



Report to the Higher Education Committee  
concerning sexual assault, stalking, and intimate  
partner violence

October 2015

Submitted pursuant to section 10a-55m (f)

Marinello Schools of Beauty is one of the oldest, established chains of beauty and wellness schools in the country and currently operates seven campuses within the state of Connecticut.

Our mission is to create a high-quality academic environment that provides our students with the skills and tools they need to obtain a licensed, entry-level position in the beauty and wellness industry.

The information contained in this report encompasses all of our campus locations within Connecticut, as listed below.

*Marinello School of Beauty – East Hartford*  
1000 Main Street  
East Hartford, CT 06108

*Marinello School of Beauty – Niantic*  
63 Pennsylvania Avenue  
Niantic, CT 06357

*Marinello School of Beauty – Fairfield*  
500 Kings Highway East  
Fairfield, CT 06825

*Marinello School of Beauty – Torrington*  
33 East Main Street  
Torrington, CT 06790

*Marinello School of Beauty – Hamden*  
1245 Dixwell Avenue, #8  
Hamden, CT 06514

*Marinello School of Beauty – Willimantic*  
1320 Main Street  
Willimantic, CT 06226

*Marinello School of Beauty – Meriden*  
1231 East Main Street  
Meriden, CT 06450

## CURRENT POLICY RELATED TO SEXUAL ASSAULT, INTIMATE PARTNER VIOLENCE, AND STALKING

Marinello strives to provide an educational and employment environment free of sexual harassment, sexual assault, intimate partner violence, and stalking. This policy applies to all students and employees of Marinello, regardless of sexual orientation or gender identity. The following conduct is prohibited by Marinello:

- Sexual harassment and hostile environments caused by sexual harassment
- Sexual assault, including non-consensual sexual contact and intercourse
- Intimate partner violence, also called relationship violence, to include domestic violence and dating violence
- Stalking
- Intimidation or retaliation in relation to the above misconduct

### REPORTING AN OFFENSE

Victims of sexual assault, intimate partner violence, or stalking are encouraged to report the incident to the appropriate school official. Students should report incidents to the School Director for their campus location. Employees should report incidents to their School Director or the Director of Human Resources. Notification may occur in person, via phone, or via any form of written communication directed to the appropriate officials, as indicated above. Incidents of sexual harassment, sexual assault, intimate partner violence, and stalking can also be reported directly to the Title IX Coordinator at [TitleIX@marinello.com](mailto:TitleIX@marinello.com) or 562-945-2211.

When disclosing or reporting an incident, the victim should be informed as to the reporting obligation of the official receiving the information in order to allow the victim to determine whether to reveal information regarding the offense. Any incidents of sexual harassment or sexual misconduct reported or disclosed to a “responsible employee” must be reported to the Title IX Coordinator, as required by federal law. In addition to the Title IX Coordinator, “responsible employees” include School Directors, Regional Operations Directors, Instructors, and both the Director and Vice President of Human Resources. All details of the incident, including the identities of the victim and the alleged perpetrator, must be reported to the Title IX Coordinator. The Title IX coordinator will work in conjunction with the appropriate school officials to investigate the alleged conduct and take steps to protect the victim, eliminate the hostile environment, prevent recurrence, and remedy its effects, as appropriate.

If the incident is reported or disclosed to a school official designated as a Campus Security Authority under the federal Clery Act, the incident will also be reviewed for inclusion in the publicly-available Annual Security Report (ASR), based on federal definitions and requirements, and for determining whether a Timely Warning must be issued. Officials designated as Campus Security Authorities include School Directors, Regional Operations Directors, the Title IX Coordinator, both the Director and Vice President of Human Resources, and any other employee that has been designated as having significant responsibility for student and campus activities and has the authority and duty to take action or respond to particular issues on behalf of the school. Any statistics reported in the ASR will be done so without the inclusion of any personally identifying information about the victim or the alleged perpetrator.

