



Hult International Business School, Sexual Harassment Policy

It is the goal of Hult International Business School to promote an educational environment that is free from sexual harassment. Sexual harassment of students, faculty or staff occurring either on campus or off campus will not be tolerated. Further, any retaliation against an individual who has complained about sexual or other unlawful harassment, or retaliation against individuals for cooperating with the investigation of a sexual or other unlawful harassment complaint will not be tolerated. No victim of sexual harassment need fear retaliation from the accused or any other member of the Hult community.

Because Hult takes allegations of harassment seriously, we will respond promptly to complaints of harassment. If we determine that inappropriate conduct has occurred, we will act reasonably to eliminate the conduct and impose such corrective action as we deem necessary. Such action may range from counseling to termination and may include such other forms of disciplinary action as the School deems appropriate under the circumstances.

Hult's sexual harassment and anti-discrimination policies are not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include controversial or sensitive subject matters protected by academic freedom.

Please note that while this policy sets forth Hult's goal of promoting an educational environment that is free from sexual and other forms of unlawful harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for conduct which we deem inappropriate or unacceptable, regardless of whether that conduct satisfies the legal definition of harassment.

Definition of Sexual Harassment

Sexual harassment means unwelcome conduct of a sexual nature including but not limited to sexual advances, requests for sexual favors and verbal, nonverbal and physical conduct of a sexual nature when:

- a. submission to or rejection of such unwelcome conduct of a sexual nature is either: (i) made explicitly or implicitly a term or condition of enrollment; or (ii) is used as a basis for employment/educational decisions; or
- b. such unwelcome conduct of a sexual nature has the purpose or effect of unreasonably interfering with an individual's educational performance by creating an intimidating, hostile, humiliating or sexually offensive environment at Hult.

Under these definitions, direct or implied requests (by a supervisor, professor, or other individual responsible for academic evaluations) for sexual favors in exchange for actual or promised academic benefits constitute sexual harassment.



Sexual harassment may include incidents between any members of the college community, including faculty, staff, students, and non-students or non-employee participants in college programs such as vendors, speakers, contractors or guests. Sexual harassment may occur in hierarchical relationships or between peers, or between people of the same or opposite sex. The same standards that apply to harassment between individuals of the opposite sex also apply to harassment involving individuals of the same sex.

Sexual harassment that is not sexual in nature, but is based on gender, sex- stereotyping, sexual orientation, and gender identity is prohibited by Hult's nondiscrimination policies if it is sufficiently severe to deny or limit a person's ability to participate in or benefit from the Hult programs, academic coursework or services.

The definition of sexual harassment is broad., Other conduct of a sexual nature, whether it is intended or not, that is unwelcome and has the effect of creating an environment that is hostile, offensive, intimidating, or humiliating may also constitute sexual harassment. While it is not possible to list all those circumstances that may constitute sexual harassment, the following are some examples of conduct which, if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances - whether they involve physical touching or not;
- Creation or dissemination of sexually explicit voicemails, email, graphics, downloaded material, websites or the like;
- Sexual epithets, sexual jokes, written or oral references to sexual conduct, gossip regarding one's sex life;
- Comment about an individual's body and/or comment about an individual's sexual activity, deficiencies or prowess;
- Displaying sexually suggestive objects, pictures or cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences; and/or
- Discussion of one's sexual activities.

Individuals are encouraged to report incidences of sexual harassment to the Student Services or Operations head on campus, or the Director of Student Affairs, Karen Van Dyne, Karen.vandyne@Hult.edu + 1 617-619-1097

Sexual Assault Policy

It is the policy of Hult International Business School that no member of the community shall sexually harass or assault another, or engage in sexual exploitation, domestic violence, or stalking. Hult expects all people to be treated with dignity. Disrespectful behavior, psychological or physical threats will not be tolerated at Hult. Sexual assault, domestic violence and stalking are crimes and will not be tolerated. These are aggressive and/or exploitative acts and often brutal crimes which violate a person's physical



and emotional stability. Every member of the Hult community is responsible for helping to ensure that all types of harassment are prevented.

Definition of Sexual Assault

There are two major categories of sexual assault: Non-Consensual Sexual Contact and Non-Consensual Sexual Intercourse:

- Non-Consensual Sexual Intercourse is penetration of any bodily orifice (however slight) with any part of the body, or by an object, without consent and/or with the threat or actual use of force. Both men and women may be the victims or perpetrators of non-consensual sexual intercourse.
- Non-consensual sexual contact is intentional sexual touching (however slight) with any object without a person's consent. Intentional sexual contact includes but is not limited to contact with the breasts, buttocks, groin, or making another person touch any of these body parts in a sexual manner

Definition of Sexual Exploitation

Sexual exploitation occurs when one person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses.

