

Code of Conduct

Montage Academy prohibits conflict of interest with loan providers and employees. Employees are not permitted to enter into any revenue sharing arrangement with any lender. This means that Montage Academy will not create a deal with a lender, and refer our students to them in exchange for a fee, or any other material benefits including revenue, or profit sharing to the institution or employee.

Employees who have responsibilities with respect to student loans shall not accept any gifts from a lender guarantor or servicer of education loans. A gift would include any gratuity/favor/discount/entertainment/hospitality/loan/ or other item having monetary value of more than lodging or meals whether provided in kind by purchase of a ticket, payment in advance, or reimbursement after the expense occurred.

Employees may accept standard material, activities, or financial literacy such as a brochure, workshop training, or other training, food, refreshments, any favorable terms, conditions, and borrower benefits to a student employed in the school as long as they are the same opportunities offered to all other students. Lenders may also make philanthropic contributions to the institution as long as it is not made in exchange for any advantage related to education loans. State education grants, scholarships, or financial aid funds administered by, or on behalf of the state will not be considered a gift. It is considered a gift if an employee or agent of the lender is related and if the gift is given to the officer or agent where the gift receiver has reason to believe the gift was given because of the official position of the gift receiver.

An employee who is employed in the financial aid office of the institution (or otherwise has responsibilities with respect to education loans) will not accept any lender (or affiliate of any lender) any fee, payment, or financial benefit including opportunities to purchase stock as compensation for any type of consulting arrangement to provide services to a lender, or on behalf of a lender relating to education loans. An employee of Montage Academy who is not employed or affiliated with financial aid may perform paid or unpaid service on a board of directors of a lender or servicer of education loans.

Montage Academy will treat any lender in the same manor of importance that the borrower chooses. Montage will not assign a new borrower to any lender that the borrower did not choose. The Academy will not refuse to certify, or delay certification of any loan based on the borrower's selection of a particular lender.

Montage will not accept offers of funds to be used for education loans including opportunity pool loans (outlined in 487(5)(B)) to students in exchange for Montage providing concessions or promises to the lender of specified number of loans made/ insured/ or guaranteed, a volume of such loans, or a preferred lender arrangement for such loans.

Montage has its own financial aid administrators and does not accept assistance by a lender with a call center staffing or a financial aid office staffing. Montage does accept professional development training for financial aid administrators, and educational counseling/ financial literacy/ debt management material as long as the material states what lender created the information. The Academy will work with temporary staffing agencies in the event of an emergency to assist the institution with financial aid including disasters. The use of these services will be short term and non reoccurring basis for the Academy.

If an employee of the financial aid department or an employee affiliated with educational loans takes a position on the advisory board/commission/or group of a lender the employee may not receive anything of value from the lender. The employee may accept reimbursement of reasonable expenses occurred while serving such organization of the lender.

Sexual Misconduct Policy

Montage Academy does not condone acts of sexual crimes including Dating Violence, Domestic Violence, Stalking, Sexual Assault, and Forcible sexual offenses. The Academy does not discriminate between genders when it comes to these offenses and will take action equally. Montage Academy will promptly address any report of a sexual misconduct.

Montage Academy will investigate any report that is made about a crime on campus, as well as participate in off campus reports that have been reported at the school. Montage takes the safety of our staff, clients, and students very seriously and will not tolerate any sexual misconduct outlined in our Safe dates altered program. This program holds students, staff, and clients to certain standards regardless of gender, or sexual orientation. The Academy will keep reports confidential for the victim as well as the accused. This is to prevent further damage to the victim or contribute to name slander of the accused as they must be proven to be guilty. This confidentiality may be broken by the school in certain circumstances where other agencies or individuals need to know. Such agencies that may need to be reported to is the Longmont Police Department, the Safe Shelter of St Vrain valley or other counseling services for the victim. Individuals that may need to be notified of the report are office staff that will need to aid the student in meeting their needs at the school and providing services for the victim.

Statistics on sexual crimes must be reported yearly but personal information is not involved in this report and will not violate the individual's confidentiality.

