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Phipps Academy of Barbering's Sexual Misconduct Policy's scope applies to all acts of sexual misconduct as well as all geographical areas within Phipps Academy of Barbering Campuses and their adjacent public properties, defined per Phipps Academy of Barbering location per the Clery Act. It covers all Phipps Academy of Barbering education programs and Phipps Academy of Barbering -sponsored activities, including field trips. Even if the violation did not occur within a Phipps Academy of Barbering Campus-related activity or elsewhere but the alleged perpetrator(s) also is a member of the Phipps Academy of Barbering community, Phipps Academy of Barbering will process all violations and complaints in order to pay consideration to whether the incident has created a hostile educational environment within each Phipps Academy of Barbering location. This policy applies to all Phipps Academy of Barbering employees and students in all Phipps Academy of Barbering program offerings, regardless of each individual's sexual orientation or gender identity. This policy also pertains to third parties who witness or are informed of an alleged sexual misconduct violation. Instances of sexual misconduct are included in the school's reporting of information required under the Clery Act.

Phipps Academy of Barbering strongly prohibits any discrimination on the basis of sex in its education programs per Title IX of the Education Amendments of 1972. Prohibited discrimination includes sexual harassment and all types of sexual misconduct and sexual violence, for which definitions of these terms are provided below. Any employee or student with any questions regarding this policy should see the Title IX Coordinator located at their specific Phipps Academy of Barbering location. A listing of all Title IX Coordinators serving each location and their contact information is listed below. Should any employee or student feel they have been the victim of sex discrimination of any kind they should see their Campus Title IX Coordinator as soon as possible.

Definitions

Sexual harassment is defined as unwelcome advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when submission to or rejection of this conduct explicitly or implicitly affects a person's employment or education, unreasonably interferes with a person's work or educational performance, or creates an intimidating, hostile or offensive working or learning environment.

Consent is defined as words or voluntary agreement to engage in sexual activity.

ÉConsent cannot be given by someone who is incapacitated in any way.

ÉPast consent does not imply future consent.

ÉAbsence of resistance or silence does not imply consent.

ÉConsent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another person.

ÉConsent can be withdrawn at any time for any reason.

ÉCoercion, force or threat of by either party invalidates consent.

Incapacitation is defined as the physical and/or mental inability to make informed, rational judgments. When alcohol is involved, incapacitation is determined by how the alcohol consumed impacts a person, including the person's decision-making capacity, awareness of consequences

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s. Incapacitation may also be observed when a person is intellectually or other disability that prevents the person from having the capacity to give consent.

Sexual assault is defined as an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation including rape, fondling, incest, or statutory rape. In this and similar contexts, consent is defined as a voluntary, positive agreement between the participants to engage in specific sexual activity. Lack of verbal or physical resistance or submission by the victim resulting from the use of force or threat of force by the accused shall not constitute consent.

ÉNon-Consensual Sexual Contact: Any intentional touching of the intimate parts of another person, causing another to touch one's intimate parts, removing clothing or exposure of another without consent. Sexual contact also includes attempted sexual intercourse

ÉNon-Consensual Sexual Intercourse: Any act of sexual intercourse with another individual without consent. Sexual intercourse includes vaginal or anal penetration, however slight, with any body part or object, or oral penetration involving mouth-to-genital contact.

Domestic Violence is defined as a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is living with or has lived with the victim as a spouse or partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which this policy applies, or by any other person against an adult or youth victim who is protected under the domestic or family violence laws of the jurisdiction in which this policy applies. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

Dating Violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and when the existence of such a relationship shall be determined based on the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Sexual Exploitation is defined as one person taking sexual advantage of another person for the benefit of any other than that person without that person's consent. Examples include:

- ÉProstituting another person;
- ÉRecording images (video, photograph) or audio of another person's sexual activity, intimate body parts, nakedness without that person's consent;
- ÉDistributing images (video, photograph) or audio of another person's sexual activity, intimate body parts or nakedness, if the individual distributing the images or audio knows or should have known the person depicted did not consent to the disclosure of such activity;
- ÉViewing another person's sexual activity, intimate body parts or nakedness in a place where that person would have reasonable expectation of privacy, without that person's consent and for the purpose of arousing sexual desire.

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ted and unwanted attention, harassment, contact, or any specific person that would cause a reasonable person to fear for his or her safety or the safety of others or to suffer substantial emotional distress.

Retaliation is defined as intimidating, threatening, coercing, or in any way discriminating against an individual because of the individual's informal or formal complaint or participation in a school or the U.S. Department of Education, Office for Civil Rights (OCR) investigation or proceedings related to sexual violence or other civil rights concerns. Federal civil rights laws, including Title IX, make it unlawful to retaliate against an individual for the purpose of interfering with any right or privilege secured by these laws.

