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Campus Security Policy

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Securities Policies & Clery Campus Crime Statistics Act

The Clery Act and the United States Department of Education's regulations require that Title IV participating institutions annually publish a security report which includes policies that address crime statistics, safety and security issues. This report must be distributed annually to all current students and employees. In addition, ZMC, like all Title IV eligible schools, must inform prospective students and employees about the availability of the report.

Zion Massage College is committed to ensuring the safety and personal well-being of its students, staff members and the public that visit the campus.

ZMC is located in the beautiful Green Valley area of St. George, Utah, a city which in 2015 was ranked as one of the top [10 "Safest Metros in the West"](#) by Law Street. The media company used the FBI's 2013 Crime Report by metropolitan statistical area to create the rankings.

In compliance with the requirements of the Jeanne Clery Disclosure and Campus Security Policy and Campus Crime Statistics Act (The "Clery Act"), ZMC will publish and make available an annual campus security report for the preceding calendar year, January - December by October 1st. Students are sent the campus security report. Included with this report are the Campus Security policies. Students are briefed on the Campus Security policies at orientation and copies of the crime report will be available to students and staff members in ZMC's main office, upon request. The school also submits the crime statistics portion of the annual security report via the ED Web site (<http://surveys.ope.ed.gov/security>) by October 1st, each year.

Reporting of Crimes

ZMC encourages students, staff members, and visitors to immediately report all crimes, incidents, accidents and suspicious activity to Administrative staff or directly to the local police department by calling 911. The best way to contact the school's Administrative staff is by calling the main campus line at 435-261-4203. Administrative Staff Members can also be contacted directly at the following numbers:

- Christina Frantzen, Program Director: 435-359-9824
- Rebecca Faraway, President: 435-216-8512
- Lisa Tunupopo: Financial Aid Administrator: 435-359-9828

If someone is a victim of an incident or crime, in addition to the notification of and cooperation with law enforcement, an incident report will be filled out and kept in the school's records. If requested, a student may report incidents on a confidential basis. Incident reports are maintained by ZMC administration. These incident reports serve as the institutional log and are used in the Annual Crime Statistics report and to keep accurate reports of incidences. These statistical reports include the confidential reports made, without including identifying information.

In all instances of suspected crime, local law enforcement will be notified. Local law enforcement can be contacted directly by dialing 911.

Crime Log

ZMC must make an entry or an addition to an entry to the crime log within two business days, as defined in 34CFR 668.46(a), of the report of the information to the campus administration, unless that disclosure is prohibited by law or would jeopardize the confidentiality of the victim.

ZMC must make the crime log for the most recent 60-day period open to the public inspection during normal business hours. In addition, the school must make any portion of the log older than 60 days available within two business days of a request for public inspection.

Legal Requirements

A campus must, in a manner that is timely and will aid in the prevention of similar crimes, report to the campus community on crimes that are:

- Required to be reported in the Annual Security Report
- Reported to campus security authorities as identified under the institution's statement of current campus policies for reporting criminal actions and emergencies
- Considered by the campus to represent a threat to students and employees

A campus is not required to provide a "timely warning" with respect to crimes reported to a pastoral or professional counselor.

Additionally, a school may withhold information required under 34 CFR 668.46(f)(1) and (2) if there is clear and convincing evidence that the release of the information would: (1) jeopardize an ongoing criminal investigation or the safety of an individual, (2) cause a suspect to flee or evade detection, or (3) result in the destruction of evidence.

The school may only withhold information that would cause the adverse effects in the paragraph above and must disclose any information withheld under 34 CFR 668.46(f)(3) once the adverse effect described in the paragraph above, is no longer likely to occur.

Definition of Timely Warnings

To date, the Department of Education has declined to provide a definition of "timely reports." The Department of Education has advised that "timely reporting to the campus community. . . must be decided on a case-by-case basis in light of all the facts surrounding a crime, including factors such as the nature of the crime, the continuing danger to the campus community, and the possible risk of compromising law enforcement efforts.

Confidentiality Issues

All Clery reportable crimes are subject to the "timely warning" requirements when police believe the crimes pose an ongoing threat regardless of whether or not the victim or perpetrator is a member of the campus community. However, there are often concerns raised regarding confidentiality if the information disclosed in the "timely warning" report would personally identify an individual. Information that might personally identify students may be disclosed, if disclosure of this information is necessary to protect the health and safety of the student or other individuals. For example, see the Family Educational Rights and Privacy Act (FERPA) and the FERPA regulations: personally identifiable information may be disclosed from an education record of a student without the student's consent "to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of a student or other individuals." The campus may disclose personally identifying information about an individual if it determines "that compelling circumstances exist which affect the health or safety of an individual." This standard also applies to the disclosure of personally identifying information about any other individuals, including campus employees and individuals not associated with the campus.

Disclosure Exceptions

The campus may withhold the information required above if there is clear and convincing evidence that the release of the information would:

- Jeopardize an ongoing criminal investigation or the safety of an individual
- Cause a suspect to flee or evade detection
- Result in the destruction of evidence

The campus must disclose any information withheld for these reasons once the adverse effect is no longer likely to occur.

Public Inspection

The campus makes the crime log for the most recent 60-day period available for public inspection during normal business hours. Additionally, ZMC will make available to the public, within two days, any portion of the log older than 60 days. The crime log is located in the Program Director, Christina Frantzen's office #4 and is available upon request.

