

SECTION VI: TITLE IX SEXUAL HARRASSMENT VIOLENCE AGAINST WOMAN

Violence against Women

Sexual Harassment Policy

GIC strictly prohibits any student or staff member from engaging in any crime outlined under the Violence Against Women Act, including the crimes of dating violence, domestic violence, sexual assault, and stalking, and is committed to taking the necessary steps to investigate any allegations of wrongdoing. This annual disclosure document is done each year by contacting the local police department.

GIC is committed to maintaining a working and learning environment that provides for fair and equitable treatment, including freedom from sexual harassment. This policy covers anyone who engages in sexual harassment on school property or at school activities.

GIC conducts awareness programs with law enforcement officials, to provide knowledge to staff and students to reduce the risk of violence against women.

Consent is defined by two people agreeing to engage in sexual activity. Consent should be clearly and freely communicated.

Bystander can play a critical role in preventing violence against a person with safe intervention or speaking up to help victims of violence.

Consent cannot be given to someone who is under the influence of drugs or alcohol that impair judgement.

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

1. Submission to the conduct or communication is either explicitly or implicitly made a term or condition of an

individual's employment, work opportunity, education, or other benefit;

2. Submission to or rejection of the conduct or communication is used as a factor for employment decisions or other school-related decisions affecting an individual; and/or

3. Such conduct or communication has the purpose or effect of substantially interfering with an individual's work or school performance or creates an intimidating, hostile, or offensive work or school environment.

Sexual harassment can occur between staff to student, student to staff, student to student, staff to staff, female to male, male to female, female to female, and male to male. Administration will take prompt, equitable, and remedial action on reports and complaints that come to the attention of school personnel, either formally or informally. Allegations of criminal misconduct will be reported to the appropriate law enforcement agency.

Examples of sexual harassment may include but is not limited to:

1. Verbal harassment or abuse of a sexual nature
2. Subtle pressure for sexual activity
3. Inappropriate or unwelcome touching, patting, or pinching of a sexual nature
4. Intentional brushing against a student's or an employee's body
5. Demanding sexual favors accompanied by implied or overt threats concerning an individual's employment or educational status
6. Demanding sexual favors accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status
7. Use of sexually or gender-degrading words or comments, verbal or written (e.g., graffiti)

8. Display in the school, on school grounds, or at school-sponsored events of sexually suggestive pictures

9. Leering of a sexual nature

10. Spreading of sexual rumors

Engaging in sexual harassment will result in appropriate discipline or other appropriate sanctions against offending students, staff, or contractors. Anyone else engaging in sexual harassment on school property or at school activities will have their access to school property and activities restricted or revoked, as appropriate.

Dating and Domestic Violence Policy

Domestic violence is defined as emotional abuse or behaviors used by one person in a relationship to control the other. Partners may be married or not married; heterosexual, gay, or lesbian; living together, separated or dating.

Examples of abuse include:

1. Name-calling or putdowns
2. Keeping a partner from contacting their family or friends
3. Withholding money
4. Stopping a partner from getting or keeping a job
5. Actual or threatened physical harm
6. Sexual assault
7. Stalking
8. Intimidation

Complaint and Grievance Requirements

Victims of sexual harassment should report in a timely manner to GIC school administrator, Instructor or Title IX Coordinator. GIC shall respect the confidentiality of the complainant and the individual(s) against whom the complaint is filed as much as possible, consistent with the school's legal obligations and the necessity to investigate the allegations and take disciplinary

action when the conduct has occurred. A written complaint must be filed with the school administration, at which time the school will conduct an internal investigation and take appropriate action.

Procedure:

- Grievances must be submitted to the Title IX Coordinator as soon as possible from the date of the alleged discriminatory action.
- A complaint must be in writing, containing the name and address of the person filing it.
- GIC shall respect the confidentiality of the complainant and the individual(s) against whom the complaint is filed as much as possible, consistent with the school's legal obligations and the necessity to investigate the allegations and take disciplinary action when the conduct has occurred.
- The Title IX Coordinator Tracy Behrndt shall investigate of the complaint. This investigation may be informal, but it must be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint. The Title IX Coordinator will maintain the files and records of Georgia Institute of Cosmetology relating to such grievances.
- The Title IX Coordinator will issue a written decision on the grievance no later than 60 days after its filing.
- The person filing the grievance may appeal the decision of the Title IX Coordinator by writing to the Georgia Institute of Cosmetology Board of Directors within 30 days of receiving the Title IX decision. The Georgia Institute of Cosmetology Board of Directors shall issue a written decision in response to the appeal no later than 60 days after its filing.
- The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination on the basis of disability with the U. S. Department of Education, Office for Civil Rights.

