



# Holy Spirit University of Kaslik

## Discrimination, Harassment & Sexual Misconduct Policy

### 2021

#### **Article 1. Purpose**

The Holy Spirit University of Kaslik (USEK) is committed to maintaining the highest standards that promote respect and human dignity in an environment that fosters academic excellence and professionalism. Discrimination, harassment and sexual misconduct, intimidation or exploitation are antithetical to the university's mission and core values and violate university policy.

In support of that commitment, the University will take actions to prevent and stop discrimination, harassment, and sexual misconduct, prevent its recurrence, and discipline and/or take other appropriate action against those responsible. We are committed to preventing retaliation for bringing a claim or assisting in an investigation and will take appropriate action to remedy the effects of discrimination and harassment.

#### **Article 2. Definitions**

- 1- The term "University" means The Holy Spirit University of Kaslik (USEK).
- 2- The term "student" includes:
  - (a) all persons taking courses or otherwise enrolled at the University, full-time students pursuing undergraduate, graduate, or professional studies as well as continuous educational programs.
  - (b) persons who withdraw after allegedly infringing the Discrimination, Harassment & Sexual Misconduct Policy
- 3- The term "member of the University community" includes any person who is a student, faculty member, University official or any other person employed by the University
- 4- The term "protected characteristics" are those personal traits, characteristics and/or beliefs that include race, creed, color, sex, gender identity or expression, age, national origin, religion, physical appearance, physical or mental disability, marital status, affectional or sexual orientation, political orientation, and/or other characteristics protected by applicable law.

#### **Article 3. Conduct that violates this Policy**

##### **i. Discrimination**

The term "Discrimination" for the purpose of this policy means an adverse treatment of an individual based on age, race, color, religion, creed, sex, gender identity, sexual orientation, marital status, nationality, disability, political affiliation or any other characteristics protected by applicable law. Examples of conduct that can constitute discrimination if based on an individual's protected characteristic include but are not limited to:

- Singling out or targeting an individual for different or less favorable treatment (e.g., more severe discipline, lower salary increases) because of their protected characteristics,
- Failing or refusing to hire or admit an individual because of their protected characteristics,



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- Terminating an individual from employment or an educational program based on their protected characteristics.

#### ii. Harassment

The term “Harassment” for the purpose of this policy is an unwelcome verbal or physical behavior which is directed at a person based on a protected characteristic such as race, national origin, color, religion, age, gender, marital status, disability or sexual orientation, when these behaviors are sufficiently severe and/or pervasive to have the effect of unreasonably interfering with an individual's educational experience, working conditions or living conditions by creating an intimidating, hostile, or offensive environment. Examples of conduct that can constitute harassment if based on an individual’s protected characteristic include but are not limited to:

- A negative or offensive remark about a person's religion or religious garments
- Unwelcome jokes or comments about a person’s sexual preferences
- Displaying negative or offensive posters or pictures about a legally protected characteristic;
- All communications, including those conveyed electronically, such as by e-mail, telephone or voicemail, text messaging, or social media or other internet use, violating this Policy.

#### iii. Sexual Harassment or Sexual misconduct

The term “sexual harassment” or “sexual misconduct” for the purpose of this policy is an unwelcome sexual advances, unwelcome requests for sexual favors, and other unwelcome visual, verbal, nonverbal, or physical conduct of a sexual nature when (i) it is implicitly or explicitly suggested that submission to or rejection of the conduct will be a factor in academic or employment decisions or evaluations, grades or advancement, or permission to participate in a University program, activity, or service, or; (ii) the conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance or creating an intimidating or hostile environment for employment, education, on-campus living, or participation in other programs, activities or services of the University.

Determining what constitutes sexual harassment or sexual misconduct depends on the specific facts and context in which the conduct occurs. Sexual harassment may take many forms; subtle and indirect or blatant and overt. Examples of conduct that can constitute sexual harassment include but are not limited to:

- Direct propositions of a sexual nature,
- Repeated unwelcome flirtation, advances, or propositions, to pursue a romantic or sexual relationship, including subtle pressure for sexual activity, an element of which may be repeated staring,
- Inappropriate and unnecessary physical proximity or unnecessary touching,



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- Remarks of a sexual nature about a person's clothing or body,
- Unwelcomed sexually explicit gestures, statements, questions, jokes, or anecdotes, whether made physically, orally, in writing, or through electronic media,
- Display of sexually suggestive objects, sounds, or images in the workplace,
- Threats or non-consensual disclosure of a person's sexual orientation,
- Threats or insinuations that a person's employment, wages, academic grade, promotional opportunities, classroom or work assignments or other conditions of employment or academic life may be adversely affected by not submitting to sexual advances,
- Sexual exploitation, including non-consensual sharing or distribution of photography, video, or audio recording sexual conduct, nudity, or state of undress or non-consensual observing, photographing, or making any visual or audio recording of sexual conduct, nudity or state of undress,
- Stalking, and
- Physical assault.

#### **Article 4. Scope of applicability**

The policy is applicable to all the USEK Community including officers, faculty (full-time and part-time as well as visiting faculty members), staff, students (including Medical Interns and Residents), exchange students, trainees, and others who participate in USEK programs and activities. Its application includes USEK programs and activities both on and off-campus, including overseas programs.

All aspects of this policy apply to situations in which both parties (the reporting party and the responding party) are members of the USEK Community.

