

## Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Report

### DATE OF DISCLOSURE

OCTOBER 1, 2015

The Vocational Nursing Institute, Inc.  
11201 Steeple Park  
Drive Houston, Texas  
77065

The Vocational Nursing Institute, Inc. is providing the following information to all of its employees and students as a commitment to safety and security pursuant to the requirements of the Federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Also, see the Crime Report Definitions to follow that will assist you with the understanding of the Campus Security Policies and Crime Statistics. If you should have questions about any of the information provided in this report, please contact the School Director, Kimberley Kelly, MSN, and BSN, RN by phone 832-237-2525x 103 email [kim@vocationalnursing institute.com](mailto:kim@vocationalnursing institute.com).

The annual disclosure report is available on the school's website under "About Our School" at [www.vocationalnursing institute .com/about.php](http://www.vocationalnursing institute .com/about.php) or you may obtain a copy from students' services/FSA office .

These definitions are excerpted from The Department of Education's Handbook for Campus Safety and Security Reporting Appendix B.

**Murder/Non-Negligent Manslaughter:** the willful (non-negligent) killing of one human being by another. NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded .

**Negligent Manslaughter:** the killing of another person through gross negligence.

**Robbery:** the taking or attempting to take anything from value of the care, custody or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated Assault:** an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

**Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned - including joy riding)

**Arson:** The willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another kind.

**Weapon Law Violations:** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

**Drug Abuse Violations:** Violations of state and local laws relating to the UN lawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

**Liquor Law Violations:** The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkeness and driving under the influence are not included in this definition.)

### **Hate Crimes**

We are also required to report statistics for bias-related (hate) crimes by the type of bias as defined below for the following classifications: murder/non-negligent manslaughter, negligent manslaughter, sex offenses (forcible and non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug abuse violations and/or weapons: possessing carrying, etc. (see definitions on the front page) and larceny-theft, destruction/damage/vandalism of property, intimidation, and simple assault (see definitions below).

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

**Vandalism:** To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

**Intimidation :** To unlawfully place another person in a reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

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

If hate crime occurs where there is an incident involving intimidation, vandalism, larceny, simple assault or other bodily injury, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document.

A bias-related (hate) crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of his bias against the victim's race, sexual orientation, etc. the assault is then also classified as a hate crime.

### **Sex Offenses-Forcible**

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

#### **A. Forcible Rape**

The carnal knowledge of a person, forcibly and/or against the person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

#### **B. Forcible Sodomy**

Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

### **C. Sexual Assault with an Object**

The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

### **D. Forcible Fondling**

The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

### **Sex Offenses-Non-forcible**

Unlawful, non-forcible sexual intercourse.

#### **A. Incest**

Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

#### **B. Statutory Rape**

Non-forcible sexual intercourse with a person who is under the statutory age of consent. Sex Offenses Definitions from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program

### **Violence against Women Act Categories:**

In accordance with the Violence against Women Re-authorization Act (VAWA) of 2013, Institutions are now required to collect and report information regarding:

**Domestic Violence:** A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, a person with whom the victim shares a child in common, a person who is cohabitating with the victim as a spouse or intimate partner, a person similarly situated to a spouse of the victim under the domestic of family violence laws of the jurisdiction receiving grant monies (under VAWA), or any other person against an adult or youth victim who is protected from that person's acts under the domestic violence laws of the jurisdiction.

**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 ; and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her

safety of the safety of others; or suffer substantial emotional distress.

**Sexual Assault:** See previous definition

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety of the safety of others; or suffer substantial emotional distress.

## **CAMPUS SECURITY AND CRIME PREVENTION POLICY**

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Report are displayed on the school website under the link About Our School [www.yocationalnursinginstitute.com/about.php](http://www.yocationalnursinginstitute.com/about.php) for every student and employee to see.

