

TITLE IX SEXUAL MISCONDUCT POLICY

STATEMENT of NON-DISCRIMINATION

Ft Myers Arts and Beauty professional Academy, hereafter referred to as "FA, practices no discrimination on the basis of sex, age, color, race, ethnic origin, sexual orientation, ancestry, national origin, marital status, handicap or disability, status as a military veteran, religion or any other characteristic protected by law in its admissions, instruction, or graduation policies.

PROHIBITION STATEMENT

FAB believes in safe, healthy relationships. It is the policy of FAB to foster an environment that is free from violence, intimidation, harassment, sexual misconduct or stalking and one in which students may be educated to their fullest potential. Therefore, FAB will not tolerate rape, sexual assault, dating violence, domestic violence, stalking or any form of sexual harassment or misconduct from or toward students, instructors, staff or clients. FAB encourages reporting of any incident related to these offenses.

INTRO

In keeping with the Clery Act, the Violence Against Women Act (VAWA) and our own philosophy, this Title IX policy and corresponding processes have been developed by FAB to be a prevention awareness program for new students and staff and to ensure any and all complaints of sexual discrimination, sexual harassment, and criminal conduct on the basis of sex brought by students, employees or third parties are investigated in a timely manner. In instances where a violation is found, FAB will take action to end the conduct, prevent recurrence and address its impact when it is in our power to do so. FAB will update this policy as the need arises, or as new information becomes available, as an ongoing prevention and awareness campaign. Students and staff will be made aware of any information and its availability on our web site. A printed copy of this policy is available upon request.

SCOPE of the POLICY

This policy applies to students, instructors, staff and clients while on the property of FAB or while participating in any institutional activity. In circumstances where misconduct took place outside FAB's campus or activities, FAB may be limited in our ability to respond; however, in these cases FAB will provide assistance by directing complainants to resources and organizations that are able to address their specific situation and needs. FAB does not provide any type of professional or pastoral counseling.

TITLE IX COORDINATOR

School TITLE IX Director:

Nicole Mazzola

1388 Colonial Blvd, Ft Myers, FL
33907

E-mail :

[nicole.m@fabproacademy
.com](mailto:nicole.m@fabproacademy.com)

Phone: 239-208-3954

DUTIES of the TITLE IX COORDINATOR

- Meeting with students, staff or instructors as needed.
- Being knowledgeable of FAB policies and procedures pertaining to Title IX.
- Being informed and aware of all Title IX complaints and issues even if a complaint was issued to another individual on staff.
- Coordinating grievance procedures for resolving Title IX complaints.
- Coordinating responses to complaints involving possible Title IX misconduct.
- Monitoring outcomes of complaints and investigations, identifying and addressing any patterns and assess effects on FAB climate.

DEFINITIONS OF SEXUAL MISCONDUCT

Sexual Harassment: Unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature.

- Unwelcome sexual advances, propositions, invitations, solicitations, flirtations, or other verbal or physical conduct of a sexual nature.
- Discussing sexual activities.
- Displaying sexually suggestive pictures, cartoons or drawings.
- Using unseemly gestures.
- Using offensive language or telling sexually explicit jokes.
- Sexting or sexual cyber bullying.
- Unnecessary touching.
- Repeated requests for dates, comments about a person's body, excessive flattery of attire or questioning of a personal nature.
- Any statements or implications that a person's employment, wages, academic grade, promotional opportunities, classroom or work assignments or other conditions of employment or college life may be adversely affected by not submitting to harassment.
- Unwanted physical contact.
- Rape, sexual assault or sexual coercion.

Sexual harassment is prohibited regardless of whether it occurs verbally, nonverbally, via social media outlet, text message or email.

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 purposes 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.

Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Dating and Domestic Violence Resources

National Domestic Violence Hotline 800-799-7233 www.ndvh.org

No More www.nomore.org

Love Is Respect 866-331-9474 www.loveisrespect.org

Red Flag Campaign www.theredflagcampaign.org

National Center for Victims of Crime www.victimsofcrime.org

Domestic Violence: A felony or misdemeanor crime of violence committed

By a current or former spouse or intimate partner of the victim;

By a person with whom the victim shares a child in common;

By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;

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;

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.

