills and exercises each year, such as tabletop exercises and tests of the emergency notification systems on campus. At least annually, a scheduled test such as evacuation drills, are designed for the assessment and evaluation of the emergency plans and capabilities of the Academy. During student training, the employee(s) will conduct announced or unannounced tests. Each test is documented by dates, times, and whether the exercise was announced or unannounced. The results of the emergency and evacuation exercise are publicized by emailing students and employees at least once each year in conjunction with a test (exercise or drill) that meets all of the requirements of the Higher Education Opportunity Act. The drill notification tests employees and students' capabilities necessary for security, safety, and crime prevention at Montana Academy.

Emergency Evacuation Procedures
The emergency evacuation procedures are tested at least twice each year. Students and employees learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. The Academy does not tell building occupants in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, Academy staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At Montana Academy of Salons, evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. During the drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm.

Employees and students complete a tour of Montana Academy, locating fire extinguishers and emergency exit route maps. Fire extinguishers are in the student service area, in the laundry

room, and in the locker area by the side emergency exit door. Students and employees are informed of what to do in case of an emergency.

Attendance calls will be taken as soon as reasonably possible to ensure all employees and students have been accounted for at the time of the emergency.

All employees will have a group text. In the event an employee does not have access to text, the Chief Executive Officer, or designee, will notify that employee by phone call.

When the Chief Executive Officer, or designee, makes the decision to close the school, he/she will notify the Admissions Office or Financial Aid office to send an email to all students and notify the Marketing Department to put the sign on the academy message board.

GENERAL EVACUATION GUIDELINES

At the sound of a fire alarm or if you are instructed to evacuate, leave your work area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify local police: Great Falls Location: 406-454-6978 or dial 911 / Billings Location: 406-657-8200 or dial 911.

1. Remain Calm
2. Do NOT use Elevators, use the Stairs.
3. Assist the physically impaired. If he/she is unable to exit without using an elevator, secure a safe location near a stairwell, and immediately inform the responding Police Department or the responding Fire Department of the individual's location.
4. Proceed to a clear area at least 150 feet from the building. Keep all walkways clear for emergency vehicles.
5. Make sure all personnel are out of the building.
6. Do not re-enter the building.

Shelter-in-Place Procedures –What it Means to "Shelter-in-Place"

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to "shelter-in-place" means to make a shelter of the building that you are in, and with a few adjustments, this location can be made even safer and more comfortable until it is safe to go outside.

Basic "Shelter-in-Place" Guidance

If an incident occurs and the building you are in is not damaged, stay inside an interior room until you are told it is safe to come out. If your building is damaged, take your personal belonging (purse, wallet, access card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest Academy building quickly. If police or fire department personnel are on the scene, follow their directions.

How You Will Know to "Shelter-in-Place"

A shelter-in-place notification may come from several sources, Chief Executive Officer, other Academy employees, Local Police, or other authorities utilizing the Academy's emergency communications tools.

How to "Shelter–in-Place"

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
   - An interior room;
   - Above ground level; and
   - Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms maybe necessary.
3. Shut and lock all windows (tighter seal) and close exterior doors.
4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems as you are able. (Academy staff will turn off the ventilation as quickly as possible.)
6. Make a list of the people with you and ask someone faculty or other staff) to call the list in to Great Falls Police Department/Billings Police Department so they know where you are sheltering. If only students are present, one of the students should call in the list.
7. Turn on a radio or TV and listen for further instructions.
8. Make yourself comfortable.

FIRE PROCEDURE

If you smell smoke or see fire, report it immediately to a teacher.

PROCEED AS FOLLOWS:

+ Students exit in a single file out the closest doors. If you have a guest at the time, the guest is your responsibility.
+ After exiting the Montana Academy, proceed safely away from Montana Academy and locate at the "NO PARKING" sign or across the street at GERBERS.
+ Support employees at the front desk will help guests in the reception area out the front doors.
+ Proceed to safety away from the Montana Academy.
+ Familiarize yourself with your evacuation route and the location of all emergency and regular exits.
+ The evacuation route illustration is found next to the fire extinguisher in the student's lounge, laundry room, and salon area.

VIOLATION OF FIRE SAFETY RULES PUTS LIVES IN JEOPARDY. TAMPERING WITH FIRE ALARMS OR FIRE EQUIPMENT CAN RESULT IN FINES AND POSSIBLE INCARCERATION ACCORDING TO MONTANA STATE LAWS.

EMERGENCY (IMMEDIATE) NOTIFICATIONS

Montana Academy of Salons has developed a process to notify the campus community in cases of emergency. While it is impossible to predict every significant emergency or dangerous situation that may occur on campus, the following identified situations are examples which may warrant an emergency (immediate) notification after confirmation: armed/hostile intruder; bomb/explosives (threat); communicable disease outbreak; severe weather; terrorist incident; civil unrest; natural disaster; hazardous materials incident and structural fire.

Emergency notifications are immediate notifications of an unforeseen combination of circumstances that calls for immediate action. All employees have received training on how to handle a pending emergency and are trained in the following Emergency Code.

CODES FOR AN EMERGENCY SITUATION

Code Lock Down: A lockdown situation has occurred. Employees, students, and guests are to remain calm and not leave Montana Academy.

Code Evacuate Front: Indicates a need to evacuate Montana Academy immediately and exit through a front entrance only.

Code Evacuate Back: Indicates a need to evacuate through the back entrance only.

Code Evacuate Side: Indicates a need to evacuate through the side entrance only.

Code Dangerous: Indicates a dangerous situation has occurred outside Montana Academy, and no one is allowed to leave Montana Academy.

Code Hostage: A hostage, criminal, or terrorist threat/situation is taking place.

Individuals can report emergencies occurring at Montana Academy of Salons by calling:

- Great Falls Location
  - Great Falls Police Department at (406) 454-6978 or by dialing 911.

- Billings Location
  - Billings Police Department at (406) 657-8200 or by dialing 911.

In the event of an emergency, Montana Academy of Salons will initiate and provide, without delay, immediate notifications to the appropriate segment(s) of the Montana Academy community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees, and visitors.

If the CEO of Montana Academy of Salons, or designee, in conjunction with other Montana Academy administrators, local first responders, Public Health Officials and/or the National Weather Service, confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the Montana Academy of

Salons community, the CEO or designee will determine the content of the message and will use some or all of the systems described below to communicate the threat to the Montana Academy of Salons community or to the appropriate segment of the Montana Academy community, if the threat is limited to a particular building or segment of the population.

Montana Academy of Salons will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: Local PD, and/or the Local Fire and Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

At the time of an urgent, unanticipated event, the Chief Executive Officer or designee will assess the situation to determine the significance of an emergency. Without delay, the CEO or designee will determine the content of the notification and initiate the notification system, considering the safety of Montana Academy's employees, students, guests, and community neighbors.

The CEO will identify/determine the extent of the emergency and enact appropriate means of notification. The notification will be issued by and through Montana Academy by verbal communication/announcement and will follow-up by verbal announcement and/or email. If there is an immediate threat to the health or safety of students, employees, or guests occurring on campus, Montana Academy will follow its Emergency Notification procedures. An institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed.

The CEO or designee will respond by assisting any victim (s), responding to/or containing the emergency at hand, and diffusing the dangerous situation if possible.

The CEO or designee will determine the extent of information that needs to be released and will disseminate it to employees, students, and guests/public as appropriate. The notification will be provided via verbal communication/announcement, and follow-ups will be sent via email and/or by verbal communication.

In the event of a dangerous situation and without delay, the CEO or her designee will assess the situation and will contact authorities or determine the course of action in order to protect the entire Montana Academy population.

All emergencies are brought to the attention of the CEO, her designee, or another Campus Security Authority and, if confirmed, Montana Academy will alert students and staff by a verbal announcement. Once the dangerous situation has diminished, a verbal announcement and/or email will be sent to notify them when classes will resume.

Students and Staff receive a Montana Academy email address, which will be used to communicate emergency information to these individuals. They cannot opt out of receiving an email address.

The larger community can access emergency information that affects the Montana Academy via local or national news stations.

CRIME STATISTICS

CAMPUS SECURITY ACT INFORMATION DISCLOSURE

Under the Crime Awareness Campus Security Act of 1990, as amended by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), Montana Academy is required to provide the students and employees with the following safety information about our campus. This Annual Security Report has also been updated to reflect recent changes in crime reporting, policies, and procedures required by the Violence Against Women Reauthorization Act of 2013 (VAWA).

ANNUAL SECURITY REPORT CRIME STATISTICS – MAIN CAMPUS – GREAT FALLS

Criminal Offense	On Campus			Public Property		
	2023	2024	2025	2023	2024	2025
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
Hazing	0	0	0	0	0	0
Liquor Law Violation Arrests	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	0	0	0	0	0	0
Drug Law Violation Arrests	0	0	0	0	0	0
Drug Law Violations Referred for Disciplinary	0	0	0	0	0	0
Illegal Weapons Possession Arrests	0	0	0	0	0	0
Illegal Weapons Possession Referred for Disciplinary Action	0	0	0	0	0	0

*Montana Academy of Salons does not have any noncampus property and does not have on-campus student housing facilities.

Hate Crimes –No hate crimes were reported in 2023, 2024, or 2025 in the geographic areas of Montana Academy of Salons.

Unfounded Crimes**-**There were no unfounded crimes reported in 2023, 2024, or 2025 by local law enforcement agencies and the Montana Academy of Salons that were within the geographic areas.