Victims have the right to report the incident to local law enforcement authorities and also to decline to notify such authorities. School officials will assist a victim in notifying law enforcement authorities, if the victim chooses. If requested, officials will also assist the victim in accessing and utilizing campus and community resources. Marinello will also abide by the requirements of any protective order or temporary restraining order issued by a court against a perpetrator of sexual assault, intimate partner violence, stalking, physical abuse, or family violence. Victims should provide the School Director or Human Resources Department with the necessary information from the protective or restraining order to allow such orders to be honored.

Marinello 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 victim in the academic or employment setting, which may include schedule changes requested by the victim, temporary suspension or schedule changes of the alleged perpetrator during the investigative process, leaves of absence, location transfers, no contact orders, or other measures as deemed appropriate by school officials.

Victims of sexual assault, intimate partner violence, and stalking have the right to change their academic, living, transportation, and working situations after an alleged sex offense occurs, if the accommodations are requested and reasonably available, regardless of whether the victim chooses to report the crime to local law enforcement. Requests for accommodations must be documented by the school official receiving the request and any 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 Marinello to provide such measures or accommodations.

### **WRITTEN NOTICE FOR VICTIMS**

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

- Procedures to follow after an offense occurs, including to whom the offense should be reported, options for notifying law enforcement, the importance of preserving physical evidence of the offense, rights in obtaining protective orders and restraining orders, and Marinello's compliance with such orders of protection
- Contact information for campus and community resources, including resources for advocacy, counseling, and health and mental services
- Options for, and available assistance in, requesting changes to academic, living, campus transportation, and working situations in response to an offense of sexual assault, intimate partner violence, or stalking
- Procedures for disciplinary proceedings and sanctions
- Victim confidentiality

### **CONFIDENTIALITY**

All proceedings and records concerning sexual harassment, sexual assault, intimate partner violence, and stalking complaints shall be confidential to the extent permitted by law and Marinello will take every step to protect the confidentiality of victims. If the victim requests confidentiality or asks that the complaint or incident not be pursued, Marinello will take all reasonable steps to investigate and respond to the report or complaint consistent with the request for confidentiality or request not to pursue the investigation, to the extent permitted by law. If the victim insists that her or his name or other identifiable information not be disclosed to the alleged perpetrator, school officials must inform the victim that Marinello's ability to respond to the incident or complaint may be limited.

### **FILING AN INSTITUTIONAL COMPLAINT**

Any student or employee alleging that an act of sexual harassment, discrimination, sexual assault, intimate partner violence, or stalking has taken place has the right to file a complaint with Marinello regarding the alleged incident and request that the proceedings begin promptly. Complainants have the right to file either an informal or formal complaint and to also file a separate criminal complaint. An attempt at informal resolution or the filing of a criminal complaint is not a prerequisite to filing a formal complaint. For allegations of sexual assault, the formal complaint process is the only available option for the complainant.

The grievance proceedings, whether informal or formal, 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 Marinello's policies; will include timely notice of meetings at 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 and who will receive annual training in issues related to sexual assault, intimate partner violence, and stalking and conducting an investigation and hearing process that protects the safety of the victims and promotes accountability. A preponderance of the evidence (i.e., more likely than not) will be used as the standard of evidence during any proceeding arising from a complaint of sexual assault, intimate partner violence, or stalking.

Both the accused and the accuser are entitled to the same opportunities to have others present and present evidence and witnesses on their behalf during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice, provided the involvement of such advisor does not result in the postponement or delay as such meeting as scheduled. Marinello may not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding; however, Marinello 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.

Complaints filed under this policy, both informal and formal, should be addressed to the appropriate Marinello official at:

Marinello Schools of Beauty  
12449 Putnam Street  
Whittier, CA 90602

#### **INFORMAL RESOLUTION PROCESS**

A student or employee who feels she or he is a victim of harassment, discrimination, intimate partner violence, or stalking, 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 Executive Director of Compliance (“Executive Director”), if the individual alleged to have caused the grievance is a student.
- The Vice President of Human Resources (“VP of HR”), if the individual alleged to have caused the grievance is an employee.

Upon receipt of a complaint, the above-mentioned Marinello officials have the following responsibilities:

- Inform the complainant of her or his formal recourse, should that be necessary (see the Formal Resolution Process described below).
- Inform the complainant that informal mediation will not be used to resolve sexual assault complaints.
- Inform the complainant of their right to file a separate criminal complaint for allegations relating to sexual assault, intimate partner violence, or stalking.
- Undertake, with permission of the complainant, 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 above-named Marinello officials and will be completed within 30 days from the start of the investigation.

