

LANSDALE SCHOOL OF COSMETOLOGY
2016
Implementation of Title 9 Requirements and Grievance Procedures
(Sexual Harassment)

The Lansdale School of Cosmetology prohibits sex discrimination, including sexual misconduct and is committed to address sexual misconduct.

Where and How to Report Sexual Harassment:

It is important that all concerns of sexual harassment be reported promptly to Mrs. Voltz, School Administrator and Title 9 Coordinator.

- This policy applies to all staff, students and third parties, regardless of sexual orientation or gender identity.

Additionally, concerns can be reported to: U.S. Department of Education
Office of Civil Rights
Washington, D.C. 20202-1328

The Lansdale School of Cosmetology, Inc. does not discriminate because of sex, race, religion, nationality, age, color or ethnic origin in its' educational programs.

Definition of Sexual Harassment and Prohibited Conduct.

- a) **Sexual misconduct: unwelcome conduct of a sexual nature; sexual harassment, sexual assault, and any conduct of a sexual nature that is without consent, or has the effect of threatening or intimidating the victim.**
- b) **Gender-based harassment: disparaging comments or conduct based on gender identity (persistent disparagement of a person based on a perceived lack of stereotypical masculinity).**
- c) **Harassing conduct rises to the level of discrimination when the conduct is so severe or persistent that it creates a hostile environment that interferes with a student's ability to benefit from the educational program or activity. One incident of sexual violence can result in discrimination.**
- d) **Consent: Past does not imply future. Silence or resistance does not imply consent. Coercion, force, threat invalidates consent. Can be withdrawn at any time.**
- e) **Incapacitation: Due to drugs, alcohol, asleep, unconscious or disability.**
- f) **If a student experiences Sexual Harassment while under the influence of drugs or alcohol the student will be granted amnesty from those influences.**

The institution prohibits the crimes of dating violence, domestic violence, sexual assault and stalking.

The institution staff and students receives education and training from NOVA (Network of Victim Assistance). 1-800-675-6900

See additional Information/ last page.
NOVA: Advocacy, Support, Prevention

Staff and students are encouraged to report the following:

- a) Dating violence – violence committed by a person who has been in a relationship of a romantic or intimate nature with the victim (based on length and type of relationship and frequency of interaction).
- b) Domestic violence – crimes of violence committed by “spouse, a parent of the victim’s child, cohabitant, or any person protected from that person’s acts under laws of the jurisdiction”.
- c) Stalking – engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for their safety or the safety of others; or (b) suffer substantial emotional distress.

For Bystander Intervention visit:

<https://www.health.ny.gov/publications/2040.pdf>

For Risk Reduction visit:

<https://www.rainn.org/get-information/sexual-assault-prevention>

Victims should follow the following notification procedures:

- a) Preserve the evidence, (Incident of Sexual Misconduct)
- b) Report to Title 9 Coordinator promptly, (Mrs.Voltz, School office for investigation)
- c) Option, notify proper law enforcement authority, or NOVA (800-675-6900)
- d) Lansdale Police Dept: 911 or 215-368-1800

Written Notification to Victims and Reporting.

- a) **Confidentiality:** The institution will protect the confidentiality of victims and other necessary parties including: (See attachment “ Reporting and Confidentially Disclosing Sexual Violence”)
 - 1) Completing publicly available recordkeeping including reporting and disclosures without including personally identifying information.
 - 2) Maintaining as confidential any accommodations or protective measures provided to the victim to the extent necessary.
- b) **Counseling:** The institution will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa

and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community.

c) **Retaliation:** The school prohibits retaliation against those who file a complaint or third party report, and will take strong responsive action if retaliation occurs.

The institution will provide written notification to victims regarding options for and how to request changes to the academic/working environment. Such as changes in work or classroom schedules.

Grievance Procedure: Applies to harassment carried out by students, employees and third parties.