This policy applies to discrimination, harassment and sexual misconduct that occurs:

- On University property (or on-campus) or
- Off University property (or off-campus) when the conduct affects or could affect any of the party's ability to participate in an educational or work-related program or activity.
- Using any means of communication (including online, phone, email, social media, among others) when the conduct occurs in connection with a program or activity related to the University, or
- Using the University's electronic communications system.

#### **Article 5. Confidentiality**

The University recognizes the importance of confidentiality. The confidentiality and privacy of individuals reporting or accused of discrimination, harassment or any form of sexual misconduct will be respected to the extent reasonably possible. The University will not share the identity of any individual who reported an act of discrimination, harassment, or retaliation;



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any individual who has been reported to be the perpetrator of discrimination, harassment or any witness, except as required by law. Examples of situations where confidentiality cannot be maintained include circumstances when the Lebanese law requires disclosure of information and/or when disclosure by the University is necessary to protect the safety of others. The University reserves the right to determine which University officials have a legitimate interest in being informed about reports that fall within this policy. The group of people with this knowledge will be kept as tight as possible to preserve the parties' rights and privacy. The University may contact parents/guardians to inform them of situations in which there is a significant and articulable health and/or safety risk but will usually consult with the student first before doing so.

#### **Article 6. Reporting Procedures**

The University encourages any person who feels that he or she has been subjected to discrimination and/or sexual misconduct, harassed, or observes or is otherwise aware of such an incident, to report the incident to university officials who will provide informal and remedial responses. (See Faculty/Staff/Students Code of conduct and disciplinary procedure guide) Complaints should be made to any of the following people who are the university's designated officers for handling the complaints and implementing the university's policy against discrimination and harassment:

1. Complaints Against Administrators or Staff:  
Director of Human Resources  
Email: [hr@usek.edu.lb](mailto:hr@usek.edu.lb)  
Phone number: 09600180
2. Complaints Against Students:  
Deputy President for Student  
Email: [dpstudents@usek.edu.lb](mailto:dpstudents@usek.edu.lb)  
Phone number: 09600280
3. Complaints Against Faculty:  
Provost Office – Associate Provost for Academic affairs  
Email: [provost@usek.edu.lb](mailto:provost@usek.edu.lb)  
Phone number: 09600978

Reporting of discrimination and/or harassment can be done as follows:

- Such report may be done in person at any time or by using the telephone number, or email address.
- Reports can also be done online, using the reporting form posted **at XXX (process to be created)**



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- Anonymous reports are accepted but can give rise to a need to investigate which can be more difficult with anonymous reports.

#### **Article 7. Prompt Attention**

Reports of discrimination and/or harassment are taken seriously and will be dealt with promptly. The specific action taken in any case depends on the nature and gravity of the conduct reported. Where discrimination or sexual harassment has occurred, the University will act to stop the alleged behavior, prevent its recurrence, and discipline and/or take other appropriate action against those responsible.

There are always exceptions and extenuating circumstances that can cause a resolution to take longer, but the University will take action to provide a reasonably prompt resolution and will avoid all undue delays within its control. Any time the process is delayed, the University will provide written notice to the parties of the delay, the cause of the delay, and an estimate of the anticipated additional time that will be needed as a result of the delay.

#### **Article 8. Timeline for making reports**

There is no timeline for reporting and people should report incidents even if a significant time has passed. However, the sooner the University receives a report, the better it will be able to investigate, respond, provide remedies, and/or impose discipline if appropriate.

Acting on reports of discrimination, harassment or sexual misconduct is at the discretion of University officials as listed in Article 6, who may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate. When reports are affected by time delay, the University will typically apply the policy in place at the time of the alleged misconduct and the procedures in place at the time of report.

#### **Article 9. Supportive Measures**

The University will offer and implement appropriate and reasonable supportive measures to the parties upon notice of alleged acts of discrimination, harassment, and/or retaliation. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, to protect the safety of all parties or the University's educational environment, and/or to deter discrimination, harassment, and/or retaliation. The University will maintain the confidentiality of the supportive measures if this does not impair the University's ability to provide supportive measures. These supportive measures may include, but are not limited to:

- Referral to counseling, medical, and/or other healthcare services
- Referral to community-based service providers
- Altering work arrangements for employees or student-employees



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- Offering Academic support, extensions of deadlines, or other course/program-related adjustments
- Working on Class schedule modifications, withdrawals, or leaves of absence
- Increasing security and monitoring of certain areas of the campus

#### **Article 10. Disciplinary measures for Policy Violations**

Individuals violating this policy are subject to discipline up to and that includes expulsion, removal and/or other appropriate sanction or action. (See Faculty/Staff/Students Code of conduct and disciplinary procedure guide)

#### **Article 11. Retaliation**

The University prohibits retaliation against someone for reporting or participating in a process under this policy.

However, intentionally making a false report or providing false information is grounds for discipline. (See Faculty/Staff/Students Code of conduct and disciplinary procedure guide)

#### **Article 12. Educational Training, Awareness, and Prevention Programs**

The University offers a variety of training programs to address discrimination and harassment within its community. The University strives to ensure that such programming is developed to be culturally relevant; inclusive of diverse communities and identities; responsive to community needs; informed by research or assessed for value, effectiveness, and outcome. It is the responsibility of every member of the University community to attend the training and awareness programs offered.

<b>Approved by the Academic &amp; Research Council</b>	Date	<b><i>November 3, 2021</i></b>
<b>Approved by the Board of Trustees</b>	Date	<b><i>April 29, 2022</i></b>