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 Executive Director and VP of HR must keep all information completely confidential, except as necessary to carry out a disciplinary proceeding or as permitted under state or federal law, 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 submitted to the Executive Director or VP of HR. 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 Executive Director or VP of HR 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 complaint against another student or employee of Marinello, the complaint will be addressed to:

- The Executive Director of Compliance (“Executive Director”), if the individual alleged to have caused the grievance is a student.
- The Vice President of Human Resources (“VP of HR”), if the individual alleged to have caused the grievance is an employee.

A formal complaint will be made in writing by the complainant, addressed to the above-mentioned Marinello officials, stating in detail the nature of the complaint, any relevant dates, and the names of any potential witnesses. The officials receiving the complaint 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.

Within 30 days, the responsible Marinello official, as appropriate, must file a written report with the President for one of three actions:

- Conclude the complaint is without merit and that no further action is warranted.
- Attempt to bring about a negotiated resolution.
- Recommend to the President to conduct a formal grievance hearing to evaluate possible action against the individual alleged to have caused the grievance.

Either the complainant or the individual alleged to have caused the grievance may request, in writing, within 5 days after notification by Marinello, a formal hearing if dissatisfied with the conclusion of the investigation.

### **FORMAL HEARING**

A Grievance Committee composed of two senior level management personnel appointed by the President of Marinello will be convened to hear the Executive Director of Compliance’s or the VP of HR’s recommendations and testimony from the complainant, the individual alleged to have caused the grievance and any relevant witnesses from both parties and any other relevant evidence. Disciplinary proceedings will be conducted by individuals qualified to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

Both the complainant and the alleged perpetrator will be afforded similar and timely access to any information that will be used at the hearing. The Committee will decide whether the complaint is without merit and that no further action is warranted or whether some remedial action is necessary and determine the scope and timing of any proposed disciplinary action against the alleged perpetrator. The determination of the merits of the complaint by the Grievance Committee will be final.

### **SANCTIONS**

In the case of any formal or informal proceedings against either a student or employee accused of violating this Policy or brought before a Grievance Committee proceeding, the sanctions shall be as proposed by the Grievance Committee and approved by the President in the case of formal hearings and as determined by the Executive Director or the VP of HR in the case of informal complaints.

Substantiated accusations may result in sanctions against the offender, including suspension, termination of the employee’s employment or the student’s enrollment, schedule changes, location transfers, or pursuit of criminal charges. In addition, bad faith may be subject to equivalent disciplinary action.

**COMPLAINT RECORD AND NOTICE OF OUTCOME**

All proceedings and records concerning sexual harassment, sexual assault, intimate partner violence, and stalking complaints shall be kept confidential to the extent permitted by law. Both the accused and the accuser shall be simultaneously informed, in writing, of the following: 1) the outcome of any institutional disciplinary proceedings with respect to the alleged sex offense, intimate partner violence, or stalking, 2) the institution's procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding, if such procedures are available, 3) any change to the results that occurs prior to the time that such results become final, 4) when such results become final. This notification will occur no later than one business day after the conclusion of such proceedings.

Memoranda describing any formal reprimand or disciplinary action that the student or employee receives for violating Marinello's sexual harassment and sexual misconduct policy will be placed in the student's permanent academic file or the employee's personnel file. No student or employee shall be subjected to any retaliation, intimidation, or involuntary reassignment as a result of filing a good-faith grievance for harassment, discrimination, sexual assault, intimate partner violence, or stalking. 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. At the request of the individual alleged to have caused the grievance, a memorandum recognizing a finding of non-harassment, nondiscrimination, and unsubstantiated or unfounded claims of sexual assault, intimate partner violence, or stalking will be placed into the file of the student or employee.

## PREVENTION, AWARENESS, AND RISK REDUCTION PROGRAMS AND CAMPAIGNS

Marinello provides students and employees awareness, prevention, and risk reduction information throughout the year and through various mediums.

