

**UNIVERSITY OF SPA & COSMETOLOGY ARTS (USCA)
UNIVERSITY OF SPA & MASSAGE THERAPY (USMT)**

DISCRIMINATION & SEXUAL HARASSMENT POLICY

USCA/USMT does not discriminate on the basis of race, religion, sex, creed, ethnic origin, age or color in any admittance, grading, placement or hiring practice.

Title IX of the Education Amendments of 1972 prohibits sex discrimination and sexual harassment in schools. Preventing and remedying harassment is essential to ensure a nondiscriminatory, safe environment in which students can learn.

The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act) requires educational institutions to prohibit offenses of domestic violence, dating violence, sexual assault and stalking.

Eliminating discrimination or harassment of any kind is a high priority. USCA/USMT will respond to any student or employee who reports an incident. If any discrimination or harassment complaints are made USCA/USMT finds it important to act upon the complaints promptly, effectively, and discreetly to resolve the issue. USCA/USMT will also limit or prevent public disclosure of the names of both the party who alleges discrimination or harassment and the name of the alleged harasser except to the extent necessary to carry out a thorough investigation.

Title IX Coordinator

USCA's Title IX Coordinator has the responsibility to oversee and support all Title IX activities, complaints and investigations. [The Title IX Coordinator is Carolyn Black \(Instructor\) and below is the contact information for the Title IV Coordinator:](#)

University of Spa & Cosmetology Arts
Attn: Title IX Coordinator
2913 W White Oaks Dr
Springfield, IL 62704
217.753.8990
black@uscart.com

Definitions

Sex Discrimination

Sex discrimination means treating an individual or group unfavorably than another based upon the sex or gender of that individual or group. For students, it involves conduct or statements that deny the student(s) an equal opportunity to fully benefit from the school's program and activities. For employees, it involves conduct or statements that deny the employee(s) an equal opportunity in employment.

Sexual Harassment

A fellow classmate, employee of the school, or patron of USCA/USMT explicitly or implicitly conditions a student's participation in an education program or activity or bases an educational decision on the student's submission to unwelcome sexual advances, requests for sexual favors, or other verbal, nonverbal, or physical conduct of a sexual nature that is sufficiently severe, persistent, or pervasive to limit a student's ability to participate in or benefit from an education program or activity, or to create a hostile or abusive educational environment. It is unlawful whether the student resists and suffers the threatened harm or submits and thus avoids the threatened harm. These acts may be committed by an individual or a group.

Gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex, but not involving conduct of a sexual nature if sufficiently severe, persistent, or pervasive and directed at individuals because of their sex, may be considered sexual harassment.

Sexual harassment is NOT a hug from a teacher, administrator, client or fellow student to comfort or congratulate, or a demonstration of a teaching technique requiring contact with another student/teacher unless these activities take on a sexual connotation and rise to the level of sexual harassment.

In order for the actions to be actionable as harassment, sexual conduct must be unwelcome. Conduct is unwelcome if the student did not request or invite it and "regarded the conduct as undesirable or offensive," having accepted the conduct does not mean a person welcomed it; i.e., A person may not file a complaint out of fear, or concern that the objections might cause the harasser(s) to make more comments. Also, the fact that a student willingly participated in conduct on one occasion does not prevent them from indicating that the same conduct has become unwelcome on a subsequent occasion.

Sexual Assault

Sexual assault is a form of sexual harassment. A range of conduct falls into the category of sexual assault, including without limitation sexual violence, sexual battery, sexual coercion, rape, or other sexual contact involving force, threat, intimidation, or without consent.

Consent to sexual activity means words or overt actions indicating that the person is agreeing to a particular act. Consent is informed, knowing, and voluntary. Consent is active and not passive. Silence, in and of itself, cannot be interpreted as consent.

Domestic Violence

A felony or misdemeanor crime of violence committed by:

- A current or former spouse or intimate partner of the victim
- A person with who a victim shares a child in common
- A person who is living with or has lived with the victim as a spouse or partner
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which this policy applies, or
- Any other person against an adult or youth victim who is protected under the domestic or family violence laws of the jurisdiction in which this policy applies

Dating Violence

Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on the following factors:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the persons involved in the relationship

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

Stalking

Stalking means engaging in a course of conduct (two or more acts) directed at a specific person that would cause a reasonable person to:

- Fear for his or her safety or the safety of others; or
- Suffer substantial emotional distress.

Title IX Reports & Complaints

USCA/USMT will take immediate and appropriate steps to determine what occurred and take steps to end any sex discrimination, sexual harassment, sexual assault, domestic violence, dating violence, or stalking and eliminate a hostile environment if one has been created, and prevent the offense from occurring again.

Anyone who wishes to make a complaint should bring the complaint to the Title IX Coordinator. However, a student or staff member may bring a complaint to another instructor, admissions officers or the directors of the school. However, the complainant should understand that the complaint will be forwarded to the Title IX Coordinator.

The specific steps in an investigation will vary depending upon the nature of the allegations, the source of the complaint, and any other factors in the individual case. Be assured the school will separate the harasser and the harasee as quickly and discretely as possible. USCA/USMT will take steps to prevent any further offenses and to prevent any retaliation against any student(s) involved in an incidence. These steps are the responsibility of the schools whether or not the student who makes a complaint or otherwise asks the school to take action.

Investigations

- Upon notification of an incident, USCA/USMT's immediate response will be to call the appropriate medical or police agency, as has been determined to be needed. We will inform the victim to wait for medical or police personnel to arrive to preserve any evidence.
- Both the accuser and accused will be notified of the option to contact local law enforcement as well as be notified of options for counseling and changes in academic situations after the incident.
- The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary hearing and both will be informed as to the outcome of any institutional disciplinary hearing.
- The opportunity to present witnesses and other evidence will be given.

- USCA/USMT will inform the student(s) involved of the status of the investigation on a periodic basis.
- The school will make a determination promptly, but no later than seven business days from the incident.
- An opportunity for appeal of the findings will be allowed.

Any physical contact by a student to another student or staff that results in a complaint being filed with school management will be grounds for suspension from school for one week. USCA/USMT will make sure the harassed student(s) know how to report any subsequent problems and make follow-up inquiries to see if there have been any new incidents or any retaliation. A repeat of a similar incident, or any retaliation or intimidation will result in expulsion. USCA/USMT may also terminate a staff member's employment if they are a party to the incident.