- a) All grievances should be reported to Mrs. Voltz promptly. The process will be fair and impartial.
 - b) Investigations/Grievances will be handled promptly and an equitable resolution of claims of sexual harassment or discrimination will be handled in less than 60 days.
 - c) Due process will be given to both parties. An advisor can be available.(Hearing)
 - d) The preponderance-of-the evidence standard will be used in any Title 9 fact finding proceeding/hearing.
 - e) Both parties may present witnesses and have counsel present.
 - f) The institution has the authority to take interim steps in response to a claim of harassment.
 - g) The institution has the right to seek counsel from its attorney, law enforcement and NOVA.
 - h) The institution has the right to take the appropriate response such as: accommodation, counseling, training, information and disciplinary action.
 - i) The institution will seek counsel for advise on protective measures following an allegation of dating violence, domestic violence, stalking or sexual assault.
 - j) Sanctions could include verbal warning, written warning, expulsion, firing.
 - k) Written notice will be given to both parties as to the outcome of the complaint.
 - l) The school will not require a party to abide by a nondisclosure agreement, in writing or otherwise, that would prevent the redisclosure of information related to the outcome of the preceding.
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I, _____ have read the Lansdale School of Cosmetology, policy regarding Implementation of Title 9 Requirements and Grievance Procedures (Sexual Harassment).

Signature

Date

nova

Network of Victim Assistance

Advocacy, Support, and Prevention for Crime Victims
in Bucks County, Pennsylvania

Middle School, High School, & College
Prevention Education Programs
Working together to create communities

2370 York Road • Suite B1 • Jamison, PA 18929
(215) 343-6543 • TTY (215) 343-6299 • FAX: (215) 343-6260
www.novabucks.org • 24-Hour Hotline 1-800-675-6900



Network of Victim Assistance supports, counsels, and empowers victims of sexual assault and other serious crimes in Bucks County and works to eliminate violence in Society through advocacy, community education and prevention programs.

For additional information, please contact:

Laura Beth Halter - (215) 343-6543 or laurabeth@novabucks.org

LANSDALE SCHOOL OF COSMETOLOGY

Process for Reporting and Confidentially Disclosing Sexual Violence

Reporting and Confidentially Disclosing Sexual Violence: Know the Options

The Lansdale School of Cosmetology encourages victims of sexual violence to talk to somebody about what happened so victims can get the support they need, and so the school can respond appropriately. Different employees on campus have different abilities to maintain a victim's confidentiality.

- Some are required to maintain near complete confidentiality; talking to them is sometimes a "privileged communication".
- Other employees may talk to a victim in confidence, and generally only report to the school that an incident occurred without revealing any personally identifying information. Disclosures to these employees will not trigger a school investigation into an incident against the victim's wishes.
- Some employees are required to report all the details of an incident (including the identities of both the victim and alleged perpetrator) to Title 9 coordinator, Mrs.Voltz. A report to these employees (called "responsible employees") constitute a report to the school and generally obligates the school to investigate the incident and take appropriate steps to address the situation.

This policy is intended to make students aware of the various reporting and confidential disclosure options available to them so they can make informed choices about where to turn should they become a victim of sexual violence. The school encourages victims to talk to someone identified in one or more of these pages.

THE OPTIONS:

- **Non-professional Counselors and Advocates**
Individuals who work or volunteer in the school office, including front desk staff, can generally talk to a victim without revealing any personally identifying information about an incident to the school. A victim can seek assistance and support from these individuals without triggering a school investigation that could reveal the victim's identity or that the victim has disclosed the incident.

While maintaining a victim's confidentiality, these individuals or their office should report the nature , date, time, and general location of an incident to the Title 9 Coordinator, Mrs.Voltz. This

limited report which includes no information that would directly or indirectly identify the victim helps keep the Title 9 Coordinator informed of the general extent and nature of sexual violence on and off campus so the coordinator can track patterns, evaluate the scope of the problem, and formulate appropriate school-wide responses. Before reporting any information to the Title 9 Coordinator, these individuals will consult with the victim to ensure that no personally identifying details are shared with the Title 9 Coordinator.

The following individuals are the schools non-professional advisors and advocates:

Mrs. Deborah Bergey Mrs. Faith Gilmartin
Miss Jennifer Wright Mrs. Jennifer Moyer

A victim who speaks to a non-professional advisor or advocate must understand that, if the victim wants to maintain confidentiality, the school will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the alleged perpetrator.

Even so, these non-professional advisors and advocates will still assist in receiving other necessary protection and support, such as victim advocacy, academic support or accommodations, disability, health or mental health services, and changes to living, working or course schedules. A victim who at first requests confidentially may later decide to file a complaint with the school or report the incident to local law enforcement, and thus have the incident fully investigated. These non-professional advisors and advocates will provide the victim with assistance if the victim wishes to do so.

