

City Pointe Beauty Academy

**Nondiscrimination
& Violence
Against Women
Disclosures**

Title IX

Sherry Porter
Director of Education and Title IX Coordinator
501 South Madison St.
Webb City, MO 64870
417-673-8828
sherry@citypointebeauty.com

Title IX

Notice of Nondiscrimination and Violence Against Women Act (VAWA)

City Pointe Beauty Academy does not discriminate on the basis of sex in its education programs or activities and is committed to ensuring an educational environment free of sexual harassment, including sexual violence, and to full compliance with Title IX of the Education Amendments Act of 1972 and other federal and state laws governing such conduct.

The following individual has been designated as the Title IX Coordinator by City Pointe Beauty Academy to handle inquiries regarding City Pointe Beauty Academy Title IX policies, including receiving and responding to information about any incident of sex discrimination:

Sherry Porter

Director of Education and Title IX Coordinator 501 South Madison

Webb City, MO 64870

417-673-8828 sherry@citypointebeauty.com

Information regarding sexual discrimination, including sexual harassment or sexual violence, may also be reported by anyone to: U.S. Department, Office for Civil Rights by email at ocr@ed.gov or at the addresses provided at the following website:

<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

“Sexual harassment” is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature may constitute sexual harassment when:

- submission to such conduct is made either explicitly or implicitly as a term or condition of an evaluation of a student’s academic performance, term or condition of participation in student activities or in other events or activities sanctioned by City Pointe Beauty Academy;
- submission to or rejection of such conduct by an individual is used as the basis for academic decisions or other decisions about participation in student activities or other events or activities sanctioned by City Pointe Beauty Academy; or
- such conduct otherwise has the purpose or effect of threatening an individual’s academic performance; or creating an intimidating, hostile or offensive educational environment.

Forms of sexual harassment include, but are not limited to, sexist remarks or behavior, constant offensive joking, sexual looks or advances, repeated requests for dates, unwelcome touching, promise of reward for sexual favors. Students, faculty or staff who experience sexual harassment should be encouraged to make it clear to the alleged offender that such behavior is offensive.

However, failure to comply with this provision does not defeat the Institute’s obligation to investigate the incident and take appropriate steps if sexual harassment has occurred.

Sexual violence includes, among other conduct, domestic violence, dating violence, sexual assault, and stalking. These

acts will not be tolerated at City Pointe Beauty Academy as such acts are inappropriate and create an environment contrary to the goals and mission of City Pointe Beauty Academy. Any such acts will be thoroughly investigated and will subject an individual to appropriate disciplinary sanctions and/or possible action by appropriate law enforcement agencies.

It is the responsibility of all persons within City Pointe Beauty Academy community to work to ensure an educational environment free from sex discrimination. Violations of this policy may be grounds for disciplinary action under City Pointe Beauty Academy policies and procedures

All students and staff of City Pointe Beauty Academy are expected to report incidents of sexual discrimination (including sexual harassment or sexual violence) to the Title IX Coordinator.

Anti-Harassment and Discrimination Policy

City Pointe Beauty Academy is committed to providing a work and school environment free of unlawful harassment, misconduct or discrimination. Every member of City Pointe Beauty Academy community is aware that the school is strongly opposed to sexual misconduct and state and federal laws prohibit that such behavior.

In furtherance of this commitment, all employees are expected to take a Sexual Harassment and Prevention Training every year. City Pointe Beauty Academy’s policy prohibits harassment or discrimination based on race, religion, creed, color, national origin, ancestry, sex (including pregnancy, childbirth or related medical conditions), military or veteran status, physical or mental disability, medical condition, marital status, age, sexual orientation, gender, gender identity or expression, genetic information or any other basis protected by the federal, state or local law. Additionally, in accordance with Title IX of the Education Amendments of 1972, the School prohibits discrimination based on sex, which includes sexual harassment and sexual violence, and City Pointe Beauty Academy has jurisdiction over Title IX complaints.

City Pointe Beauty Academy’s anti-harassment policy applies to all persons involved in the operation of City Pointe Beauty Academy and prohibits unlawful harassment by any employee of City Pointe Beauty Academy, as well as students, customers, vendors or anyone who does business with City Pointe Beauty Academy. It further extends to prohibit unlawful harassment by or against students. Any employee, student or contract worker who violates this policy will be subject to disciplinary action. To the extent a customer, vendor or other person with whom City Pointe Beauty Academy does business engages in unlawful harassment or discrimination, City Pointe Beauty Academy will take appropriate corrective action.