Examples of sexual exploitation include, but are not limited to:

- Invasion of sexual privacy;
- Prostituting another person;
- Non-consensual digital, video or audio recording of nudity or sexual activity;
- Unauthorized sharing or distribution of digital, video or audio recording of nudity or sexual activity;
- Non-consensual voyeurism;
- Knowingly exposing someone to or transmitting an STI, STD or HIV to another person;
- Intentionally or recklessly exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals;

Dating Violence

Dating violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition Dating violence includes, but is not limited to:

- sexual or physical abuse or the threat of such abuse.
- dating violence does not include acts covered under the definition of domestic violence.



Domestic Violence

Domestic Violence is defined as a felony or misdemeanor crime of violence committed:

- By a current or former spouse or intimate partner of the Complainant
- By a person with whom the Complainant shares a child in common
- By a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner

Stalking

Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress. A course of conduct means two or more acts, including, but not limited to: acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

Consent

Consent must be knowing and voluntary and sought before engaging in sexual activity. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. The presence of consent involves explicit communication and mutually understandable words or actions that indicate a willingness to participate in mutually agreed on sexual activity. Consent to one form of activity does not imply consent to other forms of sexual activity. Previous relationships or prior consent cannot imply consent to future sexual acts. Consent can be withdrawn at any time.

Consent cannot be given by an unconscious person, or a person incapacitated by drugs or alcohol. It also cannot be given by a minor. Consent cannot be coerced, intimidated or forced from a person. **Coercion** is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

There is no requirement that a party resist the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual, but non-consensual sexual activity is not by definition forced.

Incapacitation- Sexual activity with someone who one should know to be -- or based on the circumstances should reasonably have known to be -- mentally or physically incapacitated (by alcohol or other drug use, unconsciousness or blackout), constitutes a violation of this policy.



Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of their sexual interaction).

This policy also covers a person whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of rape drugs. Possession, use and/or distribution of any of these substances, including but not limited to Rohypnol, Ketamine, GHB, Burundanga, is prohibited, and administering one of these drugs to another student is a violation of this policy.

Resources for Victims of Sexual Assault

If you are the victim of sexual assault, get to a safe place immediately. Based on local jurisdiction, you may decide to report the crime and or seek medical attention and counseling. Regardless of whether you choose to seek any or all or none of these resources, you may also file a grievance with Hult. We will provide you with information about local resources and take immediate and appropriate steps to investigate and determine what occurred and take prompt and effective steps to rectify the situation. If required, we will begin disciplinary proceedings and impose possible sanctions, which can include suspension, termination, or expulsion from the program.

Medical Amnesty Policy

At Hult International Business School, student safety, both on and off campus, is of utmost importance. Hult recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that prohibited conduct under these procedures occurs may be hesitant to report incidents due to fear of potential consequences for their own conduct.

Hult strongly encourages students to report such prohibited conduct. A student bystander or complainant acting in good faith who discloses any violation of the sexual harassment policy or any other prohibited conduct under these procedures to Hult shall not be subject to action under the university’s Honor Code for violation of alcohol and/or drug use occurring at or near the time of the commission of the prohibited conduct. While no disciplinary action will be taken, Hult reserves the right to take steps necessary to address health and safety concerns for the individual and the community, as well as the right to report truthfully to licensing bodies.

This policy only applies to administrative responses taken by Hult and does not apply to potential consequences related to interactions with US police or the US legal system.

Mandatory Employee Reporting of Sexual Harassment and Sexual Assault Involving Students

In order to enable Hult to respond effectively and to stop instances of sexual harassment and sexual assault involving students proactively, all Hult employees must, within 24 hours of receiving the information, report information they have about alleged or possible sex-based discrimination, sexual harassment, and sexual misconduct involving anyone in the Hult community to the Title IX Coordinator



or local coordinator. If the local coordinator is aware of possible sex-based discrimination, sexual harassment, or sexual misconduct, he/she must report this to the Title IX Coordinator immediately to determine if this meets the criteria of a Title IX violation. Employees who are statutorily prohibited from reporting such information are exempt from these reporting requirements, including licensed health-care professionals.

Upon receiving a report of alleged sex-based discrimination, sexual harassment, or sexual misconduct, the coordinator will evaluate the information received and determine what further actions should be taken. He or she will follow the procedures described in the Hult's Grievance Procedures and take steps, either directly with the complainant or through a reporting employee, to provide information about Hult's grievance procedures, as well as available health and advocacy resources and options for criminal reporting.