Security and Access

ZMC's administrative office is open to students, staff members and the public Monday - Thursday from 9:00 AM - 6:00 PM, on Friday and Saturday from 9:00 AM - 5:00 PM, except on certain holidays, which are either on the ZMC website or noted in the class schedule provided to students. ZMC provides access to its facilities for students, employees and visitors during its scheduled hours of operation. Only staff members that have been issued keys are authorized to enter the building outside of normal operating hours. ZMC monitors key distribution and keeps written records of all individuals that have been issued keys to its facility.

ZMC provides designated parking areas and consults with the landlord, who is responsible for providing walkways for students, employees and guests. Sufficient lighting and door locks are considered. Door locks are evaluated twice daily, at opening and closing. Please advise ZMC administration or staff of any potential safety and security hazards.

Campus Law Enforcement

ZMC does not have its own campus law enforcement. In the instance that a crime or an emergency occurs, students, staff members and the public are encouraged to immediately notify local law enforcement by dialing 911 and then to also notify ZMC administration by calling 435-261-4203. For non-emergencies which require Police involvement, please call the St. George Police Department by dialing 435-627-4300. Victims of non-emergencies, which occur on ZMC's campus will have the option (1) notify proper law enforcement authorities including on campus and local police, (2) be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses, (3) decline to notify such authorities.

Accurate and Prompt Reporting

ZMC encourages students, staff members and the public to accurately and promptly report all crimes to the St. George Police Department when the victim of such crime elects to, or is unable to, make such a report. The St. George Police Department can be reached by calling 911 for emergencies or by dialing 435-627-4300 for non-emergency situations. Student's, staff members and the public may report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

Federal Campus Sexual Assault Victims Rights

In cases of sexual assault on campus:

- Survivors shall be notified of their options to notify law enforcement.
- Accuser and accused must have the same opportunity to have others present at any disciplinary proceeding.
- Both parties shall be informed of the outcome of any disciplinary proceeding.
- Survivors shall be notified of counseling services.
- Survivors shall be notified of options for changing academic, employment, transportation, financial aid, immigration, and living situations.

The Campus Sexual Assault Victims' Bill of Rights was signed into law by President George Bush in July of 1992. This law requires that all colleges and universities (both public and private) participating in federal student aid programs afford sexual assault victims certain basic rights. The "Campus Sexual Assault Victims' Rights" exists as a part of the campus security reporting requirements - commonly known as the Jeanne Clery Act from The Clery Center for Security on Campus.

On March 7, 2013, President Barak Obama signed a bill that strengthened and reauthorized the Violence Against Women Act (VAWA). Included in the VAWA legislation were amendments to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, which afford additional rights to campus victims of sexual harassment, including sexual assault, dating or domestic violence, gender-based harassment, including sexual assault, dating or domestic violence, gender-based harassment and bullying, and stalking.

A (student or employee) victim or survivor of sexual harassment, including sexual assault, dating or domestic violence, gender-based harassment or bullying, and stalking shall be afforded the following rights:

- Victim's or survivor's option to decline to notify authorities
 - Accuser and accused are entitled to the same opportunities to have others present at any disciplinary proceedings or related meeting including an advisor of their choice.
 - Both parties shall be notified simultaneously of the outcome of any disciplinary hearing, procedures to appeal and change of results prior to final results.
 - Victim's or survivor's option to decline to notify authorities.
 - Accuser and accused are entitled to the same opportunities to have others present at any disciplinary proceeding or related meeting including an advisor of their choice.
 - Both parties shall be notified simultaneously of the outcome of any disciplinary hearing, proceeding or related meeting.
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- Written notification to victims or survivors about victims' or survivors' rights, options, and assistance the school is required to provide, including the institution's obligation to arrange appropriate accommodations for academic, counseling, health services, legal advocacy and assistance filing criminal reports, housing and transportation, financial aid assistance, immigration and visa assistance, help with employment concerns, and various other on-campus and off-campus needs.
 - Information regarding how the institution will protect the confidentiality of victims or survivors, including how publicly available record keeping will be accomplished without the inclusion of identifying information about the victim or survivor, to the extent permitted by law.

- ZMC 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.
- Written notification to students and employees about existing resources and services on campus and within the local community, including counseling, medical and mental health services, immigration and visa assistance, employment, financial aid assistance, and legal services.

Filing a Complaint Against the College

Students have the right to [file a complaint](#) against the college with the U.S. Department of Justice and/or U.S. Department of Education Office for Civil Rights.

Crime Prevention and Campus Security Programs

All students and employees are encouraged to take responsibility for their own security and for the security of others. During orientation, ZMC briefs new students on crime prevention, security procedures and practices. Students at ZMC are expected to adhere to standards set forth in the code of conduct. Students in violation of the school's code of conduct face disciplinary action which may include, but is not limited to dismissal from the program. All criminal activity is reported to the St. George Police Department. This policy can also be found in ZMC's student handbook. Additional information can be obtained by contacting ZMC Administration at 435-261-4203.

Noncampus Locations of Student Organizations & Housing

ZMC has no off or on campus locations for housing that are officially recognized, evaluated, or approved by the institution. ZMC does not have any officially recognized off campus organizations.