As part of City Pointe Beauty Academy’s commitment to providing a harassment-free working and learning environment, this policy shall be disseminated to City Pointe Beauty Academy community through publications, City Pointe Beauty Academy website (citypointebeauty.com), new employee orientations, student orientations, and other appropriate channels of communication. City Pointe Beauty Academy provides training to key staff members to enable City Pointe Beauty Academy to

handle any allegations of sexual harassment or sexual violence promptly and effectively. City Pointe Beauty Academy will Respond quickly to all reports, and will take appropriate action to prevent, to correct, and if necessary, to discipline behavior that violates this policy

Prohibited Conduct

This policy strictly prohibits sexual or other unlawful harassment or discrimination as well as sexual violence, as defined above. Sexual or other unlawful harassment or discrimination includes any verbal, physical or visual conduct based on sex, race, age, national origin, disability or any other legally protected basis if:

- i. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education or employment;
- ii. submission to or rejection of such conduct by an individual is used as a basis for decisions concerning that individual's education or employment; or
- iii. it creates a hostile or offensive work environment, which means the alleged conduct is sufficiently serious to limit or deny a student's or ability to participate or benefit from the student's education program.

Unlawful harassment or discrimination may include racial epithets, slurs and derogatory remarks, stereotypes, jokes, posters or cartoons based on race, national origin, age, disability, marital status or other legally protected categories.

Sexual harassment is conduct based on sex, whether directed towards a person of the opposite or same sex, and may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing", practical jokes, jokes about or displays of obscene printed or visual material, questions about sexual fantasies, preferences or history, and physical contact such as patting, pinching, or intentionally brushing against another person's body. Gender--based harassment, including acts of verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex stereotyping are strictly prohibited, even if those acts do not involve conduct of a sexual nature.

Reporting of Crimes and Annual Security Reports

Campus safety and security are important issues at City Pointe Beauty Academy. Our goal is to provide students with a safe environment in which to learn and keep students, parents, and employees well informed about campus security. The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime statistics Act or Clery Act requires institutions of higher education to record and report certain information about campus safety, including the number of incidents of certain crimes on or near campus, some of which constitute sexual misconduct under this policy.

Each year City Pointe Beauty Academy prepares this report to comply with the Clery Act. The full text of this report can be located on the schools website at www.citypointebeauty.com. This report is prepared in cooperation with the local law enforcement agencies in Webb City, MO/Jasper County. Each year notification is made to all enrolled students and employees. Copies of the report may also be obtained in

person from the Financial Aid Office or by calling 417-673-8828.

Education Programs to Promote Awareness of Domestic Violence, Dating Violence, Sexual Assault and Stalking

City Pointe Beauty Academy educates the incoming and current student and employee community about sexual violence, violence prevention and all relevant City Pointe Beauty Academy policies and procedures during all orientations held for new and current students upon the onset of a class and at least annually.

In addition, City Pointe Beauty Academy conducts new and current employee training on these topics at least annually. The Title IX Coordinator is responsible for training all City Pointe Beauty Academy current students and employees about City Pointe Beauty Academy policies regarding sexual violence and for conducting the new student and employee training.

The new and current employee and student training sessions include:

- a statement that City Pointe Beauty Academy prohibits crimes of dating violence, domestic violence, sexual assault and stalking;
- the definitions of those crimes under federal and state law;
- the definition of consent, in reference to sexual activity, if available under state law;
- a description of safe and positive options for bystander intervention;
- Information on risk reduction;
- Information contained City Pointe Beauty Academy policies and procedures related to preventing, reporting and responding to sexual offenses, including disciplinary procedures and victim rights; and
- a description of City Pointe Beauty Academy's ongoing prevention and awareness campaigns for students and employees.

1. Sexual Assault Center Crisis and Support Line

800-879-1999

2. Professional Beauty Association/CUT IT OUT® 15825

N. 71st Street, Ste. 100
Scottsdale, AZ 85254

Complaint/Grievance Procedure

If you believe that you have experienced or witnessed harassment or sexual violence, notify your instructor, supervisor, Responsible Employee or the Title IX Coordinator as soon as possible after the incident. Do not allow an inappropriate situation to continue by not reporting it, regardless of who is creating the situation. No employee, contract worker, student, vendor or other person who does business with City Pointe Beauty Academy is exempt from the prohibitions in this policy. Supervisors will refer all harassment complaints to the Title IX Coordinator for student--related complaints and to the owner of City Pointe Beauty Academy if the complaint involves an employee. In order to facilitate the investigation, your complaint should include details of the incident or incidents, names of the individuals involved and names of any witnesses.

All complaints involving a student will be referred to the campus's Title IX Coordinator. The Title IX Coordinator is listed

below and has the responsibility of overseeing all Title IX complaints and identifying and addressing any patterns or systemic problems that arise during the review of such complaints.

Reporting Requirements

Victims of sexual misconduct should be aware that City Pointe Beauty Academy administrators must issue timely warnings for incidents reported to them that pose a substantial threat of bodily harm or danger to other members of the campus community. City Pointe Beauty Academy will make every effort to ensure that a victim's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger. City Pointe Beauty Academy reserves the right to notify parents/guardians of dependent students regarding any health or safety risk, or a change in student status.

