



## **Hult International Business School, Sexual Harassment Grievance Procedures**

The purpose of these procedures is to provide a prompt and equitable resolution for complaints or reports of discrimination based upon gender, sex, gender identity, gender expression, or sexual orientation. Any person believing that they have been subjected to discrimination or harassment on any of these bases may file a complaint or report. These procedures address all complaints or reports of alleged discrimination or harassment, including conduct that violates the Sexual Harassment Policy. The procedures also address complaints or reports of retaliation against those who have opposed practices forbidden under the Sexual Harassment Policy, those who have filed complaints or reports under the Sexual Harassment Policy, and those who have testified or otherwise participated in enforcement of the Sexual Harassment Policy.

### **Reporting:**

This policy is compliant with the UK Equality Act, and the US Title IX Law. Complaints and third-party reports of discrimination should be made to the Title IX Coordinator or the Head of Student Services on each campus. The Title IX staff members are trained to help you find the resources you might need, to explain all reporting options, and to respond appropriately to conduct of concern. All instances of retaliation should be reported and will be addressed in the same manner.

#### **Title IX Coordinator**

Karen Van Dyne  
1 Education Street  
Cambridge, MA 02141  
[Karen.vandyne@Hult.edu](mailto:Karen.vandyne@Hult.edu)  
+ 1 617-617-1097

Complaints and reports should be made as soon as possible after an incident but can be made at any point after the alleged incident. The Title IX coordinator tracks all complaints and reports under this procedure.

### **Anonymous and Third-Party Reporting:**

The Title IX staff accepts anonymous and third-party reports of conduct alleged to violate this policy and will follow up on such reports. The individual making the report (the “Reporter”) is encouraged to provide as much detailed information as possible to allow the Title IX staff to investigate and respond as appropriate. The Title IX staff may be limited in the ability to investigate an anonymous report unless sufficient information is furnished to enable them to conduct a meaningful and fair investigation.



### **Reporter or Complainant Requests No Investigation**

If a Reporter or Complainant requests that an investigation not be conducted, the Title IX staff will consider the reasons for the request, including concerns about continued safety of the person reportedly harmed and members of the campus community. The Title IX staff must also balance considerations about the continued health and safety of members of the community against a Reporter's or Complainant's desire not to have the report investigated. In cases when a Reporter or Complainant does not want to have a report investigated, but the Title IX staff has concerns that not taking formal or informal action might endanger the health or safety of members of the campus community, the Title IX staff will initiate confidential consultation with appropriate individuals to analyze the situation and assist in determining appropriate measures to take. Consultation may occur with the Campus Dean, Head of Student Services, psychological health professional, Director of Operations, and legal counsel. The Title IX staff will make the ultimate decision about whether to conduct a formal investigation or respond to the report in another manner, including taking informal actions, such as those described below.

### **Immediate Action and Interim Measures**

Hult will take interim measures to assist or protect the parties during the grievance process, as necessary. Such measures for a student Complainant may include arranging for changes in class schedules or living arrangements, issuing a no-contact order, temporary suspension of the Respondent, obtaining counseling, and modifying test schedules or other class requirements temporarily. For an employee Complainant, such measures may include but are not limited to, counseling, temporarily reassigning or placing on administrative leave an employee alleged to have violated this policy.

### **Resolution**

If a Complainant chooses to file a complaint, there are two avenues for resolution of an alleged violation of the Sexual Harassment Policy: formal and informal resolution. The Complainant has the option to proceed informally, when permissible. In cases involving allegations of sexual assault, informal resolution is not appropriate, even if both the Complainant and Respondent indicate a preference for informal resolution.