ANNUAL SECURITY REPORT CRIME STATISTICS – Billings Campus

Criminal Offense	On Campus			Public Property		
	2023	2024	2025	2023	2024	2025
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
Hazing	0	0	0	0	0	0
Liquor Law Violation Arrests	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	0	0	0	0	0	0
Drug Law Violation Arrests	0	0	0	0	0	0
Drug Law Violations Referred for Disciplinary	0	0	0	0	0	0
Illegal Weapons Possession Arrests	0	0	0	0	0	0
Illegal Weapons Possession Referred for Disciplinary Action	0	0	0	0	0	0

*Montana Academy of Salons does not have any noncampus property and does not have on-campus student housing facilities.

Hate Crimes – No hate crimes were reported in 2023, 2024, or 2025 in the geographic areas of Montana Academy of Salons.

Unfounded Crimes**-**There were no unfounded crimes reported in 2023, 2024, or 2025 by local law enforcement agencies and the Montana Academy of Salons that were within the geographic areas.

ANNUAL DISCLOSURE OF CRIME STATISTICS

Montana Academy provides all employees and students with a copy of the current annual campus security report on or before October 1 of each year, and to all prospective students enrolling at Montana Academy and prospective employees. The annual security report includes crime statistics information for the *three most recently completed calendar years*. For statistical purposes, crime statistics reported to local law enforcement or campus security authorities are recorded in the calendar year the crime was reported.

Statistics are collected from the Great Falls and Billings Police Departments and other campus security authorities.

These same statistics will be entered into our annual security report and entered on the Web-based data collection in October of each year. The statistical information gathered by the Department of Education is available to the public through the ED website.

DRUG-FREE SCHOOLS AND COMMUNITIES ACT (DFSCA)

The Drug-Free Schools and Communities ACT Of 1989 - also known as the Drug-Free Schools and Campuses Act - requires institutions of higher education to establish policies that address unlawful possession, use, or distribution of alcohol and illicit drugs.

In compliance with the Drug-Free Schools and Communities Act, Montana Academy of Salons publishes information regarding the Academy's prevention programs related to drug and alcohol abuse prevention, which include standards of conduct that prohibit the unlawful possession, use, and distribution of alcohol and illegal drugs on campus and at institution-associated activities; sanctions for violations of federal, state, and local laws and Academy policy; a description of health risks associated with alcohol and other drug use and abuse; and a description of available counseling, treatment, rehabilitation and/or re-entry programs for Montana Academy of Salons students and employees. A complete description of these topics, as provided in the Academy's annual notification to students and employees, is available online at: https://montanaacademy.edu/wp-content/uploads/2023/09/DRUG-FREE-CAMPUS.pdf.

The DFSCA also requires the establishment of a drug and alcohol prevention program (see Montana Academy of Salons Student Catalog).

DRUG-FREE SCHOOL POLICIES

Montana Academy of Salons believes that it is very important to provide a safe environment for all of its students, guests, and employees. Substance abuse, while at work, academy, or otherwise, seriously endangers the safety of students, guests, and employees, as well as the general public, and creates a variety of problems including increased theft, decreased morale, decreased productivity, and a decline in the quality of services provided. It is also our policy to prevent the use and/or presence of these substances in Montana Academy. The Montana Academy will strive to provide an environment conducive to making conscientious and healthy decisions when students and employees are faced with difficult choices associated with the use of legal and illegal drugs.

PROHIBITED CONDUCT
It is a violation of academy policy for any student to:

- Use illegal drugs or misuse prescription drugs;
- Misuse alcohol;
- Possess, trade, manufacture, distribute, dispense, buy or offer for sale alcohol, illegal, and/or prescription drugs while on duty, during break periods, or on academy property;
- Arrive or return to the academy intoxicated from the use of illegal drugs, misused prescription drugs, or alcohol;
- Engage in the use of illegal drugs, misuse of prescription drugs or alcohol during academy hours or while on academy property (including parking lots);
- Use prescription drugs or non-prescription drugs that may affect the safety of the student or fellow students, employees, and members of the public;
- Have tampered or attempted to alter or attempt to interfere with the testing procedure; or
- Otherwise has refused to be tested.

For the purpose of this Policy, a student is presumed to be under the influence of drugs and/or alcohol if a urine test, blood test, or other scientifically acceptable testing procedures shows a forensically acceptable positive quantum of proof of drugs and/or alcohol usage.

Any student who is taking any prescription or non-prescription drug which might impair safety, performance, or any motor functions must advise his/her Teacher or the Chief Executive Officer before providing services under such medication.

Students are individually responsible for being aware of applicable laws, regulations, ordinances, and Montana Academy's policy for complying with them. The Montana Academy will assist in that endeavor by providing current information on an ongoing basis to all students and employees.

ALCOHOLIC BEVERAGES & ILLEGAL DRUG POSSESSION
The possession, sale, use, or furnishing of alcohol on Montana Academy of Salon's campus is prohibited. Montana Academy has been designating-free", and under no circumstances is the consumption of alcohol permitted. The possession, sale, manufacture, use or distribution of any controlled substance is illegal under both state and federal laws. Federal and State drug laws and State underage drinking laws are strictly enforced by the Great Falls Police Department and the Billings Police Department. Violators are subject to disciplinary action, criminal prosecution, fine, and imprisonment. It is unlawful to sell, furnish, or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of the Montana Academy Alcohol Policy for anyone to consume or possess alcohol in any public or private area of Montana Academy.

Montana Academy has been designated "Drug-free," and under no circumstances is the possession, use, or sale of illegal drugs permitted. The possession, sale, manufacture, or

distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the Great Falls Police Department and Billings Police Department. Montana Academy will immediately contact law enforcement officials to report all unlawful activity. Violators are subject to disciplinary action, criminal prosecution, fine, and imprisonment. The possession, use, or sale of illegal drugs on the campus is a violation of Montana Academy Illegal Drug Possession.

For more information about the Montana Academy's policies regarding the use, possession, sale, or distribution of alcoholic beverages and illegal drugs, please see Montana Academy's Drug-Free School Policy that is included in this Annual Security Report.

WEAPONS

To the extent allowed by law, the Montana Academy of Salons prohibits students or visitors from carrying weapons in academy facilities or on academy property. This policy includes any device which can expel a projectile and/or other dangerous weapons including knives, explosives, bows and arrows, swords, or other items, which, in their intended use, are capable of inflicting serious injury. Any student in possession of a firearm or other weapon within academy property or while otherwise fulfilling job responsibilities may face disciplinary action, including termination or expulsion. A student's possession of a valid concealed weapons permit authorized by the state of Montana is not an exemption under this policy.

BULLYING & HARASSMENT POLICY

Bullying or implied threats, intimidation, sexual harassment, and violence will not be tolerated at Montana Academy.

Montana Academy will address issues involving harassment or bullying in any form; student to student; student to employees; employees to students; or employees to employees. All employees and students have a responsibility to cooperate fully with the investigation of alleged bullying or harassment complaint. Bullying means systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. It is further defined as; unwanted purposeful written, verbal, nonverbal, or physical behavior, including but not limited to any threatening, insulting, or, dehumanizing gestures by a student or employee that has the potential to create an intimidating, hostile, or offensive educational environment or cause long term damage; to cause discomfort or humiliation or unreasonably interfere with the individual's academic performance or participation, is carried out repeatedly, and is often characterized by an imbalance of power.

Bullying may involve, but is not limited to; unwanted teasing, threatening, intimidating, stalking, cyber stalking, cyberbullying, physical violence, theft, sexual, religious, or racial harassment, public humiliation, destruction of Montana Academy or personal property, social exclusion, including incitement and/or coercion, rumor or spreading of falsehoods.

Harassment is defined as any threatening, insulting, or dehumanizing gestures, use of technology, computer software, or written, verbal or physical conduct directed against a student or employee that places a student or employee in reasonable fear of harm to his or her person or damage to his or her property; has the effect of substantially interfering with a student's educational performance or employee's work performance; has the effect of substantially negatively impacting a student's or employee's emotional or mental well-being; has the effect of substantially disrupting the orderly operation of Montana Academy.

Sexual Harassment is defined as unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment is conduct that explicitly or implicitly affects a person's employment or education or interferes with a person's work or educational performance or creates an environment such that a reasonable person would find the conduct intimidating, hostile or offensive.

If bullying or harassment in any form occurs in Montana Academy, contact any employee of Montana Academy or contact the Great Falls Police Department or the Billings Police Department to file a report immediately. Montana Academy will do everything possible to assist in this serious matter. If such a serious offense occurs, it is important to preserve evidence of the criminal offense. Information regarding area counseling centers will be provided upon request by a student or employee. If an offense happens where both the accused and the accuser attend Montana Academy, both the accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding and will be informed of Montana Academy's final determination of any Montana Academy disciplinary proceeding with respect to the alleged offense and any sanction that is imposed against the accused. Dismissal may occur following a final determination of said proceedings.

Montana Academy will work with students to change their situation (i.e., allowing the student to take a leave of absence or enroll in a later course) if a change is requested by the victim and the change is reasonably available.

RECREATIONAL MARIJUANA

Under Montana law, adults age 21 and older may possess and use marijuana for recreational purposes under certain conditions. However, consuming marijuana or marijuana products in any public place is prohibited, as is smoking marijuana in any location where tobacco smoking is not allowed. See Montana Code Annotated (MCA) 16-12-108.

Montana law further prohibits the possession or consumption of marijuana or marijuana products, as well as the possession of marijuana paraphernalia, on the grounds of any property owned or leased by a postsecondary school. MCA 16-12-108(g)(i).