Title IX Coordinator:

Sherry Porter
Director of Education and Title IX Coordinator City Pointe Beauty Academy
501 South Madison St., Webb City, MO 64870
417-673-8828 sherry@citypointebeauty.com

Responsible Employees:

Justin Porter – Financial Aid Director
justin@citypointebeauty.com
Nicole Bond – Admissions
admissions@citypointebeauty.com
Darlene Harper – Administrative Assistant
darleneh@citypointebeauty.com
Abby Carter – Lead Classroom Educator
acarter.cpba@gmail.com
Hollie Sue Dvorak - hsdvorak@citypointebeauty.com
Amanda Lansford – alansford@citypointebeauty.com
Darcy Golden – dgolden@citypointebeauty.com
Katheryn Richards – katherynr@citypointebeauty.com
Kenya Storm – kenyas@citypointebeauty.com

City Pointe Beauty Academy ensures that its employee(s) designated to serve as Title IX Coordinator and Responsible Employees have adequate training on what constitutes sexual harassment, including sexual violence, and that they understand how City Pointe Beauty Academy's grievance procedures operate. Because complaints can also be filed with an employee's supervisor or the school owner, these employees also receive training on City Pointe Beauty Academy's grievance procedures and any other procedures used for investigating reports of sexual harassment.

Sexual Violence: Victim Procedures

If you are victim of sexual violence, including sexual violence, dating violence, domestic violence or stalking, your first priority should be to get to a place of safety. You should then obtain any necessary medical treatment. Information about the alleged offense should be provided to the Institute's Title IX Coordinator as soon as possible. Time is a critical factor for evidence collection and preservation.

City Pointe Beauty Academy strongly advocates that a victim of sexual violence report the incident to police in a timely manner (911 or 417-673-1911) and, if requested to do so by the victim, City Pointe Beauty Academy's Title IX Coordinator will assist the victim in contacting the police. Filing a police report will not obligate the victim to prosecute; no will it subject the victim to scrutiny or judgmental opinions from officers. The victim has the right at all times to decline to notify police of the incident.

Filing a police report will:

- ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim;
- provide the opportunity for collection of evidence helpful in prosecution or establishing a no contact order, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam); and
- assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

When a victim contacts the Police Department, the local police sex crimes Unit will be notified as well. The victim may choose for the investigation to be pursued through the criminal justice system. The Title IX Coordinator will guide the victim through the available options and support the victim in his or her decision. Various counseling options are available through the Rape and Sexual Abuse Center and the Victim Intervention Program of the local Police Department.

Victim Support Services

Once the Title IX Coordinator receives a report of sexual violence, the Title IX Coordinator will provide the individual making the report with written information regarding existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims, both on campus and in the community.

Missouri Sexual Assault Resources www.aardvarc.org

Lafayette House (abused women resource center)

1809 Connor 417-782-1772
Joplin, MO 64804 **800-416-1772**

- a. information on counseling, health, mental health, victim advocacy, legal assistance services, immigration assistance, student financial aid and other services available to the victim at the Institute or in the community;
- b. information on the right to report the incident to local police and the fact that the Institute procedure and criminal proceeding may occur simultaneously; and
- c. options to facilitate changes to transportation, working, academic and/or living situations, or additional protective measures, if requested, while the investigation is pending, even if the victim chooses not to report the crime to police.

Protection of Confidentiality of Victim of Sexual Violence.

There are no pastoral or professional counselors on campus. Confidential crisis, mental health and victim resource hotline numbers are posted on campus as well as listed in the Student Catalog should students need to contact these agencies. Victims of

sexual violence reported to the Title IX Coordinator will be provided with information regarding local rape crisis centers and other counseling services.

Reports about sexual violence or other crimes to City Pointe Beauty Academy Title IX Coordinator may be provided informally and in confidence to the Title IX Coordinator who will make every attempt to maintain privacy of the information in accordance with your request and Family Educational Rights and Privacy Act of 1974 (FERPA) regulations unless City Pointe Beauty Academy is under an obligation to disclose your identity to protect the safety of others. You will be informed if City Pointe Beauty Academy cannot maintain the requested confidentiality of the information.

City Pointe Beauty Academy strongly encourages persons who are victims of sexual violence who do not want to report the incident to police or file a complaint using City Pointe Beauty Academy's institutional procedures to report the incident to the Title IX Coordinator voluntarily and on a confidential basis solely to permit the inclusion of that information in City Pointe Beauty Academy annual crime statistics. With such information, City Pointe Beauty Academy can keep an accurate record of the number of similar incidents, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. City Pointe Beauty Academy will make best efforts to maintain the privacy of that information and to comply with FERPA.

City Pointe Beauty Academy is required to, and will, keep the identity of victims of sexual violence private in any public report of Clery Act crimes. Reporting to the institution will also enable the victim to receive protective measures. At the victim's request, City Pointe Beauty Academy will maintain as confidential any protective measures provided to the victim, to the extent that making such information confidential does not impair the ability of the institution to provide those protective measures. The institution will inform the victim, if providing a protective measure may reveal the identity of the victim.