### **Informal Process and Resolution**

If the Complainant and the Title IX staff agree that an informal resolution should be pursued, the Title IX staff shall attempt to facilitate a resolution of the conflict that is agreeable to all parties. Under the informal process, the Title IX staff shall be required only to conduct such fact-finding as is useful to resolve the conflict and as is necessary to protect the interests of the parties and the Hult community. Typically, an informal investigation will be completed within fifteen (15) working days of receipt of the complaint. If it becomes necessary to extend the process, due to scheduling issues, school breaks or other delays, both parties will be notified of a revised expected resolution timeframe.



A Complainant always has the option to request a formal investigation. The Title IX staff also always has the discretion to initiate a formal investigation. If at any point during the informal process, the Complainant, the Respondent, or the Title IX staff wishes to cease the informal process and to proceed through formal grievance procedures, the formal process outlined below may be invoked.

The informal resolution must adequately address the concerns of the Complainant, as well as the rights of the Respondent and the overall intent of the University to stop, remedy and prevent policy violations. Informal actions might include but are not limited to: providing training to a work unit; having an informal discussion with an individual whose conduct, if not stopped, could rise to the level of discrimination, or hostile environment harassment; or having a confidential conversation with a supervisor or instructor.

### **Formal Process**

**Step 1:** Title IX staff discusses concerns with Complainant, and the Respondent as appropriate, including providing information about the policy and procedures and other helpful resources. Title IX staff also considers whether immediate or interim actions or involvement of other Hult offices is appropriate. Title IX staff determines whether the office has jurisdiction to investigate the matter. The Title IX staff only has jurisdiction to investigate complaints alleging discrimination, harassment, sexual misconduct, stalking, and retaliation.

**Option 1:** If it is determined that there is no jurisdiction, the Title IX staff will offer to assist the Complainant and, as appropriate, the Respondent, in finding appropriate campus and off-campus resources for addressing the issue of concern.

**Option 2:** If it is determined that there is jurisdiction, the Title IX staff will proceed to Step 2.

**Step 2:** Title IX staff conducts or oversees the conducting of a fair and impartial investigation of the alleged policy violation and proceeds to Step 3. Typically, an investigation will be completed within thirty (30) working days of receipt of the complaint. If it becomes necessary to extend the process, due to scheduling issues, school breaks or other delays, both parties will be notified of a revised expected resolution timeframe

**Step 3:** Title IX staff determines whether there is a preponderance of the evidence to believe that an individual engaged in a violation of the Sexual Harassment Policy. This means that individuals are presumed not to have engaged in alleged conduct unless a “preponderance of the evidence” supports a finding that the conduct has occurred. This “preponderance of the evidence” standard requires that the evidence supporting each finding be more convincing than the evidence in opposition to it. In making the determination of whether harassment has created a hostile environment, the Title IX staff will consider not only whether the conduct was unwelcome to the Complainant, and caused either substantial emotional distress or a barrier to education, but also whether a reasonable person in the Complainant’s situation would have perceived the conduct as objectively offensive.



**Option 1:** If Title IX staff finds a preponderance of the evidence of a Policy Violation does not exist, the matter is documented and closed; a written notice of the outcome of the investigation will be sent to the Complainant and the Respondent.

**Option 2:** If Title IX staff finds that a preponderance of the evidence of a policy violation exists, the written report will include recommendations for steps to take to prevent recurrence of any such violation, and as appropriate, remedies for the Complainant. The Respondent may be required to sign the written finding which will be provided to the Discipline Authority for a determination of appropriate sanctions. If appropriate, written findings provided to the Respondent will maintain confidentiality of medical and personal information of the Complainant and/or any witness. In the case of student Respondents, the Discipline Authority will be the Dean of Students and/or the Executive Director. In the case of employees, the Discipline Authority is the School administrator with the authority to impose sanctions in accordance with applicable employment policies and procedures and collective bargaining agreements. The Discipline Authority must inform the Title IX staff and the Respondent of the ultimate sanctions imposed upon a Respondent. The Title IX staff will inform the Complainant of the sanctions only as permitted by applicable Title IX and privacy laws.

