ANNUAL SECURITY REPORT

The federal Jeanne Clery Disclosure of Campus Security Policy and Campus Statistics Act (Clery Act) requires colleges and universities, both public and private, participating in federal student aid programs to disclose campus safety information, and imposes certain basic requirements for handling incidents of sexual violence and emergency situations.

Annual Security Report

Procedures for students and others to report criminal actions or other emergencies occurring on campus: All students, staff and/or guests must immediately report any criminal actions or other emergencies to the Campus Director. Any medical emergency or criminal action requiring immediate professional services must be reported to 9-1-1, then the Campus Director notified.

Campus Directors are:	Largo Campus	Bill McCann	(727)532-2125
		bill.mccann@aibschool.edu	
	St Pete Campus	Rachel Peck	(727)826-0969
		rachel.peck@aibschool.edu	
	Bradenton Campus	Donna Myers	(941)222-0456
		donna.myers@aibschool.edu	

All reported incidents are made on a voluntary and confidential bases is the Campus Director. These reports may be included in the annual disclosure of crime statistics.

Preparing the annual disclosure of crime statistics: Any criminal actions reported to the Campus Director will be submitted to the Compliance Office to be included in the annual security report. The Compliance Office, in addition to data received from Campus Directors, will collect criminal statistics data from the local authorities. The information collected will include data recorded from the campus location as well as public areas included in the Clery geography.

Campus security and access: All students, staff and guests must enter the campus through the main entrance at the front of the campus. Access to the administrative hallway requires a key, given only to administrative personnel. Access to the clinic floor and classrooms requires the Customer Care Team Member to allow the door to be unlocked. All other external doors remain locked at all times, only opening from the inside in the event of an emergency.

Each campus is equipped with a complete alarm system, including a panic button, that is monitored 24-7.

All maintenance personnel at the campus locations are approved by the Campus Directors, all maintenance work being completed is monitored by the Campus Directors.

Campus law enforcement: Due to the size of the campuses and the student population at each campus there are no campus law enforcement personnel. In the event of an emergency or criminal activity the Campus Director must be notified immediately and if necessary, the local law enforcement agency.

Campus security programs: All students receive information regarding the annual security report during orientation, which is required of each student prior to starting their program. All employees receive information during their new hire orientation. All students and staff are given safety and

security tips and encouraged to practice this while at the campus. All students and staff are reminded and encouraged to be responsible for their own safety and the safety of others.

The annual security report is updated with updated crime statistics every year. The updated report is posted to the school's website. Once the updated report is available all students and staff are notified in writing either through electronic mail or printed notice.

Crime prevention programs: Campus Directors have brochures and information for any student or staff member regarding Crime Stoppers and other crime prevention programs. In addition, the local sheriff's office offers a Crime Prevention Program to all local citizens.

Off campus monitoring: Due to the nature of the programs offered and the educational requirements there are no activities or events off campus that require monitoring for criminal activities. All events and/or activities recognized by the school occur on campus.

Drug and Alcohol Policy:

AIB abides by the requirements set forth in the "Drug Free Workplace Act of 1988" and the "Drug Free Campus Act." These laws forbid the possession, distribution, use, or sale of alcoholic beverages, illegal drugs, and controlled substances in, on or around the campus facility and workplace. AIB is a drug free work and school environment. Illegal drugs and alcoholic beverages are prohibited on or around the school premises and work facilities. It is against AIB policy for an employee to:

1. Be on AIB property (including the parking lots), to work, to report to work to be in an AIB vehicle or to engage in AIB activities while under the influence of any controlled substance or alcohol (as determined by campus management, in its sole discretion), unless the drug is legally prescribed to her or him.
2. Sell, use, purchase, manufacture or be in possession of any non-prescribed controlled substance or drug paraphernalia, while on AIB property.
3. 3. Sell, use, purchase, manufacture or be in possession of controlled substances, including prescription medications which are controlled substances, while on AIB property or while working, unless the prescription medication is legally prescribed to that employee.
4. Operate any tools or equipment while under the influence of any drug, including prescription, over the counter medications or alcohol, which renders that employee incapable of safely and adequately using the equipment or performing any other duties.

Under Florida law, it is illegal to consume marijuana for recreational purposes. An employee may be disciplined by AIB, at AIB's sole discretion, for either smelling like marijuana or appearing to be under the influence of marijuana. This discipline includes suspension or termination.

AIB cannot and does not recognize a medical marijuana ID card to permit smoking, ingesting, patching or vaping of medical marijuana on or around the school property. AIB is required to comply with the Drug Free Workplace Act (DFWA). Medical marijuana is classified by the federal government as a Schedule 1 controlled substance. The Medical Marijuana ID card does not substitute for a prescription, under the DFWA. Florida statutes permit an employer to preclude medical marijuana. Florida statutes prohibit the smoking, ingesting, vaping or patching of medical marijuana in public places, like the salon floor and in privately owned spaces, which includes all other areas of the campus.

All violations of this Policy will be subject to disciplinary actions including termination of employment. AIB reserves the right to take all appropriate and lawful actions necessary to enforce this substance abuse policy including, but not limited to, the inspection of the employees' personal property in certain circumstances, as well as AIB-issued lockers, desks, or other suspected areas of concealment. AIB also reserves the right to require employees to undergo medical testing for alcohol and for drug use if it has reason to believe that the employee is in violation of this policy. No medical test will be administered without the consent of the employee. However, if an employee withholds consent in such medical testing, then AIB may discipline the employee, up to and including termination. If a medical test shows the presence of illegal drugs or alcohol, AIB will consider those results if the employee relies on them

to request reconsideration of the discipline that AIB has administered for violation of AIB policy. However, AIB disciplinary action will not be suspended while the test results are pending.
Any employee who is aware that a fellow employee is using illegal drugs and alcohol in the workplace is required to notify his/her/their supervisor. Employees must notify AIB if convicted of any criminal drug statute if the violation underlying the conviction occurs at the workplace. This notification must be made within five (5) days after such a conviction.
Sexual offender data: In compliance with section 121 of the Adam Walsh Child protection and Safety Act of 2006 (42.USC.16921) the State of Florida provides a list of registered sex offenders, made available to the public. This information can be found at:
http://offender.fdle.state.fl.us/offender

Missing student notification policy: American Institute of Beauty, Inc. does not provide any on campus student housing facilities and it is not required to have a missing student notification policy.

Crime Statistics: The following crime statistics are reported to the U.S. Department of Education annually for the three more recent calendar years for crimes that occurred on campus or within the Clery geography and are reported to local police agencies or to Campus Directors.

All crimes are recorded for the calendar year in which the crime was reported to the local police agencies or Campus Directors. In complying with statistical reporting requirements, the school has made a reasonable, good-faith effort to obtain statistics for crimes that occurred on campus or within the school's Clery geography and may rely on the information supplies by a local or state police agency.

Offense	**Campus**	**Year: 2023**	**Year: 2024**	**Year: 2025**
Criminal Homicide				
To include: Murder, non-negligent	Largo	0	0	0
Manslaughter, and Negligent manslaughter	Public Property	0	0	0
	St. Petersburg	0	0	0
	Public Property	0	0	0
	Bradenton	N/A	N/A	0
	Public Property	N/A	N/A	0
Sex Offenses				
To include: Rape, Fondling, Incest, and	Largo	0	0	0
Statutory Rape	Public Property	0	0	0
	St. Petersburg	0	0	0
	Public Property	0	0	0
	Bradenton	N/A	N/A	0
	Public Property	N/A	N/A	0
Robbery	Largo	0	0	0
	Public Property	0	0	0

	St. Petersburg	0	0	0
	Public Property	0	0	0
	Bradenton	N/A	N/A	0
	Public Property	N/A	N/A	0
Aggravated Assault	Largo	0	0	0
	Public Property	0	0	0
	St. Petersburg	0	0	0
	Public Property	0	0	0
	Bradenton	N/A	N/A	0
	Public Property	N/A	N/A	0
Burglary	Largo	0	0	0
	Public Property	0	0	0
	St. Petersburg	0	0	0
	Public Property	0	0	0
	Bradenton	N/A	N/A	0
	Public Property	N/A	N/A	0
Motor Vehicle Theft	Largo	0	0	0
	Public Property	0	0	0
	St. Petersburg	0	0	0
	Public Property	0	0	0
	Bradenton	N/A	N/A	0
	Public Property	N/A	N/A	0
Arson	Largo	0	0	0
	Public Property	0	0	0
	St. Petersburg	0	0	0
	Public Property	0	0	0
	Bradenton	N/A	N/A	0
	Public Property	N/A	N/A	0
Arrests for liquor law violations,	Largo	0	0	0
illegal weapons possessions, or drug	Public Property	0	1	0
law violations	St. Petersburg	0	0	0
	Public Property	0	0	0

	Bradenton	N/A	N/A	0
	Public Property	N/A	N/A	0
Hate Crimes	Largo	0	0	0
To include: Larceny-theft, Simple assault	Public Property	0	1	0
Intimidation, Destruction/damage/	St. Petersburg	0	0	0
Vandalism of property, Dating violence,	Public Property	0	0	0
Domestic violence, or stalking	Bradenton	N/A	N/A	0
	Public Property	N/A	N/A	0

*The Bradenton Campus began operation in September 2025. There is no data prior to this date.