City Pointe Beauty Academy encourages reporting of sexual violence to the police. Filing a police report will:

- ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim;
- provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam); and
- assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

Police reports are public records under state law, and therefore City Pointe Beauty Academy cannot guarantee the absolute confidentiality of reports of crime obtained from police records but will make every effort to maintain the confidentiality of such information to the greatest extent permitted by law.

Third Party and Anonymous reporting

In cases where sexual misconduct is reported to the Title IX Coordinator by someone other than the complainant (by an instructor, classmate, friend) the Title IX Coordinator will promptly notify the complainant that a report has been received. All policy and procedures will apply in the same manner as if the complainant had made the initial report. The Title IX Coordinator will make every effort to meet with the complainant to discuss available options and resources. Reports from an anonymous source will be treated in similar fashion.

Bystander Intervention

Active bystanders take the initiative to help someone who may be targeted for sexual assault. They do this in ways that are intended to avoid verbal or physical conflict. Active bystanders also take the initiative to help friends who are not thinking clearly from becoming offenders of crime. Intervention does not mean that you directly intervene to stop a crime in progress, rather these steps are "early intervention" before a crime begins to occur. There are three important components to consider before taking action that we refer to as the ABC's.

A Access for safety. Ensure that all parties are safe and whether the situation requires calling authorities. When deciding to intervene, your personal safety should be the #1 priority.

B Be with others. If it is safe to intervene, you are likely to have a great influence on the parties involved when you work together with someone or several people. Your safety is increased when you stay with a group of friends that you know well.

C Care for the person. Ask if the target of unwanted sexual advance/attention is okay. Does he/she need medical care? Ask if someone they trust can help them get safely home.

Information on Bystander Intervention was provided by Department of Defense Sexual Assault Prevention and Response office.

Coordination with Drug Free School Policy

Students may be reluctant to report instances of sexual misconduct because they fear being disciplined pursuant to City Pointe Beauty Academy's alcohol or drug policies. City Pointe Beauty Academy encourages student to report all instances of sexual misconduct and will take into consideration the importance of reporting sexual misconduct in addressing the violations of the schools alcohol and drug policies. This means that whenever possible City Pointe Beauty Academy will respond educationally rather than punitively to student alcohol or drug policy violations associated with reported sexual misconduct.

Investigation of Complaints

In response to all complaints, City Pointe Beauty Academy promises prompt and equitable resolution through a reliable and impartial investigation of complaints, including the opportunity for both parties to present witnesses or other evidence. The time necessary to conduct an investigation will vary based on complexity but will generally be completed within

sixty (60) days of receipt of the complaint. City Pointe Beauty Academy shall maintain confidentiality for all parties to the extent possible, but absolute confidentiality cannot be guaranteed. In cases where a student does not give consent for an investigation, City Pointe Beauty Academy will weigh the student's request for confidentiality against the impact on City Pointe Beauty Academy safety to determine whether an investigation must proceed. Complainants should be aware that in a formal investigation due process generally requires that the identity of the charging party and the substance of the complaint be revealed to the person charged with the alleged harassment.

The preponderance of the evidence standard will apply to investigations, meaning City Pointe Beauty Academy will evaluate whether it is more likely than not that the alleged conduct occurred. Both parties will receive written notice of the outcome of the complaint.

During the investigation, City Pointe Beauty Academy will provide interim measures, as necessary, to protect the safety and wellbeing of students and/or employees involved.

If City Pointe Beauty Academy determines that unlawful harassment or sexual violence has occurred, immediate appropriate corrective action will be taken in accordance with the circumstances involved, and City Pointe Beauty Academy will take steps to prevent the recurrence of any harassment or discrimination. Any employee determined by City Pointe Beauty Academy to be responsible for unlawful harassment or discrimination will be subject to appropriate disciplinary action, up to and including termination. Remedies for student-related claims may include, but are not limited to, an order to stay away, suspension or expulsion.

To initiate a criminal investigation, reports of sexual violence should be made to "911" or local law enforcement. The criminal process is separate from City Pointe Beauty Academy's disciplinary process. To the extent that an employee or contract worker is not satisfied with City Pointe Beauty Academy's handling of a harassment or discrimination complaint, he or she may also contact the appropriate state or federal enforcement agency for legal relief.

Interim Measures.

Within 24 hours of a Title IX Coordinator receiving a report of sexual violence, the Title IX Coordinator will provide written notification to the victim about options for, and available assistance in, changing academic, living, transportation, and working situations, if so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

Retaliation Prohibited

City Pointe Beauty Academy will not retaliate against you for filing a complaint, and will not tolerate retaliation by students or employees. If you believe you have been retaliated against, you should promptly notify your supervisor, City Pointe Beauty Academy owner or the Title IX Coordinator.

Reporting Requirements

Victims of sexual misconduct should be aware that City

Pointe Beauty Academy administrators must issue timely warnings for incidents reported to them that pose a substantial threat of bodily harm or danger to other members of the campus community. City Pointe Beauty Academy will make every effort to ensure that a victim's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger. City Pointe Beauty Academy reserves the right to notify parents/guardians of dependent students regarding any health or safety risk, or a change in student status.