### **PROCEDURES VICTIMS SHOULD FOLLOW IF A CRIME OF DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING HAS OCCURRED & REPORTING OTHER CRIMES AND EMERGENCIES**

A safe environment is everyone's responsibility. Students and employees are encouraged to report all criminal acts, suspicious activities, or emergencies promptly and have the right to report these matters confidentially. Victims or witnesses to a crime are encouraged to file a report of the incident immediately or as soon as possible. Reports can be filed on a voluntary and confidential basis for inclusion in the annual disclosure of crime statistics protecting personally identifiable information about the victim as defined in Section 40002(a)(20) of the Violence Against Women Act of 1994 (42 U.S.C. 13925 9a)(20).by contacting the School Director, Kimberley Kelly, MSN, BSN, RN. Reports are kept in a secure location in the School Directors' office. Names of victims or witnesses are not disclosed in the crime report.

#### **Procedures Victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred**

1. All victims need to report the crime to the School Director and/or Alternate Director and is encouraged to report the crime to the police immediately. Contact the Director either in person or by calling the school at 832-237-2525 x 103 or email [k.kelly@vni.edu](mailto:k.kelly@vni.edu).
2. Victims have the right to orders of protection, “no-contact” orders, restraining orders, or similar lawful orders which are issued by a criminal, civil, or tribal court or at times by the school. The school will ensure all staff as applicable is notified and aware of such orders and the school’s responsibility to ensure enforcement to the best of our abilities of such orders. The school does not have campus police; therefore the school employees will have to help to enforce such orders.
3. The School 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 school to provide the accommodations or protective measures.

It is the policy of The Vocational Nursing Institute, Inc. that all criminal acts or other emergencies be properly documented and reported to local authorities as required by law. Students and employees should promptly report all criminal actions and emergencies occurring on or around The Vocational Nursing Institute, Inc. facilities to the School Director, Kimberley Kelly, MSN, BSN, RN either in person or by calling the school at 832-237-2525 x 103.

If the School Director is not immediately available, you may contact the Alternate School Director and/ or Receptionist at 832-237-2525 and the Harris County Sheriff's Office by dialing 911 or 281-537-949.

All criminal activity is documented by the completion of an Incident Report and is reported to local police agencies and the School Director, Kimberley Kelly, MSN, BSN, RN. Criminal activity might include, but is not limited to, murder/non-negligent manslaughter, negligent manslaughter, forcible sex offenses, non-forcible sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, and hate crimes, including crimes perpetrated based on race, gender, religion, sexual orientation, ethnicity/national origin, disability, or crimes against women.

In the event of fire or medical emergencies, staff and employees should dial 911 and then notify the School Director, Kimberley Kelly, MSN, and BSN, RN.

### **POLICIES FOR PREPARING THE ANNUAL DISCLOSURE OF CRIMINAL STATISTICS**

All incidents are reported and documented on the Incident Report, which is sent to the School Director. Reports are kept in a secure location in the Campus President's office. The annual crime report is prepared by gathering campus crime statistics and data from the local police department and other relevant information by the School Director.

**Information about how the school will protect the confidentiality of victims and other necessary parties, including how the school will complete publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim, as defined in Section 40002(a)(20) of the Violence Against Women Act of 1994 ([42 U.S.C. 13925\(a\)\(20\)](#)).**

The school will protect confidentiality of victims and other parties in its publicly available recordkeeping by:

1. Omitting any individual person's name, or identifiable information
2. Documenting statistical numbers only
3. Ensure reports do not have in the Clery report any personal information about the victim
4. The school will have 3 different staff members review the Clery report to ensure no personally identifiable information exists within the report each time the report is released.

**How the school 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 school to provide the accommodations or protective measures**

1. The School Director will share with only those individuals (staff / faculty) who have a need to know any protective measures which need to be in place to assist a student to remain safe on campus. Note: Due to the fact we are a very small campus, students may notice if someone is being escorted to their car. The school staff member will not discuss any reasons why this is occurring for example, and will offer escort students to their cars as a courtesy service.
2. Each faculty and staff member will be educated to the importance of maintaining confidentiality; not sharing confidential information or gossiping among staff, and what the specific accommodation or protective measure is that must be implemented, enforced, and maintained for the safety of the individual student.
3. A staff member will be assigned to assist in ensuring accommodations and/or protective measures are provided without discussing this with other students or faculty members who have no need to know.
4. The school disciplinary action policy will be followed for non-compliance.
5. Upon hire all staff will be educated to this process and requirement for all staff and faculty members.
6. Annually the school will educate its staff regarding this process and requirement.