Timely warning and emergency notification: In response to crimes that are reported regarding the Violence Against Women Act of 1994, the school will, in a manner that is timely and that withholds as confidential the names and other identifying information of victims, and that will aid in the prevention of similar crimes, report to the campus community on crimes included in the crime statistics table. This includes reports of crimes reported to campus directors or local authorities and that may represent a threat to students and staff.

If there is an immediate threat to the health or safety of students and staff occurring on campus the Emergency Response and Evacuation Policy will be initiated. In the event this occurs adequate follow-up information will be provided to students and staff as needed.

Emergency response and evacuation procedures: The following procedures will be used to notify the students and staff of any significant emergency or dangerous situations involving an immediate threat to the health or safety of students and staff occurring on the campus. In the event of such an occurrence the Campus Director will use the Emergency Notification System to alert the campus community of the situation and location if applicable. All employees are notified of the Emergency Code System and how to appropriately respond to the situation, the Emergency Code System is also posted in all classrooms and available on the school website.

In the event of a significant emergency or dangerous situation the Campus Director must be notified immediately. The Campus Director will evaluate the situation and determine if the Emergency Notification System is required. Any emergency/dangerous situation will be evaluated on a case-by-case basis to determine the potential effects on the campus community. While evaluating the priority for the Campus Director will always be the safety and well-being of the campus community. The Campus Directors, while evaluating the situation, will, without delay, and taking into account the safety of the campus community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in their professional judgment, compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The Campus Directors are: Largo Campus Bill McCann (727)532-2125
bill.mccann@aibschool.edu
St Pete Campus Rachel Peck (727)826-0969
rachel.peck@aibschool.edu
Bradenton Campus Donna Myers (941)222-0456
donna.myers@aibschool.edu

In the event a serious emergency or dangerous situation occurs the campus community will be notified in writing, by means of electronic mail, of the necessary details. In the event the campus must close as a result of a serious emergency or dangerous situation the campus community will be notified through electronic mail, the campus voicemail will be updated to notify of closure, a notice will be posted at the campus entrance and a notice will be posted on the school social media pages.

Campus Directors schedule semi-annual evacuation drills at their respective campus locations. These drills will occur at each location, once in the spring and once in the fall. These drills will be announced to the staff at the campus but will not be announced to the student body. Each drill will be logged on the Drill Log for each campus. This log records the date and time of the drill, type of drill and whether it was announced or unannounced.

Emergency Code System: The following Emergency Code System has been developed to assist in the orderly response to situations that may arise during the business hours of the school. The code will be called over the PA system. Students and employees should follow the appropriate response to the code announced.

All Codes announced will be followed with the specific location in the building, if applicable.

Code Name	**Code Meaning**
Code Medical	Major medical emergencies that require the evacuation of the building or part of the building
Code Fire	Fire, smoke, explosive, or bomb emergency that requires evacuation of the building
Code Black	Firearm/Burglary emergency that requires evacuation or lockdown in the current location
Code Weather	Hazardous Weather emergency that requires evacuation or lockdown in the current location

In all situations resulting in a code being called the Campus Director and any involved staff member must complete an incident report as well as obtain an incident report from any witness to the incident.

Program to prevent dating violence, domestic violence, sexual assault and stalking: American Institute of Beauty, Inc. makes educational and prevention materials available to all students and staff, as well as offer a list of resources to assist victims of these crimes. In addition, the campuses use October: Domestic Violence Awareness Month, to provide educational and prevention information to our students. All students and staff are made aware of these programs and information during their orientation.

American Institute of Beauty, Inc. strictly prohibit the crimes of dating violence, domestic violence, sexual assault and/or stalking.

Below are the definitions for dating violence, domestic violence, sexual assault, stalking and the Florida age of consent:

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. (i) The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the people involved in the relationship. (ii) For the purposes of this definition – (a) dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse; (b) dating violence does not include acts covered under the definition of domestic violence. (iii) For the purposes of complying with the requirements of this section and 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Domestic Violence: (i) A felony or misdemeanor crime of violence committed – (a) by a current or former spouse or intimate partner of the victim; (b) by a person with whom the victim shares a child in common; (c) by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (d) by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or (e) by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred. (ii) For the purposes of complying with the requirements of this section and 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.

Stalking: (i) Engaging in a course of conduct directed at a specific person that would cause a reasonable person – (a) fear for the person's safety or the safety of others; or (b) suffer substantial emotional distress. (ii) For the purposes of this definition – (a) Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. (b) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. (c) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. (iii) For the purposes of complying with the requirements of this section and 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Florida Age of Consent: The Florida age of consent is 18 years old. In the United States, the age of consent is the minimum age at which an individual in considered legally old enough to consent to participation in sexual activity. Individuals aged 17 or younger in Florida are not legally able to consent to sexual activity, and such activity may result in prosecution for statutory rape.

In the event any student or staff member becomes a victim of any of these crimes the following procedures are in place:

It is of utmost importance for any victim to preserve any evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order.

Any person may be a victim of any of these crimes, if this occurred on the campus the victim should inform the Campus Director or Title IX Coordinator as soon as possible. This can be done verbally or in writing. Once the Campus Director is aware of the incident the next decisions will be the option of involving the local law enforcement agencies. The victim has the option whether to notify and involve the local law enforcement. If preferred, the Campus Director can assist the victim in notifying law enforcement authorities; or the victim may choose to not notify the local law enforcement agencies.

If the victim obtains an order of protection in regard to another student or staff member the school's responsibility is to ensure safety for all students and will work with the victim to obey the orders. This may include but is not limited to: "no-contact" orders, restraining orders, or similar lawful orders issues by a criminal, civil or tribal court.

The school will protect the confidentiality of victims and other parties involved at all costs. Any accommodations or protective measures provided to the victim will remain confidential to the extent it won't impair the ability for the school to provide the necessary accommodations or protective measures. All publicly available record keeping, including Clery Act reporting, will be completed without the inclusion of any personally identifying information about the victim.

The Campus Director will provide written notification to students and staff regarding existing counseling, health, mental health, victim advocacy, legal assistance, student financial aid, and other services available for victims within the community.

The Campus Director will also provide a written notification to victims about options for, available assistance in, and how to request changes to academic programs, schedules or protective measures. The Campus Director, and American Institute of Beauty Inc., will make such accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of involvement of local law enforcement authorities.

Any student or staff member that reports that they are a victim of dating violence, domestic violence, sexual assault, or stalking, whether these offenses occurred on or off campus, the Campus Director will provide the individual a written explanation of the rights and options available.

Safe and positive options for bystander intervention may be carried out by an individual(s) to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking may include, but are not limited to: recognizing situations or potential harm; understanding institutional structures and cultural conditions that facilitate violence; overcoming barriers to intervene; identifying safe and effective intervention options; and taking actions to intervene.

Risk reduction are options designed to decrease perpetration and bystander interaction and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

AMERICAN INSTITUTE OF BEAUTY

SEXUAL HARASSMENT POLICIES & GRIEVANCE PROCEDURES

1. Introduction

American Institute of Beauty (the "Institute") is committed to providing a working and educational environment for all students, faculty and staff that is free from sex discrimination, including sexual harassment. Every member of the Institute community should be aware that the Institute is strongly opposed to sexual harassment, and that such behavior is prohibited by state and federal laws.

The Institute does not discriminate on the basis of sex in its educational, extracurricular, or other programs or in the context of employment. Sex discrimination is prohibited by Title IX of the Education Amendments of 1972, a federal law that provides:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

As part of the Institute's commitment to providing a working and learning environment free from sexual harassment, this Policy shall be disseminated widely to the Institute community through publications, the Institute website, new employee orientations, student orientations, and other appropriate channels of communication. The Institute provides training to key staff members to enable the Institute to handle any allegations of sexual harassment promptly and effectively. The Institute will respond promptly to all reports of sexual harassment, and will take appropriate action to prevent, to correct, and if necessary, to discipline behavior that violates this policy.

