TITLE IX POLICY & GRIEVANCE PROCEDURE

1. Policy & Coordinator

New York Institute of Beauty prohibits discrimination on the basis of sex as required by Title IX and applicable law. Megan Leitch, Director of Compliance, serves as Title IX Coordinator and coordinates reports, supportive measures, formal complaints, grievance procedures, records, and Title IX training.

Coordinator: 11 Oval Drive, Suite 200, Islandia, NY 11749 | (631) 630-9486 | MeganL@nybms.com

2. Key Definitions

Complainant: An individual alleged to be the victim of conduct that could constitute Title IX sexual harassment.

Respondent: An individual reported to have engaged in conduct that could constitute Title IX sexual harassment.

Formal Complaint: A document filed by a complainant or signed by the Title IX Coordinator requesting investigation under the Title IX grievance process, subject to applicable regulatory requirements.

Supportive Measures: Individualized, non-disciplinary, non-punitive services offered as appropriate and reasonably available without fee or charge.

Sexual Harassment: Conduct on the basis of sex meeting a category recognized by the applicable Title IX regulations, including covered quid pro quo harassment; severe, pervasive, and objectively offensive unwelcome conduct that effectively denies equal educational access; or covered sexual assault, dating violence, domestic violence, or stalking.

3. Reporting & Initial Response

- Any person may report possible sex discrimination or sexual harassment to the Title IX Coordinator by phone, email, mail, or in person.
- Employees should promptly route Title IX concerns to the Coordinator and should not investigate independently or promise confidentiality.
- When the School has actual knowledge of Title IX sexual harassment, the Coordinator will promptly contact the complainant, discuss supportive measures, consider the complainant's wishes, and explain the formal complaint process.

4. Supportive Measures

Supportive measures are individualized and should not unreasonably burden another person. Because the School is non-residential, typical measures may include:

- Class, schedule, instructor, workstation, or instructional-location adjustments when reasonably available;
- Mutual no-contact restrictions;
- Changes to communication methods or school-arranged interactions;
- Leave or attendance-related measures when required by applicable law;
- Increased staff awareness or monitoring of relevant school areas; and
- Other measures designed to preserve equal access to the educational program.

5. Formal Complaint, Jurisdiction & Dismissal

The Title IX Coordinator will determine whether a formal complaint satisfies the requirements of the applicable regulations and whether the allegations fall within the School's Title IX jurisdiction. Required dismissals and permitted dismissals will be handled as required by law. A Title IX dismissal does not prevent the School from addressing conduct under another student, employee, safety, or nondiscrimination policy.

6. Core Grievance Requirements

- Equitable treatment of complainants and respondents;
- Presumption that the respondent is not responsible unless responsibility is determined at the end of the process;
- Objective evaluation of relevant inculpatory and exculpatory evidence;
- Trained, impartial personnel without conflict of interest or bias;
- Written notice of allegations;
- Equal opportunity to present witnesses and evidence;
- Required access to and review of evidence; and
- A written determination using the School's adopted standard of evidence.

7. Investigation & Hearing

The School bears the burden of gathering sufficient evidence. The parties will receive required notices of interviews, meetings, evidence review, the investigative report, and the live hearing. Each party may have an advisor of choice. For a postsecondary Title IX sexual-harassment hearing, advisor questioning will be handled as required by the current regulations and controlling law. If a party lacks an advisor for required questioning, the School will provide one without fee or charge for that purpose.

8. Standard of Evidence

Clear and Convincing Evidence. The School will apply the selected standard consistently as required by the applicable Title IX regulations.

9. Determination, Appeals & Remedies

The decision-maker will issue a written determination containing the findings, conclusions, result, rationale, applicable sanctions, remedies, and appeal information required by law. Both parties will have equal appeal rights on the grounds required by the regulations. Remedies will be designed to restore or preserve equal access to the School's education program.

10. Informal Resolution

The School may offer informal resolution only when permitted by Title IX and only with the required notice and voluntary written consent. It will not be required as a condition of enrollment, employment, or another right. Under the 2020 regulations, informal resolution is not available to resolve allegations that an employee sexually harassed a student.

11. Timeframes

The School will use reasonably prompt timeframes and will provide written notice of temporary delays or limited extensions for good cause.

12. Retaliation, Privacy, Records & Training

Retaliation for exercising Title IX rights is prohibited. The School will protect privacy to the extent permitted by law but cannot promise absolute confidentiality. Required Title IX records and training materials will be maintained and published as required by the regulations in effect.

13. Pregnancy & Related Conditions

The School will not discriminate against a student or applicant because of pregnancy, childbirth, or related conditions. Pregnancy-related requests should be routed to the Title IX Coordinator. Disability Services will be involved when a pregnancy-related medical condition may also qualify for disability protection.

14. Other School Policies

Conduct outside the formal Title IX grievance process may still violate other School policies or federal, state, or local law and may be addressed through another appropriate process.