All prospective students are provided a Student Handbook which includes written information regarding:

- Marinello's sexual misconduct policy, including incidences of intimate partner violence and stalking, how to file a complaint, and the disciplinary proceedings processes
- Definitions of sexual harassment, sexual assault, domestic violence, dating violence, stalking, and consent
- Safe and positive options for bystander intervention and risk reduction

The Student Handbook is also available on our website at all times and an additional printed copy is always available upon request.

Additional awareness, prevention, and risk reduction information is also available on our website and is easily accessible by students and employees. The information on these training pages includes:

- Procedures to follow after an offense including information on preserving evidence, filing an institutional complaint, and the disciplinary proceedings process
- Definitions of sexual assault, domestic violence, dating violence, stalking, and consent and related state-specific laws and definitions
- Statistics and information on the occurrence of sexual assault, intimate partner violence, and stalking
- Information on bystander intervention, risk reduction, and warning signs of abusive behavior
- Links to resources for victims of sexual assault, intimate partner violence, and stalking

Marinello also holds quarterly events at our campus locations aimed to increase awareness for students and employees and help to prevent the occurrence of incidents of sexual assault, intimate partner violence, and stalking.

- January – Stalking Awareness Month
- April – Sexual Assault Awareness Month and National Denim Day
- August – Bystander Intervention, Healthy Relationship, and Warning Signs of Abuse Relationships
- October – Domestic Violence Awareness Month

These campaigns include:

- Videos
- Posters
- Handouts, including informational pamphlets and pocket cards with resources for victims
- Awareness ribbons and designated days to wear the color associated with the awareness month
- Open forums to allow students and employees to discuss how sexual assault, intimate partner violence, and stalking has affected their lives or the lives of someone they know and steps to help prevent the occurrence of these incidences

Marinello is committed to the awareness and prevention of these crimes and will continue to develop and utilize additional means to provide this important information to students and staff.



## **REPORTED INCIDENTS OF SEXUAL ASSAULT, INTIMATE PARTNER VIOLENCE, AND STALKING**

For the calendar year 2014, there were no reported incidents of sexual assault, intimate partner violence, or stalking for any of our campuses in Connecticut.

For the calendar year 2014, there were no confidential or anonymous reports or disclosures of sexual assault, intimate partner violence, or stalking for any of our campuses in Connecticut.

For the calendar year 2014, there were no disciplinary cases related to sexual assault, intimate partner violence, or stalking for any of our campuses in Connecticut. Therefore, there are also no final outcomes of disciplinary cases to report.

## **CURRENT WRITTEN NOTIFICATION FOR VICTIMS OF SEXUAL ASSAULT, INTIMATE PARTNER VIOLENCE, AND STALKING**

# WRITTEN NOTIFICATION OF VICTIM'S RIGHTS

*For victims of sexual assault, domestic violence, dating violence, and stalking*



Marinello Schools of Beauty ("Marinello") prohibits acts of sexual harassment, sexual assault, domestic violence, dating violence, and stalking.

## PROCEDURES FOLLOWING THE ALLEGED OFFENSE

Anyone who feels they have been the victim of sexual harassment, domestic violence, dating violence, sexual assault, or stalking is encouraged to get to a safe place and seek immediate assistance from police and healthcare providers. Students should report the incident to the School Director for their campus location. Employees should report incidents to their School Director or Human Resources. Students and employees can also report alleged occurrences of these incidences to the Title IX Coordinator. Victims have the right to report the incident to local law enforcement authorities and also to decline to notify such authorities. School officials will assist a victim in notifying law enforcement authorities, if the victim chooses. If requested, officials will also assist the victim in accessing and utilizing campus and community resources.

Victims also have rights regarding requesting the Superior Court to issue standing criminal protective orders, no contact orders, civil restraining orders and protective orders, or similar lawful orders against a perpetrator pursuant to sections 46b-15, 46b-38c, 53a-40e, 54-1k, 54-82q, or 54-82r of the Connecticut General Statutes, which includes relief and protection from physical abuse and harassment, stalking or pattern of threat by a family or household member, family or domestic violence, and harassment of witnesses in a criminal case.

