

## **POLICY    STUDENT AND EMPLOYEE ANTI-HARASSMENT AND DISCRIMINATION**

The Strand Institute of Beauty and Esthetics is committed to providing a work and school environment free of unlawful harassment or discrimination. In furtherance of this commitment, all students and employees are required to take our mandatory Sexual Harassment and Prevention Training upon starting school and then in January of each year. The school 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 Strand Institute prohibits discrimination based on sex, which includes sexual harassment and sexual violence, the school has jurisdiction over Title IX complaints.

The Strand Institute anti-harassment policy applies to all persons involved in the operation of the school, and prohibits unlawful harassment by any employee of the school, and prohibits unlawful harassment by any employee of the school, as well as students, customers, third parties, vendors or anyone who does business with The Strand Institute. 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 The Strand Institute does business engages in unlawful harassment or discrimination, The Strand Institute will take appropriate corrective action. The grievance procedure will provide that complaints may be filed about discrimination in any academic, educational, extracurricular, athletic or other programs operated or sponsored by, or related to, The Strand Institute whether the programs take place on the campus of The Strand Institute, during a school sponsored field trip, or other off-campus events.

As part of The Strand Institute's commitment to provide a harassment-free working and learning environment, this policy shall be disseminated to the school community through publications, school website, new employee orientations, student orientations, and other appropriate channels of communication. The school will provide training to key staff members to enable the school to handle any allegations of discrimination and harassment, including sexual harassment or sexual violence, promptly and effectively. The Strand Institute 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.

### **Definitions**

Sex Discrimination is defined as treating individuals differently based on sex about any aspect of services, benefits, or opportunities The Strand Institute of Beauty and Esthetics provides such as:

- Treat a person differently in determining whether he or she satisfies any requirement or condition for the provision of an aid, benefit, or service;
- Provide different aid, benefits, or services or provide aid, benefits, or services in a different manner;
- Deny any person an aid, benefit, or service
- Subject any person to separate or different rules of behavior, sanctions, or other treatment in providing an aid, benefit, or service
- Aid or perpetuate discrimination against any person by providing significant assistance to any agency, organization, or person which discriminates based on sex in providing any aid, benefit or service to students or employees;
- Otherwise limit any person in the enjoyment of any right, privilege, advantage, or opportunity.

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.

Domestic Violence is defined as abuse committed against an adult or a minor who is a spouse or former spouse, cohabitant or former cohabitant, or someone with whom the abuser has a child, has an existing dating or engagement relationship, or has had a former dating or engagement relationship.

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

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 using drugs or alcohol, and taking advantage of the other person's incapacitation (including voluntary intoxication).

Stalking is behavior in which a person repeatedly engages in conduct directed at a specific person that places that person in reasonable fear of his or her safety or the safety of others.

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.

## **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, color or any other legally protected basis if:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education or employment;
- 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
- It creates a hostile or offensive environment, which means the alleged conduct is sufficiently serious to limit or deny a student's 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, sex 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 innuendos, 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'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.

### **Complaint/Grievance Procedure**

The following grievance procedures shall be used to address sex discrimination complaints filed by students/employees or complaints filed on their behalf against employees, other students, or third parties.

If you believe that you have experienced or witnessed harassment or sexual violence, notify your Instructor, supervisor, school owner, 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 The Strand Institute 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 Strand Institute owner if the complaint involves an employee.

To facilitate the investigation, your complaint should include details of the incident or incidents, names of the individuals involved and names of any witnesses. A sex discrimination complaint should be filed within 180 days from the date of the alleged discriminatory incident. Upon receiving any report of

discrimination, including harassment, regardless of the filing date or when the school receives notice, the school will take steps to prevent recurrence of discrimination and correct its discriminatory effects on the student, and on others, if appropriate. All documentation pertaining to the complaint / grievance will be confidential. The complaint / grievance once received will be maintained in the student's and / or employees permanent file, which has limited staff access, this includes verbal complaints.

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.

