

Summit Salon Academy Violence Against Women Act

Workplace Violence Policy

Harassment and Offensive Behavior Policy

Summit Salon Academy believes in taking an active role in protecting its students from all forms of harassment and endeavors to maintain an educational program free from harassment (which includes harassment based on gender, pregnancy, childbirth or related conditions), as well as harassment based on such factors as sex, race, color, religion, national origin, ancestry, age, disability, status with regard to public assistance, member or activity in a local commission dealing with discrimination, marital status, sexual orientation, family or medical leave status, or veteran status. **WE HAVE ZERO TOLERANCE FOR HARASSMENT WHICH VIOLATES STATE AND FEDERAL GUIDELINES.** All such matters will be treated confidentially, and with the utmost discretion. The school will investigate all complaints and take any appropriate disciplinary actions.

1. Sexual Harassment.

Sexual harassment includes any unwelcomed or unwanted verbal or sexual advances; sexually explicit statements; or derogatory remarks made by someone in the workplace or school which are offensive, objectionable to the recipient, cause the recipient discomfort or humiliation, or which interferes with academic environment. For the purposes of this policy the term harassment includes, but is not necessarily limited to slurs, jokes, the display of photos, posters, cartoons or drawings, text messages, e-mails, and any other verbal, graphic or physical conduct relating to any individual's race, color, gender, religion, national origin, age, sexual preference, medical condition, marital status, veteran status, genetic information or disability. Further, harassment also includes sexual advances, requests for sexual favors, and other verbal, graphic, or physical conduct of a sexual nature. The EEOC defines sexual harassment as, "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's educational progress, or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's educational progress or creating an intimidating, hostile, or offensive learning environment."

Verbal Harassment / abuse, as used in this policy, means to disturb or persistently irritate through repeated attacks on fellow employees, students and/or Supervisors as to disrupt their learning, work or reputations.

2. Examples of Harassment

- a. Physical harassment is any unwanted touching, fondling, patting, hugging, pinching, or kissing.
- b. Verbal harassment is any comment about a person's sexual behavior, sexually oriented jokes, and comments about a person's body, sexual innuendos, and double meanings.
- c. Non-verbal harassment is displaying sexually suggestive pictures or objects, sexually suggestive text messages or e-mails, leering, ogling in a sexually demeaning manner, gesturing and making lewd motions with one's body.

3. Responsibility

a. The Employee or Student

- i. Tell the offending individual orally or in writing the conduct in question is offensive. In addition request the behavior "STOP" immediately.
- ii. If the offending conduct continues or reoccurs, please notify your supervisor and human resources as soon as possible.

b. School

- i. With respect to conduct between fellow employees or fellow students the school is responsible for acts of sexual harassment in the school where the school staff and educators (or its agents or supervisory employees) knows or should have known of the conduct, unless it can show that it took immediate and appropriate corrective action.
- ii. The school may also be responsible for the acts of non-employees, with respect to sexual harassment in the school, where the school (or its agents or supervisory employees) knows or should have known of the conduct and fails to take immediate and appropriate corrective action.
- iii. Management personnel and Educators who fail to enforce this policy strictly and promptly may also be subject to disciplinary action up to and including termination.
- iv. To be certain the harassment exists, and is clearly directed toward the person objecting. Whenever possible, witnesses or other substantiating information should be provided.
- v. The complaint will be reduced to written form by the individual filing the claim.
- vi. Separate meetings will be scheduled with the Complainant and the alleged Respondent within the immediate timeframe practical. Students participating in the meeting may choose to be accompanied by a, legal counsel; parent or another student, if that is felt to be desirable by the Complainant or the school's Investigator.

