

SEXUAL HARASSMENT AND SEXUAL VIOLENCE POLICY

Effective Date: April 29, 2011

Revised: July 01, 2015

INTRODUCTION

It is the policy of Dorsey School of Business, Inc. to provide a working and learning environment free from sexual harassment and sexual violence. In accordance with state and federal law, sexual harassment or sexual violence by members of the school community against members of the school community is strictly not allowed. Sexual harassment or sexual violence by others against members of the school community should be reported immediately for suitable action.

SCOPE

This policy encompasses the operation of the Schools' educational programs and activities occurring on campus, at externship sites, during culinary and other school-related events, and on public property immediately adjacent to Dorsey Schools including parking lots, sidewalks and streets. This also encompasses the work environment of all Dorsey personnel. Dorsey Schools is committed to ensuring that this zero-tolerance policy is effectively observed in all of the Schools' endeavors.

Title IX of the 1972 Higher Education Act (20 U.S.C. 1092) applies to schools, colleges and universities that receive any amount of federal funding. Title IX allows the U.S. Department of Education to investigate complaints, order remedies, and withhold funding from educational institutions in violation of sexual harassment under the Act. Enforcement of Title IX is administered by the Department of Education's Office of Civil Rights. The Violence Against Women Reauthorization Act of 2013 amended the Clery Act (34 CFR §688.46) to further hold schools responsible for providing awareness and prevention campaigns and reporting crimes related to sexual assault, domestic violence, dating violence, and stalking. Enforcement of the Clery Act is administered by the Department of Justice through local and state law enforcement agencies.

Definitions

Sexual harassment- Any unwanted and unwelcome behavior of a sexual nature that interferes with one's education or right to participate in school activities. Some examples include: "discussing sexual activities; telling off-color jokes; unnecessary touching; commenting on physical attributes; displaying sexually suggestive pictures; using demeaning or inappropriate terms, such as "Babe"; using indecent gestures; sabotaging the victim's work; engaging in hostile physical conduct; granting job favors to those who participate in consensual sexual activity; using crude and offensive language."ⁱ

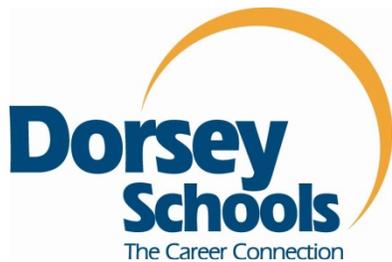
Sexual Violence- Any form of sexual conduct which goes beyond harassment. For example, the act of pulling off someone's clothing or engaging in sexual contact on another person would be considered sexual assault/violence.

Sex Offense- Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.ⁱⁱ

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.ⁱⁱ

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.ⁱⁱ

Incest—Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.ⁱⁱ



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Statutory Rape—Sexual intercourse with a person who is under the statutory age of consent.ⁱⁱ

Aggravated Assault- An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon, or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could, and probably would, result in serious personal injury if the crime were successfully completed.)ⁱⁱ

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; or 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.ⁱⁱⁱ

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

Date Rape- Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim that that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.ⁱⁱⁱ

Stalking- Engaging in any course of two or more acts directed at a specific person, 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 that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress.ⁱⁱⁱ

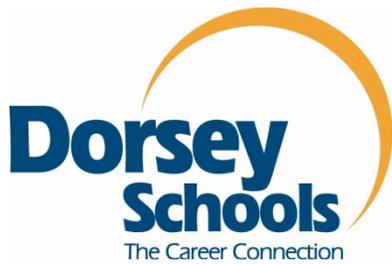
Risk Reduction

Dorsey Schools is committed to providing primary prevention and awareness information for all students and employees, that provides initiatives, and strategies that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur. Information on these campaigns is provided during orientation, and/or the hiring process, and posted throughout the campus.

Risk reduction options are designed to decrease perpetration and bystander inaction, and to increase empowerment for potential victims in order to promote safety and to help individuals and communities address conditions that facilitate violence. Personal safety and situational awareness of suspicious activity and unwarranted advances are the daily responsibility of every individual. Campus security is ultimately the responsibility of every Dorsey employee and student. Any person with information of sexual harassment incidents, criminal offenses, and suspicious activity must report the circumstances to school officials. These occurrences should be communicated immediately to the individual's instructor or supervisor, campus Managing Director or Senior Management.

Protection from Retaliation

Dorsey Schools is committed to ensuring the continued safety of persons making reports of sexual harassment or sexual violence. Investigations will be conducted in a manner to promote the victim's safety. Dorsey Schools will take reasonable steps to protect against retaliation from making a complaint. Dorsey Schools will preserve as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.



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Federal Law prohibits an HEA institution, or an officer, employee, or agent of the school, from any action to retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of this policy.

The following represents Dorsey Schools policy in this regard:

- Dorsey Schools has a strict no tolerance policy of sexual harassment and/or sexual violence.
- Dorsey Schools will provide prompt and equitable resolution of any student, employee or third party victim of sexual harassment and/or sexual violence.
- Resolution of sexual harassment and/or sexual violence complaints will include at minimum, assurance of a thorough investigation, reasonable protection against retaliation and further attack. Dorsey Schools will provide written information, as requested, about existing counseling, health, mental health victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, in the community.
- Discipline of *confirmed* sexual harassment and/or sexual violence will follow the Dorsey Schools established process for disciplinary procedure hearings, and may include police notification or the filing of sexual violence charges as the situation dictates.
- The Vice President of Education and Career Services has been designated to coordinate Dorsey School's efforts to comply with and carry-out its responsibilities under Title IX.

Process for Filing a Complaint of Sexual Harassment and/or Sexual Violence:

- Informal, confidential and formal complaints should be communicated immediately to the individual's instructor or supervisor, campus Managing Director, or directly to Dorsey School hotline (866-526-1053) to remain anonymous.
- Complaints must provide detailed factual information regarding the alleged event and include, at minimum, the campus/location, name of those involved, date(s) of occurrence, a written description of the complaint, and the resolution sought.
- Formal written complaints should be communicated to:
Dorsey School of Business, Inc.
Vice President of Education and Career Services
31799 John R Rd.
Madison Heights, Michigan 48071
248-585-1195 (confidential fax no.)
dfoxpratt@dorsey.edu

ⁱ http://www.dotcr.ost.dot.gov/Documents/complaint/Preventing_Sexual_Harassment.htm

ⁱⁱ definitions used for reporting the crimes listed in 34 CFR §668.46, in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting (UCR) Program

ⁱⁱⁱ definitions used for reporting the crimes listed in 34 CFR §668.46, in accordance with the Violence Against Women Reauthorization Act of 2013: