

# Title IX & Sexual Harassment, Discrimination & Sexual Violence Prohibition Policy

## **NON-DISCRIMINATION STATEMENT**

Beau Monde Academy does not discriminate and expressly prohibits any form of student or staff harassment based on ethnic origin, race, color, religion, sex, sexual orientation, national origin, ancestry, marital status, age, handicap or disability, status as a military veteran or any other characteristic protected by law. This policy applies to all aspects of operation including but not limited to educational opportunity, admissions and/or employment opportunities and benefits pursuant to the requirements of Title IX of the Educational Amendments of 1972, Public Law 92-218; the Rehabilitation Act of 1973, section 504, Public Law 93-112 and Title III of the Americans with Disabilities Act of 1990.

## **SEXUAL HARASSMENT & SEXUAL VIOLENCE PROHIBITION**

Beau Monde Academy maintains that all employees, students and guests have a right to work and fully participate in an environment free of discrimination, which encompasses freedom from sexual harassment and sexual violence. Beau Monde Academy prohibits sexual harassment in any form, by or against employees, students, and guests of the Academy.

In addition, the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, commonly referred to as the Clery Act, requires institutions of higher education, like Beau Monde Academy, to support victims and report on offenses of sexual assault, domestic violence, dating violence, and stalking. This policy encompasses Beau Monde Academy compliance with all laws prohibiting sex discrimination, sexual harassment and sexual misconduct including Title IX and the Clery Act.

This Title IX policy and corresponding processes have been developed by Beau Monde Academy to ensure any and all complaints of sex discrimination, sexual harassment, and criminal conduct on the basis of sex brought by students, employees, or third parties are investigated in a timely manner. In instances where a violation is found, Beau Monde Academy will take action to end the conduct, prevent recurrence and address its impact.

In circumstances where misconduct took place outside of Beau Monde Academy educational programs and/or activities, the Academy may be limited in our ability to respond; however, in these cases the Academy will provide assistance by directing complainants to resources and organizations that are able to address their specific situation and needs.

## **TITLE IX COORDINATOR**

The Assistant Director of Beau Monde Academy is designated as the Lead Title IX Coordinator for Beau Monde Academy.

In addition, the CEO/Administrator of Beau Monde Academy also serves as the campus Title IX Coordinator and is a resource to staff, students and guests.

Title IX Coordinator contact information is listed below:

***Lead Title IX Coordinator***

Assistant Director  
Camille Peterson  
2201 Lloyd Center Suite C304  
Portland, OR 97205  
E-mail: PR@beaumontecollege.com  
Phone: 503-252-7444, 503-226-7355

***Title IX Coordinator – Beau Monde College of Hair Design/Beau Monde Academy***

CEO/Administrator  
Dianna L. Martin-Peterson  
1221 SW 12<sup>th</sup> Avenue  
Portland, OR 97205  
E-mail: diannapeterson@cs.com  
Phone: 503-226-7355, 503-252-7444

***Title IX Coordinator – Beau Monde College of Hair Design/Beau Monde Academy***

Financial Aid Director/Registrar  
Cecily McClanahan  
1221 SW 12<sup>th</sup> Avenue  
Portland, OR 97205  
E-mail: cecily@beaumontecollege.com  
Phone: 503-226-7355, 503-252-7444

**ROLE OF TITLE IX COORDINATOR**

The Title IX Coordinator's primary responsibility is to coordinate Beau Monde campuses compliance with Title IX, including:

- Being knowledgeable on and ensuring adherence to Beau Monde's policies and procedures on sex discrimination and sexual harassment/violence.
- Meeting with students and employees, as needed.
- Coordinating grievance procedures for resolving Title IX complaints.
- Being informed and aware of all Title IX complaints and issues even if a complaint was issued to another individual or office.
- Coordinating responses to all complaints involving possible sex discrimination, sexual harassment and sexual assault.
- Monitoring outcomes of complaints and investigations, identifying and addressing any patterns and assess effects on the campus climate.

