



Procedures to Address Allegations of Discrimination, Discriminatory Harassment, and Sexual Harassment

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Procedures Statement

AUB Mediterraneo encourages a diverse student body and workforce, and is committed to the principle of equal opportunity in education and employment. Consistent with this commitment and with its policies not to tolerate discrimination and discriminatory harassment, these Procedures to Address Allegations of Discrimination, Discriminatory Harassment, and Sexual Harassment are developed to provide those who feel that they are victims of discrimination or discriminatory harassment—in violation of the University’s Non-Discrimination and Anti-Discriminatory Harassment Policy and/or Sexual Harassment Policy—with mechanisms for seeking redress, as described further below. By following these procedures, AUB Mediterraneo will take reasonable and necessary actions to address promptly and thoroughly discriminatory and sexual misconduct and to prevent re-occurrence.

Purpose

The Procedures are developed to support the implementation of the AUB Mediterraneo’s Non-Discrimination and Anti-Discriminatory Harassment Policy and Sexual Harassment Policy. Complaints regarding alleged discrimination or discriminatory harassment as defined in the Non-Discrimination and Anti-Discriminatory Harassment Policy and/or the Sexual Harassment Policy are resolved exclusively in accordance with these Procedures, which supersede any other procedures that might otherwise apply in the case of the alleged misconduct.

Scope

University-Wide OR Departmental Specify Department(s):

Who Should Read this Policy Document

All members of the AUB Mediterraneo Community, including members of the AUB Mediterraneo Campus, and any other facility or program affiliated with the University, as listed below.

Community members include:

- Officers
- Faculty
- Staff
- Academic Appointees
- Alumni
- Students
- Visiting Students
- Trainees
- Visitors
- Subcontractors
- Suppliers



Responsibilities

Consistent with Title IX of the US Education Amendments of 1972, which prohibits sex discrimination in education and interprets sex discrimination as including sexual harassment and sexual violence, AUB Mediterraneo has designated a Title IX Coordinator in the Office of Institutional Compliance and Ethics, and maintains Title IX Deputies, as needed.

Inquiries regarding discrimination and discriminatory harassment, including sexual harassment, may be directed to the Title IX Coordinator, or by email to TBA. The Office of the Vice Chancellor maintains a resource page on Non-Discrimination, Anti-Harassment, and Title IX at TBA.

Reporting Violations of the Non-Discrimination and Anti-Discriminatory Harassment Policy and Sexual Harassment Policy

Members of the AUB Mediterraneo Community who believe that they have been subjected to any conduct in violation of the Non-Discrimination and Anti-Discriminatory Harassment Policy and/or the Sexual Harassment Policy have recourse to file a Formal or Informal Complaint under this Policy.

The filing of a Formal Complaint signals that the initial preference of the Reporting Party (a person who makes allegations of misconduct under the Non-Discrimination and Anti-Discriminatory Harassment Policy and/or the Sexual Harassment Policy) is to seek a Formal Resolution, while the filing of an Informal Complaint signals that the Reporting Party's initial preference is to seek Informal Resolution (*see Resolution Processes, below*). Nevertheless, a Reporting Party may express a different preference before the resolution process begins (or during that process). Importantly, Informal Resolution is available only where the Reporting Party, Responding Party (a person accused of violating the Non-Discrimination and Anti-Discriminatory Harassment Policy and/or the Sexual Harassment Policy), and the University's Title IX Coordinator all agree to Informal Resolution. Accordingly, the Title IX Coordinator in consultation with the Vice Chancellor may decide that an Informal Complaint should be resolved through Formal Resolution even though the Reporting Party's and/or Responding Party's preference is Informal Resolution.

I. Formal Complaints

A Formal Complaint is submitted by completing and submitting a "Notice of Discrimination/Discriminatory Harassment" form (Appendix I) in-person, via email, AUB Mediterraneo internal post, or by mail to the University's Title IX Coordinator, or to a Title IX Deputy, who will log the complaint and promptly deliver it to the Title IX coordinator with a summary of any meeting with the Reporting Party.