ALSO NOTE: If the school determines that the alleged perpetrator(s) pose a serious and immediate threat to the school community, the Title 9 Coordinator may be called upon to issue a timely warning to the community. Any such warning should not include any information that identifies the victim.

REPORTING TO "RESPONSIBLE EMPLOYEES"

A "responsible employee" is a school employee who has the authority to redress sexual violence, who has the duty to report incidents of sexual violence or other student misconduct, or who a student could reasonably believe has this authority or duty.

When a victim tells a responsible employee about an incident of sexual violence, the victim has the right to expect the school to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

A responsible employee must report to the Title 9 Coordinator, Mrs. Voltz all relevant details about the alleged sexual violence shared by the victim and that the school will need to determine what happened- including the names of the victim and alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time, and specific location of the alleged incident.

To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the schools response to the report. A responsible employee should not share information with law enforcement without the victims consent or unless the victim has also reported the incident to law enforcement.

The following employees are the schools responsible employees:

Mrs.Voltz Mrs.Bergey Miss Wright Mrs.Gilmartin Mrs.Moyer

Before a victim reveals any information to a responsible employee, the employee should ensure that the victim understands the employee's reporting obligations-and, if the victim wants to maintain confidentiality, direct the victim to confidential resources.

If the victim wants to tell the responsible employee what happened but also maintain confidentiality, the employee should tell the victim that the school will consider the request, but cannot guarantee that the school will be able to honor it. In reporting the details of the incident to the Title 9 Coordinator, the responsible employee will also inform the Coordinator of the victim's request for confidentiality.

Responsible employees will not pressure a victim to request confidentiality, but will honor and support the victim's wishes, including for the school to fully investigate an incident. By the same token, responsible employees will not pressure a victim to make a full report if the victim is not ready to.

REQUESTING CONFIDENTIALITY FROM THE SCHOOL: HOW THE SCHOOL WILL WEIGH THE REQUEST and RESPOND.

If a victim discloses an incident to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the school must weigh that request against the schools obligation to provide a safe non-discriminatory environment for all students, including the victim.

If the school honors the request for confidentiality, a victim must understand that the schools ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited.

Although rare, there are times when the school may not be able to honor a victims request in order to provide a safe, non-discriminatory environment for all students.

The school has designated Mrs.Voltz, Title 9 Coordinator to evaluate requests for confidentiality once a responsible employee is on notice of alleged sexual violence.

When weighing a victims request for confidentiality or that no investigation or discipline be pursued, Mrs.Voltz will consider a range of factors, including the following:

- The increased risk that the alleged perpetrator will commit additional acts of sexual or other violence, such as:
 - whether there have been other sexual violence complaints about the same alleged perpetrator;
 - whether the alleged perpetrator has a history of arrests or records from prior school indicating a history of violence;
 - whether the alleged perpetrator threatened further sexual violence or other violence against the victim or others;
 - whether the sexual violence was committed by multiple perpetrators;
 - whether the sexual violence was perpetrated with a weapon;
 - whether the victim is a minor;
 - whether the school possesses other means to obtain relevant evidence of the sexual violence (e.g., security cameras or personnel, physical evidence);
 - whether the victims report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead the school to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the school will likely respect the victims request for confidentiality.

IF THE SCHOOL DETERMINES THAT IT CANNOT MAINTAIN A VICTIMS CONFIDENTIALITY, the school will inform the victim prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the schools response.

The school will remain ever mindful of the victim's well-being, and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety plan. Retaliation against the victim, whether by students or school employees, will not be tolerated. The school will also:

- assist the victim in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus (see portion of policy identifying these):

- provide other security and support, which could include issuing a no-contact order, helping arrange course schedules(including for the alleged perpetrator pending the outcome of an investigation) or adjustments for assignments or tests; and

-inform the victim of the right to report a crime to the Title 9 Coordinator or local law enforcement- and provide the victim with assistance if the victim wishes to do so.

The school may not require a victim to participate in any investigation or disciplinary proceeding.

Because the school is under a continuing obligation to address the issue of sexual violence campus-wide, reports of sexual violence (including non-identifying reports) will also prompt the school to consider broader remedial action- such as increased monitoring, supervision or security at locations where the reported sexual violence occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments/ victimization surveys; and/or revisiting its policies and practices.