Sexual Assault, Domestic Violence, Dating Violence & Stalking

ZMC is committed to ensuring an environment free of sexual assault, domestic violence, dating violence and stalking, and expressly prohibits such conduct by students, staff or employees, or by any person on ZMC property. At orientation, ZMC will discuss or otherwise present information to students about prevention programs in the community that may be available and any campaigns in the community known to ZMC to promote the awareness of these crimes. In addition, when a student or employee reports to ZMC that he/she/they have been a victim of dating violence, sexual assault or stalking, whether the offense occurred on or off campus, the school will provide the student or employee a written explanation of the student's or employee's rights and options as described in 34 CRF.668.46(b)(ii) through (vi).

Dating Violence, domestic violence, sexual assault, and stalking are violations of ZMC's Anti-Harassment Policy and will be addressed accordingly.

The following definitions apply to this document, and to the criminal conduct of Sexual Assault, Domestic Violence, Dating Violence and Stalking in the State of Utah:

Dating violence. Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence. Utah Code section 78B-7-402.

Stalking: According to Utah law, a person is guilty of stalking who intentionally 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 that person's own safety or the safety of a third person; or to suffer other emotional distress. A person is guilty of stalking who intentionally or knowingly violates either a civil or criminal stalking injunction. Utah Code section 76-5-106.5 When recording crimes of stalking by calendar year, ZMC follows requirements in 34 CFR 668.46(c)(6) which states:

(i) When recording reports of stalking that include activities in more than one calendar year, an institution must record a crime statistic for each and every year in which the course of conduct is reported to a local police agency or to a campus security authority.

(ii) An institution must record each report of stalking as occurring at only the first location within the institution's Clery geography in which:

(A) A perpetrator engaged in the stalking course of conduct; or

(B) A victim first became aware of the stalking.

Domestic violence: Domestic violence under Utah law is "domestic violence" or "domestic violence offense" means any criminal offense involving violence or physical harm or threat of violence or physical harm, or any attempt, conspiracy, or solicitation to commit a criminal offense involving violence or physical harm, when committed by one cohabitant against another. Domestic violence includes the commission of a list of criminal offenses by one cohabitant against another, listed in greater detail in Utah Code section 77-36-1

Sexual Assault: Sexual assault under Utah law includes nonconsensual sexual contact or attempted contact that occurs as a result of force, threats, fear, coercion, or because of the victim's lack of ability to provide consent because of illness, unconsciousness, disability (such that a person is legally unable to provide consent) which makes them unable to understand and appreciate the consequences of the act. Utah Code section 76-5-4

In order to deter the occurrence of crime, and protect the public generally and the ZMC

community specifically, the ZMC policy regarding procedures to be followed if a crime of dating violence, domestic violence, sexual assault, or stalking is as follows:

1. First, take steps to ensure your safety. Consider that the most effective way of ensuring your own safety may be to call 911 and file a report with the police.
2. As soon as safely possible, the St. George police department should be called by dialing 911. Students also should contact ZMC administration 435-261-4203.
3. In order to protect themselves and the campus community, students are encouraged to promptly report such crimes, however, students who are victims of such crimes may also choose to decline to notify such authorities, or to seek private or confidential counseling or assistance.
4. Regardless of whether an immediate report is made to law enforcement, it is important to preserve evidence that may later assist in proving that a criminal offense occurred or which may be helpful in obtaining a protection order. This includes, but is not limited to not cleaning the area of an alleged offense, not bathing, not washing hands, preserving audio or video recordings (including pictures), preserving any written or electronic communications from the person who committed the offense, and taking pictures or video of any damage done, including injuries to a person as well as injury to property.
5. If a no contact order or order of protection is obtained, keep a copy of that order with you, and advise ZMC. You may be asked to provide a copy to ZMC administration so that ZMC may assist in seeing the order is properly enforced.
6. In order to keep individual students and the campus community safe, ZMC will work closely in conjunction with and follow the recommendations of local, state and federal law enforcement authorities for all crimes, including crimes of dating violence, domestic violence, sexual assault, and stalking.

At the time that ZMC is informed that a student, employee is the victim of dating violence, domestic violence, sexual assault or stalking, or at such other earlier time as appropriate under the circumstances, ZMC will provide written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims in the community or at ZMC.

Additionally, at the time that ZMC is informed that a student or employee is the victim of dating violence, domestic violence, sexual assault or stalking, or at such other earlier time as appropriate under the circumstances, ZMC will provide written notification about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures if they are reasonably available.

If it is determined by local, state or federal law enforcement that a student, staff member or ZMC clinic guest has committed a crime of dating violence, domestic violence, sexual assault sexual harassment or stalking, the student, staff member or clinic guest that committed the crime will be subject to disciplinary investigation by ZMC Administration to determine

appropriate remedial (designed to address a Complaint's safety and well-being and continued access to educational opportunities) and protective measures (involving action against a respondent).

Remedial and protective measures, which may be temporary or permanent, may include no-contact directives, changes in class or work schedules, academic modifications and support, and changes that ZMC Administration, the Investigative team and the school's Program Advisory Committee deem appropriate. The ability to impose certain protective measures against a Respondent may require that the report be resolved through the Formal Resolution Process. ZMC will maintain the privacy of any remedial and protective measures provided to the extent practicable and will promptly address any violation of the protective measures.

Processes:

Complaints may be resolved by either ZMC's informal or formal process of the Procedures for Resolving Complaints of Discrimination and Harassment. Either process will be conducted in a prompt, fair, and impartial manner from the initial investigation to the final result.

