

THE SALON PROFESSIONAL ACADEMY

TITLE IX TRAINING –

SEPTEMBER 2025

CONTENT ADVISORY

THIS TRAINING CONTAINS INFORMATION AND SCENARIOS ABOUT SEXUAL HARASSMENT. WE UNDERSTAND THIS CAN BE A SENSITIVE AND UNCOMFORTABLE TOPIC FOR SOME. IF AT ANY POINT YOU NEED TO TAKE A BREAK, PLEASE FEEL FREE TO DO SO.

OBJECTIVES

- Understand Title IX purpose and scope
- Identify key definitions and prohibited behaviors
- Recognize responsibilities of staff and students
- Define process of resolution

TITLE IX

"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance"

OVERVIEW OF TITLE IX

Title IX is a federal civil rights law passed as part of the Education Amendments of 1972

It extends to various aspects of the educational environment, including students, staff, employees, and programs

The Academy's obligation: prevention, response, and grievance resolution

KEY

DEFINITIONS

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.
- Sexual harassment is conduct that explicitly or implicitly affects a person's employment or education or interferes with a person's work or educational performance or creates an environment such that a reasonable person would find the conduct intimidating, hostile or offensive.

SEXUAL VIOLENCE

- **Physical sexual acts engaged in without the consent of the other person or when the other person is unable to consent to the activity.**
- **Sexual violence includes sexual assault, rape, battery, and sexual coercion; domestic violence; dating violence; and stalking.**

RAPE

Defined as sexual penetration (genital, anal, or oral including any intrusion – however slight) into any part of a person's body (with emission of semen not required) and involving one or more of the following elements:

A. Force coercion

B. Victim did not consent

C. Victim is unable to give consent

RAPE

- **Aggravated Rape:** The offender is armed with a weapon or the victim is made to believe a weapon is present, or inflicts bodily injury or there are multiple offenders
- **Statutory Rape:** The victim is at least 13 but less than 18 and the offender is at least 4 years older
- **Incest:** Sexual abuse by a family member – the victims natural parent, child, grandparent, grandchild, uncle, aunt, nephew, niece, stepparent, step child, adoptive child, brother, sister (whole, half or by adoption)

DATING VIOLENCE

- It is abusive behavior in a romantic relationship, whether same-sex or opposite-sex, to try to gain control or power over the other person.
- Domestic and dating violence does not discriminate and can happen regardless of race, age, sexual orientation, religion, or gender.
- The abuse in both domestic and dating violence relationships can be physical, emotional/verbal, sexual, or even economical.

DATING VIOLENCE

(i) 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.

(ii) For the purposes of this definition—

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

(B) Dating violence does not include acts covered under the definition of domestic violence.

(iii) For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

DOMESTIC VIOLENCE

Any incident resulting in the abuse, assault, harassment, or the attempt or threats thereof, between family, household, or dating or engagement relationship members.

HARASSMENT

A person commits the crime of harassment if, with intent to harass, annoy, or alarm another person, he/she:

- Strikes, shoves, kicks, or otherwise touches a person or subjects him or her to physical contact
- Directs abusive or obscene language or makes an obscene gesture toward another person

For purposes of this section, harassment shall include a threat, verbal or nonverbal, made with the intent to carry out the threat that would cause a reasonable person who is the target of the threat to fear for his or her safety.

HARASSING COMMUNICATIONS

A person commits the crime of ‘harassing communications’ if, with intent to harass or alarm another person, he/she:

- Communicates with a person, anonymously or otherwise, by telephone, telegraph, mail, or any other form of written or electronic communication in a manner likely to harass or cause alarm**
- Makes a telephone call, whether or not a conversation ensues, with no purpose of legitimate communication**
- Telephones another person and addresses to or about such other person any lewd or obscene words or language**

STALKING

(i) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

(A) Fear for the person's safety or the safety of others; or

(B) Suffer substantial emotional distress.

(ii) For the purposes of this definition—

(A) 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.

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

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

SEXUAL ASSAULT

- Occurs when a physical sexual activity is engaged in without the consent of the other person or when the other person is unable to consent to the activity.
- The activity or conduct may include physical force, violence, threat, or intimidation, ignoring the objections of the other person, causing the other person's intoxication or incapacitation through the use of drugs or alcohol, and taking advantage of the other person's incapacitation (including voluntary intoxication).
- Sexual assault includes rape, fondling, incest, or statutory rape.

SEXTING

- An act of sending sexually explicit materials through mobile phones.
- The word is derived from the combination of two terms sex and texting.

CONSENT

- Is informed, voluntary and revocable!
- Consent is an affirmative, unambiguous, and conscious decision by each participant to engage in mutually agreed-upon sexual activity.
- It must be given without coercion, force, threats or intimidation.
- Consent must be ongoing throughout a sexual encounter and can be revoked at any time.
- Once consent is withdrawn, the sexual activity must stop immediately.

FORMAL GRIEVANCE PROCESS

OBJECTIVES

Steps of Formal Grievance Process

Timeline of Process

Interim Measures that can be taken

**How to conduct Informal Resolution Process
(Voluntary Resolution)**

Title IX Roles

Sanctions

FORMAL GRIEVANCE PROCESS

**Complaint received → Investigation → Hearing →
Decision**

Steps must be documented for compliance

TIMELINE OF PROCESS

Complaint acknowledgment: 24 hours

Investigation period: 60 days

**Hearing scheduled within 10 days after
investigation report completion**

**Written Determination delivered 10 days after
hearing**

INTERIM MEASURES

- Will be communicated by the Title IX coordinator during the complaint acknowledgement.
- Measures will be put in place while the formal grievance process is pending

EXAMPLES OF INTERIM MEASURES:

- an order of protection, a no contact order, restraining order or similar lawful order from the institution;
- changes to transportation, working, academic and/or living situations;
- providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred;
- providing an escort to ensure that the complainant can move safely between classes and activities;
- ensuring the complainant and perpetrator do not share classes;
- providing comprehensive, holistic victim services including medical, counseling and academic support services, such as tutoring; or
- arranging for the complainant to have extra time to complete or re-take a class or withdraw from a class without an academic or financial penalty.

