

3/2018

## **Sexual Misconduct Policy**

Iowa School of Beauty has a zero tolerance policy on sexual harassment, sexual discrimination, which includes sexual misconduct. This policy includes the following:

- Hostile environment caused by sexual harassment
- Sexual Assault
- Non-consensual sexual contact
- Non-consensual intercourse
- Domestic Violence
- Dating Violence
- Sexual Exploitation
- Stalking
- Retaliation
- Intimidation

Once a year, Iowa School of Beauty has the local authorities or other Crime Awareness agencies come to the institution and present a program to the staff and students concerning crime prevention, how to prevent sex offenses, and the procedure to follow when sex offenses occur along with other safety related issues. These groups discuss and promote the awareness of Violence Against Women including rape, acquaintance rape, and stalking and other forcible and non-forcible sex offenses. This policy applies to all students and employees, regardless of sexual orientation or gender identity. Iowa School of Beauty does not have on-campus counseling centers, we have a supplement listing of centers that victims of sexual offense may contact for assistance.

### **Title IX Coordinator**

**Jacque Adamson-Iowa School of Beauty** The Title IX Coordinator is responsible on educating students and employees on how to file a complaint alleging a violation of Title IX, investigating complaints, working with law enforcement when necessary, and ensuring that complaints are resolved promptly and appropriately.

### **Confidentiality**

Iowa School of Beauty follows the guidelines for confidentiality according to FERPA (Federal Education Rights to Privacy Act). Individuals who work or volunteer in the on-campus offices including the front desk, clinic floor, classrooms, or administrative offices, can generally speak to a victim without revealing any personally identifying information about an incident to the institution. A victim can seek assistance and support from these individuals without triggering an institution investigation that could reveal the victim's identity or that the victim has disclosed the incident. While maintaining a victim's confidentiality, these individuals should report the nature, date, time, and general location of an incident to the Title IX Coordinator. This limited report-which includes no information that would directly or indirectly identify the victim-helps keep the Title IX Coordinator informed of the general extent and nature of sexual violence on and off campus so the coordinator can track patterns, evaluate the scope of the problem, and formulate appropriate campus-wide responses. Before reporting any information to the Title IX Coordinator, these individuals will consult with the victim to ensure that no personally identifying details are shared with the Title IX Coordinator.

The following is contact information for these non-professional counselors:

Andrew Oswald- President, Iowa School of Beauty  
515-278-9939 ext. 20  
[andrew@iowaschoolofbeauty.com](mailto:andrew@iowaschoolofbeauty.com)

Jacque Adamson-Title IX Coordinator, Iowa School of Beauty, Financial Aid Administrator  
515-278-9939 ext. 12  
[jacque@iowaschoolofbeauty.com](mailto:jacque@iowaschoolofbeauty.com)

Kim Cox-Director, Iowa School of Beauty, Des Moines  
515-278-9939 ext. 15  
[kim@isb4me.com](mailto:kim@isb4me.com)

Danette Phillips-Director, Iowa School of Beauty, Ankeny  
515-965-3991  
[Danette@iowaschoolofbeauty.com](mailto:Danette@iowaschoolofbeauty.com)

Melanie Johnston-Director, Iowa School of Beauty, Marshalltown  
641-752-4223  
[melanie@iowaschoolofbeauty.com](mailto:melanie@iowaschoolofbeauty.com)

Leslie Owens-Iowa School of Beauty, Ottumwa  
641-684-6504  
[ottumwa@isb4me.com](mailto:ottumwa@isb4me.com)

Marla Kollbaum-Iowa School of Beauty, Sioux City  
712-274-9733  
[marla@iowaschoolofbeauty.com](mailto:marla@iowaschoolofbeauty.com)

A victim who speaks to a staff person must understand that, if the victim wants to maintain confidentiality, the institution will be unable to conduct an investigation into the incident or pursue disciplinary action against the alleged perpetrator.

Even so, staff will assist the victim in receiving other necessary protection and support. A victim who at first requests confidentiality may later decide to file a complaint or report the incident to local law enforcement, and thus have the incident fully investigated. These staff members will provide the victim with assistance if the victim wishes to do so.

**NOTE:** While these non-professional counselors may maintain a victim's confidentiality via the institution, they may have reporting or other obligations under state law.

If the school determines that the alleged perpetrator(s) pose a serious and immediate threat to the institution, the school Director of Iowa School of Beauty (respective location) or if she is unavailable, **Andrew Oswald**, President of Iowa School of Beauty, may be called upon to use a timely warning to the school community.

*\*\*Any such warning should not include any information that identifies the victim.*

### **Reporting an Incident of Sexual Misconduct**

When a victim tells a responsible staff member about an incident of sexual violence, the victim has the right to expect the school to take immediate and appropriate steps to investigate what happened and to

resolve the matter promptly and equitably. The following is the contact information for local law enforcement:

**Urbandale Police Department/Crime Victim Coordinator**  
**515-278-3926**

**Ankeny Police Department**  
515-289-5240

**Marshalltown Police Department**  
641-754-5725

**Ottumwa Police Department**  
641-683-0661

**Sioux City Police Department**  
712-279-6960

The staff member must report to the **Title IX Coordinator** all relevant details about the alleged sexual violence shared by the victim and that the school will need to determine what happened-including the names of the victim and alleged perpetrator(s), 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 responsible staff member will be shared only with people responsible for handling the school's response to the report. A staff member should not share information with law enforcement without the victim's consent or unless the victim has also reported the incident to law enforcement. Before a victim reveals any information to a responsible employee, the employee should ensure that the victim understands the employee's reporting obligations- and, if the victim wants to maintain confidentiality, direct the victim to confidential resources. If the victim wants to tell the responsible employee what happened but also maintain confidentiality, the employee should tell the victim that the school will consider the request, but cannot guarantee that the school will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the responsible employee will also inform the Coordinator of the victim's request for confidentiality. The employee is not to pressure the victim to request confidentiality, but will honor and support the victim's wishes, including for the school to fully investigate an incident. By the same token, responsible employees will not pressure a victim to make a full report if the victim is not ready to do so.

**NOTE:** If a victim discloses an incident to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the school must weigh that request against the school's obligation to provide a safe, non-discriminatory environment for all students, including the victim. If the school honors the request for confidentiality, a victim must understand that the school's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited. Although rare, there are times when the school may not be able to honor a victim's request in order to provide a safe, non-discriminatory environment for all students. The school has designated the following individual(s) to evaluate requests for confidentiality once a responsible employee is on notice of alleged sexual violence:

**Jacque Adamson-Title IX Coordinator, Iowa School of Beauty**

**Andrew Oswald- President, Iowa School of Beauty**

**Kim Cox-Director, Iowa School of Beauty**

**Danette Phillips-Director, Iowa School of Beauty, Ankeny**

**Melanie Johnston-Director, Iowa School of Beauty, Marshalltown**

**Leslie Owens-Director, Iowa School of Beauty, Ottumwa**

**Marla Kollbaum-Director, Iowa School of Beauty, Sioux City**

When weighing a victim's request for confidentiality or that no investigation or discipline be pursued, a range of factors will be considered, including the following:

- The increased risk that the alleged perpetrator will commit additional acts of sexual or other violence
- Whether there have been other sexual violence complaints about the same alleged perpetrator
- Whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence
- Whether the alleged perpetrator threatened further sexual violence or other violence against the victim or others
- Whether the sexual violence was committed by multiple perpetrators.
- Whether the sexual violence was perpetrated with a weapon.
- Whether the victim is a minor.
- Whether the school possesses other means to obtain relevant evidence of the sexual violence (e.g., security cameras or personnel, physical evidence).
- The victim'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 school to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the school will likely respect the victim's request for confidentiality.

**If the school determines that it cannot maintain a victim's confidentiality**, the school will inform the victim prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the school's response. The school will remain ever mindful of the victim's well-being, and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety plan. Retaliation against the victim, whether by students or school employees, will not be tolerated including for the alleged perpetrator pending the outcome of an investigation. If the school determines that it cannot respect a victim's request for confidentiality, the school will take immediate action as necessary to protect and assist the victim.

### **Grievance**

Complaints must be registered with the Title IX Coordinator in writing within thirty (30) days of the incident. It must be registered on an incident report form and state the alleged incident or violation, outlining the allegation of the complaint. Documentation should be provided if the complainant wishes it to be considered.

***NO ADVERSE ACTION WILL BE TAKEN AGAINST THE COMPLAINANT FOR REGISTERING THE COMPLAINT.***

The Title IX Coordinator & Director will meet with the complainant within ten (10) days of receipt of the written complaint. If the problem cannot be resolved through discussion, the

complaint will be referred to the school's complaint committee, which consists of the school Director and President of Iowa School of Beauty.

The complaint committee will meet within twenty-one (21) calendar days of receipt of the complaint and review the complaint and/or allegations. Preponderance-of-the-evidence standard will be used in any fact finding proceeding. These people would determine whether the alleged sexual misconduct occurred and determine the sanction.

If more information is needed from the complainant, a letter will be written and sent, outlining the information needed.

If no further information is needed, the complaint committee will act on the allegation and a letter will be sent to the complainant within fifteen (15) calendar days stating the steps taken to correct the problem, or information to show that the allegations were not warranted or based on fact.

Iowa School of Beauty shall maintain adequate records of all formal complaints and their outcomes for ten years.

#### **Off Campus Counselors and Advocates**

Off-campus counselors, advocates, and health care providers will also generally maintain confidentiality and not share information with the school unless the victim requests the disclosure and signs a consent or waiver form. The following is contact information for these off-campus resources:

#### **Urbandale Police Department**

515-278-3926

#### **Ankeny Police Department**

515-289-5240

#### **Marshalltown Police Department**

641-754-5725

#### **Ottumwa Police Department**

641-683-0661

#### **Sioux City Police Department**

712-279-6960

#### **Student Assistance Program**

515-244-6090

#### **The following programs/resources are offered through the Iowa Office of the Attorney General's Office:**

#### **Iowa Attorney General's Office**

515-281-5164

#### **Crime Victim Compensation Program**

Provides financial resources for victims of crime and helps victims with certain out-of-pocket costs that result from crime-related injuries

#### **Victim Services Support Program**

Administers state and federal funds to programs that offer advocacy and counseling to victims

**Sexual Assault Examination Payment Program**

Pays for medical exams that gather evidence of sex crimes and assure the physical health of the victim

**Public Awareness Resources**

RAINN-Rape Abuse, & Incest National Network

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

NO MORE

[www.nomore.org](http://www.nomore.org)

Iowa Coalition against Sexual Assault

[www.iowacasa.org](http://www.iowacasa.org)