Civil orders can be issued without the alleged perpetrator having been arrested and the type of civil order issued (restraining order or protective order) will be determined based on your relationship with the alleged perpetrator. Criminal protective orders for family violence are issued by courts after the accused has been arrested for committing a family violence crime. Additional definitions or protective and restraining orders are available at [http://www.jud.ct.gov/statistics/prot\\_restrain/#Prot\\_glossary](http://www.jud.ct.gov/statistics/prot_restrain/#Prot_glossary). Information and forms on filing an application for a restraining order can be found at [http://www.jud.ct.gov/forms/groupe/family/restraining\\_order.htm](http://www.jud.ct.gov/forms/groupe/family/restraining_order.htm).

Marinello will abide by the requirements of any protective order or temporary restraining order issued by a court against a perpetrator of sexual assault, intimate partner violence, stalking, physical abuse, or family violence. Victims should provide the School Director or Human Resources with the necessary information from the protective or restraining order to allow such orders to be honored.

REPORTING TO LAW ENFORCEMENT	
POLICE DEPARTMENT	PHONE NUMBER
EAST HARTFORD	(860) 528-4401
FAIRFIELD	(203) 254-4800
HAMDEN	(203) 230-4000
MERIDEN	(203) 238-1911
NIANTIC (EAST LYME)	(860) 739-7007
TORRINGTON	(860) 489-2000
WILLIMANTIC	(860) 465-3000

REPORTING TO SCHOOL AUTHORITIES	
SCHOOL OFFICIAL	CONTACT INFORMATION
SCHOOL DIRECTOR	EAST HARTFORD: (860) 528-7178
	FAIRFIELD: (203) 331-0852
	HAMDEN: (203) 287-1500
	MERIDEN: (203) 237-6683
	NIANTIC: (860) 739-2466
	TORRINGTON: (860) 482-0189
	WILLIMANTIC: (860) 423-6339
HUMAN RESOURCES	(562) 945-2211
TITLE IX COORDINATOR	(562) 945-2211 OR TitleIX@marinello.com

## PRESERVING EVIDENCE

Victims are strongly encouraged to preserve evidence after an offense 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.

- Document the details of the incident, such as dates, times, locations, and witnesses.
- Save clothing worn during the assault in separate paper bags.
- Save digital evidence such as harassing or threatening emails or text messages, social media posts, etc.
- Take pictures of any injuries or damages and have any injuries looked at and documented by your doctor.

Victims of sexual assault are also encouraged to preserve DNA evidence via a forensic examination by a medical professional. **Victims are not required to make a report of an assault to law enforcement in order to receive a sexual assault forensic exam and these exams are always free and do not require the use of medical insurance.** These exams should be done as soon as possible after an assault in order to ensure the greatest chance of collecting DNA evidence. There are steps that can be taken to help preserve evidence prior to an examination, including: not bathing, not using the restroom, not changing clothing, not eating, drinking, or brushing teeth, and not combing hair. Victims also have the right to have a sexual assault counselor/advocate with them during the medical exam.

The hospitals listed below offer sexual assault forensic examinations to victims within 72 hours of the assault:

- Hartford Hospital- 80 Seymour Street, Hartford, CT 06102 - (860) 545-5000

- The Hospital of Central Connecticut (New Britain campus) - 100 Grand Street, New Britain, CT 06050 - (860) 224-5011
- Manchester Memorial Hospital - 71 Haynes St, Manchester, CT 06040 - (860) 646-1222
- Middlesex Hospital - 28 Crescent St, Middletown, CT 06457 - (860) 358-6000
- Saint Francis Hospital - 114 Woodland St, Hartford, CT 06105 - (860) 714-4000
- Windham Hospital - 112 Mansfield Ave, Willimantic, CT 06226 - (860) 456-9116

## ACCOMMODATION OPTIONS & PROTECTIVE MEASURES

A victim of sexual assault, domestic violence, dating violence, or stalking has the right to change their academic, living, transportation, and working situation after an alleged sex offense occurs, if the accommodations are requested and reasonably available, regardless of whether the victim chooses to report the crime to the local law enforcement agency.