The Montana Academy of Salons strictly prohibits the possession or consumption of marijuana or marijuana products, the possession of marijuana paraphernalia, **and arriving on academy property while under the influence of marijuana or smelling of marijuana**. It is a violation of academy policy for any individual to arrive or return to the academy impaired or carrying the odor of marijuana, regardless of legal use elsewhere.

Notwithstanding Montana's recreational marijuana laws, marijuana use remains illegal under federal law. Therefore, recreational use that may be permissible under state law may still result in criminal penalties under applicable federal statutes.

MEDICAL MARIJUANA
Montana law allows limited use and possession of medical marijuana; however, marijuana use of any kind remains a criminal act under federal law. In accordance with the academy's Drug-Free School Policies, the use or possession of marijuana—including medical marijuana—is strictly prohibited on any academy property. Individuals may not possess, consume, be under the influence of, or smell of marijuana while on academy grounds.

SUBSTANCE ABUSE EDUCATION
Montana Academy has developed a contact list to prevent the illicit use of drugs and the abuse of alcohol by students and employees. The list provides services related to drug use and abuse including dissemination of informational materials, educational programs, and counseling services.

REASONABLE SEARCH
To ensure that illegal drugs and alcohol do not enter or affect Montana Academy, the Montana Academy of Salons reserves the right to search all vehicles, containers, lockers, or other items on academy property in furtherance of this Policy. Individuals may be requested to display personal property for visual inspection upon Montana Academy's request. Searches will be conducted only where the Montana Academy has reason to believe that the student has violated Montana Academy's Policy. Failure to consent to a search or display of personal property for visual inspection will be grounds for discipline, up to and including termination from the program or denial of access to academy premises. Searches of a student's personal property will take place only in the student's presence. All searches under this Policy will occur with the utmost discretion and consideration for the student involved. Individuals may be required to empty their pockets, but under no circumstances will a student be required to remove articles of clothing to be physically searched.

STUDENT ASSISTANCE
The Montana Academy holds all students accountable in terms of substance use but also supports getting help for students. Students who come forward voluntarily to identify that they have a substance problem will not be reprimanded. It is important for the student to come to an understanding regarding the extent of the problem in order to correct the problem and be able to avoid future usage in violation of Montana Academy's Policy. This is required in order to correct the problem and be able to avoid violating Montana Academy's Policy in the future. If the student is willing to actively engage in resolving the substance use problem, Montana Academy will refer the student to a Substance Abuse Professional for an assessment and possible outpatient counseling at the student's expense. This leave will be conditioned upon receipt of reports from the treatment providers that the student is cooperating and making reasonable progress in the treatment program. The student will be permitted to return to the academy only if (s)he passes a drug /alcohol test and has satisfactory medical evidence that (s)he is fit for attendance.

This protection does not cover a student who confesses a problem after an incident or accident that requires a substance use test, or after being notified that a reasonable suspicion test is required.

DISCIPLINARY ACTION
Violation of this Policy will be grounds for disciplinary action up to and including termination. Students who have been terminated may be considered for re-admittance after 90 days. To be considered for re-admittance, the student must provide proof of having satisfactorily attended treatment that is provided by a Substance Abuse Professional (SAP) and/or prescribed by an SAP and completed a drug and/or alcohol test, determined by which test was previously positive, with a negative test result. If the student is re-admitted, (s)he must complete the prescribed follow-up testing by the SAP or by law, as applicable, to continue attending the Montana Academy. Treatment and follow-up testing will be at the expense of the student.

BIENNIAL REVIEW
The Montana Academy will review the drug and alcohol prevention program every two years for an even number of years. Any recommendations/data and or assistance available to substance abusers will be updated and distributed to all students and staff of the Montana Academy.

NOTICE OF FEDERAL STUDENT AID (FSA) PENALTIES FOR DRUG LAW VIOLATIONS
The Higher Education Opportunity Act requires institutions to provide every student upon enrollment a separate, clear, and conspicuous written notice with information on the penalties associated with drug-related offenses under existing section 484(r) of the HEA. It also requires an institution to provide timely notice to each student who has lost eligibility for any grant, loan, or work-study assistance as a result of penalties under 484(r)(1) of the HEA a separate clear, and conspicuous written notice that notifies the student of the loss of eligibility and advises the student of the ways in which to regain eligibility under section 484(r)(2) of the HEA. Students are hereby notified that federal guidelines mandate that a federal or state drug conviction can disqualify a student for Federal Student Aid funds. Convictions only count if they were for an offense that occurred during a period of enrollment for which the student was receiving Title IV aid—they do not count if the offense was not during such a period. Also, a conviction that was reversed, set aside, or removed from the student's record does not count, nor does one receive when he/she was a juvenile unless the student was tried as an adult.

The Higher Education Act of 1965 as amended (HEA) suspends aid eligibility for students who have been convicted under federal or state law of the sale or possession of drugs if the offense occurred during a period of enrollment for which the student was receiving federal student aid (grants, loans, and/or work-study). If you have a conviction(s) for these offenses, call the Federal Student Aid Information Center at 1-800-4-FED-AID (1-800-433-3243) to complete the "Student Aid Eligibility Worksheet" to find out how this law applies to you.

If you have lost federal student aid eligibility due to a drug conviction, you can regain eligibility if you pass two unannounced drug tests conducted by a drug rehabilitation program that complies with criteria established by the U.S. Department of Education.

By completing the FAFSA, you may be eligible for nonfederal aid from states and private institutions even if ineligible for Federal Aid. If you regain eligibility during the award year, notify your financial aid administrator immediately. If you are convicted of a drug-related offense after you submit the FAFSA, you might lose eligibility for federal student aid, and you may be liable for returning any financial aid you received during a period of ineligibility.

ACADEMY FLEXIBILITY

The Montana Academy reserves the right to alter or amend any portion of this Drug-Free School Policy at any time without prior notice. Montana Academy reserves the right to alter or modify this policy in a given situation depending on the totality of the circumstances. Time periods stated herein for the performance of any act or provision of any notice by Montana Academy are for guidance only and failure of the Montana Academy to strictly meet any time frame provided herein shall not preclude Montana Academy from taking any action provided herein. Under no circumstances shall fail to perform any act within the time frames herein excuse or relieve any student from his or her obligations, act to nullify any positive test, or relieve any student from the consequences of any positive test, or any other violation of this Policy.

BULLYING POLICY

Montana Academy will address issues involving harassment or bullying in any form; student to student; student to the staff member(s); staff member(s) to a student; or staff member to staff member. All staff members and students have a responsibility to cooperate fully with the investigation of an alleged bullying complaint. Bullying means systematically and chronically inflicting physical hurt or psychological distress on one or more students or staff. It is further defined as; unwanted purposeful written, verbal, nonverbal, or physical behavior, including but not limited to any threatening, insulting, or dehumanizing gestures by a student or staff that has the potential to create an intimidating, hostile, or offensive educational environment or cause long term damage; to cause discomfort or humiliation or unreasonably interfere with the individual's academic performance or participation, is carried out repeatedly, and is often characterized by an imbalance of power.

DRUG AND ALCOHOL ABUSE PREVENTION

- Montana Academy will immediately contact law enforcement officials to report all unlawful activities.
- The health risks of the use of illicit drugs and alcohol abuse require providing education and referral for students and staff. Health risks associated with the use of illicit drugs and the abuse of alcohol include impaired mental and physical health, neurological disease/damage, memory and intellectual performance interference, mental and physical depression, uncontrollable violence, impulsive behavior, convulsive seizures, homicide, suicide, cardiac disease or damage, cardiovascular collapse or heart failure, gastrointestinal disease or damage, ulcers or erosive gastritis, anemia, liver and pancreatic disease, liver failure or pancreatitis, deteriorating relationships, and death.
- Montana Academy provides education and distribution of materials annually and refers students and staff to local services.
- Area drug abuse information, counseling, referral, and treatment and rehabilitation centers information is made available to students or staff members.

PHYSICAL WARNING SIGNS OF DRUG AND ALCOHOL ABUSE

- Bloodshot eyes, pupils larger or smaller than usual
- Changes in appetite or sleep patterns
- Sudden weight loss or weight gain
- Deterioration of physical appearance, and personal grooming habits (Alcohol and Other Drug Abuse and Violence Prevention (AOD) Re-Published 3-2018)

+ Unusual smells on breath, body, or clothing
+ Slurred speech, or impaired coordination
+ Depression
+ Irritability
+ Fatigue
+ Nausea and vomiting
+ Headaches

Where can you go for help?

Great Falls Location

- Rocky Mountain Treatment Center, 920 4th Ave No. Great Falls, MT 59401; phone: 800-521-6572 or 406-727-8832
- Benefis Healthcare Treatment Center, 500 15th Avenue South Great Falls, MT 59405; phone: (406) 455-2367

Billings Location

- Billings Addiction Counseling LLC, 208 N 29th Street, Billings, MT 59191; phone: (406) 860-4499
- ARG Addiction Treatment Center, 1045 N 30th Street, Suite 316, Billings, MT 59101; phone: (866) 803-5563

FEDERAL DRUG TRAFFICKING PENALTIES

The full Drug and Alcohol Policy / Abuse / Prevention information can be found in this document.

Federal Drug Trafficking Penalties are as follows: Criminal homicide, forcible and non-forcible sex offenses, robbery, aggravated assault, simple assault, intimidation, vandalism, burglary, motor vehicle theft, larceny-theft, destruction, damage, or vandalism to property, arson, hate crimes including crimes involving bodily injury reported to Great Falls Police Department or Billings Police Department 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.