**DEFINITIONS**

**Sex discrimination** refers to discrimination in educational opportunity, admissions and employment opportunity against a person on grounds of sex.

**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 violence/assault** refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to his or her use of drugs or alcohol or a disability. Sexual violence is a form of sexual harassment.

**Consent** in relation to sexual activity means a person has given permission through words or overt actions and is in agreement with a particular act. Consent is active and as such silence cannot be perceived as consent.

Sexual harassment and sexual violence are prohibited by Beau Monde's rules as well as the U.S. Department of Education Title IX regulations. Beau Monde Academy and Title IX also prohibit **gender-based harassment**, which may include acts of verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping even if those acts do not involve conduct of a sexual nature.

A partial list of conduct which may constitute harassment includes:

- Unwelcome sexual advances, propositions, invitations, solicitations, flirtations, or other verbal or physical conduct of a sexual nature.
- Discussing sexual activities.
- Commenting about an individual's body or physical appearance.
- Displaying sexually suggestive pictures, cartoons or drawings.
- Using unseemly gestures.
- Using offensive language or telling sexually explicit jokes.
- Sexting or sexual cyber bullying.
- Unnecessary touching.
- Repeated requests for dates, comments about a person's body, excessive flattery on dress or questioning of a personal nature.
- Any statements or implications that a person's employment, wages, academic grade, promotional opportunities, classroom or work assignments or other conditions of employment or academic life may be adversely affected by not submitting to harassment.
- Unwanted physical contact.
- Rape, sexual assault or sexual coercion.

Sexual harassment is prohibited regardless of whether it occurs verbally, nonverbally, via social media outlet, text message or email.

Retaliation against parties who report sexual harassment, who object to sexual harassment or assist in a sexual harassment investigation, is prohibited by Beau Monde Academy and applicable law. Any student or employee who retaliates will be subject to disciplinary action, up to and including termination from Beau Monde Academy.

If a student or employee feels this policy has been violated due to retaliation, he/she should make a report with the Title IX Coordinator.

Beau Monde Academy will consider all relevant circumstances when determining whether a violation of this policy has occurred. Factors include:

- Degree to which the conduct has impacted one or more person's education and/or employment
- Type, frequency and duration of the conduct
- Relationship between alleged harasser and the recipient(s) of the harassment
- Number of people involved

Other forms of sexual harassment include domestic violence, dating violence and stalking.

**Domestic violence** is defined as the inflicting of physical injury by a family or household member and generally includes a repeated pattern of such behavior.

**Dating violence** is defined as controlling, abusive, and aggressive behavior in a romantic relationship. It can happen in straight or gay relationships. It can include verbal, emotional, physical, or sexual abuse, or a combination.

**Stalking** is defined as an intentional and repeated following or harassing of another person. It includes a credible threat, either expressed or implied, with the intent to place that person in reasonable fear of death or serious bodily harm.

### **Sexual Harassment Grievance Procedure**

Any employee or student who believes he or she has experienced sexual harassment, or has witnessed sexual harassment by any employee or prospective employee, student or prospective student, or guest should bring the matter to the immediate attention of the Title IX Coordinator. If the complainant feels comfortable confronting the harasser, the complainant should also inform the harasser that the harasser's attention is offensive to him/her.

Students may also bring such a complaint to another Academy staff member, such as an educator, student advisor or guest services associate. Similarly, an employee may bring the complaint to his/her direct supervisor or human resources staff member. In these circumstances, the complainant should understand that the complaint will be forwarded to a Title IX Coordinator.

In addition, there are times an Academy staff member may have knowledge of conduct that violates this policy, either by witnessing an offense or hearing it second-hand. In these circumstances, the Academy staff member is expected to report the incident to his/her direct supervisor and/or a Title IX Coordinator even if the person making the report requests no action be taken.