School officials 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, which may include schedule changes requested by the victim, temporary suspension or schedule changes of the alleged perpetrator during the investigative process, leaves of absence, location transfers, no contact orders, or other measures as deemed appropriate by school officials. 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 school to provide such measures. Contact the School Director at your campus or Human Resources to request accommodations or additional protective measures.

## SERVICES AVAILABLE TO VICTIMS

ON-CAMPUS RESOURCES	
STUDENT FINANCIAL AID	EAST HARTFORD: (860) 528-7178 FAIRFIELD: (203) 331-0852 HAMDEN: (203) 287-1500 MERIDEN: (203) 237-6683 NIANTIC: (860) 739-2466 TORRINGTON: (800) 268-1787

Marinello does not employ any pastoral or professional counselors; however local and national resources and professional assistance are available. School officials will assist victims in accessing and utilizing these resources, if requested. Contact information for local and national support and counseling services including those for rape and sexual assault support and counseling, health and mental health, victim advocacy, legal assistance, and other services available for victims is always posted and available for viewing by students and staff at each campus location. Additional resources are provided below.

OFF-CAMPUS RESOURCES	
Sexual Assault and Crisis Services  <i>including counseling, advocacy, information and referrals, and support groups</i>	<i>Connecticut Sexual Assault Crisis Services</i> (includes links to member crisis centers across the state of Connecticut) - 888-999-5545 (English) 888-568-8332 (Spanish) - <a href="http://connsacs.org">connsacs.org</a> <i>National Sexual Assault Hotline</i> - 800-656-4673 - <a href="http://www.rainn.org">www.rainn.org</a> <i>National Sexual Violence Resource Center</i> - 877-739-3895 - <a href="http://www.nsvrc.org">www.nsvrc.org</a> <i>Rape Crisis Center of Milford</i> - 203-878-1212 - <a href="http://www.rapecrisisctr.org">www.rapecrisisctr.org</a> <i>Susan B Anthony Project</i> - 860-482-7133 - <a href="http://www.sbaproject.org">www.sbaproject.org</a> <i>The Center for Family Justice</i> - 203-333-2233 - <a href="http://centerforfamilyjustic.org">centerforfamilyjustic.org</a> <i>The Center for Sexual Assault Crisis Counseling and Education</i> - 860-223-1787 - <a href="http://www.thecenter-ct.org">www.thecenter-ct.org</a>
Victim Advocacy, Victim Services, and Legal Assistance	<i>Connecticut Office of Victim Services</i> - 800-822-8428 - <a href="http://www.jud.ct.gov/crimevictim">www.jud.ct.gov/crimevictim</a> <i>National Organization for Victim Assistance</i> - 800-879-6682 - <a href="http://www.trynova.org">www.trynova.org</a> <i>National Center for Victims of Crime</i> - <a href="http://www.victimsofcrime.org">www.victimsofcrime.org</a> <i>Victims of Crime Resource Center</i> - 800-842-8467 - <a href="http://www.1800victims.org">www.1800victims.org</a> <i>National Legal Services Corporation Database</i> - <a href="http://www.lsc.gov/find-legal-aid">www.lsc.gov/find-legal-aid</a>
Domestic Violence and Dating Violence  <i>including counseling, advocacy, information and referrals, and support groups</i>	<i>Connecticut Coalition Against Domestic Violence</i> - 888-774-2900 - <a href="http://www.ctcadv.org">www.ctcadv.org</a> <i>National Domestic Violence Hotline</i> - 800-799-7233 - <a href="http://www.ndvh.org">www.ndvh.org</a> <i>Domestic Violence Crisis Center</i> (for Spanish-speaking victims) - 203-588-9100 - <a href="http://www.dvccct.org">www.dvccct.org</a> <i>National Network to End Domestic Violence</i> <a href="http://nnedv.org">nnedv.org</a> <i>Susan B Anthony Project</i> - 860-482-7133 - <a href="http://www.sbaproject.org">www.sbaproject.org</a> <i>The Center for Family Justice</i> - 203-333-2233 - <a href="http://centerforfamilyjustic.org">centerforfamilyjustic.org</a>
Stalking	<i>Stalking Resource Center</i> - <a href="http://www.victimsofcrime.org/our-programs/stalking-resource-center">www.victimsofcrime.org/our-programs/stalking-resource-center</a>
Health and Mental Health Services	<i>Mental Health Connecticut</i> - 800-842-1501 x10 - <a href="http://www.mhconn.org">www.mhconn.org</a> <i>Connecticut Department of Public Health</i> - 860-509-8000 - <a href="http://www.ct.gov/dph">www.ct.gov/dph</a> <i>Connecticut Department of Mental Health &amp; Addiction Services</i> - 860-418-7000 - <a href="http://www.ct.gov/dmhas">www.ct.gov/dmhas</a> <i>US Department of Health &amp; Human Services</i> - 800-662-4357 - <a href="http://www.hhs.gov">www.hhs.gov</a> <i>National Alliance on Mental Illness</i> - 800-950-6264 - <a href="http://www.nami.org">www.nami.org</a>
Student Financial Aid	<i>Department of Education - Federal Student Aid</i> - <a href="http://studentaid.ed.gov">studentaid.ed.gov</a>
Visa & Immigration Assistance	<i>Immigration Advocates Network</i> - <a href="http://www.immigrationadvocates.org/nonprofit/legaldirectory">www.immigrationadvocates.org/nonprofit/legaldirectory</a>

