

VskiCosmetology School Title IX Policy

TTTLE IX POLICY

Title IX of the Education Amendments of 1972 (Title IX) prohibits discrimination based on sex in education programs and activities in federally funded schools at all levels. If any part of a school district or college receives any Federal funds for any purpose, all of the operations of the district or college are covered by Title IX.

Title IX protects students, employees, applicants for admission and employment, and other persons from all forms of sex discrimination, including discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity. All students (as well as other persons) at recipient institutions are protected by Title IX—regardless of their sex, sexual orientation, gender identity, part- or full- time status, disability, race, or national origin—in all aspects of a recipient’s educational programs and activities

Introduction. VskiCosmetology School (the “School”) is committed to providing a working and educational environment for all faculty, staff, and students that is free from unlawful sexual discrimination, which includes sexual harassment and sexual violence.

To that end, this policy prohibits sexual misconduct that constitutes sexual discrimination, sexual harassment, sexual violence, sexual assault, relationship/dating violence, stalking, and related claims of retaliation.

All students and employees receive mandatory Sexual Harassment and Prevention training at orientation and at least annually thereafter. In addition, the School provides training to key staff members to enable the School to investigate any allegations of sexual discrimination promptly and effectively.

As part of the School’s commitment to providing a discrimination-free working and learning environment, this policy shall be disseminated widely to the School community through publications, the School website, new employee orientations, student orientations, and/or other appropriate channels of communication. The School is committed to addressing and responding to all reports of sexual discrimination, and will take appropriate action to prevent, correct, and if necessary, discipline behavior that violates this policy.

Scope. This policy applies to any allegations of sexual misconduct against any faculty or staff (an “employee”) or student, regardless of where the alleged conduct occurs. The actions of third parties (e.g., contractors, vendors, guests, or visitors) that impact students or employees may also be subject to review under this policy. If a third party is the accused, the matter will be referred to the appropriate authorities for resolution.

Definitions. Sexual harassment is unwelcome conduct of a sexual nature, such as unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment may include incidents between any members of the School community, including employees, students, and non- employees participants in the School community, such as vendors, contractors, guests, and visitors. It can have the effect of unreasonably interfering with a person’s or a group’s educational or work performance or can create an intimidating, hostile, or abusive educational or work environment. Sexual harassment can take many forms, and the determination of what constitutes sexual harassment will vary according to the particular circumstances.

Complainant means:

- (1) A student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations; or
- (2) A person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations and who was participating or attempting to participate in the recipient’s education program or activity at the time of the alleged sex discrimination.

Complaint means an oral or written request to the recipient that objectively can be understood as a request for the recipient to investigate and make a determination about alleged discrimination under Title IX or its regulations.

Disciplinary sanctions means consequences imposed on a respondent following a determination under Title IX that the respondent violated the recipient’s prohibition on sex discrimination.

Party means a complainant or respondent.

Relevant means related to the allegations of sex discrimination under investigation as part of these grievance procedures. Questions are relevant when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a decisionmaker in determining whether the alleged sex discrimination occurred.

Remedies means measures provided, as appropriate, to a complainant or any other person the recipient identifies as having had their equal access to the recipient’s education program or activity limited or denied by sex discrimination. These measures are

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provided to restore or preserve that person's access to the recipient's education program or activity after a recipient determines that sex discrimination occurred.

Respondent means a person who is alleged to have violated the recipient's prohibition on sex discrimination.

Retaliation means intimidation, threats, coercion, or discrimination against any person by the recipient, a student, or an employee or other person authorized by the recipient to provide aid, benefit, or service under the recipient's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the 24 person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations.

Sex-based harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, that is:

(1) Quid pro quo harassment. An employee, agent, or other person authorized by the recipient to provide an aid, benefit, or service under the recipient's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct;

(2) Hostile environment harassment. Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the recipient's education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:

- i. The degree to which the conduct affected the complainant's ability to access the recipient's education program or activity;
- ii. The type, frequency, and duration of the conduct;
- iii. The parties' ages, roles within the recipient's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
- iv. The location of the conduct and the context in which the conduct occurred; and
- v. Other sex-based harassment in the recipient's education program or activity; or

(3) Specific offenses.