- vii. The school will make every reasonable effort to determine the facts pertinent to the complaint. A written analysis and decision will be provided to the victim, alleged violator, and the owners.
- viii. The Management team will meet within two (2) weeks of the initial claim for a hearing and to render a final decision. The victim and alleged violator will have the opportunity to make a statement and provide further information if necessary.
- ix. The school will render a final decision at the closing of the hearing. The school/company's decision will be carried out immediately. At this point the matter will be considered closed, pending further complaint or additional information. In cases of recurrent complaints or in cases of flagrant unlawful behavior, additional sanctions shall be employed up to and including termination from our schools program.
- x. No form of reprisal will be applied to any person making or witnessing a complaint of harassment including sexual harassment.

Domestic Violence in the School

Summit Salon Academy (hereinafter "the School") is committed to promoting the health and safety of its students. This commitment includes the prevention and reduction of the incidence of domestic violence.

While the School recognizes that both men and women can be victims of domestic violence, the overwhelming majority of victims are women. In fact, domestic violence is the leading cause of injury to women in the United States.

The School recognizes that domestic violence is a school issue. Domestic violence does not stay at home when victims and perpetrators go to school. Victims may be especially vulnerable while they are at school. Domestic violence can compromise the safety of students and directly interfere with the mission of the School by decreasing morale and learning, as well as increasing absenteeism.

For these reasons, the School has established this institutions domestic violence policy. The specific purposes of the policy are to:

- A. Create a supportive learning environment in which students feel comfortable discussing domestic violence issues and seeking assistance for domestic violence situations;
- B. Develop responsive policies and procedures to assist students who are affected by domestic violence;
- C. Provide immediate assistance to victims;
- D. Provide assistance and/or disciplinary action to employees or students who are perpetrators of abuse; and

- E. Offer training on recognizing and responding to domestic violence.

1. DEFINITIONS

- A. Domestic Violence: A pattern of coercive behavior that is used by a person against family or household members to gain power and control over the other party in the relationship. This behavior may include any of the following: physical violence, sexual abuse, emotional and psychological intimidation, verbal abuse and threats, stalking, isolation from friends and family, economic control, and destruction of personal property. Domestic violence occurs between people of all racial, economic, educational, and religious backgrounds. It occurs in heterosexual and same-sex relationships, between married and unmarried partners, between current and former partners, and between other family and household members.
- B. Batterer, Perpetrator, or Abuser: An individual who commits domestic violence, sexual assault, or stalking.
- C. Sexual Assault: An act of sexual violence whereby a party forces, coerces, or manipulates another to participate in unwanted sexual activity. This behavior may include stranger rape, date and acquaintance rape, marital or partner rape, incest, child sexual abuse, sexual contact, sexual harassment, ritual abuse, exposure, and voyeurism.
- D. Stalking: An unwanted course of conduct by one person directed toward another specific person that is intended to cause that person fear of harm, emotional distress, or substantial inconvenience. Stalking may involve direct or indirect contact and may occur between intimate partners, acquaintances, or strangers. Stalking behaviors include but are not limited to: following a person; appearing at a person's home or school; making harassing phone calls; sending letters or e-mails; leaving written messages or objects; or vandalizing a person's property.
- E. Survivor or Victim: An individual subjected to domestic violence, sexual assault, or stalking.
- F. School: A student is considered to be in the institution or school when the student is involved in School Activities, is in the School owned or leased workspace, is using the facilities or services of the School, leased by the School or its agencies.
- G. School Safety Plan: A strategy developed in collaboration with a victim to implement institution safety options, including, but not limited to: setting up procedures for alerting security or police; temporary relocation of the victim to a secure area; voluntary temporary transfer or permanent relocation to a new classroom; opportunity to repeat course work without penalty, assignment of parking space; escort for entry and exit from

school; responding to telephone, fax, e-mail, or mail harassment; and, keeping a photograph of the abuser or a copy of an existing court order in a confidential on-site location and providing copies to designated personnel.