2. Scope of the Policy

This Policy governs sexual harassment that occurs in the Institute's education programs or activities. This Policy applies to all students, employees, and third parties conducting business with the Institute, regardless of the person's gender, gender identity, sexual orientation, age, race, nationality, class status, ability, religion or other protected status. The Institute encourages victims of sexual harassment to talk to somebody about what happened – so victims can get the support they need, and so the Institute can respond appropriately. As further described in this Policy, the Institute will seek to respect a victim's request for confidentiality to the extent possible, while remaining ever mindful of the victim's well-being.

3. Prohibited Conduct

Sexual harassment comprises a broad range of behaviors focused on sex that may or may not be sexual in nature. Sexual harassment includes an Institute employee conditioning the provision of an Institute aid, benefit, or service on an individual's participation in unwelcome sexual conduct. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Institute's education programs or activities also constitutes sexual harassment. Sexual assault, stalking, domestic violence, and dating violence are all forms of sexual harassment. Retaliation following an

incident of alleged sexual harassment or attempted sexual harassment is strictly prohibited. The definitions for specific acts of sexual harassment can be found in the Definitions of Key Terms at the end of this Policy statement.

Sexual harassment can occur between strangers or acquaintances, or people who know each other well, including between people involved in an intimate or sexual relationship, can be committed by anyone regardless of gender identity, and can occur between people of the same or different sex or gender. **This Policy prohibits all forms of sexual harassment.**

4. Options for Assistance Following an Incident of Sexual Harassment

The Institute strongly encourages any victim of sexual harassment to seek immediate assistance. Seeking prompt assistance may be important to ensure a victim's physical safety or to obtain medical care. The Institute strongly advocates that a victim of sexual harassment report the incident in a timely manner. Time is a critical factor for evidence collection and preservation.

Reporting Incidents of Sexual Harassment.

Victims of sexual harassment may file a report with the St. Petersburg Police Department or Pinellas County Sheriff's Office. Victims may also file a report with the Institute's Title IX Coordinator. More information about reporting an incident of sexual harassment can be found in Section 6 of this Policy, below.

The Institute will respond promptly when it has actual knowledge of sexual harassment in its education programs or activities. The Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures as described below, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint. The Institute will also provide the complainant with written notification about assistance available both within the Institute community and without.

A complainant may choose for the investigation to be pursued through the criminal justice system and/or through the Institute's disciplinary procedures by filing a formal complaint as describe in this Policy. The Institute and the criminal justice system work independently from each other. Law enforcement officers do not determine whether a violation of this Policy has occurred. The Title IX Coordinator will guide the complainant through the available options and support the complainant in his or her decision.

Supportive Measures.

The Institute's Title IX Coordinator will work with all students affected by sexual harassment to ensure their safety and support their wellbeing. This assistance may include providing supportive measures to support or protect a student after an incident of sexual harassment and while an investigation or disciplinary proceeding is pending. Supportive measures are non-disciplinary,

non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the Institute's education programs and activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the Institute's educational environment, or deter sexual harassment.

Supportive measures may include:

- counseling,
- extensions of deadlines or other course-related adjustments,
- modifications of work or class schedules,
- campus escort services,
- mutual restrictions on contact between the parties,
- changes in work or housing locations,
- leaves of absence,
- increased security and monitoring of certain areas of the campus, and
- other similar measures.

The Institute will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the Institute to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

The measures needed by each student may change over time, and the Title IX Coordinator will communicate with each student throughout any investigation to ensure that any supportive measures are necessary and effective based on the students' evolving needs. Students who report an incident of sexual harassment may also be able to obtain a formal protection order from a civil or criminal court. The Institute will work with the student and the applicable court to assist in the enforcement of any such protective orders.

Support Services Available.
Counseling, advocacy and support services are available for complainants, whether or not a complainant chooses to make an official report or participate in the Institute's disciplinary or criminal process. *American Institute of Beauty does not provide counseling or health care services. Personal counseling offered by the Institute will be limited to initial crisis assessment and referral.*

Sexual harassment crisis and counseling options are available locally and nationally through a number of agencies, including:

National Resources:

National Sexual Assault Hotline: 800-656-4673

National Domestic Violence Hotline: 800-799-7233

Local Resources:

Suncoast Center, Inc.: 727-530-7273

Sexual Assault Services of Pinellas County: 727-530-7273

Community Action Stops Abuse: 727-895-4912

Evidence Preservation

Victims of sexual assault, domestic violence or dating violence should consider seeking medical attention as soon as possible. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen where they were assaulted so that evidence necessary to prove criminal activity may be preserved. In circumstances where the victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address health concerns. Victims of sexual harassment are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful in connection with an Institute or police investigation.

5. Title IX Coordinator

The Institute's Title IX Coordinator is responsible for monitoring and overseeing the Institute's compliance with Title IX and the prevention of sexual harassment and discrimination. The Title IX Coordinator is:

- Knowledgeable and trained in Institute policies and procedures and relevant state and federal laws;
- Available to advise any individual, including a complainant, respondent, or a third party, about Institute and community resources and reporting options;
- Available to provide assistance to any Institute employee regarding how to respond appropriately to a report of Title IX-related prohibited conduct and related retaliation;
- Participates in ensuring the effective implementation of this Policy, including monitoring compliance with all procedural requirements, record keeping, and timeframes; and
- Responsible for overseeing training, prevention, and education efforts and annual reviews of climate and culture.

Inquiries or concerns about Title IX may be referred to the Institute's Title IX Coordinator:

Kristen Foss, Title IX Coordinator
Director of Operations
3665 East Bay Drive Suite 164
Largo, FL 33771
Phone: (727) 532-2125
Email: Kristen.foss.@aibschool.edu

6. Reporting Policies and Protocols

American Institute of Beauty strongly encourages all members of the Institute community to report information about any incident of sexual harassment as soon as possible. Reports can be made either to the Institute and/or to law enforcement.

Reporting to the Institute

An incident of sexual harassment may be reported to the Institute's Title IX Coordinator or to the Campus Director. No other Institute officials or employees have the authority to institute corrective measures under these Policies and Procedures on behalf of the Institute. The Institute will not be deemed to have actual knowledge of alleged sexual harassment unless the Institute's Title IX Coordinator or Campus Director possess such knowledge. Reports of sexual harassment to Institute officials or employees other than the Title IX Coordinator or the Campus Director will not confer actual knowledge to the Institute of such allegations, unless the Title IX Coordinator or Campus Director subsequently obtain such actual knowledge.

If the Institute's Title IX Coordinator is the alleged perpetrator of the sexual harassment, the report should be submitted to the Institute's Campus Director and vice versa. Filing a report with an Institute official will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers.

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed in Section 6 for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator or the Campus Director receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office address, listed for the Title IX Coordinator.

While there is no time limit for reporting, reports of sex discrimination or harassment should be brought forward as soon as possible. All incidents should be reported even if significant time has elapsed, but prompt reporting will better enable the Institute to respond, investigate, provide an appropriate remedy, and impose discipline if appropriate. Note that if a complainant seeks to file a formal complaint for the Institute to initiate an investigation into allegations of sexual harassment, the complainant must be participating in or attempting to participate in the Institute's education programs or activities at the time of filing such formal complaint. The Institute is committed to supporting the rights of a person reporting an incident of sexual harassment to make an informed choice among options and services available.

The Institute will respond to all reports in a manner that treats each individual with dignity and respect and will take prompt responsive action to end any harassment, prevent its recurrence, and address its effects.

Reporting to Law Enforcement
An incident of sexual harassment can be reported to law enforcement at any time, 24 hours a day/7 days a week, by calling 911. At the complainant's request, the Institute will assist the complainant in contacting law enforcement. If the complainant decides to pursue the criminal process, the Institute will cooperate with law enforcement agencies to the extent permitted by law. A complainant has the option to decide whether or not to participate in any investigation conducted by law enforcement. Filing a police report will:

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests
- Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam)

Reporting of Crimes & Annual Security Reports
Campus safety and security are important issues at American Institute of Beauty. Our goal is to provide students with a safe environment in which to learn and to keep students, parents, and employees well informed about campus security. The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, or Clery Act, requires institutions of higher education to record and report certain information about campus safety, including the number of incidents of certain crimes on or near campus, some of which constitute sexual harassment under this Policy.

Each year the Institute prepares this report to comply with the Clery Act. The full text of this report can be located on the Institute's web site at www.aibschool.edu. This report is prepared in cooperation with the local law enforcement agencies around our campus. Each year notification is made to all enrolled students and employees that provides the web site to access this report. Copies of the report may also be obtained in person from the Campus Director or by calling 727.532.2125 (Largo) or 727.826.0969 (St. Petersburg). All prospective employees may also obtain a copy from the Campus Director.