Title IX Coordinator

Phipps Academy of Barbering has a Title IX Coordinator designated to comply with and carry out the responsibilities of Phipps Academy of Barbering under Title IX of the Education Amendments of 1972, which prohibits sex discrimination in the education programs and activities. Any inquiries regarding Title IX should be addressed with the Title IX Coordinator (Names and contact information for Title IX Coordinator at each Phipps Academy of Barbering location is listed below). If an alleged case of sexual misconduct is brought to the attention of a Title IX Coordinator via a victim, third party or responsible employee, the Title IX Coordinator will take immediate and effective measures to address and investigate the alleged incident of sexual misconduct. The Title IX Coordinator will assist in preventing a potential hostile environment, which interferes with students' ability to benefit from the education offered at Phipps Academy of Barbering. Whether a harassed student or employee, parent of a student or a third party files a complaint under the Phipps Academy of Barbering's grievance procedures or requests action on the student or employee's behalf, the Title IX Coordinator that knows, or reasonably should know about a possible instance of sexual misconduct must immediately investigate what occurred and then take appropriate steps to resolve the issue.

The Title IX Coordinator is responsible for overseeing Phipps Academy of Barbering's response to Title IX reporting and complaints. The Title IX Coordinator will also address any patterns or systemic problems which are revealed through complaints or reports on incidents. The Title IX Coordinator is responsible for initiating, coordinating and documenting actions taken during Title IX investigations against the perpetrator and support for the victim.

The remainder of the Sexual Misconduct policy will refer to the Title IX Coordinator and his/her responsibilities to support the employees and students of Phipps Academy of Barbering.

Title IX Coordinator Name and Contact Information:

Lisa Rodriguez
3732 Sauk Trail
Richton Park, IL 60471
Lisarodriguez@phippsacademy.com

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Phipps Academy of Barbering urges victims to seek help and support if they are a victim of sexual misconduct in anyway. Although Phipps Academy of Barbering does not offer professional or pastoral counseling services it will offer support as needed to refer a victim to an appropriate source of help. Phipps Academy of Barbering will always follow applicable state and federal laws in respect to the support the Campus offers the victim.

Phipps Academy of Barbering confidentiality policy pertains to maintaining and properly addressing each individual report of sexual misconduct. Refer to Phipps Academy of Barbering Confidentiality Policy for a complete description. Phipps Academy of Barbering encourages any employee or student to talk to someone about what happened in order to obtain appropriate support. A victim may report the offense to a responsible employee who, at the Phipps Academy of Barbering Campus level could be an educator or a Campus Security Authority, (an employee in a leadership position) who at the Phipps Academy of Barbering Campus level may include the Campus Director (or equivalent), the Education Supervisor, the Enrollment Advisor (or equivalent), and the Student Success Advisor, as applicable. Before a victim shares any information with a responsible employee, the victim should be made aware the responsible employee has an obligation to report the incident to the Title IX Coordinator.

If the victim would like to remain confidential or requests the incident not be investigated the victim shall be of the understanding that the Phipps Academy of Barbering Campus must evaluate if the incident compromises its ability to provide a safe, non-discriminatory environment for all employees and students which includes the victim of the incident. Should a student seek out the support of a responsible employee, the responsible employee is obligated to report to the Title IX Coordinator all important details about the alleged incident shared by the victim and the Title IX Coordinator will gather all facts in order to take immediate and appropriate steps to investigate what happened and support a fair and prompt resolution.

Please note, if Phipps Academy of Barbering determines that an alleged perpetrator(s) poses an immediate threat to the Phipps Academy of Barbering Campus environment, the Title IX Coordinator and/or CSA may be required to issue a notice of timely warning to the Campus employees and students. Phipps Academy of Barbering will not include any information that identifies the victim of the incident in its warning.

Phipps Academy of Barbering will obtain consent and inform the victim (or the victim's parents or legal guardians if the victim is under 18) prior to beginning an investigation of sexual misconduct of any kind. If the victim requests confidentiality or requests the investigation not be pursued, Phipps Academy of Barbering will take all reasonable steps to maintain the confidentiality request or request to not pursue the investigation. If a victim requests that his or her name or any other personally identifiable information not be disclosed to the alleged perpetrator, Phipps Academy of Barbering will inform the victim that its ability to respond to the instance of reported sexual misconduct may be limited. Even if the University cannot take disciplinary action against the alleged perpetrator because the victim insists on confidentiality, it will pursue other steps in order to limit effects of the alleged incident of sexual misconduct and prevent any reoccurrence. If Phipps Academy of Barbering cannot ensure confidentiality, Phipps Academy of Barbering will inform the victim. Phipps Academy of Barbering prohibits retaliation

conduct, and Phipps Academy of Barbering will take steps responsive action if any form of retaliation occurs.

Options for Assistance

If any individual (student or employee) is a victim of any type of sexual misconduct, his or her first priority should be to locate a place of safety and obtain any necessary medical treatment. Phipps Academy of Barbering strongly advocates that a victim of these offenses reports the incident and seek immediate assistance. Time is a critical factor for evidence collection and preservation for the proof of a criminal offense. An assault should be reported directly to local authorities at the non-emergency number, listed below. In an emergency, dial 911. The Title IX Coordinator should also be notified (even if made aware by Phipps Academy of Barbering Campus responsible employee). Upon request, the Title IX Coordinator will assist victims in reporting incidents of these offenses to local police and will work to protect the confidentiality of the victims(s), as desired. Filing a police report will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers.