- i. Sexual assault meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;
- ii. Dating violence meaning violence committed by a person:
 - A. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - B. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - (1) The length of the relationship;
 - (2) The type of relationship; and
 - (3) The frequency of interaction between the persons involved in the relationship;
- (iii) Domestic violence meaning felony or misdemeanor crimes committed by a person who:
 - (A) Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of the recipient, or a person similarly situated to a spouse of the victim;
 - (B) Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
 - (C) Shares a child in common with the victim; or
 - (D) Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction; or
- (iv) Stalking meaning 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.

Sexual violence is a form of sexual harassment and refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). Sexual violence includes rape, sexual assault, sexual battery, sexual abuse, and sexual coercion; domestic violence; dating violence; and stalking.

Gender-based harassment is another form of sexual harassment and refers to unwelcome conduct based on an individual's actual or perceived sex, including harassment or acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on gender identity or nonconformity with sex stereotypes, and not necessarily involving conduct of a sexual nature. All of these types of sex-based harassment are forms of sex discrimination prohibited by Title IX.

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

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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).

Domestic violence means a felony or misdemeanor crime of violence committed by—

- a current or former spouse or intimate partner of the victim,
- a person with whom the victim shares a child in common,
- a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
- a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime occurred, or
- 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 occurred.

Consent is a voluntary agreement to engage in sexual activity. Someone who is incapacitated cannot consent. Past consent, silence, or an absence of resistance does not imply present or future consent. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Consent can be withdrawn at any time. Coercion, force, or threat of either invalidates consent.

Incapacitation prevents a person from having the capacity to give consent, such as due to the use of drugs or alcohol, when a person is asleep or unconscious, or because of an intellectual or other disability.

Supportive measures means individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:

- (1) Restore or preserve that party's access to the recipient's education program or activity, including measures that are designed to protect the safety of the parties or the recipient's educational environment; or
- (2) Provide support during the recipient's grievance procedures or during an informal resolution process.

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.

VskiCosmetology School has adopted grievance procedures that provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in its education program or activity, or by the Title IX Coordinator, alleging any action that would be prohibited by Title IX or the Title IX regulations. Complaints: The following people have a right to make a complaint of sex discrimination, including complaints of sex-based harassment, requesting that VskiCosmetology School investigate and make a determination about alleged discrimination under Title IX:

- A "complainant," which includes:
 - a student or employee of VskiCosmetology School who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX; or

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- a person other than a student or employee of VskiCosmetology School who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX at a time when that individual was participating or attempting to participate in VskiCosmetology School education program or activity;
- A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant; or
- VskiCosmetology School Title IX Coordinator.

Note that a person is entitled to make a complaint of sex-based harassment only if they themselves are alleged to have been subjected to the sex-based harassment, if they have a legal right to act on behalf of such person, or if the Title IX Coordinator initiates a complaint consistent with the requirements of 34 C.F.R. § 106.44(f)(1)(v).

With respect to complaints of sex discrimination other than sex-based harassment, in addition to the people listed above, the following persons have a right to make a complaint:

- Any student or employee VskiCosmetology School; or
- Any person other than a student or employee who was participating or attempting to participate in VskiCosmetology School's education program or activity at the time of the alleged sex discrimination.

VskiCosmetology School may consolidate complaints of sex discrimination against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of sex discrimination arise out of the same facts or circumstances. When more than one complainant or more than one respondent is involved, references below to a party, complainant, or respondent include the plural, as applicable.

Basic Requirements of Title IX Grievance Procedures:

VskiCosmetology School will treat complainants and respondents equitably.

VskiCosmetology School requires that any Title IX Coordinator, investigator, or decisionmaker not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. A decisionmaker may be the same person as the Title IX Coordinator or investigator.