Sexual Violence/Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reports (UCR) program. Any physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to his or her use of drugs or alcohol, incapacitation or a disability. Sexual violence is a form of sexual harassment.

Sexual Assault Resources

Rape, Abuse & Incest National Network 800-656-4673 www.rainn.org

National Sexual Violence Resource Center 877-739-3895 www.nsvrc.org

Prevent Connect www.preventconnect.org

National Center for Victims of Crime www.victimsofcrime.org

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.

For the purposes of this definition:

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.

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

Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Stalking Resources

Stalking Resource Center www.victimsofcrime.org/src

National Center for Victims of Crime www.victimsofcrime.org

Safe Horizon 866-689-4357 www.safehorizon.org

Consent: is a clear and unambiguous agreement, expressed in mutually understandable words or actions, to engage in a particular activity. Consent can be withdrawn by either party at any point. Consent must be voluntarily given and may not be valid if a person is being subjected to actions or behaviors that elicit emotional or psychological pressure, intimidation, or fear. Consent to engage in one sexual activity, or past agreement to engage in a particular sexual activity, cannot be presumed to constitute consent to engage in a different sexual activity or to engage again in a sexual activity. Consent cannot be validly given by a person who is incapacitated. Forcible compulsion is the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.

Tea and Consent (Clean) from Blue Seat Studios on Vimeo.

<https://vimeo.com/128105683>

BYSTANDER INTERVENTION, RISK REDUCTION & WARNING SIGNS OF ABUSIVE BEHAVIOR

Bystander Intervention

Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. This includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

If you see someone in danger:

- Take the initiative, step in, offer assistance and ask if the person needs help. Make sure to evaluate the risk of the situation first. Call 911 instead of putting yourself into danger.
- Distract either person at the scene to intervene but don't be antagonistic.
- Have others intervene with you, if it's safe to do so. This may have a greater influence on the perpetrator and increase your safety.
- If the offender is known to you, ask them to leave the potential victim alone.
- Remain at the scene as a witness instead of leaving. The perpetrator will be less likely to commit the assault with a witness there.

Risk Reduction

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

Help to prevent situations of violence, avoid potential attacks, and reduce the risk of perpetration:

- Travel with friends to parties or other events rather than by yourself. Check in with each other frequently and leave together.
- Trust your intuition and don't be afraid to call for help or let someone know if you are worried about your safety or the safety of someone else.
- If you see someone is intoxicated, offer to call them a cab home.
- Avoid isolated areas and dimly lit places. Always be aware of your surroundings.
- Make sure your cell phone is always with you and charged in case you need to call for help.
- Use a buddy system, especially when walking around at night.
- Avoid being alone with someone you don't know or don't trust.
- Carry a noisemaker, such as a whistle, and a small flashlight on your keychain.
- Avoid giving out personal information to someone you don't know (phone number, address, etc.)
- In case of an emergency, call 911.

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.

- 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.

Warning Signs of an Abusive Relationship

Abuse is a repetitive pattern of behaviors to maintain power and control over an intimate partner. These are behaviors that physically harm, arouse fear, prevent a partner from doing what they wish or force them to behave in ways they do not want. Abuse includes the use of physical and sexual violence, threats and intimidation, emotional abuse and economic deprivation. Many of these different forms of abuse can be going on at any one time.

Relationship violence looks different in every relationship but there are red flags and warning signs that can help you determine if you may be in an abusive relationship.

- Telling you that you can never do anything right
- Showing jealousy of your friends and time spent away
- Keeping you or discouraging you from seeing friends or family members
- Embarrassing or shaming you with put-downs
- Controlling every penny spent in the household

- Taking your money or refusing to give you money for expenses
- Looking at you or acting in ways that scare you
- Controlling who you see, where you go, or what you do
- Preventing you from making your own decisions
- Telling you that you are a bad parent or threatening to harm or take away your children
- Preventing you from working or attending school
- Destroying your property or threatening to hurt or kill your pets
- Intimidating you with guns, knives or other weapons
- Pressuring you to have sex when you don't want to or do things sexually, you're not comfortable with
- Pressuring you to use drugs or alcohol

If you are experiencing any of these in your relationship you can get information and help at the resources included on this page.