Rights and Options of Victims of Sexual Violence

Within 24 hours of a Title IX Coordinator receiving a report of dating violence, domestic violence, sexual assault or stalking, whether the offense occurred on or off campus, the institution will provide the student or employee a written explanation of the student's or employee's rights and options. That notice will contain the following information: This document outlines your rights under Title IX. You may have additional rights under other federal and state laws. Title IX of the Education Amendments of 1972 prohibits sex discrimination—which includes sexual violence—in educational programs and activities. All public and private schools, school districts, colleges and universities receiving federal funds must comply with Title IX. If you have experienced sexual violence, here are some things you should know about your Title IX rights:

City Pointe Beauty Academy Must Respond Promptly and Effectively to Sexual Violence

- You have the right to report the incident to your school, have your school investigate what happened, and have your complaint resolved promptly and equitably.
- You have the right to choose to report an incident of sexual violence to campus or local law enforcement. But a criminal investigation does not relieve your school of its duty under Title IX to respond promptly and effectively.
- Your school must adopt and publish procedures for resolving complaints of sex discrimination, including sexual violence. Your school may use student disciplinary procedures, but any procedures for sexual violence complaints must afford you a prompt and equitable resolution.
- Your school should ensure that you are aware of your Title IX rights and any available resources, such as victim advocacy, housing assistance, academic support, counseling, disability services, health and mental health services, and legal assistance.
- Your school must designate a Title IX coordinator and make sure all students and employees know how to contact him or her. The Title IX coordinator should also be available to meet with you.
- All students are protected by Title IX, regardless of whether they have a disability, are international or undocumented, and regardless of their sexual orientation and gender identity.

City Pointe Beauty Academy Must Provide Interim Measures as Necessary

- Your school must protect you as necessary, even before it completes its investigation. Your school should start doing this promptly once the incident is reported.
- Once you tell your school about an incident of sexual violence, you have the right to receive some immediate help, such as changing classes, dorms or transportation. When taking these measures your school should minimize the burden on you.
- You have the right to report any retaliation by school, employees, the alleged perpetrator, and other students, and your school should take strong responsive action if it occurs.

City Pointe Beauty Academy Make Known Where You Can Find Confidential Support Services

- Your school should clearly identify where you can go to talk to someone confidentially and who can provide services like advocacy, counseling, or academic support. Some people, such as counselors or victim advocates, can talk to you in confidence without triggering a school's investigation. Because different employees have different reporting obligations when they find out about sexual violence involving students, your school should
- Even if you do not specifically ask for confidentiality, your school should only disclose information to individuals who are responsible for handling the school's response to sexual violence. Your school should consult with you about how to best protect your safety and privacy.

City Pointe Beauty Academy Must Conduct an Adequate, Reliable and Impartial Investigation

- You have the right to be notified of the timeframes for all major stages of the investigation.
- You have the right to present witnesses and evidence.
- If the alleged perpetrator is allowed to have a lawyer, you have the right to have one too.
- Your school must resolve your complaint based on what they think is more likely than not to have happened (*this is called a preponderance-of-the-evidence standard of proof*).
- Your school cannot use a higher standard of proof.
- You have the right to be notified in writing of the outcome of your complaint and any appeal, including any sanctions that directly relate to you.
- If your school provides for an appeal process, it must be equally available for both parties.
- You have the right to have any proceedings documented, which may include written findings of fact, transcripts, or audio recordings.
- You have the right not to "work it out" with the alleged perpetrator in mediation. Mediation is not appropriate in cases involving sexual assault.

City Pointe Beauty Academy Must Provide Remedies as Necessary

- If an investigation reveals that sexual violence created a hostile environment, your school must take prompt and effective steps reasonably calculated to end the sexual violence, eliminate the hostile environment, prevent its recurrence, and, as appropriate, remedy its effects.
- Appropriate remedies will generally include disciplinary action against the perpetrator, but may also include remedies to help you get your education back on track (like academic support, retaking a class without penalty, and counseling). These remedies are in addition to any interim measures you received.
- Your school may also have to provide remedies for the broader student population (such as training) or change its services or policies to prevent such incidents from repeating.
- If you want to learn more about your rights, or if you believe that your school is violating federal law, you may contact the U.S. Department of Education, Office for Civil Rights, at (800) 421--3481 or 800) 421--3481 or ocr@ed.gov. If you wish to fill out a complaint form online, you may do so at <http://www.ed.gov/ocr/com>

Procedures for disciplinary action in cases of sexual violence

City Pointe Beauty Academy Title IX Coordinator has primary responsibility for receiving, evaluating and investigating allegations of sexual violence, including alleged domestic violence, dating violence, sexual assault and stalking. The Title IX Coordinator is responsible for informing City Pointe Beauty Academy Owner within 24 hours after receiving a sexual violence report for purposes of maintaining accurate Clery Act crime statistics.