Timely Warnings
In the event that a situation arises, either on or off campus, that, in the judgment of the Campus Director constitutes an ongoing or continuing threat, a campus wide "timely warning" will be issued. The Campus Director will immediately notify the Institute community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring at the Institute, unless issuing a notification will compromise efforts to contain the emergency. The warning will be issued through the most effective and efficient means available and may include instant messaging to students and Institute employees. Notices may also be posted in the common areas throughout the Institute. Anyone with information warranting a timely warning should report the circumstances to the Campus Director by phone at 727.532.2125 (Largo) or 727.826.0969 (St. Petersburg) or in person at the Institute. The Institute will provide adequate follow-up information to the community as needed.

Third-Party and Anonymous Reporting
In cases where sexual harassment is reported to the Title IX Coordinator or Campus Director by someone other than the complainant (by an instructor, classmate, or friend, for example), the Title IX Coordinator will promptly notify the complainant that a report has been received. This Policy and the Procedures will apply in the same manner as if the complainant had made the initial report. The Title IX Coordinator will make every effort to meet with the complainant to discuss available options and resources. Reports from an anonymous source will be treated in a similar fashion.

No Retaliation
The Institute prohibits retaliation against any individual for the purpose of interfering with any right or privilege secured by Title IX or, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in a Title IX investigation, proceeding, or hearing. The Institute will take strong responsive action if retaliation occurs. Any incident of retaliation should be promptly reported to the Title IX Coordinator or the Campus Director.

Except as may otherwise be required by law, the Institute will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness.

Charging an individual with a violation of the Institute's code of conduct for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

Coordination With Drug Free Institute Policy
Students may be reluctant to report instances of sexual harassment because they fear being disciplined pursuant to the Institute's alcohol or drug policies. The Institute encourages students to report all instances of sexual harassment and will take into consideration the importance of reporting sexual harassment in addressing violations of the Institute's alcohol and drug policies. This means that, whenever possible, the Institute will respond educationally rather than punitively to student alcohol or drug policy violations associated with reported sexual harassment.

7. Institute Policy on Confidentiality

The Institute encourages victims of sexual harassment to talk to somebody about what happened – so victims can get the support they need, and so the Institute can respond appropriately.

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 harassment. The Institute encourages victims to talk to someone identified in one or more of these groups.

Privileged and Confidential Communications – Professional & Pastoral Counselors
Professional, licensed counselors and pastoral counselors who provide mental-health counseling to members of the community (and including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Title IX coordinator without a victim's permission. *The Institute does not provide professional or pastoral counseling but can assist a victim of sexual harassment in obtaining support services from these groups or agencies*. Contact information for these support organizations is listed in Section 4 of this Policy.

NOTE: While these professional and pastoral counselors and advocates may maintain a victim's confidentiality vis-à-vis the Institute, they may have reporting or other obligations under state law.

ALSO NOTE: If the Institute determines that the alleged perpetrator(s) pose a serious and immediate threat to the Institute community, the Institute's Campus Director 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 a Designated Institute Official
A "designated Institute official" is an Institute employee who has the authority to institute corrective measures on behalf of the Institute upon actual notice of sexual harassment.

A designated Institute official will report to the Title IX coordinator all relevant details about the alleged sexual harassment shared by the complainant – including the names of the complainant and respondent, 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 designated Institute official will be shared only with people responsible for handling the Institute's response to the report. Designated Institute officials should not share information with law enforcement without the complainant's consent or unless the complainant has also reported the incident to law enforcement.

In addition to the Title IX Coordinator, the Institute's designated Institute officials include the Campus Director.

Before a complainant reveals any information to a designated Institute official, the official should ensure that the complainant understands the official's reporting obligations – and, if the complainant wants to maintain confidentiality, direct the complainant to confidential resources.

If the complainant wants to tell the designated Institute official what happened but also maintain confidentiality, the official should tell the complainant that the Institute will consider the request but cannot guarantee that the Institute will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the official will also inform the Coordinator of the complainant's request for confidentiality.

Designated Institute officials will not pressure a complainant to request confidentiality, but will honor and support the complainant's wishes, including for the Institute to fully investigate an incident. By the same token, designated Institute officials will not pressure a complainant to make a formal complaint and initiate an Institute investigation if the complainant is not ready to do so.

A complainant who at first requests confidentiality may later decide to file a formal complaint with the Institute or report the incident to local law enforcement, and thus have the incident fully investigated.

Reporting to Title IX Coordinator

To the extent possible, information reported to the Title IX Coordinator will be shared only with people responsible for handling the Institute's response to the report. The Title IX Coordinator should not share information with law enforcement without the complainant's consent or unless the complainant has also reported the incident to law enforcement.

Before a complainant reveals any information to the Title IX Coordinator, the Coordinator should ensure that the complainant understands the Coordinator's reporting obligations – and, if the complainant wants to maintain confidentiality, direct the complainant to confidential resources. If the complainant wants to tell the Title IX Coordinator what happened but also maintain confidentiality, the Coordinator should tell the complainant that the Institute will consider the request but cannot guarantee that the Institute will be able to honor it.

The Title IX Coordinator will not pressure a complainant to request confidentiality, but will honor and support the complainant's wishes, including for the Institute to fully investigate an incident. By the same token, the Title IX Coordinator will not pressure a complainant to make a formal complaint and initiate an Institute investigation if the complainant is not ready to do so.

Requesting Confidentiality: How the Institute Will Weigh the Request and Respond.

If a complainant discloses an incident to the Title IX Coordinator but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the Institute must weigh that request against the Institute's obligation to provide a safe, non-discriminatory environment for all students, including the complainant.

If the Institute honors the request for confidentiality, a complainant must understand that the Institute's ability to investigate the incident and pursue disciplinary action against the respondent will be limited. A complainant may provide the Title IX Coordinator with confidential

knowledge of alleged sexual harassment and receive supportive measures from the Institute without the complainant filing a formal complaint and initiating an investigation. Although rare, there are times when the Institute may not be able to honor a complainant's request in order to provide a safe, non-discriminatory environment for all students.

The Title IX Coordinator will evaluate requests for confidentiality. When weighing a complainant's request for confidentiality or that no investigation or discipline be pursued, the Title IX Coordinator will consider a range of factors, including the following:

- The increased risk that the respondent will commit additional acts of sexual harassment or other violence, such as:
    - whether there have been other sexual harassment complaints about the same respondent;
    - whether the respondent has a history of arrests or records from a prior Institute indicating a history of violence;
    - whether the respondent threatened further sexual harassment or other violence against the complainant or others;
    - whether the sexual harassment was committed by multiple respondents;
- Whether the sexual harassment was perpetrated with a weapon;
- Whether the complainant is a minor;
- Whether the Institute possesses other means to obtain relevant evidence of the sexual harassment (e.g., security cameras or personnel, physical evidence);
- Whether the complainant's 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 Title IX Coordinator to file a formal complaint to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the Institute will likely respect the complainant's request for confidentiality.

If the Institute determines that it cannot maintain a complainant's confidentiality, the Institute will inform the complainant prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the Institute's response. The Institute will remain ever mindful of the complainant's well-being and will take ongoing steps to protect the complainant from retaliation or harm and work with the complainant to create a safety plan. Retaliation against the complainant, whether by students or Institute employees, will not be tolerated. The Institute will also:

- assist the complainant in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance;
- provide other security and support, which could include issuing a no-contact order, helping arrange a change of course schedules (including for the respondent pending the outcome of an investigation) or adjustments for assignments or tests; and

- inform the complainant of the right to report a crime to local law enforcement – and provide the complainant with assistance if the complainant wishes to do so.

The Institute may not require a complainant to participate in any investigation or disciplinary proceeding.

Because the Institute is under a continuing obligation to address the issue of sexual harassment campus-wide, reports of sexual harassment (including non-identifying reports) will also prompt the Institute to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported sexual harassment 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 Institute determines that it can respect a complainant's request for confidentiality, the Institute will also take action as necessary to protect and assist the complainant. This includes the Title IX Coordinator promptly contacting the complainant to discuss the availability of supportive measures. A complainant's request for confidentiality will limit the Institute's ability to investigate a particular matter. The Institute may take steps to limit the effects of the alleged sexual harassment and prevent its recurrence without initiating formal action against the respondent or revealing the identity of the student complainant. Examples include: providing increased monitoring, supervision, or security at locations or activities where the harassment occurred; providing training and education materials for students and employees; revising and publicizing the Institute's policies on sexual harassment; and conducting climate surveys regarding sexual harassment.