**SECURITY AND ACCESS TO THE INSTITUTION**

It is the policy of The Vocational Nursing Institute, Inc. that access to Institution's facilities is limited to authorized personnel, students and invited visitors. Visitors are at all times subject to The Vocational Nursing Institute, Inc. policies and conduct codes. Students and employees are responsible for the conduct of their visitors at all times.

In pursuit of this policy, all employees shall be required to:

1. Keep all unsupervised and unoccupied areas locked at all times
2. Routinely check the alarm systems and security lighting to ensure their operational effectiveness
3. Ensure that the security contacts are on site during all hours that the building is open to the students and to the public. The campus hours are 8:30 AM to 5:00 PM.
4. Report immediately to the School Director, Kimberley Kelly, RN, BSN, MSN, any suspicious activities that relate to the Institution or of its Properties, regardless of how minor these may seem. If the School Director is not available, you may contact the Receptionist at 832-237-2525 or the Harris County Sheriff s Office by dialing 911 or Phone 281-537-9492.

5. be familiar with all the Institution's procedures regarding the handling of any accidents or criminal activities. The procedures are below:
  - a. Immediately determine the condition of any injured employees, students, or other parties
  - b. In the case of an automobile accident, secure the accident scene
  - c. Notify the appropriate authorities by calling 911
  - d. Complete an Incident Report
  - e. Obtain a copy of the police report
  - f. Obtain information from witnesses
  - g. Investigate property damage or theft, following steps c, d, e, and f above
  - h. Should an alleged sex offense on campus be reported, the parties involved are permitted, if applicable, to change their academic schedule, depending on the availability of classes.
  - i. Ensure that entrance to the building in the evening is restricted to the front door. All other doors are locked to prevent entry and exit.

The Vocational Nursing Institute, Inc does not have off-campus locations of student organizations officially recognized by the Institution, including student organizations with off-campus housing facilities. The Vocational Nursing Institute, Inc. does not have any on or off-campus housing facilities

All students are required to:

1. Notify the School Director, Kimberley Kelly, MSN, and BSN, RN if a student becomes ill or is injured while at the campus.
2. Upon enrollment or if there is a change in health status, report to the School Director, Kimberley Kelly, MSN, BSN, RN any physical condition that may require immediate medical attention. A copy of this notification is maintained in the student's permanent confidential file.
3. Gain knowledge of any announcements, newsletter, etc., missed because of absence. These communications contain information important to students. This may also contain information regarding the change of criminal/emergency contact information.

### **CAMPUS SECURITY ENFORCEMENTS**

If there are security personnel (employees fulfill this role) at the school building they may be there at the direction of the building owners or the institution, and may assist students, faculty, and staff of the Institution. Someone may be on duty during the hours the building is occupied. If on duty they are responsible for ensuring that persons entering the building are employees, students, and their families or invited visitors. They are authorized to request identification from those individuals, who are unfamiliar to them, and identification is required of all individuals arriving or leaving after the building is secured. They have the authority to evict unauthorized persons from the premises. Students and employees are advised to carry their



School Photo ID card at all times and to present them upon request.  
Security personnel may not make arrests, but are instructed to promptly contact the School Director, Kimberley Kelly, MSN, BSN, RN or 911 if any illegal activity occurs.

If the school retains security personnel it will be off duty police who have the authority to act in that capacity.

### **RELATIONSHIPS WITH LOCAL POLICE**

The Vocational Nursing Institute, Inc. is located in Harris County. The Vocational Nursing Institute, Inc. maintains a working relationship with the Harris County Sheriff's Office with periodic contact initiated by The Vocational Nursing Institute, Inc. personnel to ensure that the school is aware of criminal offenses and arrests occurring on or near the campus so that they can be properly reported, and if necessary, provide for timely warning reports on crimes that represent a continuing threat. Timely warning reports are placed in employee mailboxes and students are notified by the student handouts.

### **PROFESSIONAL COUNSELING SERVICES**

The school has a contract with ComPsych counseling services. ComPsych provides professional counseling services. The Vocational Nursing Institute, Inc.(VNI) believes in supporting their students. We realize that you have many challenges facing you beyond being a full-time nursing student or part-time nurse aide student. We have secured the services of Com Psych to assist our students in the event you have the need for counseling services whether it be stress, life events, or issues such as violence against women.