All proceedings will be conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

Informal Resolution Process:

In the informal resolution process ZMC Administration seeks to empower the parties in an informal complaint to reach a mutually satisfactory agreement. The Informal Resolution Process will be concluded by one of the following: (1) a decision to stop further action on the Informal Complaint, (2) a resolution of the Informal Complaint by agreement of the parties or (3) initiation of the Formal Resolution Process

ZMC Administration in conjunction with its Program Advisory Committee will attempt to conclude the Informal Resolution Process within 30 days. Within 10 days following the conclusion of the Informal Resolution Process, ZMC Administration will complete and submit a Status Report Form. A copy of the Status Report Form is to be submitted to ZMC's President.

Formal Resolution Process:

Within 10 days of receipt of a Formal Complaint, ZMC's President will assign an appointed independent Investigator to investigate the Formal Complaint. ZMC utilizes two local organizations, Turning Leaf Wellness Center and The Dove Center for assistance in the Formal Resolution Process. ZMC ensures that investigators have sufficient training and/or experience to conduct a thorough and impartial investigation.

ZMC's President will provide prompt notification, including a copy of the Formal Complaint or notice of allegations, to the Complainant, the Respondent(s), and to the school's Program Director. The Formal Complaint or notice of allegations will be delivered through certified or express mail, electronic mail or hand delivery. The notification to the Respondent(s) will

include a copy of the Formal Complaint, a statement of allegations, and a copy of or link to the ZMC Policy and these Procedures.

The Respondent(s) will be requested to respond in writing to the Formal Complaint within a reasonable time, not to exceed 10 days from the date of certified or express mailing, electronic mailing or hand delivery of the notification of the Formal Complaint. Any extension of time must be approved by ZMC's President. In the event that an investigation is undertaken, a copy of the Respondent(s) response will be provided to the Complainant.

In a ZMC campus initiated Investigation, a Respondent will be provided with written notice of the allegations forming the basis of the ZMC-initiated Investigation.

A Complainant who may have been subject to discrimination or harassment that forms the basis of a ZMC-initiated Investigation shall (1) be provided with written notice that the ZMC has commenced a ZMC-Initiated Investigation; (2) receive a copy of any written response submitted by the Respondent(s); (3) be afforded an opportunity to review the preliminary investigation report; (4) upon request, be afforded an opportunity to meet with the President, Program Director and the panel in connection with the ZMC-initiated Investigation; (5) be provided with written notice of the determination of whether a violation of one or both of the Policies occurred and any sanction or remedial measures imposed in connection with the violation; and (6) be afforded the right to appeal such determination, sanctions or remedial measures.

As soon as possible after receiving appointment, the ZMC Investigator will interview the Complainant. Within five days following the completion of the interview with the Complainant, the ZMC Investigator will conduct an initial assessment and notify the President and Program Director in writing as to (1) whether or not the allegations set forth in the Formal Complaint, if substantiated would constitute a violation of discrimination and/or harassment and (2) whether or not there is reasonable cause to believe that the Respondent(s) has violated one or both of the policies. If the ZMC Investigator's notification indicates that such allegations, if substantiated, would not constitute a violation of one of both of the Policies or that there is not reasonable cause to believe that the Respondent(s) has violated one or both of the Policies, the President or Program Director may dismiss the Complaint, and the decision shall be final.

The President or Program Director shall provide the Complainant and Respondent(s) with written notice of such a dismissal.

In the event that the ZMC Investigator's initial assessment and notification indicates that the allegations set forth in the Complaint, if substantiated, would constitute a violation of ZMC policy and that there is reasonable cause to believe that the Respondent(s) has violated one or both of the Policies, or if the President, or Program Director determines that the matter should be investigated, the ZMC Investigator will conduct a thorough fact-finding investigation and will meet separately with both the Complainant and the Respondent(s), interview pertinent witnesses and review relevant documents regarding the Formal Complaint. The ZMC Investigator may consider all relevant information, including evidence of pattern or prior misconduct by the Respondent, and credibility of the parties and witnesses. Both parties will be provided the opportunity to provide information and names of witnesses to the ZMC Investigator.

The investigation shall be completed within 45 days following the assignment of the Formal Complaint to the ZMC Investigator, unless an extension of time for good cause is approved by the President or Program Director.

Within 10 days following the conclusion of the investigation, the ZMC Investigator will prepare a preliminary report summarizing the information gathered and outlining the contested and uncontested information. The preliminary investigation report will not include any findings. The Complainant (or impacted party in the case of a ZMC Initiated Investigation) and the Respondent will be provided access to review the preliminary investigation report and may submit comments and additional information to the ZMC Investigator in writing. The ZMC Investigator will designate a reasonable time for this review and response by the parties, not to exceed seven days. In the absence of good cause, information discoverable through the exercise of due diligence that is not provided to the ZMC Investigator during the designated review and response period will not be considered in the determination of responsibility for a violation of one or both of the Policies.

As soon as practicable following consideration by the ZMC Investigator of any information provided by the Complainant (or impacted party in the case of a ZMC-Initiated Investigation) and/or Respondent, the ZMC Investigator will submit a final investigation report to the President and Program Director. The report will include findings based on a preponderance of the evidence that (1) the allegations cannot be substantiated or some or all of the allegations are substantiated, (2) a statement as to whether the Formal Complaint was knowingly false or malicious, and (3) a determination as to whether or not a violation of one or both of the Policies has occurred, an assessment of the credibility of the Complainant and the Respondent(s). No violation of ZMC policy will be presumed unless a preponderance of the evidence standard supports the finding of a violation. This preponderance of the evidence standard requires that the facts and information supporting each finding are more convincing than the facts and information offered in opposition to such finding. The report will include the basis upon which the ZMC Investigator reached their conclusions. The report also will include the ZMC Investigator's determination of whether a violation of one or both of the Policies has occurred.