Off-campus Counselors and Advocates. Off-campus counselors, advocates, and health care providers will also generally maintain confidentiality and not share information with the Institute unless the complainant requests the disclosure and signs a consent or waiver form. Contact information for these off-campus resources can be found in Section 4 of this Policy.

8. Formal Complaint Investigation Procedures and Protocols

The Institute will investigate all formal complaints of sexual harassment. A formal complaint must be in writing filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the Institute investigate the allegation of sexual harassment. A formal complaint form may be obtained from the Title IX Coordinator, although no particular form is required to submit a formal complaint so long as the complaint is in writing, signed by a complainant, alleges sexual harassment against a respondent, and requests an investigation. The Institute's Title IX Coordinator oversees the Institute's investigation, response to, and resolution of all reports of prohibited sexual harassment, and of related retaliation, involving students, faculty, and staff.

As soon as practicable after receiving a formal complaint, the Title IX Coordinator will make an initial assessment of the formal complaint to determine whether the formal complaint, on its face, alleges an act prohibited by this Policy. If the Title IX Coordinator determines the formal complaint states facts which, if true, could constitute sexual harassment in violation of this Policy, the Title IX Coordinator will proceed through the formal investigation process (see below). If the Title IX Coordinator determines the complainant's report does not state facts that, if true, could constitute a violation of this Policy, the Title IX Coordinator will communicate this determination in writing to the complainant. In such circumstances the complainant may still file a report with the federal Office for Civil Rights, the police, or seek available civil remedies through the judicial system. The complainant may also re-file the report with the Institute upon discovery of additional facts.

The Institute will dismiss a formal complaint if the conduct alleged in the formal complaint would not constitute sexual harassment under Title IX even if proved, did not occur in the Institute's education program or activity, or did not occur against a person in the United States. ***Such dismissal does not preclude action under another provision of the Institute's code of conduct***. The Institute may dismiss the formal complaint if a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint; the respondent is no longer enrolled or employed by the Institute; or specific circumstances prevent the Institute from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein. The Institute will promptly send written notice of the dismissal and reasons therefor simultaneously to the parties.

Notice

Upon receipt of a formal complaint, the Institute will provide written notice of the Institute's grievance process to the parties who are known. The Institute will also provide the parties with notice of the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice will include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice will inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence that is submitted to and/or collected by the Institute in connection with the investigation. The written notice will also inform the parties of any provision in the Institute's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the Institute decides to investigate allegations about the complainant or respondent that are not included in a prior notice provided to the parties, the

Institute will provide notice of the additional allegations to the parties whose identities are known.

Voluntary Resolution

Voluntary resolution, when selected by all parties and deemed appropriate by the Title IX Coordinator, is a path designed to eliminate the conduct at issue, prevent its recurrence, and remedy its effects in a manner that meets the safety and welfare of the Institute community. If all parties voluntarily agree to participate in an informal resolution that does not involve a full investigation and adjudication after receiving notice of a formal complaint and if the Institute determines that the particular formal complaint is appropriate for such a process, the Institute will facilitate an informal resolution to assist the parties in reaching a voluntary resolution. The Institute retains the discretion to determine which cases are appropriate for voluntary resolution.

Voluntary resolution may include: conducting targeted or broad-based educational programming or training for relevant individuals or groups; providing increased monitoring, supervision, or security at locations or activities where the harassment occurred; facilitating a meeting with the respondent with the complainant present; and any other remedy that can be tailored to the involved individuals to achieve the goals of the Policy.

Voluntary resolution may also include restorative principles that are designed to allow a respondent to accept responsibility for harassment and acknowledge harm to the complainant or to the Institute community. Restorative models will be used only with the consent of both parties and following a determination by the Title IX Coordinator that the matter is appropriate for a restorative approach.

The Institute will not compel parties to engage in mediation or to participate in any particular form of informal resolution. As the title implies, participation in voluntary resolution is a choice, and either party can request to end this manner of resolution and pursue an investigation and adjudication at any time, including if voluntary resolution is unsuccessful at resolving the complaint.

In connection with any informal resolution process, the Institute will provide written notice to the parties disclosing the allegations and the requirements of the informal resolution process. The Institute will notify the parties that any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint. The Institute must obtain the parties' voluntary, written consent to the informal resolution process. The informal resolution process may not be utilized to resolve allegations that an Institute employee sexually harassed a student.

The time frame for completion of voluntary resolution may vary, but the Institute will seek to complete the process within 15 days of all the parties' request for voluntary resolution.

Formal Investigation Process

The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the Institute and not on the parties. The Title IX Coordinator is responsible for the investigation of a formal complaint. The Title IX Coordinator may designate a specially trained investigator (or team of investigators) to conduct the investigation.

The Institute's process for responding to, investigating and adjudicating sexual harassment reports will continue during any law enforcement proceeding. The investigator may need to temporarily delay an investigation while the police are gathering evidence but will resume the investigation after learning that the police department has completed its evidence-gathering and will generally not wait for the conclusion of any related criminal proceeding.

The investigator will interview the complainant, respondent and any witnesses. They will also gather pertinent documentary materials (if any) and other information. The Institute will provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate. Each party shall have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. The Institute will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

Time Frame for Investigation

Consistent with the goal to maximize educational opportunities and minimize the disruptive nature of the investigation and resolution, the Title IX Coordinator seeks to resolve all reports in a timely manner. In general, an investigation may last up to 30 days, from receipt of a formal complaint from the complainant or the Title IX Coordinator of the request to proceed with an investigation. Adjudication will generally take up to 30 days from the date the investigative report is provided to both the complainant and the respondent. The Title IX Coordinator may set reasonable time frames for required actions under the Policy. Those time frames may be extended for good cause as necessary to ensure the integrity and completeness of the investigation, comply with a request by external law enforcement, accommodate the availability of witnesses, accommodate absences or delays by the parties, the need for language assistance or accommodation of disabilities, account for Institute breaks or vacations, or address other legitimate reasons, including the complexity of the investigation (including the number of witnesses and volume of information provided by the parties) and the severity and extent of the alleged conduct. Any extension of the timeframes, and the reason for the extension, will be shared simultaneously with the parties in writing. Best efforts will be made to complete the process in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness.

Where necessary, the Institute will take prompt steps to protect complainants pending the final outcome of an investigation, including the provision of supportive measures to the complainant

and/or the respondent. The Institute may remove a respondent from the Institute's education programs or activities on an emergency basis, provided that the Institute undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. The Institute may place a non-student employee respondent on administrative leave during the pendency of a grievance process.

The Institute will provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the Institute does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the Institute will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report. The Institute will make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination

Investigation Report

The investigator will prepare an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to a hearing, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response. Such report will include a statement of the allegations and issues, the positions of the complainant and respondent, a summary of the evidence (including from interviews and documentation gathered), an explanation why any proffered evidence was not investigated, assessment of individual credibility, and findings of fact and an analysis of whether a violation of the Policy has occurred. The investigator will use "clear and convincing evidence" as the standard of proof to determine whether a violation of the Policy occurred. Clear and convincing evidence means that the party must present evidence that leaves one with a firm belief or conviction that it is highly probable that the factual contentions of the claim or defense are true. The complainant and respondent will be simultaneously notified of the completion of the investigation and provided with the investigator's report.

9. Grievance/Adjudication Procedures

Hearing Panel

The Institute will convene a hearing panel following the end of the investigation. The hearing panel determines whether the respondent is responsible or not responsible for a violation of the

Policy. If the respondent is determined to be responsible, the matter proceeds to the sanctions stage.

The hearing panel will consist of three members. The Title IX Coordinator will designate the members of the hearing panel but will not serve as a panel member. The investigator responsible for the Institute's investigation of the formal complaint may not serve as a panel member. The hearing panel members may include administrators, officers, lawyers or other individuals with relevant experience and special training. Panel members may participate remotely so long as the Institute utilizes technology enabling the panel members and parties to simultaneously see and hear the party or witness answering questions. All panelists will receive training from experts in the field at least once a year. In addition to training on how the adjudicatory process works, the training will include specific instruction about how to approach students about sensitive issues that may arise in the context of sexual harassment. The complainant and respondent will be informed of the panel's membership before the hearing process begins. A complainant and/or respondent may challenge the participation of a panel member because of perceived conflict of interest, bias, or prejudice. Such challenges, including rationale, must be made to the Title IX Coordinator at least three days prior to the commencement of the hearing. At its discretion, the Title IX Coordinator will determine whether such a conflict of interest exists and whether a panel member should be replaced. Postponement of a hearing may occur if a replacement panelist cannot be immediately identified.

