

Sexual Harassment and Sexual Violence Victim's Rights

In response to student and employee complaints including but not limited to sexual assault, domestic violence, dating violence and stalking, Metro Beauty Academy promises prompt and fair resolution through a reliable and impartial investigation, including the opportunity for both parties to present witnesses or other evidence. The time necessary to conduct an investigation/proceeding will vary based on complexity but will generally be completed within sixty (60) days of receipt of the complaint.

Metro Beauty Academy shall maintain confidentiality for all parties to the extent possible, but absolute confidentiality cannot be guaranteed. In cases where a student does not give consent for an investigation, Metro Beauty Academy will weigh the student's request for confidentiality against the impact on school safety to determine whether an investigation must proceed.

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.

Proceedings will be conducted by the Title IX Coordinator who at minimum, receives Violence Against Women Act (VAWA) annual training on:

- the issues related to dating violence, domestic violence, sexual assault and stalking
- how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability

Disciplinary proceedings used by the institution are applicable to both students and employees in incidents regarding sexual assault, domestic violence, dating violence, or stalking allegations as described forthwith.

The clear and convincing evidence standard will apply to investigations, meaning Metro Beauty Academy will evaluate whether it is more likely than not that the alleged conduct occurred. Both parties will receive written notice of the outcome of the complaint. During the investigation, Metro Beauty Academy will provide interim measures, as necessary, to protect the safety and well being of students and/or employees involved. Following an allegation of sexual assault, domestic violence, dating violence or stalking, Metro Beauty Academy will offer the victim a range of protective measures that may include but is not limited to, escorts, special parking assignment, or academic schedule changes. The Office of the Director of Education and the Title IX Coordinator will determine what measures to take regarding reasonable request for changes.

If Metro Beauty Academy is notified of an alleged incident of sexual assault, domestic violence, dating violence, or stalking have occurred involving a student or employee, immediate appropriate corrective action will be taken in accordance with the circumstances involved. Remedies and or sanctions imposed following the results of any disciplinary proceeding including, but are not limited to sexual assault, domestic violence, dating violence or stalking include an order to stay away, suspension, no less than 3 days, or termination.

To initiate a criminal investigation, reports of sexual violence should be made to "9-1-1" or local law enforcement. The criminal process is separate from Metro Beauty Academy's disciplinary process.

Metro Beauty Academy allows the accused and/or victim to appeal the school's decision by making their appeal in writing within seven (7) days to the Office of the Director of Education. Changes to the result will be provided in writing to both accused and victim within thirty (30) days of appeal receipt. The results will become final upon receipt of written outcome. The Office of the Director of Education and the Title IX Coordinator are responsible for making decisions regarding disciplinary action against employees or students.

Metro Beauty Academy will not retaliate against anyone 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 the Title IX Coordinator.

Victims of sexual misconduct should be aware that Metro Beauty Academy administrators must issue timely warnings for incidents reported to them that pose a substantial threat of bodily harm or danger to other members of the campus community. Metro Beauty Academy will make every effort to ensure that a victim's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger. Metro Beauty Academy reserves the right to notify parents/guardians of dependent students regarding any health or safety risk, or a change in student status.

The school does not provide living situations, transportation situations, or working situations during enrollment. The school is obligated to change a victim's academic situation after the alleged sex offense, if requested by the victim, and the change is reasonably available regardless if the victim chooses to report the crime to local law enforcement.



Metro Beauty Academy will provide written notification to victims about options and assistance in and how to request changes to their academic situation. Metro Beauty Academy will provide written explanation of the student's or employee's rights and options to the student or employee when they report to the institution that the student or employee has been a victim of sexual assault, domestic violence, dating violence, or stalking whether the offence occurred on or off-campus.

Metro Beauty Academy does not provide existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance or other services for victims on campus, but may at times become aware of and may provide written notification to students and employees about those services provided in the community and at the institution. Please reference the Community Resources Section of this document.

On campus disciplinary proceedings and action for students and employees in cases of alleged sexual assault, domestic violence, dating violence, or stalking will be based on findings by the law enforcement agency investigation, facts pertaining to the crime, and other related mitigating circumstances provided that:

- the accuser and the accused may have others present during the campus disciplinary proceeding and may be accompanied to any related meeting or proceeding by the advisor* or their choice; and,
- both the accuser and the accused shall be informed simultaneously, in writing of:
 - the result of an institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking
 - the institution's procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding, if such procedures are available
 - any change to the result
 - when such results become final

**Note- Advisor of Choice: The institution may not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding. The institution may, however, establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.*

Extensions for disciplinary proceeding may be requested in writing to the Office of the Director of Education.

Proceedings apply to student and employee allegations of sexual assault, domestic violence, dating violence and stalking.

Law enforcement agency information provided by the state concerning registered sex offenders may be obtained at <https://www.pameganslaw.state.pa.us/>

Metro Beauty Academy complies with Pennsylvania Law in recognizing any court ordered stipulations regarding protection including but not limited to Protection From Abuse Orders, "no contact" orders, restraining orders or similar lawful orders resulting from sexual assault, domestic violence, dating violence or stalking. Guidance can be obtained from the Pennsylvania State Police on filing for Protection From Abuse Orders, "no contact" orders, restraining orders or similar lawful orders.

Metro Beauty Academy cannot apply for a legal protective order or restraining order for a victim. The victim is required to apply directly for these services through the criminal court systems. Metro Beauty Academy fully complies with any protective order issued through the criminal or civil justice systems if made aware of such an order and will act accordingly to support that order.

Any person who obtains an order of protection from a court of any of the fifty states should provide a copy to the office of the Director of Education. A complainant may then meet with Director of Education to develop a Safety Action Plan, which is a plan for Metro Beauty Academy and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but not limited to: escorts or special parking arrangements. Accommodations or protective measures are provided if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to local law enforcement.

Metro Beauty Academy may issue an institutional no contact letter if deemed appropriate or at the request of the victim or accused. To the extent of the victim's cooperation and consent, Metro Beauty Academy offices will work cooperatively to ensure that the victim's health, physical safety, work and academic status are protected, pending the outcome of a formal investigation of the complaint.

Additionally, personal identifiable information about the victim of sexual assault, dating violence, domestic violence or stalking will be treated as confidential. Confidentiality is determined by the Office of the Director of Education or the Title IX Coordinator per Clery Act Reporting and Disclosure guidance and only shared with persons with a specific need to know who are



investigating/adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20).) Further, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures. The Office of the Director of Education or the Title IX Coordinator will inform the victim before sharing personally identifying information that the institution believes is necessary to provide an accommodation or protective measure.

Metro Beauty Academy upon request, will disclose the results of any disciplinary proceedings conducted by the institution against a student who is the alleged perpetrator of any crime of violence or a non-forcible sex offense (incest or statutory rape) to the alleged victim or next of kin if the victim is deceased.

The Title IX Coordinator can be contacted at 1-888-782-7221 or via email at TitleIXCoordinator@metrobeautyacademy.com. In addition to Metro Beauty Academy, 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/>.

To request a printed copy please contact the Title IX Coordinator.