The Title IX Coordinator has primary responsibility for ensuring that any disciplinary proceeding involving an allegation of sexual violence is conducted promptly, fairly and impartially and in accordance with these and other related institutional procedures.

Once the Title IX Coordinator receives a report of sexual violence, the following steps will be followed:

1. The Title IX Coordinator will immediately assess whether the information in the report warrants a timely warning and, if so, will contact City Pointe Beauty Academy Owner immediately to execute that procedure in accordance with the institution's timely warning procedures. The Title IX Coordinator will immediately inform the victim of his/her right to "interim measures" during the pendency of an investigation of the alleged sexual violence, including obtaining an order of protection, a no contact order, restraining order or similar lawful order from the police or the institution; City Pointe Beauty Academy's obligation to protect the identity of the victim in any Clery Act report or in other publicly available recordkeeping and to keep any interim measures provided to the victim confidential to the

City Pointe Beauty Academy

- extent maintaining such confidentiality would not impair the ability of the institution to provide the accommodation or protective measure.
2. The Title IX Coordinator will, within 24 hours of receipt of the report, provide the individual making the report of an alleged sex offense with:
 - a. copy of these procedures;
 - b. information on counseling, health, mental health, victim advocacy, illegal assistance services, immigration assistance, student financial aid and any other services available to the victim at City Pointe Beauty Academy or in the community;
 - c. information on the victim's right to report the incident to local police and the fact that City Pointe Beauty Academy institutional investigation and disciplinary procedure and criminal proceeding may occur simultaneously; and
 - d. options to facilitate changes to transportation, working, academic and/or living situations, or additional protective measures, if requested, while the investigation is pending, even if the victim chooses not to report the crime to police.
 3. The Title IX Coordinator will investigate the incident by interviewing: the individual filing the report, the accused, City Pointe Beauty Academy employees, witnesses and others as necessary to gather facts about the alleged incident. Other employees may assist the Title IX Coordinator after determining that such employees do not have a conflict of interest and have received training in Title IX and VAWA.
 4. The Title IX Coordinator will ensure that all individuals involved in the disciplinary procedure apply a "preponderance of the evidence" standard when evaluating sexual violence reports. City Pointe Beauty Academy does not provide for a formal hearing process but a support person of choice, including an attorney, may assist both parties.
 5. In all cases, the Title IX Coordinator will maintain regular communications with both the accuser and accused and provide both parties with equal opportunity to provide information, witness statements, evidence, and other information that may be necessary for City Pointe Beauty Academy to fully evaluate the alleged offense.
 6. The Title IX Coordinator will, barring extenuating circumstance, complete the investigation and make a determination regarding any necessary discipline of accused and remedies to accuser within 60 days of the date that the report is first received by the Title IX Coordinator.
 7. The Title IX Coordinator will inform both parties of its final determination. City Pointe Beauty Academy does not provide for an appeal of final determinations.
 8. The sanctions that may be imposed by City Pointe Beauty Academy following a determination that dating

violence, domestic violence, sexual assault or stalking occurred include, but are not limited to, counseling, education, changes in academic or living arrangements, no contact orders, suspension or expulsion of a student or termination of employment.

9. Both the accuser and accused shall be simultaneously informed in writing of:
 - a. the outcome of any disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault or stalking,
 - b. the institution's procedures for the accused and victim to appeal the results of the institutional disciplinary proceeding (if any such appeal rights become available),
 - c. any change to the results that occurs prior to the time that such results become final; and
 - d. when such results become final.
10. The Title IX Coordinator will determine if the incident is indicative of systemic issue related to the sexual violence and, if so, work with City Pointe Beauty Academy employees, including City Pointe Beauty Academy Owner, to recommend changes to City Pointe Beauty Academy policies, procedures or training to prevent re-occurrence.

City Pointe Beauty Academy requires the Title IX Coordinator and all employees involved in the investigation and disciplinary process to receive training at least annually 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.

Sanctions and Protective Measures.

Following a final determination of City Pointe Beauty Academy's institutional disciplinary proceeding regarding domestic violence, dating violence, sexual assault or stalking, City Pointe Beauty Academy may impose the following sanctions on the perpetrator and protective measures for the complainant:

1) Sanctions

Sanctions that may be imposed by City Pointe Beauty Academy include, but are not limited to:

- written warning;
- mandatory counseling;
- mandatory education and training;
- no contact orders;
- changes in academic, working or living arrangements;
- revocation of certain campus privileges;
- suspension or
- expulsion

City Pointe Beauty Academy has flexibility in the type and range of sanctions to impose on the perpetrator depending on the severity of the incident, but has a process in place to ensure that sanctions imposed are consistent with sanctions imposed in past incidents of similar conduct and are not imposed unequally

based on gender or gender identity.

2) Protective Measures

Protective measures that the school may utilize to protect the complainant include, but are not limited to:

- an order of protection, a no contact order, restraining order or similar lawful order from the institution;
- changes to transportation, working, academic and/or living situations;
- providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred;
- providing an escort to ensure that the complainant can move safely between classes and activities;
- ensuring the complainant and perpetrator do not share classes or extracurricular activities;
- providing comprehensive, holistic victim services including medical, counseling and academic support services, such as tutoring; or
- Arranging for the complainant to have extra time to complete or re--take a class or withdraw from a class without an academic or financial penalty.