The Grievant/Complainant may use the Title IX Grievance Form, but it is not required, to file a Title IX discrimination complaint:

<b>Title IX Coordinator:</b>  <b>Owner</b>	<b>The Strand Institute of Beauty &amp; Esthetics</b> <b>Owner:</b> Bobbi Wagoner
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The Strand Institute ensures that its employee(s) designated to serve as Title IX Coordinator(s) have adequate training on what constitutes sexual harassment, including sexual violence, and that they understand how the school grievance procedures operate.

Because complaints can also be filed with the school owner, these employees also receive training on the school grievance procedures.

### **Investigation of Complaints**

In response to all complaints, The Strand Institute of Beauty and Esthetics 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 investigate will vary based on complexity but will generally be completed within sixty (60) days of receipt of the complaint. If a complainant requests confidentiality, the school will take all reasonable steps to investigate and respond to the complaint consistent with the request. If a complainant insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, the school will inform the complainant that its ability to respond may be limited.

The preponderance of the evidence standard will apply to investigations, meaning the school 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 within 60 days of receipt of complaint. Written notice will include:

- Whether The Strand Institute found that the alleged conduct occurred, and whether it constituted discrimination.

- Any individual remedies offered or provided to the complainant or any sanctions imposed on the respondent that directly relate to the complainant unless the remedy directly involves the respondent.
- Any other steps the school took to eliminate the hostile environment, if the school found one to exist, and prevent recurrence.

During the investigation, the school will provide interim measures, as necessary to protect the safety and well being of students and / or employees involved. Examples of temporary and permanent measures to protect the complainant as necessary are:

- No contact orders
- Change academic situations as appropriate with minimum burden on the complainant
- Counseling
- Health and mental services
- Escort services
- Academic support
- Retake of a program or withdraw without penalty

If The Strand Institute determines that unlawful harassment or sexual violence has occurred, immediate appropriate corrective action will be taken in accordance with the circumstances involved, and the school will take steps to prevent the recurrence of any harassment or discrimination. Any employee determined by the school 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 the school disciplinary process. To the extent that an employee or contract worker is not satisfied with the school's handling of a harassment or discrimination complaint, he or she may also contact the appropriate state or federal enforcement agency for legal relief.

The school will also notify complainants of the right to proceed with a criminal investigation and a Title IX complaint simultaneously.

The Strand Institute will not wait for the criminal investigation or criminal proceeding to be concluded before beginning its own investigation.

### **Retaliation Prohibited**

The Strand Institute of Beauty and Esthetics prohibits any form of retaliation, intimidation or harassment against any individual who filed or otherwise participated in the filing or investigation of a complaint of discrimination. Any individual who believes he / she have been subjected to retaliation may file a separate complaint under this procedure.

## **Reporting Requirements**

Victims of sexual misconduct should be aware that The Strand Institute 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. The school 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 decision considering the danger. The Strand Institute reserves the right to notify parents / guardians of dependent students regarding any health or safety risk, or a change in student status.

## **Additional Information**

The Strand Institute does not allow conflicts of interest (real or perceived) by those handling the procedures. The Strand Institute does maintain all documentation of any proceeding. The Strand Institute will inform the students at regular intervals of the status of the investigation. The school will disallow evidence of past relationships.

Employees should contact the school Director 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 US Department of Education Office for Civil Rights (OCR) investigates complaints of discrimination, including 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/> .

## **U. S. Department of Education**

Students or The Strand Institute of Beauty and Esthetics staffs who has questions or concerns about disability issues may contact the Office for Civil Rights (OCR), US Department of Education. OCR enforces Section 504 of the Rehabilitation Act and the Americans with Disabilities Act as they apply to postsecondary educational institutions.

The OCR National Headquarters is located at:

**U. S. Department of Education, Office for Civil Rights**  
**Lyndon Baines Johnson Department of Education BLDG**  
**400 Maryland Avenue, SW**  
**Washington, DC 20202-1100**  
*Telephone:*     **(800) 421 – 3481**  
*Fax:*             **(202) 453 – 6012**  
*TDD:*            **(877) 521 – 2172**  
*Email:*            **[OCR@ed.gov](mailto:OCR@ed.gov)**

OCR has regional offices located throughout the country. To find the office for our state, you can check the OCR website at: <http://wdcrocolp01.ed.gov/CFAPPS/OCR/contactus.cfm> , or call the telephone number above.