VNI encourages the counselors to tell students that any and all information the student shares with Com Psych is confidential. Com Psych will not share student information with the school except for in a statistical format which has no student personal identifiers and for annual reporting purposes only. Com Psych provides a variety of services not limited to:

- Relationship Issues
- Mental Health Issues
- Wellness
- Work Issues
- School
- Legal, Financial Issues
- Job Pressures
- Grief and Loss
- Substance Abuse
- Marital/Relationship Conflicts
- Problems with Children
- Domestic Violence, Rape, Hate Crimes, Victim advocacy, legal assistance, visa and

immigration assistance

These Guidance Resources are school-sponsored, confidential and provided at NO CHARGE to you and your dependents. Guidance Resources Online is a one stop for expert information on the issues that matter the most to you. The school has prepaid a set amount of resources per student.

You may call ComPsych Guidance Resources anytime for confidential assistance. Call: 800-272-7255

TDD: 800-697-0353

Go online: [guidance.resources.com](http://guidance.resources.com)

VNI School Web ID is: VNI589

*Just call or click to access the services!*

### **PROGRAMS TO INFORM STUDENTS AND EMPLOYEES ABOUT CAMPUS SECURITY/CRIME PREVENTION**

All new employees are instructed on crime awareness, prevention, and campus security during the hiring process. Employees are instructed on crime awareness, prevention and campus security during staff/faculty meetings, and are also encouraged to take responsibility for their own security, as well as their fellow co-workers and students.

All new students are instructed on crime awareness, prevention and campus security during orientation, and are encouraged to take responsibility for their own security, as well as their fellow classmates and the school employees. The orientation includes a description of campus security policies and procedures, suggestions on how to avoid becoming a crime victim, evacuation plans at the institution, and procedures for reporting any criminal activity or emergency. All students are subject to a national and state criminal history check prior to enrollment and the school will conduct a repeat check 90 days prior to graduation for all Vocational Nursing Program (VN) students. This is to monitor any activity which may have occurred

### **PROGRAMS TO INFORM STUDENTS AND EMPLOYEES ABOUT THE PREVENTION OF CRIMES**

The Institution provides in-service programs designed to heighten awareness of crime and its prevention. These in-service programs are conducted by local law enforcement officials or other appropriately qualified personnel two times per year. Topics included in these informational programs are proper procedures for reporting Criminal Actions (as stated above- "Reporting Criminal Actions or Other Non-Emergencies", personal safety, living in a city, crime prevention, basic safety, and neighborhood watch programs. In addition to the annual campus security report, students and employees are notified of specific security concerns as they arise throughout the year. In the event the Institution, with the assistance of the local police, determines that a particular criminal offense continues to be a threat to the campus community, the Campus President will

notify the Institution's community by bulletin board notices, notices read by instructors in classrooms, and notices in student handouts or through the Emergency Notification System.

Students are requested to review the Institution's School Catalog and/or Handbook where sections discussing Student Code of Conduct can be found. Also, students are requested to read this *Campus Security and Crime Prevention Policy* handout that discusses procedures for reporting Crimes and Emergencies, Crime Awareness, and Campus Security. Employees are requested to review the Institution's *Employee Handbook* where information regarding Employee Conduct and the Safety policy can be found. Furthermore, employees are requested to read this *Campus Security and Crime Prevention Policy handout* that discusses procedures for reporting Crimes and Emergencies, Crime Awareness, and Campus Security.

### **OFF-CAMPUS STUDENT ORGANIZATIONS**

Should a student or employee be a victim of injury or crime during a School-sponsored activity, the student or employee should notify the appropriate agencies, (i.e., police, ambulance, or fire department). The student or employee should immediately notify the appropriate person at the Institution as soon as possible.

The school has no off campus or on campus housing and does not have any off campus locations.

### **DRUG AND ALCOHOL POLICIES**

The Vocational Nursing Institute, Inc. annually and upon orientation of newly enrolled students and newly hired faculty members will distribute its materials for drug, alcohol, and crime prevention.