II. Informal Complaints

A Complaint is considered Informal if it is submitted without a formal "Notice of Discrimination/Discriminatory Harassment" in-person, or via phone, email, University post, or mail. Informal complaints may also be submitted to a Title IX Deputy or on the EthicsPoint online system (aub.ethicspoint.com), anonymously or not. If an Informal Complaint is submitted



to a Title IX Deputy, they shall promptly deliver a summary of the Complaint, along with a summary of any meeting with the Reporting Party, to the Title IX Coordinator.

III. Complaints submitted by third-party reporters

When a third party, who may or may not belong to the AUB Mediterraneo community (e.g., a faculty member, advisor, friend, or staff, parent of student) reports a possible violation of the Non-Discrimination and Anti-Discriminatory Harassment Policy and/or the Sexual Harassment Policy, the Title IX Coordinator will promptly notify the alleged target and the alleged perpetrator that a report has been received. Thereafter, the alleged target will be treated as the Reporting Party, and the alleged perpetrator as the Responding Party, and the Policy will apply in the same manner as if the alleged target of discrimination or discriminatory harassment had made the initial report, including when the Reporting Party does not wish for their name to be shared, does not wish for an investigation to take place, or does not want formal resolution to be pursued (*See Confidentiality Section*)."

IV. Timely Reporting

In order to protect the AUB Mediterraneo community and to ensure that Complaints can be effectively investigated, a Complaint of discrimination or discriminatory harassment should be submitted to the Office of Institutional Compliance and Ethics as soon as possible after the offending conduct has occurred. A delay in reporting may affect AUB Mediterraneo's ability to gather relevant and reliable information, contact witnesses, investigate thoroughly, and respond meaningfully. It may also affect AUB Mediterraneo's ability to take disciplinary action against a student, faculty member, or staff who engaged in prohibited conduct.

At a minimum, AUB Mediterraneo recommends submitting the Complaint before three years have elapsed from the occurrence of the alleged conduct. Depending on the circumstances, AUB Mediterraneo may decline to investigate conduct reported more than three years after it occurred.

However, AUB Mediterraneo may also deem it necessary, depending on the seriousness of the conduct alleged, to investigate incidents that occurred more than three years before the complaint is filed.

Preliminary Procedures

I. Initial Assessment

Upon receipt of a Formal or Informal complaint, the Title IX Coordinator will conduct an Initial Assessment in order to gain a basic understanding of the nature and circumstances of the Complaint and to evaluate whether there is sufficient information to suggest that a violation of the Non-Discrimination and Anti-Discriminatory Harassment Policy and/or Sexual Harassment Policy has potentially occurred.

If, after assessing the nature and circumstances of the complaint, the Title IX Coordinator determines that there is sufficient information to suggest that a violation of the Non-Discrimination and Anti-Discriminatory Harassment Policy and/or Sexual Harassment Policy has occurred, they will conduct an initial assessment meeting with the Reporting Party, during which the Reporting Party will be provided with an explanation of their rights in addition to



information about support resources, procedural options, and potential remedial measures, and information about relevant University policies. In this meeting, the Title IX Coordinator may recommend to the Reporting Party Formal or Informal Resolution. If the Reporting Party expresses a preference for a Formal Resolution process—or if the Title IX Coordinator deems Formal Resolution appropriate—they will be asked to submit a Notice of Discrimination/Discriminatory Harassment Form, if they have not already done so.

A meeting will then be held with the Responding Party to discuss the Complaint. The Responding Party is also provided with an explanation of their rights in addition to information about support resources, procedural options, and potential remedial measures, and information about relevant University policies. If the Reporting Party prefers Informal Resolution, and the Title IX Coordinator believes that the Complaint could potentially be resolved by Informal Resolution, the Responding Party will also be provided with an explanation regarding Informal and Formal Resolution, and asked which form of resolution they would prefer.