Advisors
Both the complainant and the respondent are entitled to be accompanied to any meeting or proceeding relating to the allegation of sexual harassment by an advisor or support person of their choice, provided the involvement of such advisor or support person does not result in the postponement or delay of such meeting as scheduled.

Written Submissions
Both the complainant and respondent will have the opportunity to submit written responses to the investigation report and other relevant information to the hearing panel. Each of the complainant and respondent will have the opportunity to review any written submissions by the other. The hearing panel may set reasonable parameters for these written submissions. The hearing panel will review the investigation report and written submissions.

Hearing Procedures
The Title IX Coordinator will give the complainant and respondent at least 10 days' advance notice of the hearing. The Title IX Coordinator may arrange to hold the hearing at an off-campus location. The hearing is a closed proceeding, meaning that no one other than the panel members, the complainant and respondent, their respective advisors, witnesses (when called), and necessary Institute personnel may be present during the proceeding. The Campus Director will work with Institute staff so that any student whose presence is required may participate in the hearing.

In general, hearings will proceed as follows:

- The Title IX Coordinator may set reasonable time limits for any part of the hearing. Each of the complainant and respondent will have the opportunity to present witnesses and other information consistent with the Policy and these Procedures. The panel may determine the relevance of, place restrictions on, or exclude any witnesses or information. When the complainant and respondent are not able to be present for the hearing panel, arrangements will be made for participation virtually, with technology enabling the participants simultaneously to see and hear each other.
- In cases where either the complainant or respondent opts not to participate in the hearing, the panel may still hear from the other.
- Additional hearing rules include:
    - Cross Examination. At the hearing, the hearing panel shall permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally.
    - At the request of either party, the Institute will provide for the hearing to occur with the parties located in separate rooms with technology enabling the hearing panel members and parties to simultaneously see and hear the party or the witness answering questions.
    - Only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the hearing panel must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.
    - If a party does not have an advisor present at the live hearing, the Institute will provide without fee or charge to that party, an advisor of the Institute's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party.
    - Information Regarding Romantic or Sexual History. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The existence of a prior consensual dating or sexual relationship between the complainant and respondent by itself does not support an inference of consent to alleged sexual harassment.
    - Prior Conduct Violations. The hearing panel will not consider the respondent's prior conduct violations, unless the investigator provided that information to the hearing panel because the respondent was previously found to be responsible, and the previous incident was substantially similar to the present allegation(s) and/or the information indicates a pattern of behavior by the respondent.
    - If a party or witness does not submit to cross-examination at live hearing, the hearing panel will not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the hearing panel

will not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the hearing or refusal to answer cross-examination or other questions.
- The Institute will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
- Live hearings may be conducted with all parties physically present in the same geographic location or, at the Institute's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.

The Institute will create an audio or audiovisual recording, or transcript, of any hearing and make it available to the parties for inspection and review. The panelists may request a copy or transcript of the recording. Cell phones and recording devices may not be used in the hearing room(s) unless approved by the panel in advance.

Panel Determinations/Standard of Proof

The hearing panel will issue a written determination regarding responsibility. The panel will use "clear and convincing evidence" as the standard of proof to determine whether a violation of the Policy occurred. Clear and convincing evidence means that the party must present evidence that leaves one with a firm belief or conviction that it is highly probable that the factual contentions of the claim or defense are true. The panel will find a student responsible, or not responsible, based on a majority vote. The panel will generally render a written determination within 10 days after the conclusion of a hearing.

The panel's written determination will include:

a) Identification of the allegations potentially constituting sexual harassment.
b) A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held.
c) Findings of fact supporting the determination.
d) Conclusions regarding the application of the Institute's code of conduct to the facts.
e) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the Institute imposes on the respondent, and whether remedies designed to restore or preserve equal access to the Institute's education program or activity will be provided by the Institute to the complainant; and
f) The Institute's procedures and permissible bases for the complainant and respondent to appeal.

The parties will be informed of the results of the adjudication hearing by simultaneous written

notice to both parties of the outcome of the formal complaint. The determination regarding responsibility becomes final either on the date that the Institute provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

10. Sanctions and Other Remedies

The hearing panel shall be responsible for imposing sanctions that are:

- Fair and appropriate given the facts of the particular case.
- Consistent with the Institute's handling of similar cases.
- Adequate to protect the safety of the campus community; and
- Reflective of the seriousness of sexual harassment.

No disciplinary sanctions or other actions that are not supportive measures will be imposed against a respondent until the completion of the Institute's grievance procedures, including any applicable appeal.

The hearing panel will consider relevant factors, including if applicable: (1) the specific sexual harassment at issue (such as penetration, touching under clothing, touching over clothing, unauthorized recording, etc.); (2) the circumstances accompanying the lack of consent (such as force, threat, coercion, intentional incapacitation, etc.); (3) the respondent's state of mind (intentional, knowing, bias-motivated, reckless, negligent, etc.); (4) the impact of the offense on the complainant; (5) the respondent's prior disciplinary history; (6) the safety of the Institute community; and (7) the respondent's conduct during the disciplinary process. The sanctioning decision will be communicated in writing to the complainant and the respondent as part of the hearing panel's written determination.

The Institute may impose any one or more of the following sanctions on a student determined to have violated the Policy:

- Reprimand/warning
- Changing the respondent's academic schedule
- Disciplinary probation
- Restricting access to Institute facilities or activities
- Community service
- Issuing a "no contact" order to the respondent or requiring that such an order remain in place
- Dismissal or restriction from Institute employment
- Suspension (limited time or indefinite)
- Expulsion

In addition to any other sanction (except where the sanction is expulsion), the Institute may require any student determined to be responsible for a violation of the Policy to receive appropriate education and/or training related to the sexual harassment violation at issue. The

Institute may also recommend counseling or other support services for the student.

Whatever the outcome of the hearing process, a complainant may request ongoing or additional supportive measures and the Title IX Coordinator will determine whether such supportive measures are appropriate. Potential ongoing supportive measures include:

- Providing an escort for the complainant
- Changing the complainant's academic schedule
- Allowing the complainant to withdraw from or retake a class without penalty
- Providing access to tutoring or other academic support, such as extra time to complete or re-take a class

The Institute may also determine that additional measures are appropriate to respond to the effects of the incident on the Institute community. Additional responses for the benefit of the Institute community may include:

- Increased monitoring, supervision, or security at locations or activities where the harassment occurred
- Additional training and educational materials for students and employees
- Revision of the Institute's policies relating to sexual harassment
- Climate surveys regarding sexual harassment

11. Appeals

Either the respondent or the complainant or both may appeal from a determination regarding responsibility, and from a recipient's dismissal of a formal complaint or any allegations therein, on the following bases:

1. A procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time of the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The Title IX Coordinator, investigator(s), or hearing panel member(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

Disagreement with the finding or sanctions is not, by itself, grounds for appeals.

The decision maker(s) for the appeal may not be the same person as the hearing panel members, the investigator(s), or the Title IX Coordinator. The appealing party must submit the appeal in writing to the Institute within seven days after receiving the written determination regarding responsibility. If either the complainant or respondent submits an appeal, the Title IX Coordinator will notify the other that an appeal has been filed and the grounds of the appeal. The non-appealing party may submit a written response within seven days after notice of an appeal.

If the decision-maker concludes that a change in the hearing panel's determination is warranted, the Institute may enter a revised determination, reconvene the panel to reconsider the determination, or return the matter for additional investigation. If both the complainant and respondent appeal, the appeals will be considered concurrently.

The decision maker will issue a written decision describing the result of the appeal and the rationale for the result, and provide the written decision simultaneously to both parties. Appeals decisions will be rendered within 15 days after the receipt of the written appeal. All appeal decisions are final.

12. Records Disclosure & Recordkeeping

Disciplinary proceedings conducted by the Institute are subject to the Family Educational Records and Privacy Act (FERPA), a federal law governing the privacy of student information. FERPA generally limits disclosure of student information outside the Institute without the student's consent, but it does provide for release of student disciplinary information without a student's consent in certain circumstances.

Any information gathered in the course of an investigation may be subpoenaed by law enforcement authorities as part of a parallel investigation into the same conduct or required to be produced through other compulsory legal process.

Additional information about FERPA can be found on the Institute's website at www.aibschool.edu.

The Institute will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the Institute against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

The Institute will maintain for a period of not less than seven years records of –

a) Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript from a hearing conducted in response to a formal complaint, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the Institute's education programs or activities;
b) Any appeal and the result therefrom;
c) Any informal resolution and the result therefrom; and
d) All materials used to train Title IX Coordinators, investigators, hearing panel members, decision-makers, and any person who facilitates an informal resolution process. The Institute will make these training materials publicly available on its website.