Immediate assistance

- Debbie Nilsen who is our Title IX trained professional on campus can be contacted for help via her office during school hours or by phone at 303-776-8110. The Longmont Police department is a primary source to make a report, and can be reached by 303-651-8555 or calling 911. The Longmont United Hospital located **1950 Mountain View ave. Longmont Colorado 80501** is a place to go for medical injuries that may have occurred during the attack and is very important in collecting evidence through a rape kit to help the victim get justice. The Safe Shelter of St Vrain valley in Longmont may also be contacted and provides excellent counseling and support for victims, they may be contacted through 303-772-0432 or by their crisis line 303-772-4422.
- Health care is provided by the Longmont Hospital where any injuries will be examined and treated. This is a very important resource as they can perform rape exams and help to collect evidence for the victim to pursue their assaulter and receive justice. The hospital can also provide preventative treatment for STDS and other health services that would be needed after an assault. The victim has the right to contact their local rape crisis center Safe Shelter of St. Vrain Valley (303-772-0432) in order to have an advocate at the hospital. The Title IX coordinator Debbie Nilsen may also act as an advocate for the victim in the Longmont United Hospital.

Ongoing assistance

- Montage Academy works with Safe Shelter of St Vrain valley to provide counseling to victims whether they pursue charges on their attacker or not. The Academy also will provide assistance to the best of its ability to help the victim with their needs after an attack. These needs may include changing schools, or other reasonable request of the victim. These services are available to a victim whether a verdict has been made or not. The victim may waive their confidentiality if they begin to work with a crisis center and wish for the school to release information to the center or any other organization of their choosing by written consent to disclose their information.

Title IX coordinator explanation and duties

Title IX promotes equal opportunity by providing that no person may be subjected to discrimination on the basis of sex under any educational program, or activity receiving federal financial aid. Sexual harassment and sexual violence must be reported to the Title IX coordinator. If more information is needed about what Title IX covers the Title IX coordinator Debbie Nielsen can provide that reading material. Even if sexual violence did not occur in the context of an educational program or activity, the school must process such complaints and consider the effects of the sexual violence when evaluating whether there is a hostile environment on campus or in an off campus education program.

Definitions

- ***Consent:*** the voluntary agreement to engage in a sexual act with a partner. A person who is incapacitated by alcohol or drugs, asleep or unconscious cannot give consent. Consent is also not given if the person lacks the mental capacity or physical ability to give consent. Consent can be taken back at any moment

during the interaction and silence is not a form of consent. Coercion, force, or threat negates a consent given through such means.

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- **Hostile environment caused by sexual harassment:** Hostile environment sexual harassment occurs when verbal, non-verbal and/or physical conduct is: sexual and/or based on sex, gender, gender identity or sexual orientation (actual or perceived). unwelcome, and sufficiently severe and pervasive to interfere with a person's work/learning/program performance or to create a hostile, intimidating or offensive environment. The determination is made on a case-by-case basis looking at the whole record, including the circumstances (such as the nature of the sexual advances) and the context in which the alleged incidents occurred.
- **Sexual exploitation:** Sexual exploitation means taking the advantage of sexuality and attractiveness of a person to make a personal gain or profit. It is the abuse of a position of vulnerability, differential power, or trust for sexual purposes.
- **Retaliation:** any action that would discourage an average victim from complaining about discrimination or sexual harassment.
- **Intimidation:** physical threats, and other verbal, visual, or physical conduct of a sexual nature.
- **Sexual Assault:** Unwanted sexual acts directed against another person.
- **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with a victim.
- **Stalking:** Engaging in 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, surveys, threatens, or communicates to or about a person, or interferes with a person's property.
- **Domestic Violence:** a felony or misdemeanor crime of violence committed by a current or former spouse, a person with whom the victim shares a child, a person who has/is cohabitating with the victim as a spouse or intimate partner, a person similarly situated to a spouse under the domestic and family violence laws of the jurisdiction in which the crime of violence occurred; or any other person against an adult or youth victim who is protected from that person's acts under the domestic and family violence laws of the jurisdiction in which the crime of violence occurred.
- **Forcible Sodomy:** Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- **Sexual Assault with an Object:** The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the

person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

- **Forcible Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity..
- **Incest:** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** Nonforcible sexual intercourse with a person who is under the statutory age of consent.
- **Exhibitionism:** The act or practice of exposing one's genitalia to another for the purpose of obtaining sexual gratification or stimulation or to shock or be offensive to another.
- **Voyeurism:** The act or practice of obtaining sexual gratification or stimulation by visual means--an example would be a window peeper.