Within 15 days of receipt of ZMC's Investigator report, the President and Program Director will convene a meeting with and seek advice from a three-member panel, composed of 2 members selected from the Program Advisory Committee and one member selected from ZMC's faculty. Prior to the meeting, members of the panel shall be furnished with a copy of ZMC's Investigator report and copies of any complaint or response of the parties. At the meeting, the panel will be allowed the opportunity to ask questions of the ZMC Investigator. Upon request the Complainant and the Respondent will be afforded an opportunity to meet with the President or Program Director and the panel to make a brief statement and to answer any questions that they may have.

Within 10 days following the meeting with the panel, the President or Program Director will make a written determination whether a violation of one or both of the policies has occurred.

In the event the charge of discrimination and/or harassment is not substantiated following the written determination of the President or Program Director, reasonable efforts may be taken to restore the Respondent(s) to their prior status.

The President or Program Director will send the Complainant and the Respondent the written determination and final outcome of the matter, including sanctions, if any by certified or express mail, electronic mail or hand delivery. The determination will include the rationale, a description of the parties' appeal rights and any changes in the outcome before it becomes final. The President or Program Director is responsible for imposing the sanction.

Sanctions will be decided on a case-by-case basis and will be in accordance with ZMC policy. Possible sanctions for employees include, but are not limited to, the following: a letter of reprimand, suspension or leave of absence without pay, reassignment of teaching or other responsibilities, removal of graduate faculty certification, denial of a pay increase, demotion, probation or termination. Sanctions for students may include without limitation verbal or written warnings, restrictions, probation, probated suspension, suspension or expulsion.

Except as provided herein, sanctions imposed pursuant to these Procedures may not be appealed or made the subject of a grievance under any other ZMC policy.

If the accused is a faculty member and the sanction has been to recommend termination of employment, the procedures for termination of a faculty member will be followed.

Remedial measures for students, faculty, staff and clinic guests will be decided on a case-by-case basis. Such measures may include providing an escort to ensure safe movement on campus; ensuring that the Complainant and Respondent do not share classes or extracurricular activities; reassignment of residence halls; tutoring or other academic support; arranging for extra time to complete or retake a class or withdraw from a class without academic or financial penalty; job reassignment; targeted training for a group of students, faculty or staff; and other remedies that can be tailored to the needs of the parties.

Possible Student Sanctions: Sanctions for violations of the Anti-Harassment Policy may include without limitation the following*:

- Verbal or written warnings
- Expulsion
- Suspension
- Exclusions from certain campus activities
- Probation
- No Contact Directives
- Educational Sanctions
- Community Service

Possible Staff Sanctions: Sanctions for violations of the Anti-Harassment Policy may include without limitation the following*:

- Letter of Reprimand
- Suspension or leave of absence without pay
- Reassignment of responsibilities
- Demotion
- Termination

Possible Clinic Guest Sanctions: Sanctions for violations of the Anti-Harassment Policy may include without limitation the following*:

- Verbal Reprimand

- Letter of Reprimand
- Prohibited from clinic participation
- No Contact Directives for ZMC property

*All criminal activity will be reported to the St. George Police Department. After which, ZMC will work in cooperation with the SGPD in its determinations.

Please see ZMC's Inappropriate Client Education Policy (ICE policy) for specific directives for students and staff in responding to suspected sexually inappropriate conduct by clinic guests within the school's clinical setting.

Administrative remedies:

In the event that conduct occurs in which it is alleged that both the victim of one of the above offenses and the alleged perpetrator are both either employees or students of ZMC, in addition to any other criminal or civil action(s) which may be taken, you have the right to an impartial, confidential, and appropriate investigation into the allegations conducted by ZMC Administration and its Program Advisory Committee.

ZMC Administration may also take steps prior to or during an investigation to ensure that parties are protected and to alleviate anxiety or concerns. Those steps may include:

- Changing class schedules to reduce the chance that the victim and alleged perpetrator may come in contact.
- Advising students who are victims that they may retake a course or withdraw from a course without penalty under certain circumstances.
- Advising students about access to academic and counseling services, including services available off campus.

At the conclusion of the investigation by ZMC, the administration will make a decision regarding what steps, if any, it will take to address the allegations. Both the victim and the alleged perpetrator have the right to be given the written decision that is made, notification of any sanctions imposed, and notification of a process to appeal that decision. Any decision that is made shall be based upon a standard of preponderance of the evidence, which means that it is believed that it is more likely than not that the allegations either did or did not occur.

Procedures to Follow if Sexual Assault Occurs

- First, ensure your safety
- Call the local Police Department by dialing 911
- If practical and safe, preserve evidence by refraining from washing any part of your body, including your hands. Refrain from changing clothing. In addition, make a note of where the assault occurred. If possible, refrain from removing items from the area,

- cleaning or any activity that would disturb the crime scene
- Get immediate medical assistance
- Find support, information on sexual assault and seek follow up counseling.
- Report the event to ZMC administration.