Title IX Coordinator

Tracy Parsons 3529 Atlanta Hwy Athens, GA 30606, 706-549-6400 X 25 or Tracy@gic.edu

Retaliation is prohibited against any person who makes a complaint or is a witness under this policy and will result in appropriate disciplinary action against the person responsible for the retaliation. Individuals who knowingly report or corroborate false allegations will be subject to appropriate disciplinary action.

Each staff member is responsible to immediately report alleged discrimination and/or harassment to his/ her supervisor or other appropriate school personnel. Staff members who fail to take prompt action to report allegations or violation(s) of this policy may be subject to disciplinary action up to and including termination.

HARASSMENT, INTIMIDATION, AND BULLYING POLICY

Georgia Institute of Cosmetology is committed to maintaining a working and learning environment that provides for fair and equitable treatment, including freedom from bullying, harassment, intimidation, and discrimination of any kind. This policy includes anyone who engages in such behavior on school property, at school activities, or an electronic act through the use of cell phones, computers, personal communication devices, or other electronic gaming devices.

Harassment, intimidation, bullying, and discrimination may take many forms, including verbal aggression and name calling; physical aggression; relational aggression; graphic and written statements, which may include use of cell phones, computers, or gaming systems; and other conduct that may be physically threatening, harmful, or humiliating. Harassment, intimidation, bullying, and discrimination include intent to harm, they are directed at a specific target, and typically involve repeated incidents. Harassment, intimidation, bullying, and discrimination create a hostile environment and will not be tolerated in GIC. Such conduct or communication has the purpose or effect of substantially interfering with an individual's work or school performance and creates an intimidating, hostile, or offensive work or school environment.

Harassment, intimidation, bullying and discrimination can interfere and limit a person's ability to participate in or benefit from the services, activities, or opportunities offered

by GIC. Administration will take prompt, equitable, and remedial action on all reports at school activities, or an electronic act through the use of cell phones, computers, personal communication devices, or other electronic gaming devices. Harassment, intimidation, bullying, and discrimination may take many forms, including verbal aggression and name calling; physical aggression; relational aggression; graphic and written statements, which may include use of cell phones, computers, or gaming systems; and other conduct that may be physically threatening, harmful, or humiliating. Harassment, intimidation, bullying, and discrimination.

Assistance for Victims: Rights and Options

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

Such information will include:

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

Student Code of Conduct Special Provisions for Sexual Misconduct and Other Sensitive Issues

1. **Advisor/Advocate:** All student parties to sexual misconduct complaints have the right to an advisor/advocate from the community to assist and support in connection with grievance proceedings. Georgia Institute of Cosmetology does not disallow

any advisor, but does prohibit any advisor from speaking during any meeting or grievance procedure.

2. **Sexual History/Character:** All parties to a complaint have a right not to face questions or discussion of their sexual history or character unless the administrative officer decides that such information is highly relevant to determining whether the policy has been violated.

3. **Right to Know Outcome and Sanctions:** The complainant and the accused party both have the right to know the outcome and sanctions.

4. **Right to Be Informed of Complainant's and Respondent's Review (Appeal) Status:** The parties will be informed by the Director/Campus Security or his designee if any of the parties to the complaint requests an appeal.

5. **Right to Appeal:** A complainant or respondent has the right to appeal. A student shall be informed of his/her right to file a complaint with the United States Department of Education, Office of Civil Rights.

6. **Right to be Informed of Policy:** Information regarding this protocol and any accompanying procedures shall be distributed annually to school employees and students in a manner calculated to provide easy access and wide distribution, such as through electronic distribution and inclusion in major school publications. Copies of the policy and procedures shall be readily available at the school's administrative offices.

7. **Right to not be dissuaded from Participating in Law Enforcement Processes:** Georgia Institute of Cosmetology encourages any victim of a crime, especially sexual assault, stalking, domestic or dating violence, to file a report with the appropriate law enforcement department. A complainant has the right to file said report before they alert Georgia Institute of Cosmetology of the allegation of sexual misconduct or after they have participated in an on-campus administrative process. The school would never dissuade a victim from seeking remedies from the criminal justice system. Director/Campus Security can assist any victim with contacting the appropriate law enforcement agency should they require such assistance.