Information about abusive relationships provided by The National Domestic Violence Hotline. Please visit their website for additional information. <http://www.thehotline.org/is-this-abuse/abuse-defined/>

Important Bystander Intervention/Risk Reduction Resources

Step Up! www.stepupprogram.org

Men Can Stop Rape www.mencanstoprape.org

If you have been the victim of sexual assault, domestic violence, dating violence, or stalking, you should immediately contact your local emergency services and make sure that you are safe. For information regarding procedures regarding these types of crimes, please see below.

What to do if you become a victim

Any student or employee who feels that they have been the victim of sexual assault, domestic violence, dating violence, or stalking should make sure that they get to a safe place as soon as possible immediately following the incident.

Once safe it is important to receive medical attention and a forensic examination, if possible, due to the importance of preserving evidence as may be necessary for the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order, even if the victim does not want to file a police report initially. Victims are not required to make a report of an assault to law enforcement in order to receive a sexual assault forensic exam.

Preserving DNA evidence is an important part of criminal investigations and will be beneficial if the victim decides at a later date to file a police report regarding the assault. RAINN, the Rape, Abuse, & Incest National Network, recommends the following steps to help preserve evidence prior to an examination:

- Not bathing
- Not using the restroom
- Not changing clothing
- Not combing hair
- Not cleaning up the scene or moving anything with which the perpetrator may have come in contact with or touched

Additional information regarding preserving and collecting DNA evidence after an assault can be found on RAINN's website at the links below.

Preserving and Collecting Forensic Evidence

Importance of DNA

Reporting an Offense

Victims or witnesses of sexual assault, domestic violence, dating violence, or stalking are encouraged to immediately notify the Title IX Coordinator, nearest available school official, or local law enforcement agency. Notification can occur in person, via phone, or via any form of written communication directed to the above officials.

Any student or employee who reports that they have been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense has occurred on or off campus, will be provided with a written explanation of their rights and options regarding the following:

- Procedures following the offense
- Procedures for disciplinary action and sanctions to be imposed
- Victim confidentiality
- Resources available for counseling services

Contact information and/or web sites for national support and counseling services, and other services available for victims is available above.

Victims have the right to report the incident to local law enforcement authorities and also to decline to notify such authorities. College officials will also assist a victim in notifying law enforcement authorities, if the victim chooses. Victims may also have rights regarding obtaining orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court, and FAB will comply with these orders to protect the safety of the victim.

Victims of sexual harassment, sexual assault, domestic violence, dating violence, and stalking have the right to seek action on a grievance / complaint and procedures for reviewing and resolving such complaints through the process are outlined below.

SEXUAL MISCONDUCT GRIEVANCE PROCEDURE

FAB advises and strongly urges a complainant of his or her right to file a criminal report in legal instances of alleged sexual misconduct.

FILING A COMPLAINT/GRIEVANCE

In order to ensure availability of witnesses and fresh memories of the alleged event, all complaints or grievances covered by these procedures must be filed within 45 days of the date of the alleged conduct. FAB may extend this time frame when a delay is due to circumstances beyond the student's control, e.g., illness or incapacity. Any student(s) or employee(s) alleging that an act of sexual harassment, sexual assault, domestic violence, dating violence, or stalking, has taken place has the right to file a complaint regarding the alleged incident.

The victim also has the option to notify appropriate law enforcement authorities, including local police. The Title IX Coordinator or other school officials will assist in notifying these authorities, if the victim so chooses. The victim also has the right to decline to notify such authorities.