In keeping with section 120(a) through (d) of The Higher Education Act of 1965, as amended, including the Drug-Free Schools and Communities Amendments of 1989 (Public Law 101-226), a "Drug Free Schools and Campuses" publication, the Drug and Alcohol Abuse Prevention Program, is provided to the Institution annually. Pursuant to federal and state drug laws, students are prohibited from the unlawful manufacture, distribution, possession, sale or use of illicit/illegal drugs. The Vocational Nursing Institute also enforces state laws regarding underage drinking. This prohibition applies while on the property of the school or when participating in any institutional activity. Students or employees who violate this policy will be subject to disciplinary action up to, and including, expulsion from school or termination of employment and referral to the appropriate local law enforcement agency.

The school drug tests all VN students and faculty/staff randomly and if suspected additional testing will be conducted randomly. If a drug screen comes back positive, further investigation will be conducted and termination of employment/enrollment may occur for a positive drug screen. Students are prohibited from the possession, use, or sale

of illicit/illegal drugs, or alcoholic beverages on campus or while enrolled in school.

Alcohol and Drug prevention counseling is conducted upon orientation for students and staff and is posted on the school website for all staff and employees to review.

### **PROGRAMS AND PROCEDURES REGARDING SEXUAL ASSAULT**

Educational programs promoting the awareness of rape, acquaintance rape, dating violence, domestic violence, stalking, and other sex offenses are presented by the Institution annually with the assistance of guest speakers. Guest speakers present discussions on rape awareness, reducing the risk of being a rape victim, and what to do if you are attacked. Brochures on sexual assault issues are available in the student lounge. Should a student or employee be sexually assaulted, it is the student(s)/employee(s) option to notify the appropriate law enforcement authorities, including on-campus authorities and local police. At the student's/employee's request, the Campus President or other school officials will assist in notifying the proper authorities.

→Victims of sexual assault or rape should follow these recommended steps:

→Go to a safe place following the attack. If able, call 9-1-1 immediately

→Do not shower, bathe, douche, or destroy any of the clothing you were wearing at the time of the attack. (This is to preserve evidence)

→Go to a hospital emergency room for medical care.

→Make sure you are evaluated for the risk of pregnancy and venereal disease.

(A medical examination is the only way to ensure you are not injured and it could provide valuable evidence should you decide to prosecute.)

→Call someone to be with you as you should not be alone.

It is also recommended that victims call the Rape Crisis Hotline at 713-528-7273. It is open 24 hours a day and their counselors can help answer medical and emotional questions at any hour and in complete confidence. Reporting the rape to the police is up to the victim, but it is important to remember that reporting a rape is not the same as prosecuting a rape. Victims are strongly encouraged to call the police and report any sex offense (dating violence, domestic violence, stalking, and/or rape).

The Vocational Nursing Institute, Inc. will assist in identifying off campus counseling or mental health services. After any campus sexual assaults are reported, the victims of such crimes have the right to request that VNI personnel take steps or actions reasonably feasible to prevent any unnecessary or unwanted contact or proximity with alleged assailants, if applicable, including the transfer of classes. Other rape crisis centers or mental health agencies available to assist a victim of sexual offenses include:

Houston Area Women's Center's Domestic  
Violence Hotline (713) 528-2121  
Sexual Assault Hotline (713) 528-7273

### **Disciplinary Action and Sanctions**

On-campus disciplinary procedures against students will be in accordance with The Vocational Nursing Institute, Inc. published Student Conduct Policy. Both the accuser and the accused are entitled to have others present during a disciplinary proceeding. Both will be informed of the outcome of any campus disciplinary proceeding. Sanctions, which may be imposed following a final determination of a disciplinary proceeding regarding rape, acquaintance rape, or other forcible or non-forcible sex offenses, may include warning, probation, suspension, or dismissal.

However, the following procedures will apply to the investigation and resolution of charges of Sexual Harassment, Domestic Violence, Dating Violence, or Stalking to the extent not already reflected in the process: The complaint should be submitted to the Title IX Coordinator, which is the School Director. If the complaint is received by any staff member they will promptly notify the Title IX Coordinator.