2. STATEMENT OF CONFIDENTIALITY

The School recognizes and respects a student's right to privacy and need for confidentiality and autonomy. To the extent permitted by law and unless the substance of the student's disclosure demands otherwise, the School will maintain the confidentiality of a student disclosure. Educators or School employees will share disclosures with The Owners. However, unless necessary, the information will not be shared with other employees or students in the School. Whenever possible, the student will be given notice of necessary further disclosures. Further disclosure may be necessary if, in the opinion of the person to whom the initial disclosure is made, an abuser presents a threat to the safety of any person; the employee has expressed homicidal or suicidal intentions; or there is reasonable cause to suspect abuse, neglect, or exploitation of children or incapacitated or dependent adults.

3. EDUCATION AND OUTREACH

A. This policy will be distributed to all current employees or students. New students will receive the policy during orientation. All employees or students are expected to become familiar with this policy and to attend domestic violence training as provided by the School.

Educators and school employees will attend specialized training, as provided by the School, focused on identifying and responding to issues of domestic violence in the institution.

4. RESPONSE AND ASSISTANCE

A. Disclosure; Requests for Information, Referral, and Assistance

The School will offer support and referrals for assistance to those employees or students who disclose concerns or request help. The School will also offer support and referrals for assistance to any student whom they are aware or suspect to be a victim or perpetrator of domestic violence. All employees or students wishing to discuss domestic violence issues are encouraged to speak with whomever they are most comfortable.

B. Response to Victims

1. Any person who is concerned about his or her safety at school should speak to an educator or school representative immediately.
2. If domestic violence is occurring in the school, is affecting the performance of the victim or the victim's peers, if the victim requests

assistance, or if school staff suspects domestic violence the School will assist the victim. The School recognizes all persons' rights to privacy, autonomy, and safety and the corresponding need to control the process following any disclosure. To the extent that disclosures do not implicate issues of institution safety and performance, and to the extent permitted by law and this policy, the School's response will be guided by the expressed wishes of the victim but should include the following:

- a. Evaluate for immediate threat to victim;
 - b. Contact a school representative and/or law enforcement;
 - c. Referring individuals to appropriate agencies and services, including local domestic violence advocates, sexual assault centers, legal services, law enforcement, medical and counseling services;
 - d. If necessary obtain a Protective Order and develop an individualized school safety plan in conjunction with appropriate agencies and services.
3. If any person is at immediate risk in the school, the School will follow protocols for notifying law enforcement and follow applicable emergency or safety procedure.
 4. Victims are encouraged to disclose the existence of Temporary and Permanent Orders for Protection from Abuse or Harassment to school representative or educator, especially when the order includes a provision that the perpetrator is not to have contact with the victim school. The School will follow the provisions of this policy with respect to response and assistance to the victim, and address the issue of institution safety plans with the victim as appropriate.
- C. Response to Employees or students Concerned about Domestic Violence
1. If a student has a concern that another student is a victim of domestic violence, the student is encouraged to contact a school representative to discuss the concern. The school representative will work with the concerned student to determine the appropriate response. In addition, the school representative may discuss the matter with the owners if there is an immediate safety risk to anyone in the school, or if the perceived problem has an effect on the school, including but not limited to safety, school performance, learning and morale. The school representative will maintain the confidentiality of the disclosing student to the extent permitted by law and this policy.
 2. If a student experiences or is a witness to violence or threats of violence in the institution, the student should report the incident to a school representative immediately.

3. Students may wish to seek assistance and information from a school representative before speaking with a perceived victim, but this approach is not required. If a student discusses concerns about safety with a victim, the student should only offer help, not judgment. The student should also:
 - a. Refer the victim to appropriate staff, agencies and services, local domestic violence advocates, sexual assault centers, legal services, law enforcement, medical and counseling services;
 - b. Remind the student about this policy; and
 - c. Encourage the victim to seek assistance when addressing personal and school safety issues.

5. DOCUMENTATION

The School will maintain copies of orders for protection from abuse and other documents that demonstrate institution violence in a confidential file. The School will develop necessary protocols related to maintaining records of domestic violence disclosures.