Beau Monde Academy advises the complainant of his or her right to file a criminal report in instances of alleged sexual violence. Beau Monde will not tolerate violations of this policy and strongly encourages victims of sexual harassment to report such harassment as soon as it occurs.

## **INVESTIGATION OF GREIVANCES**

The campus Title IX Coordinator (CEO/Administrator), in consultation with the lead Title IX Coordinator (Assistant Director), will investigate all reported infractions of Title IX policy. The investigation of a reported incident based upon a preponderance of evidence will be initiated promptly upon receipt of a report and conducted in a timely fashion.

All investigations will be conducted in as confidential manner as feasible, consistent with the Academy's investigation and obligations.

The complaint will be reduced to writing and signed or otherwise verified by complainant. Both the complainant and the alleged offender will be interviewed as part of the investigation and both will be informed of the non-retaliation provisions of this policy.

The complainant and the alleged offender will be asked for corroborating evidence, and corroborating witnesses identified will also be interviewed as appropriate. The effects of off-premises conduct may be considered as part of the investigation.

If a criminal report was filed, that report and related evidence may be used as part of the investigation. The investigator's notes will be kept confidential to the extent consistent with the Academy's legal obligations.

During the investigation, the alleged offender may be suspended from the premises or program. At the complainant's request, she/he may have his/her academic situation changed, as needed. Where applicable, restraining orders, orders for protection, and etc., need to be communicated with the Title IX coordinator and will be enforced to the best of our abilities.

The investigator will document the findings and submit a report to the Assistant Director of Beau Monde. The report will include all pertinent information including notes from interviews with complainant, witnesses and/or respondent. When appropriate, the report shall include recommendations for discipline. The Title IX Coordinators, in consultation with the lead Title IX Coordinator, will make the final decision about the appropriate action(s), if any, that should be taken to stop the offending conduct, to preclude its recurring, and to restore an environment free from discrimination.

Such actions may include written warnings, suspension, sensitivity training or sexual harassment awareness training, and other disciplinary actions, up to and including termination from the program or employment.

Both parties will be informed in writing what action, if any, the Academy has taken on his/her complaint. The timeline for filing, processing and resolving the complaint will be in accordance with applicable law.

## **STUDENT APPEALS**

If a student complainant or respondent does not agree with the outcome of the investigation under this Title IX policy, he/she may submit a written appeal for review. Appeals may be submitted to the Academy Director at each location. Appeals must be submitted and received within seven (7) calendar days of written receipt of the outcome from the investigation.

Appeals will only be considered if new information has surfaced that may alter the outcome of the investigation, or if an error occurred during the investigation and, if corrected, may change the outcome of the investigation.

Beau Monde Academy will assign an appeals committee to review the appeal and provide a written response to the student. This process will typically be completed within thirty (30) calendar days of receipt of the appeal. Depending on the specific case, the timeline may be extended.

## **RESOURCES & SUPPORT SERVICES**

### **Recommendations for Assistance**

In the event a sex offence is committed, the following should occur:

- Go to a safe place following the attack.
- Do not take a shower or bath or destroy any of the clothing you were wearing at the time of the attack. In other words, do not destroy any evidence.
- Go to the hospital or emergency room for a medical examination.
- Call someone so you will not be alone.
- Report the sexual offense to the police. If you would like, a staff member of the Academy will assist you. You may wish to contact the Lead Title IX Coordinator, Academy Director or Student Services Advisor for assistance.

### **Registered Sex Offenders**

Students at Beau Monde Academy may obtain information concerning registered sex offenders for the State of Oregon by following this link: <http://sexoffenders.oregon.gov/>.

### **Off-Campus Counseling, Mental Health, and Other Student/Staff Services for Victims**

Beau Monde Academy does not offer on-campus counseling or mental health services; however, students and staff are encouraged to contact one or more of the following agencies in the event of a campus sex crime. For additional resources, you may contact the lead Title IX Coordinator at [TitleIXCoordinator@beaumontcollege.com](mailto:TitleIXCoordinator@beaumontcollege.com).