The Institute will create and maintain for a period of not less than seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the Institute will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the Institute's education program or activity. If an Institute does not provide a complainant with supportive measures, then the Institute will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the Institute in the future from providing additional explanations or detailing additional measures taken.

13. Education and Prevention Programs

As set forth in Section 3 of this Policy statement, Sexual Assault, Sexual Harassment, Dating Violence, Domestic Violence, and Stalking are all forms of Prohibited Conduct.

The Institute is committed to offering educational programs to promote awareness and prevention of Prohibited Conduct. Educational programs include an overview of the Institute's policies and procedures; relevant definitions, including prohibited conduct; discussion of the impact of alcohol and illegal drug use; consent; safe and positive options for bystander intervention; review of resources and reporting options available for students, faculty, and staff; and information about risk reduction. Incoming students and new employees will receive primary prevention and awareness programming as part of their orientation.

As part of the Institute's commitment to provide an educational and work environment free from Prohibited Conduct, this Policy will be disseminated widely to the Institute community through e-mail communication, publications, websites, new employee orientations, student orientations, and other appropriate channels of communication.

The Title IX Coordinator, investigators, hearing panel members, and anyone else who is involved in responding to, investigating, or adjudicating sexual harassment will receive annual training from experts in the field. In addition to training on how the adjudicatory process works, the training will include specific instruction about how to approach students about sensitive issues that may arise in the context of sexual harassment.

Training completed:

Combined Sexual Misconduct and Domestic Violence Dating Violence Investigator Training Class

Presented by: D. Stafford & Associates, LLC. Dates: 08/03/2020 – 08/07/2020

Definitions of Sexual Misconduct under Florida Law

Sexual Assault is any unwanted physical contact of a sexual nature that occurs either without the consent of each participant or when a participant is unable to give consent freely.

Sexual assault can occur either forcibly and/or against a person's will, or when a person is unable to give consent freely. Non-consensual sexual intercourse is any form of sexual

intercourse (vaginal, anal or oral) with any object without consent. Non-consensual sexual contact is any intentional sexual touching, however slight, with any object without a person's consent.

Florida law provides the following definitions with respect to incidents of sexual assault:

Fla. Stat. § 794.011 Sexual battery.—
(1) As used in this chapter:
(a) "Consent" means intelligent, knowing, and voluntary consent and does not include coerced submission. "Consent" shall not be deemed or construed to mean the failure by the alleged victim to offer physical resistance to the offender.
(b) "Mentally defective" means a mental disease or defect which renders a person temporarily or permanently incapable of appraising the nature of his or her conduct.
(c) "Mentally incapacitated" means temporarily incapable of appraising or controlling a person's own conduct due to the influence of a narcotic, anesthetic, or intoxicating substance administered without his or her consent or due to any other act committed upon that person without his or her consent.
(d) "Offender" means a person accused of a sexual offense in violation of a provision of this chapter.
(e) "Physically helpless" means unconscious, asleep, or for any other reason physically unable to communicate unwillingness to an act.
(f) "Retaliation" includes, but is not limited to, threats of future physical punishment, kidnapping, false imprisonment or forcible confinement, or extortion.
(g) "Serious personal injury" means great bodily harm or pain, permanent disability, or permanent disfigurement.
(h) "Sexual battery" means oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object; however, sexual battery does not include an act done for a bona fide medical purpose.
(i) "Victim" means a person who has been the object of a sexual offense.
(j) "Physically incapacitated" means bodily impaired or handicapped and substantially limited in ability to resist or flee.

*(2)(a) A person 18 years of age or older who commits sexual battery upon, or in an attempt to commit sexual battery injures the sexual organs of, a person less than 12 years of age commits a capital felony * * *.*
*(b) A person less than 18 years of age who commits sexual battery upon, or in an attempt to commit sexual battery injures the sexual organs of, a person less than 12 years of age commits a life felony, * * *.*

*(3) A person who commits sexual battery upon a person 12 years of age or older, without that person's consent, and in the process thereof uses or threatens to use a deadly weapon or uses actual physical force likely to cause serious personal injury commits a life felony * * *.*

*(4)(a) A person 18 years of age or older who commits sexual battery upon a person 12 years of age or older but younger than 18 years of age without that person's consent, under any of the circumstances listed in paragraph (e), commits a felony of the first degree * * *.*
*(b) A person 18 years of age or older who commits sexual battery upon a person 18 years of age or older without that person's consent, under any of the circumstances listed in paragraph (e), commits a felony of the first degree * * *.*
(c) A person younger than 18 years of age who commits sexual battery upon a person 12 years of age or older without that person's consent, under any of the circumstances listed in paragraph (e), commits a felony of the first degree
** * **
(e) The following circumstances apply to paragraphs (a)-(d):
1. The victim is physically helpless to resist.
2. The offender coerces the victim to submit by threatening to use force or violence likely to cause serious personal injury on the victim, and the victim reasonably believes that the offender has the present ability to execute the threat.
3. The offender coerces the victim to submit by threatening to retaliate against the victim, or any other person, and the victim reasonably believes that the offender has the ability to

execute the threat in the future.
4. The offender, without the prior knowledge or consent of the victim, administers or has knowledge of someone else administering to the victim any narcotic, anesthetic, or other intoxicating substance that mentally or physically incapacitates the victim.
5. The victim is mentally defective, and the offender has reason to believe this or has actual knowledge of this fact.
6. The victim is physically incapacitated.
7. The offender is a law enforcement officer, correctional officer, or correctional probation officer as defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9), who is certified under s. 943.1395 or is an elected official exempt from such certification by virtue of s. 943.253, or any other person in a position of control or authority in a probation, community control, controlled release, detention, custodial, or similar setting, and such officer, official, or person is acting in such a manner as to lead the victim to reasonably believe that the offender is in a position of control or authority as an agent or employee of government.

*(5)(a) A person 18 years of age or older who commits sexual battery upon a person 12 years of age or older but younger than 18 years of age, without that person's consent, and in the process does not use physical force and violence likely to cause serious personal injury commits a felony of the first degree * * *.*
*(b) A person 18 years of age or older who commits sexual battery upon a person 18 years of age or older, without that person's consent, and in the process does not use physical force and violence likely to cause serious personal injury commits a felony of the second degree * * *.*
*(c) A person younger than 18 years of age who commits sexual battery upon a person 12 years of age or older, without that person's consent, and in the process does not use physical force and violence likely to cause serious personal injury commits a felony of the second degree * * *.*
(8) Without regard to the willingness or consent of the victim, which is not a defense to prosecution under this subsection, a person who is in a position of familial or custodial authority to a person less than 18 years of age and who:
*(a) Solicits that person to engage in any act which would constitute sexual battery under paragraph (1)(h) commits a felony of the third degree * * *.*
*(b) Engages in any act with that person while the person is 12 years of age or older but younger than 18 years of age which constitutes sexual battery under paragraph (1)(h) commits a felony of the first degree * * *.*
*(c) Engages in any act with that person while the person is less than 12 years of age which constitutes sexual battery under paragraph (1)(h), or in an attempt to commit sexual battery injures the sexual organs of such person commits a capital or life felony * * *.*

(9)For prosecution under paragraph (4)(a), paragraph (4)(b), paragraph (4)(c), or paragraph (4)(d) which involves an offense committed under any of the circumstances listed in subparagraph (4)(e)7., acquiescence to a person reasonably believed by the victim to be in a position of authority or control does not constitute consent, and it is not a defense that the perpetrator was not actually in a position of control or authority if the circumstances were such as to lead the victim to reasonably believe that the person was in such a position.

*(10) A person who falsely accuses a person listed in subparagraph (4)(e)7. or other person in a position of control or authority as an agent or employee of government of violating paragraph (4)(a), paragraph (4)(b), paragraph (4)(c), or paragraph (4)(d) commits a felony of the third degree * * *.*

As described above, in certain circumstances it is an element of the offense that the sexual act was committed without the victim's consent. As set forth in Florida Statute Section 794.011(1)(A), "consent" means intelligent, knowing, and voluntary consent and does not include coerced submission. "Consent" shall not be deemed or construed to mean the failure by the alleged victim to offer physical resistance to the offender.