SUMMARY OF MONTANA DRUG AND ALCOHOL LAWS

The applicable Montana laws relating to the unlawful manufacture, distribution, possession, or use of a controlled substance are found respectively in Montana Code Annotated 45-9-101 through 301.

45-9-101. Criminal distribution of dangerous drugs. (1) Except as provided in Title 50, chapter 46, a person commits the offense of criminal distribution of dangerous drugs if the person sells, barters, exchanges, gives away, or offers to sell, barter, exchange, or give away any dangerous drug, as defined in 50-32-101.

- A person convicted of criminal distribution of a narcotic drug may be subjected to a prison term of up to life and fines of up to $50,000

45-9-102. Criminal possession of dangerous drugs. (1) Except as provided in Title 50, chapter 46, a person commits the offense of criminal possession of dangerous drugs if the person possesses any dangerous drug, as defined in 50-32-101.

- A person convicted of criminal possession of dangerous drugs may be subjected to a prison term of up to five years and fines of up to $50,000.

45-9-103. Criminal possession with intent to distribute. (1) Except as provided in Title 50, chapter 46, a person commits the offense of criminal possession with intent to distribute if the person possesses with intent to distribute any dangerous drug as defined in 50-32-101.

- A person convicted of criminal possession with intent to distribute a dangerous drug may be subjected to a prison term of up to 20 years and fines of up to $50,000.

45-9-110. Criminal production or manufacture of dangerous drugs. (1) Except as provided in Title 50, chapter 46, a person commits the offense of criminal production or manufacture of dangerous drugs if the person knowingly or purposely produces, manufactures, prepares, cultivates, compounds, or processes a dangerous drug, as defined in 50-32-101.

- A person convicted of criminal production or manufacture of dangerous drugs may be subjected to a prison term of 20 years or more and fines of up to $100,000.

CAREER COUNSELING & PROFESSIONAL ASSISTANCE

Posted in the student lounge and restroom are various career and professional counselors.

JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT, AS AMENDED BY THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

Montana Academy of Salons prohibits the offenses of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the Academy community. Toward that end, Montana Academy of Salons issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to an Academy official.

FEDERAL CLERY ACT DEFINITIONS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING and HAZING

The Clery Act defines the crimes of domestic violence, dating violence, sexual assault, and stalking as follows:

- **Domestic Violence:**
    i. 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.

ii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

- **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.
  i. The existence of such a relationship shall be 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.
  ii. 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.
  iii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

- **Sexual Assault** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim if incapable of giving consent."

  - **Rape** is defined as 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** is defined as the touching of the private parts of another person for the purposes 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** is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

  - **Statutory Rape** is defined as sexual intercourse with a person who is under the statutory age of consent.

- **Stalking:**
    i. 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.
    ii. For the purposes of this definition—
        A) *Course of conduct* means two or more acts, including, but not limited to, acts 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.
    iii. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- **Hazing:**
  "The term 'hazing', for purposes of reporting statistics on hazing incidents…means any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that:
    - is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
    - causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including—
        - whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
        - causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
        - causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
        - causing, coercing, or otherwise inducing another person to perform sexual acts;
        - any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
        - any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
        - any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law."
- **A student organization** is defined as "an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team,

club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution".

JURISDICTIONAL DEFINITIONS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

- **Domestic Violence:** The state of Montana defines domestic violence as follows:
  - A person commits the offense of partner or family member assault if the person:
    - purposely or knowingly causes bodily injury to a partner or family member;
    - negligently causes bodily injury to a partner or family member with a weapon; or
    - purposely or knowingly causes reasonable apprehension of bodily injury in a partner or family member.
  - "Family member" means mothers, fathers, children, brothers, sisters, and other past or present family members of a household. These relationships include relationships created by adoption and remarriage, including stepchildren, stepparents, in-laws, and adoptive children and parents. These relationships continue regardless of the ages of the parties and whether the parties reside in the same household.
  - "Partners" means spouses, former spouses, persons who have a child in common, and persons who have been or are currently in a dating or ongoing intimate relationship.
  - Mont. Code Ann. § 45-5-206

- **Dating Violence:** The state of Montana does not have a definition of dating violence. Dating partners are captured under the domestic violence laws.

- **Sexual Assault:** The state of Montana defines sexual assault as follows:
  - A person who knowingly subjects another person to any sexual contact without consent commits the offense of sexual assault. Mont. Code Ann. § 45-5-502(1)
  - An act "in the course of committing sexual assault" includes an attempt to commit the offense or flight after the attempt or commission. Mont. Code Ann. § 45-5-502(4)
    - **Aggravated Sexual Intercourse Without Consent**: A person who uses force while knowingly having sexual intercourse with another person without consent or with another person who is incapable of consent commits the offense of aggravated sexual intercourse without consent. Mont. Code Ann. § 45-5-508(1)
  - **Fondling (falls under Assault in Montana)**: A person commits the offense of assault if the person: purposely or knowingly makes physical contact of an insulting or provoking nature with any individual. Mont. Code Ann. § 45-5-201(1)(c)
  - **Incest**: A person commits the offense of incest if the person knowingly marries, cohabits with, has sexual intercourse with, or has sexual contact, as defined in 45-2-101, with an ancestor, a descendant, a brother or sister of the whole or half blood, or any stepson or stepdaughter. The relationships referred to in this subsection include blood relationships without regard to legitimacy, relationships

of parent and child by adoption, and relationships involving a stepson or stepdaughter. Mont. Code Ann. § 45-5-507(1)
    - **Statutory Rape (called Sexual Intercourse Without Consent in Montana):** A person who knowingly has sexual intercourse without consent with another person commits the offense of sexual intercourse without consent. Mont. Code Ann. § 45-5-503(1)

- **Stalking:** The state of Montana defines stalking as follows:
    - A person commits the offense of stalking if the person purposely or knowingly engages in a course of conduct directed at a specific person and knows or should know that the course of conduct would cause a reasonable person to:
        - fear for the person's own safety or the safety of a third person; or
        - suffer other substantial emotional distress.
    - For the purposes of this section, the following definitions apply:
        - "Course of conduct" means two or more acts, including but not limited to acts in which the offender directly or indirectly, by any action, method, communication, or physical or electronic devices or means, follows, monitors, observes, surveils, threatens, harasses, or intimidates a person or interferes with a person's property.
        - "Reasonable person" means a reasonable person under similar circumstances as the victim. This is an objective standard.
        - "Substantial emotional distress" means significant mental suffering or distress that may but does not necessarily require medical or other professional treatment or counseling.
    - This section does not apply to a constitutionally protected activity.
    - Mont. Code Ann. § 45-5-220
- **Hazing:** In the state of Montana, hazing is addressed under Montana Code Annotated 45-5-207 (2021), which defines hazing as any act that is intended to cause physical or mental harm or suffering in order to initiate or maintain membership in a group or organization. This includes, but is not limited to, forced consumption of food, alcohol, drugs, or any other substance, as well as physical brutality, such as whipping, beating, branding, or exposure to the elements. Hazing is considered a misdemeanor offense in Montana, and if the act results in bodily injury, the charge can be elevated to a felony. Educational institutions in Montana typically have their own policies prohibiting hazing, which can result in disciplinary actions independent of any criminal proceedings. It is important for individuals and organizations to understand that justifying hazing as a tradition or rite of passage does not exempt them from legal consequences.

    - Hazing can take many forms, including:
        • Requiring victims to act as a personal servant to senior (older) group members
        • Forcing victims to binge drink or consume large amounts of alcohol or drugs
        • Requiring victims to engage in embarrassing acts, such as wearing a costume or sign around their neck in public
        • Depriving victims of sleep, food, or the ability to use the restroom
        • Prohibiting victims from associating with family, friends, or other persons
        • Swearing or yelling insults at victims.

- **Consent:** The state of Montana defines consent, in relation to sexual activity, as follows:
    - "without consent" means words or overt actions indicating a freely given agreement to have sexual intercourse or sexual contact and is further defined but not limited by the following:
        - an expression of lack of consent through words or conduct means there is no consent or that consent has been withdrawn;
        - a current or previous dating or social or sexual relationship by itself or the manner of dress of the person involved with the accused in the conduct at issue does not constitute consent; and
        - lack of consent may be inferred based on all of the surrounding circumstances and must be considered in determining whether a person gave consent.
    - The victim is incapable of consent because the victim is:
        - mentally disordered or incapacitated;
        - physically helpless;
        - overcome by deception, coercion, or surprise;
        - less than 16 years old;
    - Mont. Code Ann. § 45-5-501(1)(a)

- **Institutional Definition of Consent**: The institution's definition of consent and the purposes for which that definition is used includes the following:
    - Voluntary, informed, uncoerced agreement through words and/or actions freely given, which a reasonable person would interpret as a willingness to participate in mutually agreed-upon sexual acts. Consensual sexual activity happens when each partner willingly and affirmatively chooses to participate.
    - Indications that consent is not present include:
        - when physical force is used or there is a reasonable belief of the threat of physical force, including when one person overcomes the physical limitations of another person.
        - when coercion is present. Coercion means the improper use of pressure to compel another individual to initiate or continue sexual activity against the individual's will. Coercion may include intimidation, manipulation, and/or blackmail. Words or conduct may constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether to engage in sexual activity.
        - when a person is incapable of making an intentional decision to participate in a sexual act, which could include instances in which the person is in a state of incapacitation, which could be permanent or temporary. Evaluations of capacity will be viewed in hindsight using a reasonable person standard.

    - Important points regarding consent include:
        - Consent to one act does not constitute consent to another act.
        - Consent on a prior occasion does not constitute consent on a subsequent occasion.
        - The existence of a prior or current relationship does not, in itself, constitute consent.