List of Police Non-Emergency Phone Numbers, by Phipps Academy of Barbering location:

- Richton Park Police Department Non-Emergency - (708)481-8991

Link to enter zip code in order to obtain local resources: <https://www.notalone.gov/resources/>

If desired for student or employee victims of the above offenses, Phipps Academy of Barbering will assist victims in changing their academic, living, transportation and/or working situations, regardless of whether the victim chooses to report the crime to local law enforcement, if such changes are reasonably available. Phipps Academy of Barbering does not offer professional or pastoral counseling, but the Title IX Coordinator at each Phipps Academy of Barbering location will provide immediate contact information for local assistance resources and other support to facilitate victim safety and wellness and strongly encourages any victim to utilize the many resources that are available, including:

- National Sexual Assault Hotline: 1-800-656-HELP
- Rape, Abuse, Incest National Network: <http://www.rainn.org/>
- National Domestic Violence Hotline: 1-800-799-7233
- Not Alone.gov: <https://www.notalone.gov/resources/>

Per the Student Right to Know Act, schools must notify their students as to where they may obtain information regarding registered sex offenders in their area. Accordingly, students (and associates) are encouraged to utilize the following links that lead to private, federal and state resources on the topic:

- Megan's Law: <https://www.meganslaw.com>
- U.S. Department of Justice: <http://www.nsopw.gov/Core/Portal.aspx>
- National Sex Offender Info: <http://www.fbi.gov/hq/cid/cac/registry.htm>

Phipps Academy of Barbering believes the best method to address the above offenses is to prevent them from happening in the first place. Prevention requires all individuals to be

in this prevention effort, Phipps Academy of Barbering

- - Educate new students (during new student orientation) and associates (during new associate orientation) about these offenses, including what they are and what to do if they have been victimized or have seen or heard about someone else being victimized.

As with other forms of harassment, individuals who believe they are victims of sexual harassment should make it clear to the source(s) of the harassment that such behavior is offensive to them. If the behavior continues, document the matter and refer it to a responsible employee, which includes CSAs.

Protocol to Report a Grievance

Should an employee, student, third party or parent/guardian (if the student is under 18 years of age) need to report a violation of sexual misconduct, he/she should file the grievance with the Title IX Coordinator at the Phipps Academy of Barbering location where the employee works or the student attends. Typically, the report is initiated by the victim who feels their rights under this policy have been violated. The grievance can also be filed with a responsible employee as described above, and the responsible employee will relay to the Title IX Coordinator. Phipps Academy of Barbering will accept anonymous reports of violations, and the individual reporting the incident is encouraged to provide as much detail as possible to allow Phipps Academy of Barbering to investigate the situation and respond appropriately. In cases of anonymous reporting, Phipps Academy of Barbering may be limited in its ability to investigate the violation unless sufficient information is provided to enable the University to conduct a complete and fair investigation or take the appropriate actions. The Title IX Coordinator may ask the victim to confirm their report in writing and sign a complaint form. Complaint forms are available from the Title IX Coordinator or Campus Director. Once a grievance is reported, the Title IX Coordinator will request consent to proceed with investigation of the grievance from the victim. Should the victim request the grievance remain confidential or not to be investigated, the Title IX Coordinator will need to evaluate the grievance and determine if the request can be honored.

Investigation Procedures

Phipps Academy of Barbering imposed sanctions are additional to any legal actions taken by local, state or federal authorities. Individuals who are found to be participating in any of the offenses outlined above will be subject to an institutional disciplinary proceeding action, including but not limited to suspension or termination. To adjudicate these cases, Phipps Academy of Barbering will engage members of the Phipps Academy of Barbering Executive Team (the "Disciplinary Committee") to lead the disciplinary action proceeding, which will provide a prompt, fair and impartial investigation and resolution. The Disciplinary Committee will be knowledgeable on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. In addition, the Disciplinary Committee will be "current" in topics of domestic/dating violence, sexual assault and stalking, having participated in annual training on these topics.

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receipt of the grievance, a member of the committee will 10 additional business days, the Disciplinary Committee will conduct the investigation and provide actions and /or resolutions taken. Throughout this process, both the victim and the alleged perpetrator, as applicable, will be entitled to the same opportunities to have others, including an advisor, present during the proceeding. Further, both the victim and the alleged perpetrator must be simultaneously informed, in writing, of the outcome of such a proceeding, Phipps Academy of Barbering procedures for the alleged perpetrator and the victim to appeal the results of the proceeding, any change to the results that occurs prior to the time that such results become final, and when such results become final.

Guidance for the creation of Phipps Academy of Barbering Sexual Misconduct Policy, Confidentiality Policy and Title IX Coordinator Responsibilities was taken from the following sources:

- NotAlone.gov: Together Against Sexual Assault (United States Federal Government Site for Sexual Abuse Prevention)
- Any questions about this policy should be addressed to the Title IX Coordinator at the applicable Phipps Academy of Barbering location.