VskiCosmetology School presumes that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of its grievance procedures. VskiCosmetology School has established the following timeframes for the major stages of the grievance procedures: The time necessary to conduct an investigation will vary based on complexity but generally the School will conduct an investigation within 60 days of receipt of the complaint.

VskiCosmetology School has also established the following process that allows for the reasonable extension of timeframes on a case-by-case basis for good cause with notice to the parties that includes the reason for the delay: Complainants who are considering bringing a formal grievance may at any time meet with the Title IX Coordinator, who will discuss the matter and describe the formal grievance process. A complainant must submit a written grievance to the Title IX Coordinator via use of the available Title IX grievance form.

VskiCosmetology School will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures. The parties cannot engage in retaliation, including against witnesses.

VskiCosmetology School will objectively evaluate all evidence that is relevant and not otherwise impermissible—including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness.

The following types of evidence, and questions seeking that evidence, are impermissible (i.e., will not be accessed or considered, except by VskiCosmetology School to determine whether one of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant:

- Evidence that is protected under a privilege recognized by Federal or State law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
- A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless VskiCosmetology School obtains that party's or witness's voluntary, written consent for use in its grievance procedures; and
- Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and

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respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

Notice of Allegations:

Upon initiation of VskiCosmetology School's Title IX grievance procedures, VskiCosmetology School will notify the parties of the following:

- VskiCosmetology School Title IX grievance procedures and any informal resolution process;
- Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination, and the date(s) and location(s) of the alleged incident(s);
- Retaliation is prohibited; and
- The parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence. VskiCosmetology School provides a description of the evidence: The parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party.

If, in the course of an investigation, VskiCosmetology School decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that are not included in the notice provided or that are included in a complaint that is consolidated, VskiCosmetology School will notify the parties of the additional allegations. Dismissal of a Complaint:

VskiCosmetology School] may dismiss a complaint of sex discrimination if:

- VskiCosmetology School is unable to identify the respondent after taking reasonable steps to do so;
- The respondent is not participating in VskiCosmetology School education program or activity and is not employed by VskiCosmetology School;
- The complainant voluntarily withdraws any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and VskiCosmetology School determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or
- VskiCosmetology School determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX. Before dismissing the complaint, VskiCosmetology School will make reasonable efforts to clarify the allegations with the complainant.

Upon dismissal, VskiCosmetology School will promptly notify the complainant of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then VskiCosmetology School will also notify the respondent of the dismissal and the basis for the dismissal promptly following notification to the complainant, or simultaneously if notification is in writing.

VskiCosmetology School will notify the complainant that a dismissal may be appealed and will provide the complainant with an opportunity to appeal the dismissal of a complaint. If the dismissal occurs after the respondent has been notified of the allegations, then VskiCosmetology School will also notify the respondent that the dismissal may be appealed. Dismissals may be appealed on the following bases:

- Procedural irregularity that would change the outcome;
- New evidence that would change the outcome and that was not reasonably available when the dismissal was made; and
- The Title IX Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome. If the dismissal is appealed, VskiCosmetology School will:
 - Notify the parties of any appeal, including notice of the allegations, if notice was not previously provided to the respondent;
 - Implement appeal procedures equally for the parties;
 - Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
 - Ensure that the decisionmaker for the appeal has been trained consistent with the Title IX regulations;
 - Provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
 - Notify the parties of the result of the appeal and the rationale for the result.

When a complaint is dismissed, VskiCosmetology School will, at a minimum:

- Offer supportive measures to the complainant as appropriate;
- If the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate; and
- Take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sex discrimination does not continue or recur within VskiCosmetology School education program or activity.

Investigation:

VskiCosmetology School will provide for adequate, reliable, and impartial investigation of complaints.

The burden is on VskiCosmetology School -- not on the parties -- to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred.

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VskiCosmetology School will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible.

Vski Cosmetology School] will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance.