### **Disciplinary Investigation**

1)

a.) Upon being notified that one of the above persons wishes to pursue a complaint of Sexual Harassment, Domestic Violence, Dating Violence, or Stalking, the Title IX Coordinator, in consultation with the Board of Directors as applicable.

b) The School Director will review the complaint to determine whether the allegations, if proven, would constitute a violation of this policy. This evaluation will normally occur within five working days of the initial report. If it is determined that the allegations would not constitute a violation of this policy, the Reporting Person will be advised of other disciplinary, legal and support options as appropriate, and no further investigation under this policy will be pursued. If new information is subsequently provided, this decision may be reevaluated.

c.) If it is determined that the allegations would constitute a violation of this policy, the Title IX Coordinator will ask the Judicial Board Member (John Currier Esq.) to prepare the charge describing the alleged violation and the provisions of this policy alleged to have been violated and begin an investigation of the matter.

d.) The Judicial Board Member will send to the Reporting Person and the Responding Person: a document setting forth the charge(s); a copy of this policy; and information about the disciplinary procedure to be used to review the charge. They will also inform both parties of VNI's policy, which prohibits retaliation.

e) The investigation and disciplinary process will be conducted in a prompt, fair, thorough, and impartial manner by a person or people who have specialized training in conducting Sexual Harassment, Domestic Violence, Dating Violence, or Stalking investigations. It will include, at a minimum, obtaining information from

the Reporting Person, the Responding Person and pertinent witnesses, and soliciting and reviewing documentation relevant to the investigation including available police reports. Each party may have an advisor and/or an observer present with them at all meetings concerning the investigation.

f.) All parties and witnesses are obligated to be completely honest during the course of the investigation. Any person who knowingly makes a false statement in connection with the investigation may be subject to College disciplinary action. False statements include statements that omit a material fact, as well as statements that the speaker knows to be untrue.

g.) The Judicial Board member will establish reasonable timeframes for the submission of information and the identification of potential witnesses by the Reporting Person and the Responding Person.

h.) All hearings held in the disciplinary process will be recorded by electronic, stenographic, or other means, to the extent permitted by law. When a recording has been made, the Reporting and Responding parties may request permission to listen to the recording at the conclusion of the hearing. The Judicial Board Member, will determine the conditions under which the student will have access to the recording in order to preserve confidentiality. Students who fail to abide by the restrictions may be subject to further disciplinary action. Except as provided above, no photographs, tape recordings, videotapes, stenographic records, or other recordings of proceedings under this policy may be made.

## **2. Standard of Proof**

All findings and determinations of responsibility under this policy will be made using a preponderance of the evidence standard. With respect to any factual issue, this standard requires the determination of whether it is more likely than not that a fact exists or an event or violation of this policy occurred.

## **3. Sanctioning Decision**

If the Responding Person is found responsible for Sexual Harassment, Domestic Violence, Dating Violence, or Stalking under this policy, an appropriate sanction will be determined in accordance with the Judicial Affairs process. Sanctions may include but are not limited to one or more of the following: separation (i.e. expulsion); suspension; warning; fine; restitution; educational/counseling requirement; no contact order; restriction from specific VNI programs or activities; restriction from VNI employment; and/or or loss of school recognition. The Board members will also identify permanent remedies to address the effects of the conduct on the Reporting Person, restore the Reporting Person's safety and well-being and maximize the Reporting Person's educational and employment opportunities. Such remedies should restore to the Reporting Person to the extent

possible all benefits and opportunities lost as a result of the prohibited conduct. Permanent remedies may include extending or making permanent any Interim measures.

#### **4. Notification of Investigation Outcome**

The School Director will inform the Reporting Person and the Responding Person simultaneously and in writing of (a) the result of the disciplinary proceeding, including the sanction, if any; (b) the rationale for the result; and (c) the procedures for the Reporting Person and the Responding Person to request review of the result of the proceeding.

#### **5. Review of Decision**

Either the Reporting Person or the Responding Person may request review of the decision pursuant to the school's appeal procedures.

#### **C. Timeframe for Completion of Investigation and Disciplinary Process.**

The school will ordinarily complete its investigation and disciplinary process, if any, within sixty (60) calendar days. All timeframes set forth in this policy may be extended by the Board of Directors or School Director for good cause, with written notice to the Reporting and Responding Persons of the delay and the reason for the delay.