        - Consent can be withdrawn or modified at any time.
        - Consent is not implicit in a person's manner of dress.
        - Accepting a meal, a gift, or an invitation for a date does not imply or constitute consent.
        - A person's lack of verbal or physical resistance or submission resulting from the use or threat of force does not constitute consent.
        - Silence and passivity do not necessarily constitute consent.
        - Initiation by someone who a reasonable person knows or should have known to be deemed incapacitated is not consent.
        - A person's consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another.
    - A person cannot consent to sexual activity if that person is unable to understand the nature of the activity or give knowing consent due to circumstances, including without limitation when a person is incapacitated or not of legal age.
    - A person who is asleep or unconscious is considered incapacitated and unable to consent. Additionally, a person may be incapacitated due to a temporary or permanent mental or physical disability.
    - In the context of this policy, incapacitation is the state in which a person's perception or judgment is so impaired that he or she lacks the cognitive capacity to make or act on conscious decisions. The use of drugs or alcohol can cause incapacitation, which is a state beyond mere intoxication. An individual who is incapacitated is unable to consent to sexual activity. Engaging in sexual activity with an individual who is incapacitated (and therefore unable to consent), where a person knows or ought reasonably to have understood that the individual is incapacitated, constitutes a violation of the Academy's policy.

HOW TO BE AN ACTIVE BYSTANDER

Bystanders play a critical role in the prevention of sexual and relationship violence. They are "individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it."[1] We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list[2] of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911.This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.

[1] Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles, 60,* 779-792.

[2] Bystander intervention strategies adapted from Stanford University's Office of Sexual Assault & Relationship Abuse

5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

RISK REDUCTION

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, www.rainn.org)

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas.** It is more difficult to get help if no one is around.
3. **Walk with purpose.** Even if you don't know where you are going, act like you do.
4. **Trust your instincts.** If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cab money.
7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends.** Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts.** If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. **Don't accept drinks from people you don't know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
    a. **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
    b. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right

to you and what you are comfortable with.

c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
d. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.

16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

PROGRAMS TO PREVENT DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

The Academy engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

A. Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
B. Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and that:

A. A statement that the institution prohibits the crimes of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act);
B. The definitions of domestic violence, dating violence, sexual assault and stalking according to any applicable jurisdictional definitions of these terms;
C. What behavior and actions constitute consent, in reference to sexual activity, in the State of Montana;
D. The institution's definition of consent AND the purposes for which that definition is used.
E. A description of safe and positive options for bystander intervention. Bystander intervention means 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. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;

F. Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
G. Information regarding:
    a. procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs (as described in "Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs" elsewhere in this document)
    b. how the institution will protect the confidentiality of victims and other necessary parties (as described in "Assistance for Victims: Rights and Options" elsewhere in this document);
    c. 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 (as described in "Assistance for Victims: Rights and Options" elsewhere in this document); and
    d. options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in "Assistance for Victims: Rights and Options" elsewhere in this document);
    e. procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in "Adjudication of Violations" elsewhere in this document);

PRIMARY PREVENTION AND AWARENESS PROGRAMS

The Academy is committed to offering educational programs to promote awareness and prevention of prohibited conduct to include sexual assault, dating violence, domestic violence, and stalking. Educational programs include an overview of the Academy's policies and procedures; relevant definitions, including prohibited conduct; discussion of the impact of alcohol and illegal drug use; consent; safe and positive options for bystander intervention; review of resources and reporting options available for students, faculty, and staff; and information about risk reduction. Incoming students and new employees will receive primary prevention and awareness programming as part of their orientation.

ONGOING PREVENTION AND AWARENESS CAMPAIGNS

As part of the Montana Academy's commitment to providing an educational and work environment free from prohibited conduct, the Policy will be disseminated widely to the Academy community through e-mail communication, publications, websites, employee orientations, student orientations, and other appropriate channels of communication.

PROCEDURES VICTIMS SHOULD FOLLOW IF A CRIME OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT AND STALKING OCCURS

After an incident of sexual assault, dating violence or domestic violence, the victim should consider seeking medical attention as soon as possible at Benefis Hospital, 1101 26th Street S (for the Great Falls location) or at the Advanced Care Hospital of Montana, 3528 Gabel Road, Billings, MT 59102 (for the Billings location). In Montana, evidence may be collected even if you

chose not to make a report to law enforcement.[3] It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to Academy adjudicators/investigators or police. Although Montana Academy strongly encourages all members of its community to report acts of violence to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. The Title IX Coordinator (or Deputy) will assist any victim with notifying local police if they so desire.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with local law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the Academy at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

INVOLVEMENT OF LAW ENFORCEMENT AND CAMPUS AUTHORITIES

Although the academy strongly encourages all members of its community to report violations of this policy to local law enforcement, it is the victim's choice whether or not to make such a report. Furthermore, victims have the right to decline to notify law enforcement. However, the Academy Title IX Coordinator will assist any victim with notifying law enforcement if the victim so desires. The Great Falls Police Department may also be reached directly by calling (406) 455-8599 or in person at 112 First Street South, Great Falls, MT 59403 (next to the Civic Center) for those at the Great Falls Location. For those at the Billings location, the Billings Police Department may also be reached directly by calling (406) 657-8200 or in person at 220 North 27th Street Billings, MT 59101.

REPORTING INCIDENTS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT AND STALKING

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator or Deputy Title IX Coordinator (see contact information below). Reports of all domestic violence, dating violence, sexual assault and stalking made to Campus Security Authorities will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant choses to pursue criminal charges.

Linda McPherson, Title IX Coordinator

[3] Under the Violence Against Women and Department of Justice Reauthorization Act of 2005, starting in 2009, states must certify that they do not "require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursement for charges incurred on account of such an exam, or both."

linda@montanaacademy.edu

Dawn Zuris, Deputy Title IX Coordinator

admissions@montanaacademy.edu

Great Falls Campus: 501 2nd St. S Great Falls, MT 59405 406-771-8772 ext. 3 (The Deputy Title IX Coordinator is at same location, but press extension "5")

Billings Campus: (Rimrock Mall): 300 South 24th Street W, Space B01 Billings, MT 59102 406-998-5900 ext. 103 (The Deputy Title IX Coordinator is at same location, but press extension "105")

PROCEDURES THE ACADEMY WILL FOLLOW WHEN A CRIME OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT AND STALKING IS REPORTED

The Academy has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services on and/or off campus as well as additional remedies to prevent contact between a complainant[4] and an accused party, such as academic changes, protective orders, transportation, and working situations, if reasonably available. The Academy will make such accommodations or protective measures, if the victim requests them and if they are reasonable available, regardless of whether the victim chooses to report the crime to the local law enforcement. Students and employees should contact the Montana of Salons Title IX Coordinator to make a report and receive information on supportive measures and how to file a complaint. No person is required to file a formal complaint to receive supportive measures from the Academy.

Note: Considering a federal injunction related to the 2024 Title IX Regulations, Montana Academy of Salons will continue to enforce the 2020 Title IX rules until further notice.

If a report of domestic violence, dating violence, sexual assault, or stalking is reported to the Academy, below are the procedures that the Academy will follow:

Incident Being Reported	Procedure Institution Will Follow
Sexual Assault	1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care 2. Institution will assess immediate safety needs of complainant 3. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department

	4. Institution will provide complainant with referrals to on and off campus mental health providers 5. Institution will assess need to implement interim or long-term protective measures, if appropriate. 6. Institution will provide the victim with a written explanation of the victim's rights and options 7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate 8. Institution will provide written instructions on how to apply for Protective Order 9. Institution will provide a copy of the policy applicable to Sexual Assault to the complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution 10. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is 11. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation
Stalking	1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department 3. Institution will provide written instructions on how to apply for Protective Order 4. Institution will provide written information to complainant on how to preserve evidence 5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. Institution will provide the victim with a written explanation of the victim's rights and options 7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate 8. Institution will provide a copy of the policy applicable to Stalking to the complainant and inform the complainant regarding timeframes for inquiry, investigation, and resolution
Dating Violence	1. Institution will assess immediate safety needs of complainant

	2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department 3. Institution will provide written instructions on how to apply for Protective Order 4. Institution will provide written information to complainant on how to preserve evidence 5. Institution will assess need to implement interim or long-term insures to protect the complainant, if appropriate 6. Institution will provide the victim with a written explanation of the victim's rights and options 7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate 8. Institution will provide a copy of the policy applicable to Stalking to the complainant and inform the complainant regarding timeframes for inquiry, investigation, and resolution
Domestic Violence	1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department 3. Institution will provide written instructions on how to apply for Protective Order 4. Institution will provide written information to complainant on how to preserve evidence 5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. Institution will provide the victim with a written explanation of the victim's rights and options 7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate 8. Institution will provide a copy of the policy applicable to Stalking to the complainant and inform the complainant regarding timeframes for inquiry, investigation, and resolution

ASSISTANCE FOR VICTIMS: RIGHTS AND OPTIONS

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the academy will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. Such written information will include:

- the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
- information about how the institution will protect the confidentiality of victims and other necessary parties;
- a statement that the institution will provide written notification to students and employees about victim services within the institution and in the community;
- a statement regarding the institution's provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- an explanation of the procedures for institutional disciplinary action

RIGHTS OF VICTIMS AND THE INSTITUTION'S RESPONSIBILITIES FOR ORDERS OF PROTECTION, "NO CONTACT" ORDERS, RESTRAINING ORDERS, OR SIMILAR LAWFUL ORDERS ISSUED BY A CRIMINAL, CIVIAL, OR TRIBAL COURT OR BY THE INSTITUTION

C-1 No Contact Directives

Often times, a no contact letter will be given to the Complainant and Respondent by Montana Academy until the conclusion of the investigation. This will prohibit communication between the parties, including contact verbally, in writing, through technology or third parties. If you have been the victim of domestic or dating violence, stalking or sexual abuse, you may also want to consider obtaining an order of protection from the State of Montana. Violations of institutional no contact directives will be handled as a separate violation of the Student or Employee Handbooks and Montana Academy reserves the right to resolve those charges prior to the completion of the investigation into the Sexual Harassment claim. Montana Academy encourages Complainants to contact law enforcement for violations of orders of protection issued anywhere in the United States.