Georgia Institute of Cosmetology Responsibilities for Orders of Protection

Georgia Institute of Cosmetology complies with Georgia law in recognizing emergency protective orders and protective orders by arresting violators of protective orders. Any person who obtains an order of protection from a recognized court of law in the State of Georgia should provide a copy to Georgia Institute of Cosmetology Director/Campus Security. A complainant may then

meet with Director/Campus Security to develop a Safety Action Plan, which is a plan for Director/Campus Security and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to, escorts, special parking arrangements, changing classroom location, etc. Protection from abuse orders may be available through the county attorney, a private attorney or through a legal aid service program. The application must be filed in the county in which you or the offender lives. There are no minimum time limits to establish residency and protective orders are available in every county in Oklahoma.

Georgia Institute of Cosmetology No Contact Orders

If the accused individual is a member of Georgia Institute of Cosmetology community, an institutional no contact letter/order may be issued if deemed appropriate or at the request of the victim or accused. This will prohibit communication, verbally, in writing, through technology or third parties, between the parties. If the school receives a report that such an institutional no contact order has been violated, the school will initiate disciplinary proceedings appropriate to the status of the accused (student, employee, etc.) and will impose sanctions if the accused is found responsible for violating the no contact order.

Confidentiality

To the greatest extent possible, the school shall respect the privacy of the complainant, persons against whom a report is filed and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law. Georgia Institute of Cosmetology will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence or stalking to the fullest extent of the law. Victims may request that directory information on file be removed from public sources by request from the Admissions and Records office.

Different people on campus have different reporting responsibilities and different abilities to maintain your confidentiality, depending on their roles at the school. Victims should be aware of confidentiality and mandatory reporting, in order to make informed choices, when consulting campus resources. On campus, some resources may maintain your complete confidentiality, offering you options and advice without any obligation to tell anyone, unless you want them to. Other

resources are expressly there for you to report crimes and policy violations, and they will take action when you report your victimization to them.

Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant. The school does not publish the name of crime victims nor house identifiable information regarding victims in the campus police department's Daily Crime Log or online. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, sexual assault or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

Adjudication of Violations

The school's disciplinary process includes a prompt, fair and impartial investigation and resolution process. In all instances, the process will be conducted in a manner that is consistent with the school's policy and that is transparent to the accuser and the accused. Usually, the resolution of domestic violence, dating violence, sexual assault and stalking complaints are completed within 30-45 schools business days of the report. However, each proceeding allows for extensions of time frames for good cause with written notice to the accuser and the accused of the delay and the reason for the delay. Schools officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained annually on the issues related to domestic violence, dating violence, sexual assault and stalking as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. Furthermore, each policy provides that:

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

proceeding. The accuser and the accused each have the opportunity to be advised by an advisor/representative of their choice at any stage of the process and to be accompanied by that advisor/representative to any related meeting or proceeding. The school will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceedings.

5. The accuser and the accused will be notified simultaneously, in writing, of the any initial, interim and final decision of any disciplinary proceeding; and

6. Where an appeal is permitted under the applicable policy, the accuser and the accused will be notified simultaneously in writing, of the procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding. When an appeal is filed, the accuser and the accused will be notified simultaneously in writing of any change to the result prior to the time that it becomes final, as well as of the final result once the appeal is resolved.

Notification to Victims of Crimes of Violence

Georgia Institute of Cosmetology will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

Rights of the Accused and Accuser:

Report domestic violence, dating violence, sexual assault or stalking, to campus security.

Any student or employee who wishes to file a disciplinary complaint may do so by contacting personnel at Georgia Institute of Cosmetology regardless of whether law enforcement or criminal justice authorities choose to prosecute an act involving a Georgia Institute of Cosmetology school student or employee, disciplinary action may be imposed through a campus disciplinary proceeding.

During such a disciplinary proceeding, the accuser and the accused are entitled to the same opportunities to have others present. Disciplinary sanctions may be imposed on students or employees who commit a sexual offense on campus or in connection with Georgia Institute of Cosmetology activities.

Possible sanctions to be imposed following the final determination of disciplinary procedures include suspension or expulsion from Georgia Institute of Cosmetology 1 or termination

of employment. The accuser and the accused will be informed of the outcome of any disciplinary proceedings brought alleging sexual misconduct.

Disclosures to an alleged victim:

Georgia Institute of Cosmetology, upon written request, will disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged is deceased as a result of the crime or offense, the information shall be provided, upon request, to the next of kin of the alleged victim.

Missing Student Notification: Our school does not provide on-campus housing; therefore, in accordance with Department of Education and HEOA Sec 488(g) amended HEA Sec. 485 (20 U.S.C. 1092): added HEA Sec. 485(j), we do not have a Missing Person Notification Policy.