FAB need not wait for the conclusion of a criminal investigation or criminal proceeding to begin their own investigation and, if needed, may take immediate steps to protect the student or employee in the school setting, including schedule changes, and temporary suspension or leaves during an investigation. Such protective measures or accommodations provided to the victim will be kept confidential, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

If the complainant requests confidentiality or asks that the complaint not be pursued, FAB will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue

investigation. If a complainant insists that her or his name or other identifiable information not be disclosed to the alleged perpetrator, College officials will inform the complainant that its ability to respond may be limited.

As an initial matter, all complaints will be reviewed to determine whether they are submitted within a timely manner and/or whether they contain all required information. FAB will not review a complaint that is untimely or fails to contain all required information, including a clear statement of all grounds for the complaint. FAB will not proceed on a complaint that is determined to be unfounded.

Complaints under this Grievance Policy, both informal and formal, should be sent to:

Title IX Coordinator
1388 Colonial Blvd, Ft Myers, FL
33907
E-mail :
nicole.m@fabproacademy.com
Phone: 239-208-3954

DISCLOSURE – PRIVACY

Disciplinary proceedings conducted by FAB 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 FAB 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.

Statistics of occurrences or allegations of sexual assault, domestic violence, dating violence, and stalking are required to be disclosed in the publicly available Annual Security Report (found on FAB web site), but will be done so without the inclusion of personally identifying information about any victim.

RECORD OF COMPLAINT / GRIEVANCE

All proceedings and records concerning sexual misconduct complaints shall be confidential to the extent permitted by law. Documentation describing any formal reprimand or disciplinary action that the student or employee receives for violating FAB's sexual misconduct policy will be placed in the student's permanent academic file or the employee's personnel file. No student or employee will be subjected to retaliation by members of FAB community as a result of filing a good-faith grievance.

RETALIATION

FAB policy prohibits retaliation against those who file a complaint or third-party report, or otherwise participate in the investigative and/or disciplinary process (e.g. as a witness) and FAB will take strong disciplinary action, up to and including suspension or termination from enrollment or employment at FAB.

COMPLAINT / GRIEVANCE PROCEDURE

Any student or employee who has a grievance concerning the interpretation, application or claimed violation of her or his rights as a student or employee, or alleges that an act of harassment, discrimination, sexual assault, domestic violence, dating violence, or stalking has occurred, or that her or his rights as a student or employee have been violated has the right to file a grievance using the processes below.

The grievance proceedings will include a prompt, fair, and impartial process from the initial investigation to the final result. This means that these proceedings will be completed within a reasonably prompt timeframe, as designated by the procedures below; allow for extension of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay; will be conducted according to FAB's policies; will include timely notice of meetings to which the accuser and the accused, or both, may be present; provide timely and equal access to the accuser, the accused, and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings; and be conducted by officials who do not have a conflict of interest or bias for or

against the accuser or the accused. Determinations will be made using a preponderance of information, in other words, a “more likely than not” consideration.

Both the accused and the accuser are entitled to the same opportunities to have others present during FAB disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. FAB may not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding; however, FAB may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.

INFORMAL RESOLUTION PROCESS

A student or employee who feels she or he is a victim of sexual misconduct, or that her or his rights as a student or employee have been violated pursuant to this Policy may attempt to resolve the matter informally by bringing a complaint addressed to the Title IX Coordinator.

The Title IX Coordinator, with permission of the complainant, may attempt to resolve the conflict informally by informing the individual alleged to have caused the grievance that the complaint has been filed; seek to find out the facts; and, if both parties desire it, arrange a meeting to try to resolve the differences. The investigation will be initiated within two weeks of the date the complaint was received by the Title IX Coordinator and will then be completed within 30 days from the start of the investigation. The Title IX Coordinator will file a report and notify both parties with the outcome of the resolution within that 30 days.

In the event that an attempt at informal resolution of the problem is unsuccessful, or if the complainant deems that informal resolution is undesirable, the Title IX Coordinator will stop the informal resolution process and assist the complainant in filing of a formal complaint.