C-2 Protection Orders

Under Montana law, a person may request a temporary protection order or a permanent protection order. The below information explains the eligibility for obtaining a protection order in the State of Montana as well as information regarding both kinds of orders available for victims of certain crimes in Montana.

Eligibility For Order of Protection

40-15-102. Eligibility for order of protection. (1) A person may file a petition for an order of protection if:

(a) the petitioner is in reasonable apprehension of bodily injury by the petitioner's partner or family member as defined in 45-5-206; or

(b) the petitioner is a victim of one of the following offenses committed by a partner or family member:

(i) assault as defined in 45-5-201;

(ii) aggravated assault as defined in 45-5-202;

(iii) intimidation as defined in 45-5-203;

(iv) partner or family member assault as defined in 45-5-206;

(v) criminal endangerment as defined in 45-5-207;

(vi) negligent endangerment as defined in 45-5-208;

(vii) assault on a minor as defined in 45-5-212;

(viii) assault with a weapon as defined in 45-5-213;

(ix) strangulation of a partner or family member as defined in 45-5-215;

(x) unlawful restraint as defined in 45-5-301;

(xi) kidnapping as defined in 45-5-302;

(xii) aggravated kidnapping as defined in 45-5-303; or

(xiii) arson as defined in 45-6-103.

(2) The following individuals are eligible to file a petition for an order of protection against the offender regardless of the individual's relationship to the offender:

(a) a victim of assault as defined in 45-5-201, aggravated assault as defined in 45-5-202, assault on a minor as defined in 45-5-212, stalking as defined in 45-5-220, incest as defined in 45-5-507, sexual assault as defined in 45-5-502, sexual intercourse without consent as defined in 45-5-503, sexual abuse of children as defined in 45-5-625, or human trafficking as defined in 45-5-701; or

(b) a partner or family member of a victim of deliberate homicide as defined in 45-5-102 or mitigated deliberate homicide as defined in 45-5-103.

(3) A parent, guardian ad litem, or other representative of the petitioner may file a petition for an order of protection on behalf of a minor petitioner against the petitioner's abuser. At its discretion, a court may appoint a guardian ad litem for a minor petitioner.

(4) The following persons may file a petition for an order of protection on behalf of an adult:

(a) a guardian appointed pursuant to Title 72, chapter 5, part 3, on behalf of an incapacitated person;

(b) a conservator appointed pursuant to Title 72, chapter 5, part 4, on behalf of a protected person; or

(c) an agent on behalf of an incapacitated principal. For the purposes of this subsection (4)(c), "incapacitated" has the same meaning as "incapacitated person" provided in 72-5-101.

(5) A guardian must be appointed for a minor respondent when required by Rule 17(c), Montana Rules of Civil Procedure, or by 25-31-602. An order of protection is effective against a respondent regardless of the respondent's age.

(6) A petitioner is eligible for an order of protection whether or not:

(a) the petitioner reports the abuse to law enforcement;

(b) charges are filed; or

(c) the petitioner participates in a criminal prosecution.

(7) If a petitioner is otherwise entitled to an order of protection, the length of time between the abusive incident and the petitioner's application for an order of protection is irrelevant.

A eligible person as defined above may seek a temporary protection order by doing the following:

1. Visit your local courthouse.
2. Fill out the required forms. You may assistance through the court.
3. A judge reviews your petition and if the petition is granted, the court has to serve the Respondent.
4. A hearing will be held. You must attend the hearing if you want the order to stay in place. The Respondent does not have to attend the hearing but has the right to attend and dispute the information contained in the petition.

There is never a fee to file a petition for an order of protection.

An order of protection, if granted, extends nationwide within the United States and is a lawful stay away order that could also provide additional protections for you.

The below explains what a temporary order of protection and a permanent order of protection are:

40-15-201. Temporary order of protection. (1) A petitioner may seek a temporary order of protection from a court listed in 40-15-301. The petitioner shall file a sworn petition that states that the petitioner is in reasonable apprehension of bodily injury or is a victim of one of the offenses listed in 40-15-102, has a relationship to the respondent if required by 40-15-102, and is in danger of harm if the court does not issue a temporary order of protection immediately.

40-15-204. Written orders of protection. (1) The court may, on the basis of the respondent's history of violence, the severity of the offense at issue, and the evidence presented at the hearing, determine that to avoid further injury or harm, the petitioner needs permanent protection. The court may order that the order of protection remain in effect permanently.

Montana Academy complies with Montana law by recognizing court orders that mandate protection from abuse. For example, any person who obtains an order of protection from Montana or any state in the U.S. should provide a copy to the Title IX Coordinator. A Complainant may then meet with the Title IX Coordinator (or designee) to develop a Safety Action Plan, which is a plan for the victim and the school to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to walking escorts, providing a temporary cellphone, changing classroom location, or allowing a student or employee to complete assignments/work from home as able, etc.

Montana Academy cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s). The victim is required to apply directly for these services through Montana Courts or with the help of law enforcement. Montana Academy can and does issue institutional “No Contact” directives to prevent contact between parties,

which are enforceable as a violation of policy. Any Complainant may request an institutional directive by contacting the Title IX Coordinator or investigator assigned to their complaint.

A Protection Order is granted by a Judge and orders the defendant (Respondent) to stay away from you. The defendant should not enter your home or approach you at your place of work or school. If the defendant violates the protection order, a new charge could be filed, and the defendant could be arrested.

Although the Judge may grant the Protection Order, it does not guarantee your safety. It is important for you to be careful and take steps to ensure your safety as much as possible. Montana Academy can assist you with creating a Safety Action Plan, which is a plan to provide for your safety while on campus. You may contact off campus service providers, including the National Domestic Violence Hotline, by dialing 1-800-799-SAFE (7233), 1-800-787-3224 (TTY), or Text: START to 88788.

For complete information about the protection orders in Montana, click the link: https://dojmt.gov/wp-content/uploads/OVS-Getting-an-Order-of-Protection.pdf

ACCOMMODATIONS AND PROTECTIVE MEASURES AVAILABLE FOR VICTIMS

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, Montana Academy of Salons will provide written notification to students and employees about accommodations available to them, including academic, living, transportation, protective orders and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

At the victim's request, and to the extent of the victim's cooperation and consent, academy offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, working, protective measures or transportation situations regardless of whether the victim chooses to report the crime to local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc. The Montana Academy does not have housing and is unable to provide housing accommodations.

To request changes to academic, transportation and/or working situations or protective measures, a victim should contact the Title IX Coordinator. If the victim wishes to receive assistance in requesting these accommodations, she or he should contact:

Linda McPherson, Title IX Coordinator

linda@montanaacademy.edu

Dawn Zuris, Deputy Title IX Coordinator

admissions@montanaacademy.edu

Great Falls Campus: 501 2nd St. S Great Falls, MT 59405 406-771-8772 ext. 3 (The Deputy Title IX Coordinator is at same location, but press extension "5")

Billings Campus: (Rimrock Mall): 300 South 24th Street W, Space B01 Billings, MT 59102 406-998-5900 ext. 103 (The Deputy Title IX Coordinator is at same location, but press extension "105")

ON AND OFF CAMPUS SERVICES FOR VICTIMS

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, Montana Academy of Salons will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement. These resources include the following on and off campus as noted below ***(*Neither campus location has on campus resources—see the off-campus charts below by campus**.):*

Great Falls Location

EMERGENCY PHONE NUMBERS:

Immediate Help (Fire, Police, Rescue Squad)	9-1-1
Montana Academy Administrative Offices	(406) 771-8771
Cascade Fire Department	(406) 454-6978
Cascade Ambulance Department	(406) 454-6978
Great Falls City Police Department	(406) 454-6978
Cascade Sheriff Department	(406)454-6978
City-County Health Department	(406) 454-6950

MENTAL HEALTH/COUNSELING AGENCIES:

Aware Inc	(406) 727-5633
Center For Mental Health, (Open 24 hours)	(406) 727-1314
Families In Transition	(406) 452-1171
Front Range Counseling, LLC	(406) 453-4356
Intermountain Family Support	(406) 452-0388
Youth Dynamics Inc	(406) 453-5592

HEALTH/HOSPITALS:

Benefis Health System	(406) 455-5000
Great Falls Clinic Medical Center	(406) 216-8000
Benefis Health System-West Campus	(406) 455-2130
Community Health Care Center	(406) 454-6973
VA Great Falls Clinic	(406) 454-8070

Billings Location

EMERGENCY PHONE NUMBERS

Immediate Help (Fire, Police, Rescue Squad)	9-1-1	
Montana Academy Administrative Offices	(406}	771-8771
Yellowstone Fire Department	(406}	657-8423
Yellowstone Ambulance Department	(406)	259-6713
Billings City Police Department	(406}	657-8200
Yellowstone Sheriff Department	(406)	256-2929
Yellowstone County Health Department	(406)	662-3740

COUNSELING/MENTAL HEALTH AGENCIES

Aware Inc.	(406)	245-0694
Center For Mental Health	(406)	252-5658
NAMI	(406)	256-2001
Childrens Mental Health (Trish)	(406)	329-1330
Family Support Services	(406)	256-7738

HOSPITALS:

St Vincent Hospital	(406)	237-7000
Billings Clinic Hospital	(406)	238-2500
Riverstone Health Department (Medical & Dental)	(406)	256-2770
VA Billings Clinic	(406)	373-3500

VISA AND IMMIGRATION ASSISTANCE

U.S. Department of Homeland Security

1-888-373-7888

Infographic for Crime Victims who hold visas/non citizens

Text “info” or “help” to 233733

Federal Immigration Protections for Victims of Human Trafficking Infographic (dhs.gov)

Both locations

VISA AND IMMIGRATION ASSISTANCE

U.S. Department of Homeland Security

1-888-373-7888

Infographic for Crime Victims who hold visas/non citizens

Text “info” or “help” to 233733

Federal Immigration Protections for Victims of Human Trafficking Infographic (dhs.gov)

LEGAL ASSISTANCE

Montana Legal Services Association provides free civil legal assistance to eligible individuals, including victims of crime. If you need assistance, you can call the HelpLine, **1-800-666-6899** Monday through Friday from 9:00 am – 1:00 pm. MLSA's intake specialists will walk you through the application. You can also apply for assistance online.