If the school determines that it can respect a victim's request for confidentiality, the school will also take immediate action as necessary to protect and assist the victim.

Off campus counselors, advocates, and health care providers will also generally maintain confidentiality and not share information with the school unless the victim requests the disclosure and signs a consent or waiver form.

The contact information for our off-campus resources" NOVA" is (215-343-6543).

NOTE: While these off-campus counselors and advocates may maintain a victim's confidentiality vis-à-vis the school may have reporting or other obligations under state law.

I _____ have read and understand the schools Reporting and Confidentially

Student

Disclosing Sexual Violence information listed above.

CRIME AWARENESS AND CAMPUS SECURITY ACT OF 1990

Attention Students and Employees

Effective: July 1, 1991

Revised 2016

Required by the U.S. Department of Education, "Crime Awareness and Campus Security Act of 1990

CLERY ACT

The Act requires that schools collect certain information on crime related activities occurring on school property and also those areas indirectly involved with the school. For the Lansdale School of Cosmetology, that would mean the school itself, Madison parking lot and the Main Street sidewalk in front of the school.

This notice is to make you aware of the school's requirements and procedures for you to follow in order to report crime related activities.

1. All criminal activities and emergencies occurring in the areas listed above should be reported to the school administration promptly. Among the crimes to be reported are: sexual assault and harassment, murder, rape, robbery, aggravated assault, burglary, motor vehicle theft, etc. If you are in doubt, report it! The institution will document these reports and where it is applicable; report them to the proper authorities.

Counseling thru NOVA (Network of Victim Assistance) is also available – 1-800-675-6900

NOTE: It is important that all activities be reported accurately and promptly to the school administration, the coordinator for this process is Mrs. Voltz.(Title 9 Coordinator)

2. The school is open between 9:00 AM and 9:30 PM, Monday thru Wednesday and 9:00 AM to 3:30 PM, Thursday and Friday. All other times the school is kept securely locked/alarmed and is closed for business and instruction.
 3. Lansdale School of Cosmetology, Inc. encourages students and employees to be responsible for their own security and the security of others.
 - a. Keep all personal possessions locked in your school locker when not in use.
 - b. Place an identification marker on all of your personal belongings.
 - c. When leaving the premises (especially at night) students and employees are encouraged to leave in pairs or groups.
 - d. Keep motor vehicles locked and packages/personal possessions out of sight.
 4. The institution also makes available to students and employees information on crime prevention and statistics which can be obtained from the school administrator, the institutions Manual and Catalog and our recent Campus Security report which is part of our orientation paperwork.
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LANSDALE SCHOOL OF COSMETOLOGY

POLICY ON DRUGS & ALCOHOL

**LANSDALE SCHOOL OF COSMETOLOGY POLICY REGARDING DRUGS,
ALCOHOL, OR ADVERSE BEHAVIOR REQUIRING DISCIPLINARY ACTION.**

Drugs & Alcohol

The use of drugs or alcohol on the premises or during school related field trips is positively forbidden. Students using, selling or found in possession of any drugs or alcohol in violation of borough, state, or federal laws will be **EXPELLED AND REFERRED TO THE PROPER AUTHORITIES!**

UNDERSIGNED & AGREED TO THIS DAY OF _____

Student's signature _____

This section sets forth the school's disciplinary policies

As you know, we are an educational institution, and have a responsibility to ensure that all students work in a safe and professional environment. Administration cannot tolerate activity, which adversely affects the environment or reputation of the institution. Therefore, certain conduct will not be permitted and will be subject to corrective action, which may include verbal warnings, written warnings or expulsion.

Disciplinary decisions will be made on a case by case basis. Administration reserves the right to terminate any students, with or without prior warning or notice, if in the opinion of the management, the student's behavior might constitute a change to the safety or reputation of the school.

Examples of conduct warranting disciplinary action of one degree or another include the following:

- Coming to school in an inebriated (drunk) condition.
 - Using or possessing alcoholic beverages or narcotics on school property.
 - Possessing firearms, weapons or explosives on school property.
 - Interfering with the work performance of a teacher or another student.
 - Fighting on school property.
 - Being insubordinate.
 - Stealing or attempting to steal any school, student or employee's property or removing school property without authorization from the administration.
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