Procedures to Follow to Help Prevent Sexual Assault:

In General:

- Be aware of your surroundings. Use the buddy system instead of walking alone. Walk confidently and stay alert.
- Except to enter and exit, keep the doors of your home and vehicle locked at all times
- Know in advance where you are going. If going to a location that requires a map, set and preview your route before leaving your home or the company of others

In Dating Situations:

- Group date until you and your date know each other's friends and social groups
- Know in advance where you will be spending time on your date
- Speak up and empower yourself. Make your opinions and preferences known. Refrain from tolerating strange behavior from your date. Social propriety (politeness) sometimes causes individuals to ignore warning signs and to feel as though they cannot speak up for fear of being impolite or unkind. Remember that your safety is much more important than being polite.
- Trust your feelings
- Avoid intoxicants. If you do become intoxicated, be especially aware of your surroundings. At all times, keep a constant watch on your drink.

Sexual Harassment:

According to the U.S. Equal Employment Opportunity Commission:
https://www.eeoc.gov/laws/types/sexual_harassment.cfm

It is unlawful to harass a person (an applicant or employee) because of that person's sex. Harassment can include "sexual harassment" or unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature.

Harassment does not have to be of a sexual nature, however, and can include offensive remarks about a person's sex. For example, it is illegal to harass a woman by making offensive comments about women in general.

Both victim and the harasser can be either a woman or a man, and the victim and harasser can be the same sex.

Although the law doesn't prohibit simple teasing, offhand comments, or isolated incidents that are not very serious, harassment is illegal when it is so frequent or severe that it

creates a hostile or offensive work environment or when it results in an adverse employment decision (such as the victim being fired or demoted).

The harasser can be the victim's supervisor, a supervisor in another area, a co-worker, or someone who is not an employee of the employer, such as a client or customer.

Complaints of Harassment:

If a student or staff member feels that they have been subjected to harassment, ZMC encourages them to file a complaint with the school's Program Director. The school's Program Director can be reached by calling 435-359-9824.

Procedures for Timely Warning and Emergency Notification

ZMC will, in a timely manner and in a way which withholds as confidential the names and other identifying information of victims, as defined in section 40002(a)(20) of the Violence Against Women Act of 1994 (U.S.C. 13925(a)(20), and in a manner that will aid in the prosecution of similar crimes, report to the campus community on the following crimes:

Arson

Criminal Homicide Murder, or Manslaughter by either negligent or nonnegligent means.

Rape

Robbery

Aggravated Assault

Burglary

Motor Vehicle Theft

Arrests and referrals for disciplinary actions for offenses which include liquor law violations, drug violations, and illegal weapons possessions.

Dating Violence

Domestic violence

Stalking

Sex Offenses:

- Fondling
- Incest
- Statutory Rape

- Larceny-Theft (Except Motor Vehicle Theft)
- Simple Assault
- Destruction/Damage/Vandalism of Property
- Dating violence, domestic violence, and stalking as defined in 34 CFR 668.46(a)
- Hate crime as defined by state or federal law, and the number of each type of crime referenced above that is determined or adjudicated to be a hate crime.
- Crimes that are considered by ZMC to represent a threat to students and employees.

Emergency Response and Evacuation Procedures are reviewed in the Orientation activities that occur in the first week of the program. Fire drills are held periodically as part of our emergency response procedures. The Program Director is responsible for determining whether there is a significant emergency or dangerous situation.

ZMC will issue timely warnings to ZMC students and employees when information is known and confirmed by ZMC administration that one of the above crimes have occurred on ZMC campus or where there has occurred some other circumstance which in the judgment of ZMC administration represent a continuing threat of a criminal nature to ZMC students or employees.

Such warnings will be issued when there is a threat or perceived threat to the campus community. In this instance, notification will be made by one or more of the following methods: (1) verbally (2) text message (3) e-mail (4) posters or flyers or (5) any other method that in the judgment of ZMC is reasonably intended to contact students and employees under the circumstances then existing.

Emergency Response and Evacuation Procedures are reviewed in the Orientation activities that occur in the first week of the program. Fire drills are held periodically as part of our emergency response procedures. The Program Director is responsible for determining whether there is a significant emergency or dangerous situation.

Sex Offender Registration

Information regarding registered sex offenders in the state of Utah can be found at:

https://corrections.utah.gov/index.php?option=com_content&view=article&id=906&Itemid=191

Drugs and Alcohol

Students and staff members are prohibited from the use, consumption or distribution of alcohol or illegal drugs on school premises, from any underage drinking, and from attending class under the influence of alcohol or illegal drugs. Any criminal activity will immediately be reported to the St. George Police Department in compliance with state and federal illegal drug laws.

A student or staff member that is found to be in violation of this policy may be placed on probation, suspended, or dismissed.

Staff, faculty and students that voluntarily request assistance in dealing with drug or alcohol abuse will be treated with respect and, to the extent possible, such information will be treated in confidence. ZMC staff members and students are encouraged to report concerns about substance abuse of an individual to Ryan Gallian from the school's Program Advisory Board: email: ryangallian@gmail.com, phone: 702-443-5511.

The following agencies provide additional information on substance abuse:

- Alcoholics Anonymous: 1-800-371-1475 (24 hour answering service)
- Center for Substance Abuse Treatment and Refer Hotline: 1-800-662-HELP
- Focus on Recovery for Alcohol & Substance Abuse: 1-800-888-9383 (24 hour help-line)

Hate Crimes & ZMC's Commitment to Non-Discrimination

ZMC is committed to fostering a supportive learning environment of mutual respect and understanding among its students, staff members and those that participate in the college's programs, activities, and offerings.