MT Victim Legal Assistance Network - Montana Legal Services Association (mtlsa.org)

VICTIM ADVOCACY

For Sexual Assault-Call 800.656.HOPE (4673) to be connected with a trained staff member from a sexual assault service provider in your area.

For Domestic Violence-Text “Start” to 88788, call 1-800-799-SAFE, or chat here: www.thehotline.org Domestic Violence Support | National Domestic Violence Hotline (thehotline.org)

FINANCIAL AID

U.S. Department of Education Federal Student Aid

www.studentaid.gov 1-800-433-3243

Contact Us | Federal Student Aid

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

http://www.rainn.org – Rape, Abuse and Incest National Network

http://www.ovw.usdoj.gov/sexassault.htm - Department of Justice

http://www2.ed.gov/about/offices/list/ocr/index.html Department of Education, Office for Civil Rights

CONFIDENTIALITY

Victims may request that directory information on file with the Academy be withheld by request. For all requests, please email the Title IX Coordinator at linda@montanaacademy.edu. Regardless of whether a victim has opted-out of allowing the Academy to share "directory information," personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The Academy does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

ADJUDICATION OF VIOLATIONS

The academy's disciplinary process includes a prompt, fair, and impartial investigation and resolution process. In all instances, the process will be conducted in a manner that is consistent with the institution's policy and that is transparent to the accuser and the accused. Usually, the resolution of domestic violence, dating violence, sexual assault and stalking complaints are completed within the timeframe specified in each policy the institution maintains. However, each procedure allows for extensions of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay. Academy officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. Furthermore, each policy provides that:

1. The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
2. The accuser, the accused and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meeting and hearings;
3. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;

4. The accuser and the accused will have the same opportunities to have others present during any institutional disciplinary proceeding. The accuser and the accused each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. The Academy will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding. However, the role of the advisor is limited to advising, supporting, guiding or the like. The advisor is not permitted to act on behalf of their Party with regard to answering questions or providing evidence on behalf of a Party. They may not be disruptive, nor may they unnecessarily delay the investigation due to their personal availability. The advisor will be allowed to ask questions during the live hearing in the Title IX process, where the advisor will be the party to ask questions of the other party and witnesses on their party's behalf.
5. The accuser and the accused will be notified simultaneously, in writing, of the any initial, interim and final decision of any disciplinary proceeding; and
6. Where an appeal is permitted under the applicable policy, the accuser and the accused will be notified simultaneously in writing, of the procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding. When an appeal is filed, the accuser and the accused will be notified simultaneously in writing of any change to the result prior to the time that it becomes final as well as of the final result once the appeal is resolved.

Whether or not criminal charges are filed, the Academy[5] or a person may file a complaint under the following policies, depending upon the status of the accused (student or employee):

TYPES OF DISCIPLINARY PROCEEDINGS UTILIZED IN CASES OF ALLEGED DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT AND STALKING

Title IX Policy for Students and Employees

1. How to File a Disciplinary Complaint Under this Policy

Any person may report an incident of Sexual Harassment as defined by this policy however employees (including staff members at the front desk areas, in admissions, Financial aid directors, and all teachers) must report. Montana Academy encourages anyone who experiences or becomes aware of Sexual Harassment to immediately contact one of the options listed below including law enforcement, school administrators and off campus confidential options. Reports may be made by the person who experienced the Sexual Harassment or by a third-party, including, but not limited to, a friend, family member, advisor, or teacher. Reports to the Title IX Coordinator may be made in person, by mail, by telephone, or by electronic mail, using the contact information listed below, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the listed telephone number or electronic mail address, or by physical mail to the office address.

A Complainant may pursue some or all of these reporting options at the same time (e.g., one may simultaneously pursue a Formal Resolution Process with Montana Academy

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and a criminal complaint). When initiating any report, a Complainant does not need to know whether they wish to request any particular course of action, nor how to label what happened. Before or during any grievance process, Complainants and other reporting persons are encouraged to consult a Confidential Resource.

Every Montana Academy employee must report conduct that could constitute sexual harassment/sex discrimination/sexual misconduct under this policy to the Title IX Coordinator and are considered "Responsible Employees."

In emergency situations, if there is a suspected crime in progress, or imminent or serious threats to the safety of anyone, faculty and staff members should immediately dial 911 whenever possible.

Montana Academy is committed to responding to all alleged violations of this policy. Upon receiving a report of Sexual Harassment, the Title IX Coordinator will promptly, within two business days, contact the Complainant to discuss the availability of supportive measures, provide a written explanation of rights and options, and explain to the Complainant the process for filing a Formal Complaint. The Coordinator will also explain if Informal Resolution is an option if a Formal Complaint is filed. *A Complainant must file a Formal Complaint and ask Montana Academy to take action to access available Informal and Formal Resolution options.

An individual may report an incident without disclosing their name, identifying the Respondent, or requesting any action. Please note that choosing to make an anonymous report can significantly limit the ability of Montana Academy to respond. This information will be used for statistical purposes as well as for enhancing understanding of our campus climate so that we may strengthen sexual harassment response and prevention efforts.

2. How the Academy Determines Whether This Policy will be Used

Montana Academy only has one policy and resolution procedure. Upon receiving a report, the Title IX Coordinator will assess the information provided to determine if the conduct is sexual harassment as defined by the policy; if it occurred in the institution's educational programs or associated activities, and if Montana Academy has substantial control over the Respondent at the time the behavior reportedly occurred. If so, the policy will be used. If the conduct does not meet the requirements as stated above, it will not proceed under this policy. Montana Academy is not responsive to off campus misconduct unless it has the potential to create an ongoing hostile environment on campus or otherwise poses a threat to campus safety.

3. Steps in the Disciplinary Process

INFORMAL AND FORMAL COMPLAINTS

To initiate the informal resolution process or formal resolution process, a Complainant must file a Formal Complaint. A Formal Complaint means a written statement filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a

Respondent and requesting resolution of the alleged behavior. A Formal Complaint may be completed by the Complainant in person or submitted by email, mail or by US Mail to the Title IX Coordinator.

MONTANA ACADEMY-INITIATED COMPLAINTS

In limited cases, the Title IX Coordinator may initiate a complaint without a request by the Complainant upon receipt of a report of Sexual Harassment. The Title IX Coordinator will initiate the complaint when the Title IX Coordinator, in their discretion, determines that a grievance process is warranted given the reported behavior. A Complainant retains standing as a Complainant even in cases where the Title IX Coordinator initiates the complaint. If the Title IX Coordinator initiates a complaint, they will advise the Complainant that they have done so and will provide the rationale to the Complainant regarding why they proceeded.

DISMISSALS

If the Title IX Coordinator determines that the complaint, even if substantiated, would not rise to the level of a violation of this policy, the Title IX Coordinator may dismiss the complaint or refer the complaint to another policy for review. A case may also be dismissed for not meeting the threshold and jurisdictional requirements for Title IX, however, a dismissal of a case for purposes of Title IX, does not preclude Montana Academy from utilizing its student or employee handbooks to resolve the matter, if applicable.

If at any time during the investigation or hearing a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal resolution process or withdraw any allegations therein; the Respondent is no longer enrolled or employed by the recipient; or specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination as to the formal complaint or allegations, Montana Academy may dismiss the complaint and end the formal resolution process. The decision as to whether to dismiss the complaint will be determined by the Title IX Coordinator based on the stated goals of this policy. Upon a dismissal permitted pursuant to this section, Montana Academy will promptly send written notice of the dismissal and reason(s) therefore simultaneously to the Parties.

Either party may appeal Montana Academy's dismissal of a Complaint or any allegations by submitting a written appeal within 5 business days of the dismissal. Appeals may follow the grounds outlined in the Appeals section of this policy. If the appeal is denied, the dismissal of the complaint will remain in effect.

CONSOLIDATIONS

The Title IX Coordinator has the discretion to consolidate multiple complaints or reports into a single investigation if evidence relevant to one incident might be relevant to the others. Where a grievance process involves more than one Complainant or more than one Respondent, references in this section to the singular "Party," "Complainant," or "Respondent" include the plural, as applicable.

If a case involves violations of other Academy policies, the Title IX Coordinator, in consultation with other school administrators, will determine which grievance process to use or if different grievance processes would be more appropriate.