TITLE IX ROLES

The formal grievance policy utilizes several roles:

**Title IX Coordinator, Investigator, Decision-Maker, Advisor,
and Informal Resolution Facilitator**

Each role has specific duties to ensure compliance

**Each staff member at the Academy must be familiar with
these roles if they are assigned**

**No staff member will be assigned a role where there will
be a possible conflict of interest**

TITLE IX

COORDINATOR DUTIES

Intake reports and triage complaints

Initiate the formal grievance process

Oversee process and provide supportive measures

Maintain impartiality and confidentiality

Refer students/staff to counseling, medical, or legal resources

RESPONSIBILITY

The Title IX Coordinator must be a full-time employee of the school and must understand:

- **The definition of sexual harassment**
- **The Academy's educational programs**
- **How to investigate and conduct the full scope of grievance procedure**
- **How to be impartial**

INVESTIGATOR DUTIES

Conduct a fair investigation by collecting evidence and interviewing witnesses

Document everything in a secure report

Apply Academy policies impartially

Prepare for hearings

RESPONSIBILITY

The investigator can be an employee or third party
– they cannot serve as the decision-maker

They must understand:

- How to be impartial
- How to investigate the complaint
- How to write an investigative report

DECISION-MAKER DUTIES

Conduct live hearings fairly

**Evaluate evidence using preponderance of
evidence standard**

Draft clear written determinations with rationale

RESPONSIBILITY

The decision-maker can be an employee or third party but cannot serve in any other capacity.

They must understand:

- The definition of sexual harassment
- The live hearing process
- Technology to be used in live hearing process
- How to evaluate evidence

ADVISOR

The complainant and respondent have right to their own advisor; the advisor can be an employee or a third party

The advisor must be able to question opposing party and witnesses during the live hearing process

INFORMAL RESOLUTION FACILITATOR DUTIES

Can be an employee or third party, and they must:

- **Understand informal resolution process**
- **Mediate voluntary resolutions**
- **Ensure both parties consent and understand outcomes**
- **Keep confidential records of agreements**

INFORMAL RESOLUTION PROCESS

Voluntary Resolution: A pathway designed to eliminate the conduct at issue, prevent its recurrence and remedy its effects in a manner that meets the expressed preference of the complainant and the safety and welfare of the TSPA community.

Not appropriate for cases of sexual assault or employee on student harassment

VOLUNTARY RESOLUTION

A formal complaint must be filed and it is allowed at any time prior to written determination

Title IX Coordinator must conclude whether voluntary resolution is appropriate

Both parties must consent to voluntary resolution

This process must still stop, prevent, remedy, and document response

VOLUNTARY RESOLUTION

Options may include:

- Targeted or broad-based educational programming/training for individuals or groups
- Increased monitoring, supervision, or security at locations/activities where misconduct occurred
- Facilitated meeting between complainant and respondent (not in sexual assault cases)

VOLUNTARY RESOLUTION

Some remedies focus solely on supporting the complainant, without respondent involvement

In other cases, the respondent may agree to participate

Anonymity for the complainant may be possible, depending on the remedy

VOLUNTARY RESOLUTION

Restorative principles:

- **Allows respondent to accept responsibility for misconduct**
- **Acknowledges harm caused to complainant or the TSPA community**

SCENARIO EXERCISE

Assign roles: coordinator, investigator, decision-maker

Walk through a sample complaint from intake to resolution

SANCTIONS

These must STOP the conduct, PREVENT future reoccurrence through calculated steps, and REMEDY the Complainant to initial status.

Title IX Coordinator does not issue the sanctions, but oversees them

SANCTIONS

Can include:

- written warning;
- mandatory counseling;
- mandatory education and training;
- no contact orders;
- changes in academic, working or living arrangements;
- revocation of certain campus privileges;
- suspension or
- expulsion.

The Salon Professional Academy Huntsville has flexibility in the type and range of sanctions to impose on the perpetrator depending on the severity of the incident, but has a process in place to ensure that sanctions imposed are consistent with sanctions imposed in past incidents of similar conduct and are not imposed unequally based on gender or gender identity.

**TEST YOUR
KNOWLEDGE**

FLOWCHART ACTIVITY

Visual exercise: place steps of grievance process in correct order

When in the process can a voluntary resolution be given?

REPORTING AND INVESTIGATION PROCEDURES:

Within how many days must the Title IX Coordinator respond to a formal complaint?

True or False: Mediation or informal resolution is never allowed under Title IX.

What is the purpose of a live hearing or formal grievance process?

What are some examples of protections available for students or staff who participate in a Title IX investigation?

SCENARIOS:

A student repeatedly makes inappropriate sexual jokes to another student during class. Does this fall under Title IX?

An instructor offers a better grade in exchange for a date. What type of misconduct is this?

A student receives unwanted touching during a hands-on practice service. What should happen next?

REGULATORY REFERENCES

**34 C.F.R. §106.45: grievance process
requirements**

Live hearings for formal complaints

Public posting of training materials