



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.

Hult is compliant with the US Title IX law, and the UK Equality Act. 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 Title IX coordinator, 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;

Definition of Domestic Violence

Domestic Violence is any act which involves physical harm or the attempt of physical harm, places another in imminent fear of serious physical harm, or causes another to involuntarily engage in sexual relations. This includes abusive behavior of any sort, including but not limited to emotional, psychological or physical abuse. Domestic violence occurs between, persons in a dating or engagement relationship, persons who have a child in common, or persons who are related by blood or marriage.



Stalking

Stalking is course of conduct directed at a specific person which alarms or annoys that person and causes substantial emotional distress. Stalking involves repeated and continued harassment made against the expressed wishes of another person and/or making a threat intending to place that person in imminent fear

of death or injury. Stalking behaviors may include pursuing or following; unwanted communication or contact- including face-to-face, telephone calls, voice messages, emails, texts, social media messaging, unwanted gifts, trespassing, surveillance or other types of observation.

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.

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. 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. 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 Title IX 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.



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 University, you may be able to file with the following external offices.

[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

8th Floor

5 Post Office Square

Boston, MA 02109-3921

Telephone: (617) 289-0111

Facsimile: (617) 289-0150

Email: OCR.Boston@ed.gov

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)

Facsimile at (202) 514-8337

Email: education@usdoj.gov