As part of this commitment, ZMC seeks to protect the rights of all members of the school's community and of those who interact with the school. ZMC prohibits discrimination and harassment on the basis of gender or sex (including pregnancy, gender identity or expression, race, color, religion or religious creed, sexual orientation, national orientation, ancestry, disability, age, genetics, marital status, veteran status or any other category protected by law).

ZMC expects all students, faculty, staff, contractors, vendors, alumni and guests to conduct themselves appropriately and to refrain from behavior that violates this and other ZMC policies. Harassment based on an individual's gender, race, ethnicity, religion, age, sexual orientation, disability, veteran status or other form will not be tolerated.

In addition, it is unlawful to retaliate against an individual that cooperates in an investigation of a complaint of harassment. Neither discrimination nor retaliation against students, staff members or members of the public will be tolerated. Any Individual that discriminates against or harasses others is in violation of this policy, regardless of whether the conduct extends to the level of unlawful discrimination or harassment and may be subject to disciplinary action, up to and including, immediate termination of employment or dismissal from ZMC.

In all instances of discrimination, which results in criminal behavior, local law enforcement will be immediately called.

For each hate crime recorded under U34 CFR 668.46(c) (1) (iii)U, a school must identify the category of bias that motivated the crime. The categories of bias include the victim's actual or perceived: Race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, or disability.

Emergency Response and Evacuation Policy:

If ZMC determines there is a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring at ZMC, it will follow its emergency notification procedures, which provide that ZMC will confirm that there is a significant emergency or dangerous situation as described herein by speaking to appropriate first responders, interviewing witnesses, listening to, reading, or observing news reporting, or making observations about current conditions.

After determining that there it is reasonably likely that there is an emergency or situation as described herein, ZMC will decide whether a particular segment or segments of the campus community will receive the notification; determine the content of the notification; and initiate the notification by one or more of the following methods: (1) verbally (2) text message (3) e-mail (4) posters or flyers or (5) any other method that in the judgment of ZMC is reasonably intended to contact students and employees under the circumstances then existing.

Emergency Response & Evacuation Procedures

The Emergency Response & Evacuation Procedures are reviewed in the Orientation activities that occur in the first week. Fire drills are held periodically as part of our emergency response procedures. The Campus Program Director is responsible for determining whether there is a significant emergency or dangerous situation. In the event of an emergency situation, staff and students are immediately notified in person of the threat, in the event that they are on the premises. If they are not on the premises, students would be contacted electronically via email, and via telephone. The school may also inform the local police department and/or local media agencies of the threat. For days of inclement weather, students are directed to listen to the local radio for the closure and late starts at the local community college, Dixie State ZMC. Zion Massage College follows their lead.

At least once a each year and usually twice a year, ZMC will conduct an announced or unannounced test of the emergency alert system and plan in the form of a scheduled drill or exercise with appropriate follow-through activities designed for assessment and evaluation of emergency plans and capabilities. A response to an actual emergency cannot substitute for the test. The Campus Program Director documents each year's annual test and the result, and retains such documentation for at least seven (7) years. On October 16, 2019.

Resources for Victims of Crime

Local Resources:

Dove Center: Shelter, Advocacy, Counseling

St. George, Utah

1-435-628-0458

<https://www.dovecenter.org>

Utah Division of Child and Family Services

1-801-538-4171

<https://dcfs.utah.gov/>

Sexual Violence Crisis Line: 1-888-421-1100

Utah Domestic Violence: 1-800-897-5465

National Resources:

National Sexual Violence Resource Center

123 North Enola Drive
Enola, Pennsylvania 17025
877-739-3895 (toll free)
717-909-0714 (fax)
717-909-0715 (TTY)

National Alliance to End Sexual Violence

(202) 289-3903
<http://endsexualviolence.org>

National Center for Victims of Crime

2000 M Street NW, Suite 480
Washington, DC 20036
Phone: (202)467-8700
Toll-free: 1-800-FYI-CALL (1-800-394-2255)
Fax: (202)467-8701
Email: gethelp@ncvc.org
www.ncvc.org

Rape, Abuse, and Incest National Network (RAINN)

National Sexual Assault Hotline
2000 L Street, NW, Suite 406
Washington, DC 20036
(202)544-1034
(800)656-4613
Email: info@rainn.org
www.rainn.org

Centers for Disease Control and Prevention

1600 Clifton Road
Atlanta, Georgia 30333
(404) 639-3311
www.cdc.gov

Disclosure of Crime Statistics

Zion Massage College prepares Crime Statistics reports to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The report is prepared in cooperation with the St. George Police Department.

In complying with the crime statistical reporting requirements, ZMC must make a reasonable, good faith effort to obtain statistics for crimes that occurred on or within the School's Clery

geography and may rely on the information supplied by a local or State police agency. If the school makes such a reasonable, good faith effort, it is not responsible for the failure of the local or State police agency to supply the required statistics.

A school must record crime statistics for the calendar year in which the crime was reported to local police agencies or to a campus security authority.

The school must specify whether each of the crimes recorded under 3U 4 CFR 668.46(c)(1)U occurred: (1) on campus, (2) in or on a non-campus building or property, (3) on public property.

When recording stalking by location, the school must follow the requirements in U34 CFR 668.46(c)(6).

The statistics required under U34 CFR 668.46(c) do not include the identification of the victim or the person accused of committing the crime.