## CONFIDENTIALITY

All proceedings and records concerning sexual harassment, sexual assault, domestic violence, dating violence, and stalking complaints shall be confidential to the extent permitted by law and Marinello will take every step to protect the confidentiality of victims. 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, but will be done so without the inclusion of personally identifying information about the victim. If a victim requests confidentiality or asks that a complaint not be pursued, we will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue the investigation. If a victim insists that their name or other identifiable information not be disclosed to the alleged perpetrator our ability to respond may be limited.

## FILING A COMPLAINT AND DISCIPLINARY PROCEDURES FOR STUDENTS AND EMPLOYEES

Any student or employee alleging that an act of sexual harassment, discrimination, sexual assault, domestic violence, dating violence, or stalking has taken place has the right to file a complaint with this institution regarding the alleged incident and request that the proceedings begin promptly. Victims also have the right to file a separate criminal complaint and this is not a prerequisite for filing an informal or formal complaint with Marinello. In a situation deemed to be an emergency by a school official, the alleged perpetrator may be temporarily transferred or suspended pending the outcome of the investigation or disciplinary proceeding. Other protective measures that may be offered to the victim following an allegation of sexual assault, domestic violence, dating violence or stalking may include schedule changes requested by the victim, temporary suspension or schedule changes of the alleged perpetrator during the investigative process, leaves of absence, location transfers, no contact orders, or other measures as deemed appropriate by school officials.

Complainants have the right to file either an informal or formal complaint and an attempt at informal resolution is not a prerequisite to filing a formal complaint. For allegations of sexual assault, the formal complaint process is the only available option for the complainant. Complaints of sexual assault, domestic violence, dating violence, and stalking should be addressed to the following officials at the address indicated:

<b>The Executive Director of Compliance</b>  <i>if the alleged perpetrator is a student</i>	<b>The Vice President of Human Resources</b>  <i>if the alleged perpetrator is an employee</i>	<b>Contact Information for Filing a Complaint:</b> 12449 Putnam Street Whittier, CA 90602 (800) 648-3413
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The disciplinary proceedings, whether informal or formal, will include a prompt, fair, and impartial process from the initial investigation to the final result. This means that the 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 Marinello's policies
- Will include timely notice of meetings at 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
- Be conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused and who will receive annual training in issues related to sexual assault, domestic violence, dating violence, and stalking and conducting an investigation and hearing process that protects the safety of victims and promotes accountability.

A preponderance of the evidence (i.e., more likely than not) will be used as the standard of evidence during any proceeding arising from a complaint of sexual assault, intimate partner violence, or stalking.

Both the accused and the accuser are entitled to the same opportunities to have others present and present evidence and witnesses on their behalf during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice, provided the involvement of such advisor does not result in the postponement or delay as such meeting as scheduled. Marinello may not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding; however, Marinello 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. In order to ensure availability of witnesses and fresh memories of the alleged event, all complaints covered by the procedures should be filed as soon as possible after the alleged conduct.