RAAIN  
Rape Abuse & Incest National Network

NMHA  
National Mental Health

[www.rainn.org](http://www.rainn.org)  
1.800.656.HOPE

Association  
[www.nmha.org](http://www.nmha.org)  
1.800.969.6642

Planned Parenthood  
[www.plannedparenthood.org](http://www.plannedparenthood.org)  
1.888.875.7820

NDVH  
National Domestic Violence  
Hotline  
[www.ndvh.org](http://www.ndvh.org)  
1.800.799.7233

## **PREVENTION**

When interacting with others, it is important to be sensitive to the way in which words and actions may be perceived by others. If they could reasonably be perceived as offensive, they could constitute unlawful harassment. Normal, courteous, respectful, pleasant and non-coercive interaction between individuals, which is acceptable to all, is not considered sexual harassment.

Students and employees of Beau Monde Academy must also assume an active role in the prevention of sexual harassment/violence. Student and employees should commit to do the following:

### **Understand**

- Obtain and become familiar with the Beau Monde Academy policy on sexual harassment.
- Examine feelings, attitudes, and behaviors in relation to sexual harassment.
- See that behavior corresponds with the expectations and behavioral requirements of Beau Monde's sexual harassment policy.

### **Observe**

- Be aware and conscious of engaging in potential sexual harassing behaviors or incidents.
- Be sensitive to individuals who may be offended by the verbal and non-verbal behavior of others.
- Be aware of subtle forms of sexual harassment.
- Watch for and discourage sexual behaviors that negatively affect the educational environment.

### **Examine**

- Pay attention to the response of others in order to avoid unintentional offense.
- Do not assume that other students, employees and/or guests enjoy or want to hear risqué jokes or sexually oriented comments, see sexual images, be touched, stared at, flirted with, or propositioned for dates.
- Ask yourself if your verbal or non-verbal behaviors might have a negative impact on other students, employees, or guests.

- Examine your behaviors, gestures and comments. Ask yourself, “Could I unknowingly be offending others by the way I interact or communicate?”
- Do not take sexual harassment lightly. If you think you are being sexually harassed by an individual or a group, do not accept it as a joke. Do not encourage the harasser by smiling, laughing at his/her jokes, or flirting back. Let the harasser know that you do not enjoy and do not want this type of attention.

### **Confront**

- If you feel comfortable in doing so, confront the sexual harasser immediately. Tell him/her that you find that type of attention offensive.
- If you feel comfortable in doing so, tell the harasser what behaviors (gestures, physical or verbal) behaviors you find offensive.

### **Resolve**

- Any student or employee who believes he/she has experienced sexual harassment/violence, or has witnessed sexual harassment by any employee or prospective employee, student or prospective student, or guest should bring the matter to the attention of the Academy Director, who is designated as the campus Title IX Coordinator. Alternately, the Lead Title IX Coordinator may be contacted at [TitleIXCoordinator@beaumontcollege.com](mailto:TitleIXCoordinator@beaumontcollege.com) or 503-252-7444, or 503-226-7355.
- If the complainant feels comfortable in confronting the harasser, the victim should also inform the harasser that type of attention is offensive to him/her.
- Beau Monde Academy advises the complainant of their right to file a criminal report in instances of sexual violence/assault.
- Document all incidents of the harassment. Be detailed, precise about the date, time, location, and person/persons involved and present.

### **Support**

- If you know someone who is being harassed, give him or her support.
- Encourage the recipient to talk to the campus Title IX Coordinator/Academy Director or Lead Title IX Coordinator.
- If you see or hear an incident of sexual harassment/violence, or are subjected to an offensive environment, you should notify the campus Title IX Coordinator/Academy Director or Lead Title IX Coordinator immediately.
- When a recipient files a complaint, if possible, support him or her throughout the complaint process.