Reporting Protocols

If a victim reports a crime or a bystander reports a crime the Title IX coordinator will be notified to help handle the proceeding. It is best for a victim to report directly to the Title IX coordinator Debbie Nilsen, but if the initial report is to a staff member or friend that is trusted they both will report the crime to the Title IX coordinator. From there the Title IX coordinator will assist the victim in reporting the crime to the appropriate authorities and will carry out a school investigation itself.

Investigation procedures

The Title IX coordinator will be the judge in the investigation. The investigation will be conducted by the title IX coordinator and the investigation will entail three hearings. The first two hearings will be with each party and their representative if they choose to have one for support, but is not allowed to speak for the party itself. A third hearing will consist of going over the information with both parties and representatives in the same room where they then can dispute each other's claims and evidence. This will be done in a controlled manor with each party being allowed to speak their parts. This hearing process will be conducted in a timely fashion that allows each party to obtain evidence. The verdict will be decided in a timely fashion and will depend on how much evidence is provided. It is important for each party to preserve evidence for their claim. Sharing any information that is not permissible for the party to discuss according to a criminal investigation by the police is not permitted in the school hearing if the investigation is still active during the time of the hearing. After a verdict if the victim feels they need accommodations within the scope of the school that is reasonable for their safety they may work with the school to obtain those accommodations. If a victim does not wish to take action against their attacker and wants the reporting to stay confidential the school will protect the confidentiality within the scope of

the law, and will attempt to the best of their abilities to provide safety to the victim within the confines of confidentiality.

Grievance/ adjudication procedure

Montage Academy will investigate any accusation; the victim and accused are allowed a representative to sit with them for support only but not to speak on their behalf. Each party will be spoken to alone or with their representative, and then spoken to together. The verdict will be determined by the Title IX coordinator who is annually trained and will be punished accordingly but not limited to expulsion. Parties may provide evidence in their individual conference or in the conference with both parties. Evidence may be witnesses or physical evidence. Types of evidence that is not permissible would entail questioning or evidence about the complainant's prior sexual conduct. Evidence of past consent does not give the accused the right to obtain sexual interactions with the victim as past consent is not valid for future interactions. The verdict will be issued in writing to both parties and a copy kept at the school for records. If a party does not wish to know the results of their investigation they have the right to waive that information being reported to them. If a party wishes to appeal the results of the investigation they must have new evidence and ask for an appeal in writing within two weeks of the initial verdict. The final results will be given in written notification to each party and a copy held in the school for their records.

Prevention, education, training

Montage Academy has enlisted the Safe Dates program into the school for our prevention program. We also use the shifting the paradigm toolkit. Both of these programs combined are taught to teachers and staff who will then teach the students this material, staff will be taught this material as they gain employment with Montage Academy and can use the printed books and materials for review at any time. The material is split up between two sections as our students go through the program faster than most institutions. Students will be introduced to the material at orientation, and then will finish the program during a scheduled class hour. The program will cover sexual violence against women and men and how to recognize it, stalking information, bystander interventions, how to help friends who are suffering from abuse, consent, and how to gain help. If these crimes are committed the school will take action to find the truth of the report and will punish the accused if proven guilty accordingly. If a crime is committed the school will offer their support to the best of their ability within reason and the Title IX coordinator will help the victim to report the incident to the proper authorities. If the victim chooses to report the crime on their own the Academy will offer the sources to report to, and will offer their support in any reasonable way that the victim needs. Crimes will be reported to the Longmont police department. The student does hold the right not to press charges against their attacker. If a crime does occur it is important for the student to preserve any evidence. Keep a record of anything that is possible to keep a record of and in the case of rape it is important to get a rape kit performed to keep any DNA that can help the victim to prosecute their attacker. If the victim does not wish to press charges with the police Montage encourages the victim to seek help from the Safe Shelter of St. Vrain to get the emotional help and counseling they may need. If an

attack happens off campus but is reported on campus the school will still help to the best of its ability and offers support to the victim and will help guide them through this process.