Sanctions and Corrective Action

Violations of this policy will be addressed through the Grievance Procedures or the Title IX procedure. Consequences for violating this policy will depend upon the facts and circumstances of each particular situation. Sanctions and corrective action could include: a requirement not to repeat or continue the discriminatory, harassing, or retaliatory conduct, a reprimand, a no-contact order, denial of a merit pay increase, reassignment, suspension or termination or expulsion. The severity of sanctions or corrective action will depend on the frequency and severity of the offense and any history of past discriminatory, harassing, or retaliatory conduct. A finding of discrimination or harassment that creates a hostile environment or results in a tangible employment or educational action, or sexual misconduct may be cause for disciplinary action, up to and including the discharge of employees and the expulsion of students. Hult may also take appropriate action if it does not find discrimination or harassment that creates a hostile environment or results in a tangible employment or educational action, but (a) Hult found that the respondent engaged in disruptive behavior or (b) Hult determines that it must take appropriate action to prevent the creation of a hostile environment.

Confidentiality

All members of the Hult community who are involved in an investigation of sexual harassment policy violations are expected to keep details about proceedings and the information obtained from those proceedings private.

An individual who asks Hult to address an informal complaint of sexual misconduct may request that Hult keep the matter confidential from the accused or other persons involved in the events. In such a case, Hult will take all reasonable steps to investigate and respond to the complaint consistent with that request. However, Hult will not be able to hear a formal complaint unless the individual is willing to reveal the complaint (including his or her identity) to the accused party, the fact-finder, and the hearing panel. In some cases, Hult may not be able to honor a request for confidentiality if doing so would endanger the safety or well-being of the complainant or other members of the Hult community. In addition, Hult may not be able to preserve the complete confidentiality of records in the event of litigation



or a government investigation. Finally, an accused party may have access to sexual misconduct allegations that become part of his or her student record or personnel file; although in such cases the Hult will remove information identifying the complainant.

Truthfulness

Parties and witnesses are expected to provide truthful information in all phases of this proceeding. Failure to do so may result in a recommendation for a more severe penalty or a referral to an appropriate disciplinary authority.

Retaliation

Hult policy strictly forbids retaliation against individuals who report sexual misconduct, file complaints of sexual misconduct, cooperate in the investigation of sexual misconduct, or hear formal or informal complaints of sexual misconduct. The processes set out here are available to an individual who believes that he or she has suffered retaliation for any of these actions.



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:

Complaints and third-party reports of discrimination should be made to the Director of Student Affairs or the Head of Student Services on each campus. These 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. Complaints and reports should be made as soon as possible after an incident but can be made at any point after the alleged incident.

Director of Student Affairs

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Anonymous and Third-Party Reporting:

Hult 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 Hult to investigate and respond as appropriate. Hult 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, Hult will consider the reasons for the request, including concerns about continued safety of the person reportedly harmed and members of the campus community. Hult 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 Hult has concerns that not taking formal or informal action might endanger the health or safety of members of the campus community, Hult 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. Hult 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 Hult agree that an informal resolution should be pursued, Hult shall attempt to facilitate a resolution of the conflict that is agreeable to all parties. Under the informal process, Hult is 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. Hult also always has the discretion to initiate a formal investigation. If at any point during the informal process, the Complainant, the Respondent, or Hult 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: Hult discusses concerns with Complainant, and the Respondent as appropriate, including providing information about the policy and procedures and other helpful resources. Hult also considers whether immediate or interim actions or involvement of other Hult offices is appropriate. Hult determines who has jurisdiction to investigate the matter. If this matter fits the criteria of a Title IX violation, Hult will follow the Title IX Policy

Step 2: Hult 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: Hult 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, Hult 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 Hult 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 Hult 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 Respondent of the ultimate sanctions imposed upon a Respondent. Hult will also inform the Complainant of the sanctions only as permitted by applicable FERPA 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 that was not reasonable available at the time the determination was made
- 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 (DRC) on the appropriate campus. If the request for appeal does not meet the grounds in this policy, that request will be denied by the Chair of the DRC and the parties and their advisors will be notified in writing of the denial and the rationale.

Any sanctions imposed as a result of the hearing are stayed during the appeal process. Supportive measures may be reinstated, subject to the same supportive measure procedures above. All approved appeals will be sent to the Global Appeals Committee, consisting of the Chairs of the DRC of each campus. If the appeal has new information, the file will go back to the original decision maker for re-review.

If the appeal team has questions, they can contact the student. They will not re-investigate the case unless they find bias or a procedural error. If bias is found, the case will be re-investigated from the start,



including all witness interviews and statements and hearings. The appeal team will not discuss the case with the decision maker, except to ask procedural questions.

A Notice of Appeal Outcome will be sent to all parties including the decision on each approved ground and rationale for each decision. The Notice of Appeal Outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanctions that may result which Hult is permitted to share according to state or federal law. The decision of the Global Appeal Committee

Conflict of Interest and Training

All Hult officials who are involved in the discrimination grievance process, 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.