When determining what protective measures to establish, City Pointe Beauty Academy will consider a number of factors including the specific needs and requests expressed by the complainant; the age of the students involved; the severity or pervasiveness of the conduct; any continuing effects on the complainant; whether the complainant and alleged perpetrator share the same residence hall, dining hall, class, transportation, or job location; and whether other judicial measures have been taken to protect the complainant (e.g., civil protection orders).

Voluntary resolution

Voluntary resolution, when selected by the complainant and deemed appropriate by the Title IX Coordinator, is a path designed to eliminate the conduct at issue, prevent its recurrence and remedy its effects in a manner that meets the expressed preference of the complainant and the safety and welfare of City Pointe Beauty Academy community. Voluntary resolution is not appropriate for all forms of conduct under the policy.

City Pointe Beauty Academy retains the discretion to determine, when selected by the complainant, which cases are appropriate for voluntary resolution. If a complainant requests voluntary resolution and the Title IX Coordinator concludes that voluntary resolution is appropriate, then the Title IX Coordinator will take the appropriate action by imposing remedies designed to maximize the complainants access to all employment, educational and extracurricular opportunities and benefits at the school and to eliminate the potential hostile environment. A complainant may request and decide to pursue voluntary resolution at any time. In those cases in which the voluntary resolution involves either the notification to or participation by the respondent, it is the respondent's decision whether to accept voluntary resolution.

Voluntary resolution may include: conducting targeted or broad based educational programming or training relevant

individuals or groups: providing increased monitoring, supervision or security at locations or activities where the misconduct occurred: facilitating a meeting with the respondent with the complainant present (in cases that do not involve sexual assault); and any other remedy that can be tailored to the involved individuals to achieve the goals of the Policy. In some forms of voluntary resolution, the remedy imposed will focus on supporting the complainant with no participation or involvement by the respondent. In other forms of voluntary resolution, the respondent may agree to participate. Depending on the type of remedy used, it may be possible for the complainant to maintain anonymity.

Voluntary resolution may also include restorative principles that are designed to allow a respondent to accept responsibility for misconduct and acknowledge harm to the complainant or City Pointe Beauty Academy Community. Restorative models will be used only with the consent of both parties and following a determination by the Title IX Coordinator that the matter is appropriate for restorative approach. City Pointe Beauty Academy will not compel a complainant to engage in mediation, to confront directly the respondent or to participate in any particular form of informal resolution. Mediation even if voluntary is never appropriate in sexual assault case and will not be used in such cases. As the title implies participation in voluntary resolution is a choice and either party can request to end this manner of resolution and pursue an investigation and adjudication at any time, including if voluntary resolution is unsuccessful at resolving the report. Similarly a complainant can request to end and investigation and pursue voluntary resolution at any time.

The time frame for completion of voluntary resolution may vary but City Pointe Beauty Academy will seek to complete the process within 15 days of the complainant's request

Risk Reduction

City Pointe Beauty Academy's primary prevention and awareness program includes information on risk reduction. This includes: *Avoiding Dangerous Situations* While you can never completely protect yourself from sexual assault there are some things you can do to help reduce your risk of being assaulted.

- Be aware of your surroundings. Know where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with a purpose. Even if you don't know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cash money.
- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.

- Avoid putting music headphone in both ears so that you can be more aware of your surroundings especially if you are walking alone.

Safety Planning --- Things to think about:

- How to get away if there is an emergency? Be conscious of exits or other escape routes. Think about options for transportation (car, bus, cab...)
- Who can help? Friend and/or family, or support centers in your area.
- Where to go? Options may include a friend's house or relative house or you may consider going to a domestic violence or homeless shelter. You may also go to the police. **IMPORTANT SAFETY NOTE:** *If the dangerous situation involves a partner, go to the police or shelter first.*
- What to bring: This may include important papers and documents such as birth certificate, social security card, license, passport, medical records, lease, bills, etc. This will also include house keys, car keys, cash, credit cards, medicine, important numbers and your cell phone with charger. If you are bringing children with you, remember to bring their important papers and legal documents. You can keep all of these things in an emergency bag. You should hide the bag – it is best if it is not in your house or car. If the bag is discovered you can call it a “tornado” or “fire” bag.

Protecting Your Friends – You have a crucial role to play in keeping your friends safe. No matter what the setting, if you see something that doesn't feel quite right or see someone who might be in trouble, there are some simple things you can do to help out a friend.