Florida law provides the following definitions

with respect to Stalking:

Fla. Stat. § 784.048. Stalking; definitions; penalties.
(1) As used in this section, the term:
(a) "Harass" means to engage in a course of conduct directed at a specific person which causes substantial emotional distress to that person and serves no legitimate purpose.
(b) "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, however short, which evidences a continuity of purpose. The term does not include constitutionally protected activity such as picketing or other organized protests.
(c) "Credible threat" means a verbal or nonverbal threat, or a combination of the two, including threats delivered by electronic communication or implied by a pattern of conduct, which places the person who is the target of the threat in reasonable fear for his or her safety or the safety of his or her family members or individuals closely associated with the person, and which is made with the apparent ability to carry out the threat to cause such harm. It is not necessary to prove that the person making the threat had the intent to actually carry out the threat. The present incarceration of the person making the threat is not a bar to prosecution under this section.
(d) "Cyberstalk" means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

*(2) A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person commits the offense of stalking, a misdemeanor of the first degree * * *.*

*(3) A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person and makes a credible threat to that person commits the offense of aggravated stalking, a felony of the third degree * * *.*

*(4) A person who, after an injunction for protection against repeat violence, sexual violence, or dating violence pursuant to s. 784.046, or an injunction for protection against domestic violence pursuant to s. 741.30, or after any other court-imposed prohibition of conduct toward the subject person or that person's property, knowingly, willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person commits the offense of aggravated stalking, a felony of the third degree * * *.*

*(5) A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks a child under 16 years of age commits the offense of aggravated stalking, a felony of the third degree * * *.*

(6) A law enforcement officer may arrest, without a warrant, any person that he or she has probable cause to believe has violated this section.

Florida law provides the following definitions with respect to Domestic Violence:

Fla. Stat. § 741.28. Domestic violence; definitions
(2)"Domestic violence" means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member.
(3) "Family or household member" means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in common regardless of whether they have been married. With the exception of persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.

Florida law provides the following definitions with respect to Dating Violence:

Fla. Stat. § 784.046(d). "Dating violence" means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the consideration of the following factors:
1. A dating relationship must have existed within the past 6 months;
2. The nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties; and
3. The frequency and type of interaction between the persons involved in the relationship must have included that the persons have been involved over time and on a continuous basis during the course of the relationship.
The term does not include violence in a casual acquaintanceship or violence between individuals who only have engaged in ordinary fraternization in a business or social context.

Bystander Intervention
The Institute's primary prevention and awareness program includes a description of safe and positive options for bystander intervention. Active bystanders take the initiative to help someone who may be targeted for a sexual assault. They do this in ways that are intended to avoid verbal or physical conflict. Active bystanders also take the initiative to help friends, who are not thinking clearly, from becoming offenders of crime. Intervention does not mean that you directly intervene to stop a crime in progress; rather, these steps are "early intervention" – before a crime begins to occur. There are three important components to consider before taking action that we refer to as the ABCs:

- **A**ssess for safety. Ensure that all parties are safe, and whether the situation requires calling authorities. When deciding to intervene, your personal safety should be the #1 priority. When in doubt, call for help.
- **B**e with others. If it is safe to intervene, your are likely to have a greater influence on the parties involved when you work together with someone or several people. Your safety is increased when you stay with a group of friends that you know well.
- **C**are for the person. Ask if the target of the unwanted sexual advance/attention/behavior is okay – does he or she need medical care? Ask if someone they trust can help them get safely home.

Risk Reduction
The Institute's primary prevention and awareness program includes information on risk reduction. This includes:

Avoiding Dangerous Situations. While you can never completely protect yourself from sexual assault, there are some things you can do to help reduce your risk of being assaulted.

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don't know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cab money.
- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.

Safety Planning. Things to think about:

- How to get away if there is an emergency? Be conscious of exits or other escape routes. Think about options for transportation (car, bus, subway, etc.).
- Who can help? Friends and/or family, or support centers in your area. Please see Section 4 of this Policy for a list of support organizations.
- Where to go? Options may include a friend's house or relative's house, or you may consider going to a domestic violence or homeless shelter. You may also go to the police. **Important Safety Note:** If the dangerous situation involves a partner, go to the police or a shelter first.
- What to bring? This may include important papers and documents such birth certificate, social security card, license, passport, medical records, lease, bills, etc. This will also include house keys, car keys, cash, credit cards, medicine, important numbers, and your cell phone. If you are bringing children with you, remember to bring their important papers and legal documents. You can keep all of these things in an emergency bag. You should hide the bag—it is best if it is not in your house or car. If the bag is discovered, you can call it a "tornado" or "fire" bag.

Protecting Your Friends. You have a crucial role to play in keeping your friends safe. No matter what the setting, if you see something that doesn't feel quite right or see someone who might be in trouble, there are some simple things you can do to help out a friend.

- Distract. If you see a friend in a situation that doesn't feel quite right, create a distraction to get your friend to safety. This can be as simple as joining or redirecting the conversation: suggest to your friend that you leave the party, or ask them to walk you home. Try asking questions like: "Do you want to head to the bathroom with me?" or "Do you want to head to another party – or grab pizza?"
- Step in. If you see someone who looks uncomfortable or is at risk, step in. If you feel safe, find a way to de-escalate the situation and separate all parties involved. Don't be shy about directly asking the person if they need help or if they feel uncomfortable.
- Enlist others. You don't have to go it alone. Call in friends or other people in the area as reinforcements to help defuse a dangerous situation and get the at-risk person home safely. There is safety in numbers.
- Keep an eye out. Use your eyes and ears to observe your surroundings. If you see someone who has had too much to drink or could be vulnerable, try to get them to a safe place. Enlist friends to help you. Even if you weren't around when the assault occurred, you can still support a friend in the aftermath.

Social Situations. While you can never completely protect yourself from sexual assault, there are some things you can do to help reduce your risk of being assaulted in social situations.

- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see

something suspicious, contact law enforcement immediately.

- Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
- Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
- If you suspect you or a friend has been drugged, contact law enforcement immediately. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
  Information on Risk Reduction was provided by RAINN: Rape, Abuse & Incest National Network: www.rainn.org.

14. Amendments

The Institute may amend the Policy or the Procedures from time to time. Nothing in the Policy or Procedures shall affect the inherent authority of the Institute to take such actions as it deems appropriate to further the educational mission or to protect the safety and security of the Institute community.

Definitions of Key Terms

- Sexual Harassment - means conduct on the basis of sex that satisfies one or more of the following:
  1) An employee of the Institute conditioning the provision of an aid, benefit, or service of the Institute on an individual's participation in unwelcome sexual conduct;
  2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Institute's education programs or activities; or
  3) "Sexual assault," "dating violence," "domestic violence," or "stalking" as defined herein.

- Sexual Assault - An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Unified Crime Reporting ("UCR") program.
  - Rape - The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
  - Sex Offenses - Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
    - Fondling—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

    - Incest—Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
    - Statutory Rape—Sexual intercourse with a person who is under the statutory age of consent.

- Domestic Violence - A felony or misdemeanor crime of violence committed (i) by a current or former spouse or intimate partner of the victim; (ii) by a person with whom the victim shares a child in common; (iii) by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (iv) by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or (v) by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

- Dating Violence - Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purpose of this definition dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

- "Education program or activity" includes locations, events, or circumstances over which the Institute exercises substantial control over both the respondent and the context in which the sexual harassment occurs. It includes all of the academic, educational, extra-curricular, and other programs of the Institute, whether they take place in the facilities of the Institute, at a class or training program sponsored by the Institute at another location, or elsewhere. An instructor's alleged sexual harassment of a student would likely constitute sexual harassment in the Institute's education programs or activities even if the alleged harassment occurs off campus. The Institute's education programs and activities may also include computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of, the Institute.

- Prohibited Conduct – The Institute prohibits Sexual Assault, Sexual Harassment, Dating Violence, Domestic Violence, and Stalking as defined in these Definitions of Key Terms.

- Stalking - Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others, or suffer substantial emotional distress. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. Reasonable

person means a reasonable person under similar circumstances and with similar identities to the victim.

- Retaliation – The Institute shall not, and no individual shall, intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under Title IX and/or this Policy. The exercise of rights protected under the First Amendment does not constitute retaliation. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation; provided, however, that a determination regarding responsibility alone is not sufficient to conclude that any party made a materially false statement in bad faith.

- Consent is a voluntary agreement to engage in sexual activity.
    - Past consent does not imply future consent.
    - Silence or an absence of resistance does not imply consent.
    - Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
    - Consent can be withdrawn at any time.
    - Coercion, force, or threat of either invalidates consent.

  Someone who is incapacitated cannot consent. Incapacitation refers to a situation in which a person is not capable of providing consent because the person lacks the ability to understand her or his decision. This situation may occur due to the use of drugs or alcohol, when a person is asleep or unconscious, or because of an intellectual or other disability that prevents the student from having the capacity to give consent.

- Complainant – means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

- Respondent – means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.