FORMAL RESOLUTION PROCESS

In the event that a student or employee wishes to lodge a formal, criminal complaint against another student or employee of FAB, the complaint will be addressed to:

Title IX Coordinator
1388 Colonial Blvd, Ft Myers, FL
33907
E-mail :
nicole.m@fabproacademy.com
Phone: 239-208-3954

The Title IX Coordinator or other school officials will assist in notifying the authorities and/or assist the complainant in seeking medical attention, if the complainant so chooses.

A formal complaint will be made in writing by the complainant, stating in detail the nature of the complaint, any relevant dates, and the names of any potential witnesses. In a situation deemed to be an emergency by the Title IX Coordinator, the individual alleged to have caused the grievance or complaint may be temporarily suspended pending investigation and the outcome of the complaint.

The Title IX Coordinator will initiate an investigation within two weeks to determine whether there is a reasonable basis for taking action. At a minimum, this investigation will consist of interviewing the complainant, the individual alleged to have caused the grievance, and any witnesses to the conflict. The investigation will be completed within 30 days and a written report will be filed by the Title IX Coordinator with the outcome of the complaint. Both parties will be notified in writing of actions to be taken by FAB.

All individuals who are involved in an investigation as the accused, accuser or witness have a duty to keep all information confidential to the extent permitted by law. Persons who violate the confidentiality rights of other individuals may be subject to disciplinary action. At all times during this procedure, the Title IX Coordinator will keep all information completely confidential, and the name of the complainant should not be revealed to the individual alleged to have caused the grievance except with the complainant's permission. In addition, written records, if taken, shall be kept confidential.

SANCTIONS

Substantiated accusations may result in disciplinary action against the offender, including suspension, termination of the employee's employment or the student's enrollment, schedule changes, or criminal charges. In addition, complainants who make bad faith accusations of sexual misconduct may be subject to equivalent disciplinary action.

The Title IX Coordinator will consider relevant factors, including if applicable: (1) the specific sexual misconduct 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 FAB community; and (7) the respondent's conduct during the disciplinary process.

In addition to any other sanction (except where the sanction is termination), FAB may require any student determined to be responsible for a violation of this Policy to undergo appropriate education and/or training related to the sexual misconduct violation at issue. FAB may also recommend counseling or other support services for the student.

Either party, the complainant or the individual alleged to have caused the grievance, may request an appeal to sanctions, in writing, within 5 days after notification by FAB, if dissatisfied with the conclusion of the investigation. Appeals will only be considered if new information has surfaced that may alter the outcome of the investigation, or if an error occurred during the investigation and, if corrected, may change the outcome of the investigation. The person submitting the appeal will be provided a written response with 15 calendar days. This determination will be final. Disagreement with the finding or sanctions is not, by itself, grounds for appeals.

COMPLAINT RECORD AND NOTICE OF OUTCOME

All proceedings and records will be confidential to the extent permitted by law. Both the accused and the complainant shall be simultaneously informed, in writing, of the following:

- 1) the outcome of any institutional disciplinary proceedings with respect to the alleged sexual misconduct,
- 2) the institution's procedures for the accused and the complainant to appeal the results of the institutional disciplinary proceeding,
- 3) any change to the results that occurs prior to the time that such results become final,
- 4) when such results become final.

The notice of outcome will also be placed into the files of any student or employee in the event disciplinary action is taken against one of the parties.

No student or employee will be subjected to any retaliation or involuntary reassignment as a result of filing a good-faith grievance for sexual misconduct.

At the request of the individual alleged to have caused the grievance, a memorandum recognizing a finding of unfounded claims of sexual misconduct will be placed into the file of the student or employee.

If the alleged victim is deceased as a result of the crime or offense, the information shall be provided upon request to the next of kin of the alleged victim.

IMPORTANT CONTACT INFORMATION

Sexual assault Trauma Resource Center (National)	1-800-656-4673
National Domestic Violence Hotline	1-800-787-3224
Domestic Violence & Rape Crisis Hotline	1-800-323-4673
Lee County Sheriff's Office	239-477-1000
Gulf Coast Medical Center (Hospital)	239-343-1000