### **INFORMATION REGARDING REGISTERED SEX OFFENDERS**

Information regarding registered sex offenders under SORNA section 111(5) (C) is available with the Houston Police Department, located at  
105 Greens Point Mall  
Houston, Texas 77060  
(281) 875-6155

Or through: <http://www.houstonpoliceorg/go/doc/2133/289249/>

### **PROGRAMS AND PROCEDURES REGARDING VIOLENCE AGAINST WOMEN**

In accordance with the Violence against Women Reauthorization Act of 2013, educational programs are provided to all students and employees to promote prevention and awareness of rape, acquaintance rape, and domestic violence, dating violence, sexual assault, and stalking. Such program include a statement that the Institution prohibits domestic violence, dating violence, sexual assault, and stalking along with the applicable jurisdictions' definition of each including the definition of consent (in reference to sexual activity).

The programs provide "safe and positive" options for bystander intervention to prevent or intervene when there is a risk to another person of domestic violence, dating violence, sexual assault, or stalking and information on how to reduce risk and recognize warning signs of abusive behavior and how to avoid a potential attack. The Institutions also provide "ongoing prevention and awareness campaigns for students and faculty" that includes the material provided to incoming students and employees.

The Institution makes known the possible sanctions and protective measures following a final determination regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking; including procedures victims should follow if one of these acts has occurred. The Institution provides in writing:

1. The importance of preserving evidence for proof (for prosecution or in obtaining a protective order) and to whom the offense should be reported;
2. Law enforcement and campus authority's options to notify the victim regarding their option to file a report to the local police assist the victim if they choose to notify law enforcement and give the victim the right to decline to notify such authorities.
3. Rights of victims and Institutional responsibilities on orders of protection, no contact orders, restraining orders, or similar lawful orders issued by criminal, civil, or tribal courts will be enforced. VNI will abide by the rights of the victim and any protection, no contact, or restraining orders, or similar orders that are lawful will be abided by the staff of the school. This school does not have security or police on campus. Staff may be utilized to escort students to their car as needed and all staff will be educated to any lawful orders and to call 9-1-1 as necessary should the need arise.
4. The procedures for Institutional disciplinary action in cases of domestic violence, dating violence, sexual assault, or stalking such as:
  - a. Provide a prompt, fair, and impartial investigation and resolution; and be conducted by officials who receive annual training on issues related to domestic violence, dating violence, sexual assault, and stalking, and how to conduct an investigation and
  - b. Hearing process that protects the safety of victims and promotes accountability.
5. The accuser and accused are entitled to the same opportunities to have a support person/advisor of their choice at any proceeding or related meeting. The accuser and accused must be simultaneously informed in writing of:
  - a. The outcome of any Institution all disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking.
  - b. The Institution's procedures for appealing the results of the proceeding requires the accused or accuser to complete a request for an appeals hearing. 2 members of the board will review the



appeal and make a final determination. The board members have 10 business days to review the appeal and make a decision in writing. The accuser or accused will be notified in writing of the final determination. No further appeals will be allowed.

c. Any change to the result when the results become final .

6. When such results become final, the Institution provides information about how the confidentiality of victims will be protected. The names of the victims will be protected, will not be revealed to staff or students, only referencing a situation can be done. If a student needs an escort or enforcement of a restraining order, only the student name and type of lawful assist will be discussed with the faculty members on a need to know basis and other staff.

Written notification will be provided to students and employees about services available for victims both on-campus and in the community. Compsych handouts will be provided to all students and employees upon hire/enrollment and posted on the website under current student's area for the general public. Upon hire and /or enrollment students will be oriented to the counseling and other services available by Compsych for victims both on-campus and in the community.

### **Student Counseling Services**

The Vocational Nursing Institute, Inc. believes in supporting their students. We realize that you have many challenges facing you beyond being a full-time nursing student or part-time nurse aide student.

We have secured the services of Com Psych to assist our students in the event you have the need for counseling services. Com Psych provides a variety of services not limited to:

- Relationship Issues
- Mental Health Issues
- Wellness
- Work Issues
- School
- Legal, Financial Issues
- Job Pressures
- Grief and Loss
- Substance Abuse
- Marital/Relationship Conflicts
- Problems with Children

These Guidance Resources are school-sponsored, confidential and provided at **NO CHARGE** to you and your dependents. Guidance Resources Online is a one stop for expert information on the issues that matter the most to you. The school has prepaid a set amount of resources per student.