VskiCosmetology School will provide each party with an equal opportunity to access the evidence that is relevant to the allegations of sex discrimination and not otherwise impermissible, in the following manner:

- VskiCosmetology School will provide an equal opportunity to access either the relevant and not otherwise impermissible evidence, or an accurate description of this evidence. If VskiCosmetology School provides a description of the evidence: VskiCosmetology School will provide the parties with an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party.;
- VskiCosmetology School will provide a reasonable opportunity to respond to the evidence or the accurate description of the evidence; and
- VskiCosmetology School will take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures. Disclosures of such information and evidence for purposes of administrative proceedings or litigation related to the complaint of sex discrimination are authorized.

Questioning the Parties and Witnesses:

VskiCosmetology School will provide a process that enables the decisionmaker to question parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex discrimination. All investigations are thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all available relevant parties and witnesses; obtaining available, relevant evidence; and identifying sources of expert information, as necessary. All parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence on the record. Recordings of interviews are not provided to the parties, but the parties will have the ability to review the transcript of the interview once the investigation report is compiled.

Determination Whether Sex Discrimination Occurred:

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, VskiCosmetology School will:

- Use the [preponderance of the evidence or, if applicable,12 clear and convincing] standard of proof to determine whether sex discrimination occurred. The standard of proof requires the decisionmaker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decisionmaker is not persuaded under the applicable standard by the evidence that sex discrimination occurred, whatever the quantity of the evidence is, the decisionmaker will not determine that sex discrimination occurred.
- Notify the parties in writing of the determination whether sex discrimination occurred under Title IX including the rationale for such determination, and the procedures and permissible bases for the complainant and respondent to appeal, if applicable;
- Not impose discipline on a respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the grievance procedures that the respondent engaged in prohibited sex discrimination.
- If there is a determination that sex discrimination occurred, the Title IX Coordinator will, as appropriate:
 - Coordinate the provision and implementation of remedies to a complainant and other people VskiCosmetology School identifies as having had equal access to VskiCosmetology School education program or activity limited or denied by sex discrimination;
 - Coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions; and
 - Take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within VskiCosmetology School education program or activity.
- Comply with the grievance procedures before the imposition of any disciplinary sanctions against a respondent; and
- Not discipline a party, witness, or others participating in the grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether sex discrimination occurred.13 Appeal of Determinations, if offered14: VskiCosmetology School offers the following process for appeals from a determination whether sex discrimination occurred:
 - Any party may submit a written request for appeal ("Request for Appeal") to the Title IX coordinator within five (5) days of the delivery of the Notice of Outcome. A single Appeal Decision-maker

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will Chair the appeal. The Appeal Decision-maker will not have been previously involved in the Resolution Process for the complaint, including in any dismissal appeal that may have been heard earlier in the process. The Request for Appeal will be forwarded to the Appeal Decision-maker or designee for consideration to determine if the request meets the grounds for appeal (a Review for Standing).

This review is not a review of the merits of the appeal. This appeal process will be, at a minimum, the same as VskiCosmetology School offers in all other comparable proceedings, including proceedings relating to other discrimination complaints.

Informal Resolution, if offered:

In lieu of resolving a complaint through VskiCosmetology School's Title IX grievance procedures, the parties may instead elect to participate in an informal resolution process. VskiCosmetology School does not offer informal resolution to resolve a complaint that includes allegations that an employee engaged in sex-based harassment of an elementary school or secondary school student, or when such a process would conflict with Federal, State, or local law.

Supportive Measures:

VskiCosmetology School will offer and coordinate supportive measures as appropriate for the complainant and/or respondent to restore or preserve that person's access to VskiCosmetology School education program or activity or provide support during VskiCosmetology School Title IX grievance procedures or during the informal resolution process. For complaints of sex-based harassment, these supportive measures may include

Disciplinary Sanctions and Remedies:

If the School determines that unlawful harassment or other prohibited behavior has occurred, immediate appropriate corrective action will be taken in accordance with the circumstances involved, and the VskiCosmetology School will take steps to prevent the recurrence of any harassment or discrimination. Any employee determined by the VskiCosmetology 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's 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.