- Distract. If you see a friend in a situation that doesn't feel quite right, create a distraction to get your friend to safety. This can be as simple as joining or redirecting the conversation. Suggest to your friend that you leave the party or ask them to walk you home. Try asking questions like: “Do you want to head to the bathroom with me?” or “Do you want to head to another party or grab pizza?”
- Step in. If you see someone who looks uncomfortable or is at risk, step in. If you feel safe, find a way to de-escalate the situation and separate all parties involved. Don't be shy about directly asking the person if they need help or if they feel uncomfortable.
- Enlist others. You don't have to go it alone. Call in friends or other people in the area as reinforcements. To help defuse a dangerous situation and get the at-risk person home safely. There is safety in numbers.
- Keep an eye out. Use your eyes and ears to observe your surroundings. If you see someone who has had too much to drink or could be vulnerable, try to get him or her to a safe place. Enlist Friends to help you. Even if you weren't around when the assault occurred you could still support a friend in the after math.

Social Situations. While you can never completely protect yourself from a sexual assault, there are some things you can do to help reduce your risk of being assaulted in social situations.

- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation go with your gut. If you see something suspicious, contact law enforcement immediately.
- Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink along, just get a new one.
- Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured and carry it yourself. At parties, don't drink from punch bowls or other large common open containers.
- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character get him/her to a safe place immediately.
- If you suspect you or a friend has been drugged, contact law enforcement immediately. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possible others) Information on Risk reduction was provided by RAINN: Rape, Abuse & Incest National Network; www.rainn.org

Definitions:

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

Sexual Violence is defined as physical sexual acts engaged in without the consent of the other person or when the other person is unable to consent to the activity. Sexual violence includes sexual assault, rape, battery, and sexual coercion; domestic violence; dating violence; and stalking.

Rape Sexual penetration (genital, anal, or oral including any intrusion – however slight) into any part of a person's body (with emission of semen not requires) and involving one or more of the following elements:

- A. Force coercion
- B. Victim did not consent
- C. Victim is unable to give consent

Aggravated rape The offender is armed with a weapon or

the victim is made to believe a weapon is present, or inflicts bodily injury or there are multiple offenders

Statutory Rape The victim is at least 13 but less than 18 and the offender is at least 4 years older

Incest Sexual abuse by a family member – the victims natural parent, child, grandparent, grandchild, uncle, aunt, nephew, niece, stepparent, step child, adoptive child, brother, sister (whole, half or by adoption)

Dating Violence. Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- i. The existence of such a relationship shall be 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.
- ii. For the purposes of this definition—
 - a. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - b. Dating violence does not include acts covered under the definition of domestic violence.
- iii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Dating Violence

An abusive behavior in a romantic relationship, whether same-sex or opposite-sex, to try to gain control or power over the other person. Domestic and dating violence does not discriminate and can happen regardless of race, age, sexual orientation, religion, or gender. The abuse in both domestic and dating violence relationships can be physical, emotional/verbal, sexual, or even economical.

Domestic violence

A felony or misdemeanor crime of violence committed—

- a) By a current or former spouse or intimate partner of the victim;
- b) By a person with whom the victim shares a child in common;
- c) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- d) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
- e) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Domestic Abuse/Assault

- 1) **Domestic abuse victim** means any person who falls within the following categories:
 - a) Adults or minors who are current or former

spouses;

- b) Adults or minors who live together or who have lived together;
 - c) Adults or minors who are dating, or who have dated, or who have, or had, a sexual relationship, but does not include fraternization between two (2) individuals in a business or social context;
 - d) Adults or minors related by blood or adoption;
 - e) Adults or minors who are related or were formerly related by marriage; or
- 2) A person who commits an assault against a domestic abuse victim.

Stalking. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- a) Fear for the person's safety or the safety of others; or
- b) Suffer substantial emotional distress.

For the purposes of this definition—

Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

Reasonable person means a reasonable person under similar and with similar identities to the victim.

Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Sexual Assault occurs when a physical sexual activity is engaged in without the consent of the other person or when the other person is unable to consent to the activity. The activity or conduct may include physical force, violence, threat, or intimidation, ignoring the objections of the other person, causing the other person's intoxication or incapacitation through the use of drugs or alcohol, and taking advantage of the other person's incapacitation (including voluntary intoxication). Sexual assault includes rape, fondling, incest, or statutory rape

Sexting An act of sending sexually explicit materials through mobile phones. The word is derived from the combination of two terms sex and texting.

Consent is informed, voluntary and revocable. Consent is an affirmative, unambiguous, and conscious decision by each participant to engage in mutually agreed upon sexual activity. It must be given without coercion, force, threats or intimidation. Consent must be ongoing throughout a sexual encounter and can be revoked at any time. Once consent is withdrawn, the sexual activity must stop immediately.

Additional Information. Employees should contact City Pointe Beauty Academy owner for more information or any questions related to this policy. Students may contact the Title IX Coordinator with any questions related to this policy. In addition, the U.S. Department of Education Office for Civil

City Pointe Beauty Academy

Rights (“OCR”) investigates complaints of unlawful harassment of students in educational programs or activities. This agency may serve as a neutral fact finder and will attempt to facilitate the voluntary resolution of disputes with the parties. For more information, visit the OCR website at: <http://www.hhs.gov/ocr/>.