Below is a link to local law enforcement's crime statistics:

https://www.crimereports.com/home/#!/dashboard?lat=37.098158&lng=-113.619073&zoom=16&incident_types=Assault%252CAssault%2520with%2520D&start_date=2018-12-06&end_date=2019-06-01&days=sunday%252Cmonday%252Ctuesday%252Cwednesday%252Cthursday%252Cfriday%252Csaturday&start_time=0&end_time=23&include_sex_offenders=false¤t_tab=map&shapelds=

Campus crime, arrest and referral statistics include those reported to campus officials, and local law enforcement agencies. The statistics may also include crimes that have occurred in private residences or businesses. Please note, a school may not withhold, or subsequently remove, a reported crime from its crime statistics based on a decision by a court, coroner, jury, prosecutor, or other similar non-campus official.

A school may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situation where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfound” a crime report for purposes of reporting. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest do not “unfound” a crime report. Below is a table that shows the 2017 -2019 Crime Statistics for Zion Massage College, Green Valley Shopping Plaza and the public property surrounding the school:

<p>On Campus</p>	<p>Public Property/Green Valley Shopping Plaza</p>
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Clery Act Offense	YR 2017	YR 2018	YR 2019	YR 2017	YR 2018	YR 2019
Murder/Non Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Sex Offenses: Forcible	0	0	0	0	0	0
Sex Offenses, Non Forcible	0	0	0	0	0	0
Robbery	0	0	0	0	1 (12-14-18) (occurred in non-campus building)	
Aggravated assault	0	0	0	0	0	0
Burglary	0	0	1 (08-04-2019) (occurred in an on campus building)	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0

Liquor Law Violations Referred for Disciplinary Action	0	0	0	0	0	0
Drug Law Arrest	0	0	0	1 11-15-17 (occurred in non-campus building)	0	0
Drug Law Violations Referred for Disciplinary Action	0	0	0	0	0	0
Illegal Weapons Possession Arrest	0	0	0		0	0
Illegal Weapons Violations Referred for Disciplinary Action	0	0	0	0	0	0

VAWA Offense	YR 2017	YR 2018	YR 2019	YR 2017	YR 2018	YR 2019
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0

Residential and Non Campus Statistics: ZMC has no residential or off campus housing and is therefore not required to report crime statistics for these non-applicable categories.

Hate Crimes: There were no reported Hate Crimes for 2017 - 2019.

Unfounded Crimes: There were no Unfounded Crimes in 2017-2019.

Confidentiality: The statistics required under 34 CFR 668.46(c) do not include the identification of the victim or the person accused of committing the crime.

Pastoral Exemption:

Schools are not required to report statistics under 34 CFR 668.46(c) for crimes reported to a pastoral or professional counselor. Although exempt from the reporting requirements of the Clery Act, pastoral and professional mental health counselors are encouraged to refer persons they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual statistics, especially if the incident is part of a continuous threat to the campus community. The ZMC Police Department, as well as campus officials, will assist students with notification to the proper law enforcement authorities, if appropriate.

Threats to Students and Employees: There were no reported crimes that are considered by the school to represent a threat to students and employees in 2017-2019.

Removal of Crimes from Crime Statistics: The school may not withhold, or subsequently remove, a reported crime from its crime statistics based on a decision by a court, coroner, jury, prosecutor, or other similar non-campus official.

A school may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situation where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfounded.” Only sworn or commissioned law enforcement personnel may “unfound” a crime report for purposes of reporting under this section. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest do not “unfound” a crime report.

FBI UCR Program and the Hierarchy Rule:

ZMC compiles the crime statistics for murder and non-negligent manslaughter, negligent manslaughter, rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug law violations, and the illegal weapons possessions using the definitions of those crimes from the “Summary Reporting System (SRS) User Manual” from the FBI’s UCR Program, as provided in UAppendix A of Subpart DU.

ZMC compiles the crime statistics for fondling, incest, and statutory rape using the definitions of those crimes from the “National Incident- Based Reporting System (NIBRS) User Manual” from the FBI’s UCR Program, as provided in UAppendix A of Subpart D.

ZMC compiles the crime statistics for the hate crimes of larceny-theft, simple assault, intimidation, and destruction/damage/ vandalism of property using the definitions provided in the “Hate Crime Data Collection Guidelines and Training Manual” from the FBI’s UCR Program as provided in UAppendix A of Subpart D.

ZMC compiles the crime statistics for dating violence, domestic violence, and stalking using the definitions provided in U34 CFR 668.46(a).

In counting crimes when more than one offense was committed during a single incident, the school must conform to the requirements of the Hierarchy Rule in the Summary Reporting System (SRS) User Manual.

If arson is committed, the school must always record the arson in its statistics, regardless of whether or not it occurs in the same incident as another crime.

If rape, fondling, incest, or statutory rape occurs in the same incident as a murder, the school must record both the sex offense and the murder in its statistics.

Campus Map:

In complying with the crime statistical reporting requirements, the school may provide a map to current and prospective students and employees that depicts its campus, non-campus buildings or property, and public property areas if the map accurately depicts its campus, non-campus buildings or property, and public property areas. Current and prospective students can request a map of the campus, non-campus buildings or property, and public property areas from the Program Director, located in suite 4.

Statistics from Police Agencies:

In complying with the crime statistical reporting requirements, ZMC will make a reasonable, good faith effort to obtain statistics for crimes that occurred on or within the School's Clery geography and may rely on the information supplied by a local or State police agency.

If ZMC makes such a reasonable, good faith effort, it is not responsible for the failure of the local or State police agency to supply the required statistics.