**Effective as of August 1 2024

Investigation and Response to Sexual Harassment Allegations.

The School takes all reports seriously and will provide a prompt and equitable response to all reports of sexual harassment. A prompt and equitable response may include an early resolution of the issue, a formal investigation, and/or targeted training or educational programs designed to prevent recurrence of any sexual misconduct. Mediation will not be used to resolve sexual assault complaints. If an investigation is warranted, the School shall maintain confidentiality for all parties to the extent permitted by law. However, 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. Nonparty witnesses who participate in sexual harassment investigations shall not share with involved parties, other witnesses, or any others, information revealed to them during the investigation.

The time necessary to conduct an investigation will vary based on complexity but generally the School will conduct an investigation within 60 days of receipt of the complaint. Every complainant will have the right to present his or her case, which includes the right to an adequate, reliable, and impartial investigation of the complaint. Parties will be given an equal opportunity to present witnesses and evidence. The preponderance of the evidence standard will apply to investigations, meaning that the School will evaluate whether it is more likely than not that the alleged conduct occurred. Both parties will be given periodic status updates and will receive written notice of the outcome of the complaint. During the investigation, the School will provide interim measures, as necessary, to protect the safety and well-being of students and/or employees involved. Either party may file an appeal, if applicable.

If the School determines that unlawful harassment or other prohibited behavior 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's 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.

Retaliation Prohibited.

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Employees and students are protected by law from retaliation for reporting alleged unlawful harassment or discrimination or for otherwise participating in processes connected with an investigation, proceeding or hearing conducted by the School or a government agency with respect to such complaints. The School 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, Human Resources, or the Title IX Coordinator.

Role of the Title IX Coordinator.

Pursuant to Title IX of the Education Amendments of 1972 and the U.S. Department of Education's implementing regulations at 34 C.F.R. Part 106, the School's Title IX Coordinator has primary responsibility for coordinating the School's efforts to comply with and carry out its responsibilities under Title IX, which prohibits sex discrimination in all the operations of this School, as well as retaliation for the purpose of interfering with any right or privilege secured by Title IX. Sexual misconduct against students, including sexual harassment, sexual assault, rape, and sexual exploitation, can be a form of sex discrimination under Title IX.

The Title IX coordinator oversees the School's response to reports and complaints that involve possible sex discrimination to monitor outcomes, identify and address any patterns, and assess effects on the campus climate, so the School can address issues that affect the wider school community.

A student should contact the Title IX Coordinator to:

- seek information or training about students' rights and courses of action available to resolve reports or complaints that involve potential sex discrimination, including sexual misconduct;
- file a complaint or make a report of sex discrimination, including sexual misconduct;
- notify the School of an incident or policy or procedure that may raise potential Title IX concerns;
- get information about available resources (including confidential resources) and support services relating to sex discrimination, including sexual misconduct; and
- ask questions about the School's policies and procedures related to sex discrimination, including sexual misconduct.

Alexis Venesky Perry is the School's Title IX Coordinator and can be reached in person at 2070 Sam Rittenberg Blvd Ste B322 Charleston, SC 29407, by telephone 843-557-2451, or via email at alexis@vskisalon.com. Inquiries or complaints that involve potential violations of Title IX may also be referred to the U.S. Department of Education's Office for Civil Rights, by mail at 400 Maryland Avenue, SW, Washington, D.C., 20202-1328, by phone at 800.421.3481, or by email at ocr@ed.gov. Regional office contact information can be found at

[Ocras.ed.gov/contact-ocr?field_state_value=683](https://ocras.ed.gov/contact-ocr?field_state_value=683)

Functions and Responsibilities of the Title IX Coordinator.

The School 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's grievance procedures operate. Because complaints can also be filed with an employee's supervisor or Human Resources, these employees also receive training on the School's grievance procedures and any other procedures used for investigating reports of sexual harassment.

Additional Information

Employees should contact Human Resources 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 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/>.