### **Support Person/Advisor**

The Complainant and Respondent may each have a support person present with them at all meetings and any hearing associated with a complaint and in which the respective individual is participating. The Support Person/Advisor may be any person of the participant's choosing, including an attorney. The Support Person/Advisor may attend, but shall not participate in, meetings or the hearing. If the participant chooses to have an attorney serve as the Support Person/Advisor, such attorney will be at that individual's expense.

### **Filing an Appeal**

Either party may appeal the finding if there is:

- a procedural error,
- bias on the part of an investigative or decision-making party,
- new evidence
- disproportionate penalty for misconduct

The appeal must be filed within five (5) working days of the receipt of the Title IX decision, unless good cause can be shown for an extension of time. The appeal must be sent to chair of the Disciplinary Review Committee on the appropriate campus.

### **Authority of the Disciplinary Review Committee**

The Chair of the DRC has the authority to uphold or overturn decisions and/or sanctions that have been issued by the Title IX team. The DRC may review all information obtained during the Title IX



investigation, may request witnesses or either party review the information that is given. If new information is determined, the appeal process will end, and the Title IX team will reconsider the original decision.

### **Conflict of Interest and Training**

All Hult officials who are involved in the discrimination grievance process, including the Title IX staff, designated investigators, Grievance Committee, and Discipline Authorities, will have adequate training. Training will address, but is not limited to, recognizing and appropriately responding to allegations of discrimination, harassment, including hostile environment harassment, sexual misconduct, and retaliation, conducting investigations, protecting confidentiality, and recognizing the link between alcohol and drug use and sexual assault and sexual harassment.

The names of the investigator and the individuals who will serve on the Grievance Committee for a particular matter will be readily accessible. These individuals must promptly disclose any potential conflict of interest they might have in a particular case. In the rare situation in which an actual or perceived conflict of interest arises between an investigator or member of the Grievance Committee, that conflict must be disclosed to both parties.

### **External Complaints**

If you filed a complaint with the Title IX staff and believe Hult's response was inadequate, or you otherwise believe you have been discriminated against by the School, you may be able to file with external offices, including but not limited to:

#### **Office for Civil Rights (OCR) of the U.S. Department of Education**

You can file a complaint regarding discrimination based on race, color, national origin, sex (including sexual harassment) disability, age, or retaliation with OCR. The contact information for OCR's Boston Office is:

#### **The U.S. Department of Education, Office for Civil Rights**

##### **Boston Office**

U.S. Department of Education  
8<sup>th</sup> Floor  
5 Post Office Square  
Boston, MA 02109-3921  
Telephone: (617) 289-0111  
Email: [OCR.Boston@ed.gov](mailto:OCR.Boston@ed.gov)  
Website: [www.2ed.gov/about/offices/list/oc](http://www.2ed.gov/about/offices/list/oc)

**The Educational Opportunities Section (EOS) of the Civil Rights Division of the U.S. Justice Department of Justice.** You can file a complaint regarding discrimination based on race, color, national origin, sex (including sexual harassment), disability, age, religion, or retaliation with EOS of the U.S. Justice Department. The contact information for EOS is:



**U.S. Department of Justice Civil Rights Division**

950 Pennsylvania Avenue, N.W.

Educational Opportunities Section, PHB

Washington, D.C. 20530

Telephone: (202) 514-4092 or 1-877-292-3804 (toll-free)

Email: [education@usdoj.gov](mailto:education@usdoj.gov)

Website: [www.justice.gov/crt/about/edu](http://www.justice.gov/crt/about/edu)

**The US Equal Employment Opportunity Commission** – is responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or employee because of the person's race, color, religion, sex, national origin age, disability of genetic information.

**EEOC- Boston Area Office**

John F. Kennedy Federal Building

475 Government Center

Boston MA 02203

Telephone: (800)-669-4000

Email: [info@eeoc.gov](mailto:info@eeoc.gov)