6. SCHOOL PERFORMANCE

In instances where the School is aware that a victim has performance or conduct problems as a result of domestic violence, sexual assault, or stalking, the School will offer support and an opportunity to correct the problems. School staff may develop a progress plan with the student to assist and support the student in meeting performance expectations.

The school staff, in collaboration with the student and any other appropriate agencies, should allow a reasonable amount of time away from school for the student (Leave of Absence) to obtain assistance regarding domestic violence, sexual assault, or stalking.

Nothing in this policy alters the authority of the School to establish performance expectations, counsel employees or students, impose discipline, reassign class time, place an student on leave, or take other action as it deems appropriate.

Information or documents pertaining to a victim's involvement in a domestic violence, sexual assault or stalking situation will be kept in a separate confidential file and will not be considered for purposes of hiring, transfer, or promotion.

7. PERPETRATORS

1. The School encourages employees or students who are perpetrators to voluntarily seek assistance from any of the community resources, domestic violence centers, sexual assault centers, or batterers' intervention programs.
2. If a student discloses that he or she is or has been a perpetrator of domestic violence, the supervisor should refer the employee to a local Indiana Coalition Against Domestic Violence (ICADV) certified batterers' intervention program. In every situation where an employee makes this disclosure, the supervisor or manager will immediately be included in the discussion related to the disclosure.
3. If an student is concerned that another student is a perpetrator of domestic violence, the student should notify a school staff member. The student shall not confront the other student directly. Instead, the staff member will discuss the issue with the managerial staff who will decide how best to address the situation.
4. Employees or students who, while on duty, engage in behaviors that constitute domestic violence, sexual assault, or stalking will be subject to discipline, and law enforcement will be notified. In some cases, where there is a connection between off-duty conduct of this nature and one's employment with the School, that off-duty conduct may lead to discipline, in accordance with the bargaining agreement.
 - a. On-Duty: Any employee or student who commits domestic violence, sexual assault, or stalking in the institution will be subject to corrective or disciplinary action, in accordance with the bargaining agreement.

The use of Company resources or equipment in connection with domestic violence, sexual assault, or stalking is prohibited. Any employee who misuses any Company resources such as work time, work place telephones, a firearm, facsimile machines, mail, electronic mail, a Company vehicle, Company credit card, or other means to commit domestic violence, sexual assault, or stalking at any time or place, will be subject to disciplinary and law enforcement will be notified.
 - b. Off-Duty: Any student who is: (i) found by the School to have engaged in domestic violence, sexual assault, or stalking; or (ii) arrested, convicted, or named as a defendant in a protective order as a result of domestic violence, sexual assault, or stalking, law enforcement will be notified and student may be subject to disciplinary action when such action has a nexus / connection to their presence in the School.

5. Any student who is a named defendant in a civil or criminal action involving domestic violence, sexual assault, or stalking must disclose any order regarding protection from abuse or harassment, or any condition of bail or probation applicable to the student that includes:
 - a. Conditions that may interfere in any way with the student's ability to perform services with the public;
 - b. Conditions prohibiting or limiting contact with other employees or students of their department; or
 - c. Conditions prohibiting or limiting contact with the school community employees or students with whom there is a educational relationship.

The student must disclose the above information to their supervisor at the beginning of the employee's next scheduled work day after entry of the order or imposition of applicable condition of bail or probation.

Failure to provide the above information may result in disciplinary action up to and including termination.

8. NON-RETALIATION

No school employee shall take any retaliatory action against a student for making a complaint or observation of domestic violence, sexual assault, or stalking or otherwise asserting rights or responsibilities under this policy or relevant laws. Any manager or supervisor who is found to have taken retaliatory action against an student in violation of this section may be subject to disciplinary action.

9. CONCLUSION

The School is committed to providing a supportive school environment free of domestic violence. The School will work to respond and provide immediate assistance to employees or students affected by abuse.