If the complaint could constitute a violation of this policy and the complainant has requested a formal resolution process, the complainant and respondent will receive written notice from the Title IX Coordinator of the allegations of sexual harassment, including sufficient details known at the time with sufficient time to prepare before any initial interview. The parties will receive written simultaneous notification of additional allegations as appropriate.

A fair and impartial investigation will be conducted by at least one trained investigator appointed by the Title IX Coordinator. Montana Academy reserves the right to employ external investigators if it determines that the investigation would be best conducted in this way. The parties will be provided with the name(s) of the investigator(s) and allowed three business days to request the removal and replacement of an investigator based on bias or conflict of interest. Any request for a change in an investigator must be accompanied by supporting information and the decision to assign a new investigator will be made at the sole discretion of the Title IX Coordinator based on information provided by the party.

Throughout the grievance process, the Title IX Coordinator will provide to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of meetings, investigative interviews, and hearings, with sufficient time for the party to prepare to participate as well as advise the party of the opportunity to present evidence and witness information, if applicable.

A complainant and respondent have the right to an advisor of choice to be present at any meeting or disciplinary proceeding in which either party is required to be present. Montana Academy will not restrict who this advisor is, although the advisor can only have one role in the process (i.e., the advisor cannot be a witness and an advisor.) Montana Academy can and will restrict the role the advisor plays within the meeting or proceeding and will do so equally for both parties.

The investigation will typically include interviewing all involved parties (respondent, complainant, witnesses) and the collecting of any documentation or evidence relevant to the allegation. The Academy will not restrict either party from discussing allegations under investigation or from presenting relevant evidence or identifying relevant witnesses.

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant and will not be requested by the investigator or allowed at the hearing, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. Additionally, the investigation and the hearing will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek

disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

At the conclusion of the investigation, the investigator and the Title IX Coordinator or Deputy Title IX Coordinator shall meet to determine if the preliminary investigation is complete. If the preliminary investigation is complete, the Title IX Coordinator will send to each party and the party's advisor, if any, a preliminary investigative report containing any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint.

The parties will be given 10 days to correct any information that is factually inaccurate or to present any new information to the investigator at this time. If new information is presented that prompts the need for further investigation, the investigator will complete the investigation based on the new information shared. At the conclusion of the supplemental investigation or if no further investigation needs to occur, the investigator will provide the final investigative report to the Title IX Coordinator who will distribute it to the respective parties and the parties' advisors, if any, at least 10 days prior to the hearing. The Investigator will include in the final investigative report a summary of relevant evidence.

Both the complainant and the respondent have a right to appeal the finding or non-finding of responsibility or the dismissal of the case. Appeals must be on one of the following grounds:

- Procedural irregularity that affected the outcome of the matter.
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- The Title IX Coordinator, a Deputy Title IX Coordinator directly involved in the matter, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

Both parties will have five business days from notification to appeal in writing. The decision-maker on appeal will not have been involved in the process up to the point of appeal. Both individuals will be informed in writing and simultaneously of any change to the results that occur prior to the time that such results become final and when such results become final.

4. Anticipated Timelines

Generally speaking, from the formal complaint through the conclusion of the live hearing, the Academy aims to take no more than 60 calendar days to resolve the complaint, although the Academy reserves the right to extend the timeframe for any part of this process based on factors like the amount of evidence associated with the case, the availability of parties, and other factors, like requests of the parties to delay for law enforcement. In the event of a delay, the Academy will notify the parties in writing of the delay, the reason for the delay, and the associated timeframe for completion.

5. Decision-Making Process

Upon completion of the final investigative report, the case will be assigned to a hearing. The Title IX Coordinator will appoint a trained decision-maker to adjudicate the matter who is not the Title IX Coordinator, a Deputy Title IX Coordinator who was in some way involved in the case, or the investigator for that complaint. The parties will be provided with the name of the decision-maker and will be allowed 5 days to request the removal and replacement of the decision-maker based on bias or conflict of interest. Any request for a change in a decision-maker must be accompanied by supporting information and the decision to assign a new decision-maker will be made by the Title IX Coordinator.

Hearings will be conducted via an online platform with video and audio capability, rather than in person. At the live hearing each party's advisor will be permitted to ask the other party and any witnesses all relevant questions and follow-up questions, including questions that challenge credibility. If a party does not have an advisor, the Montana Academy will appoint one on behalf of the party free of charge. In this capacity, the advisor will be appointed for the sole purpose of conducting cross examination of the other party and witnesses. If any advisor violates the rules or engages in behavior or advocacy that harasses, abuses, or intimidates either party, a witness, or the decision-maker, that advisor may be prohibited from further participation and another advisor will be assigned.

At the hearing, the decision-maker is responsible for maintaining an orderly, fair, impartial, and respectful hearing. The decision-maker has broad authority to respond to disruptive or harassing behaviors, including adjourning the hearing or excluding any offending person. The decision-maker will determine the method for questioning at the hearing. Only relevant cross examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination question, the decision-maker must first determine whether the question is relevant and will explain any decision to exclude a question as not relevant. The decision-maker may also ask questions of the parties and witnesses.

In the absence of good cause, as determined by the decision-maker, information, witnesses, and other evidence discoverable through the exercise of due diligence that is not provided to the investigator during the investigation will not be considered at the hearing.

All hearings are closed to the public. A recording will be made by the Academy in accordance with law, but all other recordings are prohibited.

A complainant, respondent, or witness may decline to participate in the hearing. If a party does not appear at the hearing, the decision-maker may still rely on any previous statement of that party or witness to reach a determination as to responsibility. The decision-maker will not draw an inference about the responsibility determination based solely on a party's or witness's absence from the hearing or refusal to submit to questions. If a party does not attend the hearing, their advisor must still attend.

At the conclusion of the hearing, the decision-maker will make a determination regarding responsibility. If the decision-maker has determined that it is more likely than not that

sex-based harassment and discrimination occurred in violation of this policy, the decision-maker will decide on the appropriate sanctions and remedies. After making a finding, the decision-maker will issue the determination, to include the reason for the finding and the associated sanctions and remedies, if any, in writing and simultaneously to the complainant and respondent. The decision maker will issue their finding and any associated sanctions within 5 business days of the hearing.

The Title IX Coordinator and Deputy Coordinator will routinely confer on cases to ensure consistent application of this policy. The Deputy Title IX Coordinator may be intentionally left out of conferment if the Title IX Coordinator believes they may be able to serve as the decision maker at the live hearing.

The standard of proof used to determine whether or not a violation of this policy has occurred is the preponderance of evidence, which means it is more likely than not the misconduct occurred.

Typically, the investigation, resolution, and appeal will not exceed 60 days although Montana Academy reserves the right to exceed this timeframe in order to conduct a thorough investigation. If the grievance process does or is anticipated to exceed 60 days, Montana Academy will notify the complainant and respondent in writing and will advise them of the reason for the delay and the anticipated timeframe for the completion of the investigation.

The outcome/finding, the rationalization for the finding, and the sanctions imposed, if any, shall be conveyed to the complainant and respondent simultaneously and in writing as noted above via the email system. If a party is no longer affiliated with Montana Academy, the outcome/finding will be delivered via certified US Mail.

6. Standard of Evidence

The standard of proof used to determine whether or not a violation of this policy has occurred is the preponderance of evidence, which means it is more likely than not the misconduct occurred.

7. Possible Sanctions

Student Sanctions

The Decision-maker is responsible for determining sanctions and remedies. The following sanctions and remedies may be imposed, individually or in any combination, when a student respondent is found responsible for violating this policy:

- Education/Training Requirement
- Loss of Privileges
- Permanent Supportive Measures
- Restitution
- Probation
- Suspension
- Expulsion

Employee (Staff and Teacher) Sanctions

The Decision-maker is responsible for determining sanctions and remedies. The following sanctions and remedies may be imposed, individually or in any combination, when an employee respondent is found responsible for violating this policy:

- Education/Training Requirement
- Permanent Supportive Measures
- Restitution
- Verbal Counseling
- Written Counseling
- Suspension in employment
- Termination of employment

8. Range of Protective Measures Available to a Victim Alleging Misconduct

Supportive measures may include:

- Referral to external counseling services and assistance in arranging an initial appointment.
- Rescheduling of exams and assignments.
- Change in class schedule, including the ability to withdraw from a course.
- Change in work schedule or job assignment.
- Imposition of a mutual on-campus "no contact order," which is an administrative remedy designed to curtail contact and communications between two or more individuals; and/or
- Any other remedy that can be used to achieve the goals of this policy.

Montana Academy will maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide the supportive measures. In cases that meet the definition and jurisdiction of Title IX, Supportive Measures will also be non-punitive and non-disciplinary.

Any supportive measures will not disproportionately impact the Respondent. Requests for supportive measures may be made by or on behalf of the Complainant to the Title IX Coordinator. The Title IX Coordinator is responsible for ensuring the implementation of supportive measures and coordinating Montana Academy's response with the appropriate persons on campus.

All individuals are encouraged to report concerns about the failure of another to abide by any restrictions imposed by a Supportive Measure. Montana Academy will take immediate action to enforce a previously implemented measure and disciplinary penalties can be imposed for failing to abide by an Academy -imposed measure utilizing the disciplinary process deemed appropriate by the Title IX Coordinator.

Academy-Initiated Protective Measures

In addition to those protective measures previously described the Title IX Coordinator or their designee will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as

possible. Examples of interim protective measures include but are not limited to: an Academy order of no contact, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator's directives and/or protective measures may constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Montana Academy of Salons Title IX Coordinator.