7. You may call ComPsych Guidance Resources anytime for confidential assistance.

Call: 800-272-7255

TDD: 800-697-0353

Go online: [guidanceresources.com](http://guidanceresources.com)

***Just call or click to access the services!***

8. Notification will be provided to victims about options for, and available assistance in n, escort to their car, counseling with a Compsych counselor, or community agency. Also, a student or employee who reports to an institution of higher education that s/he has been a victim of domestic violence , dating violence, sexual assault, or stalking, whether it occurred on or off-cam pus, shall be provided with a written explanation of his or her rights and options. There shall be no retaliation against anyone who exercises rights under the Clery Act and Title IX.

## **EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

The Institution will use its Emergency Notification System to notify the Campus Community of any immediate threat to the Campus Community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. Students and employees may receive text messages via Cell Phone, Remind ME or e-mail l contacts with information relative to the threat and the action to be taken by the Campus Community to remain safe until the threat/perceived threat is over . On campus notifications will also be conducted using manual notification systems such as a school official notifying each classroom and laboratory of any threat or any incident requiring emergency notification. In addition the school has an intercom system with "page all" feature and a manual emergency bell in the o f f i c e corridor.

The Institution will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims to contain, responds to, or otherwise mitigates the emergency.

## **TIMELY WARNINGS / NOTIFICATIONS TO CAMPUS COMMUNITY**

The Institution will also use its Emergency Notification System to issue a "timely warning" to the Campus Community in the event a crime is reported to campus officials or local police that represent a serious or continuing threat to students and employees. The warning will be issued as soon as the pertinent information is available. The intent of the timely warning is to enable recipients to protect themselves and aid in the prevention of similar crimes. The warning will be done through the Remind me app and/or via email, and face to face communication as applicable. Timely is defined as soon as the information is known and communicated immediately.

## **PROCEDURES FOR DISSEMINATING EMERGENCY INFORMATION TO THE LARGER COMMUNITY**

Any member of the Campus Community may, at their discretion notify public authorities

of any emergency or dangerous situation on campus. This can be done by calling the local public authorities or dialing 9-1-1. The three principles named above will also determine if public authorities/emergency and law enforcement agencies will be notified and will do so by the most expeditious means immediately available.

### **DATE & TIME OF TEST/ANNOUNCED OR UNANNOUNCED**

For example, on (Date) the school conducted such a test which was unannounced. The emergency threat was a fire flame placed within the school. The staff and students responded appropriately, assembled in the meeting place at the front gate of the school and evacuated the school in less than 3 minutes.

### **THE INSTITUTION'S PROCEDURES TO TEST THE EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

On at least an annual basis, (July) the institution will test the Emergency Response Communications system using Remind Me, text messaging and/e-mail transmissions via unannounced or announced process. A report log will be kept of the date and time of the test and whether the test was announced or unannounced. A survey will be distributed to the campus community to solicit feedback on the effectiveness of the test. The surveys will be maintained for a minimum of one year and the data on the response effectiveness recorded as part of the test log.

Confirmation of the type of emergency/dangerous situation - will be through the School's Directors office. The Director will determine the content of the reported emergency/threat and talk to the individual who reported it and confirm the type of emergency and will determine what emergency response agency will be notified. Any emergencies deemed reportable to all members of the staff, faculty and student body should be immediately directed to the School Director for prompt action. All staff will be notified off campus via the remind me app and on campus will be notified through the "page all" phone system or face to face. Notification to Campus Management by any member of the campus community does not preclude notification to the appropriate emergency authorities. The school will without delay take appropriate action in the event of any type of emergency or dangerous situation.

School Director: Kimberley Kelly, MSN BSN RN  
Alternate School Director: Denise Garcia, MHA BSN RN

*The following statistics show the total criminal offenses, hate crimes, and arrests/referrals for campus disciplinary action that occurred on the Institution's campus and public property.*

### **CRIME STATISTICS**

The following statistics are provided for your information in compliance with the Jeanne

Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Set forth below are statistics available to the Institution concerning the occurrence of criminal offenses in the listed categories which were reported to local and/or state agencies in the school's immediate community and surrounding area.

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