The investigation, whether through the informal or formal complaint process, will be initiated within two weeks of the date the complaint was received by the Marinello officials to determine whether there is reasonable basis for taking action and will be completed within 30 days from the start of the investigation. 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 process, the Marinello officials conducting the investigation will keep all information completely confidential, except as necessary to carry out a disciplinary proceeding or as permitted under state or federal law, and the name of the complainant will not be revealed to the alleged perpetrator except with the complainant's permission.

Both the accused and the accuser shall be simultaneously informed, in writing, of the following: 1) the outcome of any disciplinary proceedings with respect to the alleged sex offense, domestic violence, dating violence, or stalking, 2) the procedures for the accused and the victim to appeal the results of the disciplinary proceeding, if available, 3) any change to the results that occurs prior to the time that such results become final, and 4) when such results become final. This notification will occur no later than one business day after the conclusion of such proceedings.

## **INFORMAL COMPLAINT PROCESS FOR STUDENTS AND EMPLOYEES**

In the informal complaint process, the Marinello official receiving the complaint will inform the complainant of their option to file a formal complaint and that informal mediation will not be used to resolve sexual assault complaints. With the permission of the complainant, the official will attempt to resolve the conflict informally by informing the alleged perpetrator 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.

In the event that an attempt at informal resolution is unsuccessful, or if the complainant decides that informal resolution is undesirable, the Marinello official will stop the informal resolution process and assist the complainant in filing a formal complaint.

## **FORMAL COMPLAINT PROCESS FOR STUDENTS AND EMPLOYEES**

A formal complaint will be made in writing by the complainant, addressed to the above-mentioned Marinello officials, stating in detail the nature of the complaint, any relevant dates, and the names of any potential witnesses. The formal complaint process is the only process available for allegations of sexual assault but may also be used for complaints of sexual harassment or discrimination, domestic violence, dating violence, and stalking.

The officials receiving the complaint 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 alleged perpetrator, and any witnesses. Within 30 days, the responsible Marinello official, as appropriate, must file a written report with the President for one of three actions:

- Conclude the complaint is without merit and that no further action is warranted.
- Attempt to bring about a negotiated resolution.
- Recommend to the President to conduct a formal hearing to evaluate possible action against the alleged perpetrator.

Either the complainant or the alleged perpetrator may request in writing, within 5 days after notification by Marinello, a formal hearing if dissatisfied with the conclusion of the investigation.

In a formal hearing, a Grievance Committee composed of two senior level management personnel appointed by the President of Marinello will be convened to hear the Executive Director of Compliance's or the VP of HR's recommendations and testimony from the complainant, the alleged perpetrator, and any relevant witnesses from both parties and any other relevant evidence. Both the complainant and the alleged perpetrator will be afforded similar and timely access to any information that will be used at the hearing. The Committee will decide whether: 1) The complaint is without merit and that no further action is warranted, 2) Some remedial action is necessary, and 3) Determine the scope and timing of any proposed disciplinary action against the alleged perpetrator. The determination made by the Grievance Committee will be final.

## **DISCIPLINARY ACTION AND SANCTIONS**

Following a final determination of any disciplinary proceedings regarding sexual assault, domestic violence, dating violence, or stalking the sanctions will be as proposed by the Committee and approved by the President, in the case of formal hearings, and as determined by the Marinello officials listed previously in the case of informal complaints. Possible sanctions for substantiated accusations include suspension, termination of the employee's employment or the student's enrollment, schedule changes, or location transfers. A notice describing any formal sanction or disciplinary action that a student or employee receives for violating Marinello's sexual harassment and sexual assault policy will be placed in the student's permanent academic file or the employee's personnel file. No student or employee shall be subjected to any retaliation, intimidation, or involuntary reassignment as a result of filing a good-faith grievance for harassment, discrimination, sexual assault, domestic violence, dating violence or stalking.

Alleged sexual violence may also constitute a crime resulting in additional, independent law enforcement investigation and sanctions outside of these procedures. In addition, complainants who make accusations of sexual harassment, sexual violence, domestic violence, dating violence, or stalking in bad faith may be subject to equivalent disciplinary action.