The goals of the Initial Assessment are to:

- Address immediate physical safety and psychological well-being needs, and recommend reasonable, immediate and necessary steps to the units concerned to address the concerns raised by the complaint. Reasonable steps are determined on a case-by-case basis considering the alleged misconduct and surrounding circumstances. These immediate reasonable steps do not preclude additional Interim Measures.
- Discuss with the Reporting Party and Responding Party the relevant University Policies with special focus on the sections addressing the prohibition of retaliation and the requirement to maintain confidentiality of the report and of the persons involved to the greatest extent possible.
- Discuss with both parties procedural options and potential remedial measures.
- Learn the Reporting Party and Responding Party's expressed preference for Informal or Formal resolution and any barriers to proceeding. Request from both parties a written confirmation of their preferences for Informal or Formal resolution.

At the conclusion of the Initial Assessment, and based on the facts and circumstances of the complaint, and the seriousness of the alleged violation being the primary consideration, the Title IX Coordinator will decide whether to proceed via Informal or Formal Resolution, provided that the Title IX Coordinator may select Informal Resolution only if both the Reporting Party and Responding Party agree. Only members of the AUB Mediterraneo Community and incidents that fall under the jurisdiction of the Office of Institutional Compliance and Ethics (as defined by the Non-Discrimination and Anti-Discriminatory Harassment Policy and Sexual Harassment Policy) may be subject to a resolution or investigation. Other cases may be referred to the appropriate resources in accordance with applicable policies.

II. Threat Assessment

Following the Initial Assessment, the Title IX Coordinator will assess whether there is reasonable cause to believe that the Reporting Party or Responding Party poses a substantial or potential threat of harm to the safety and well-being of the AUB Mediterraneo Community or to their own wellbeing, and whether Interim Measures are necessary to mitigate that risk. Accordingly, the Title IX Coordinator, may make appropriate recommendations to the University President to stop and/or prevent the potential threat and preserve the safety of both parties and the AUB Mediterraneo community.



III. Interim Measures

After a Complaint (Informal or Formal) is received, the University Vice Chancellor in consultation with the Title IX Coordinator may impose timely, reasonable and appropriate Interim Measures with the aim of protecting the Reporting Party, Responding Party, and others from any potential hostile or offensive environments. Interim Measures can be imposed even before a determination that the alleged conduct violated University policy.

Examples of Interim measures (among others) include:

- No Contact Order (NCO) between the Reporting Party and Responding Party
- Interim suspension or leaves of absence
- Temporary exclusion from areas of campus
- Temporary assignment of an employee to a different unit/department
- Removal from or relocation to another residence hall
- Changes in academic/course schedules
- Change in academic/thesis advisor
- Limiting participation in certain events, gatherings, or activities

Interim measures are subject to amendment throughout the resolution processes depending on the evolution of or changes in the circumstances of each Complaint.

Interim measures do not indicate a presumption that any policy has been violated and should not be viewed as punitive, negative, or suggesting final findings against a party. The Title IX Coordinator, in coordination with other responsible employee(s), shall maintain communication with the parties to ensure that concerns about safety or emotional and physical wellbeing are being addressed.

Any party subject to Interim Measures, along with personnel charged with implementing such measures, must maintain the confidentiality of any Interim Measures provided to any of the parties involved, to the extent that maintaining such confidentiality would not impair the ability of the institution to implement the Interim Measures.

External Resources of Law Enforcement

Depending on the nature of the misconduct involved, Parties may choose or be advised to also pursue their complaints with the police or other external relevant law enforcement agencies. When law enforcement is involved, the University may nevertheless seek to resolve Complaints in accordance with these Procedures.

The Title IX Coordinator may contact, when needed and applicable, any law enforcement agency that is conducting its own investigation to inform them that an institutional investigation is also in progress. In certain cases, the University may briefly delay its investigation when criminal charges are being investigated, but will ordinarily not do so for more than fifteen (15) working days, except to comply with a reasonable request of law enforcement or a court order.

The Title IX Coordinator may also request copies of related police/law enforcement reports related to the Complaint.



Confidentiality

In order to protect Reporting Parties, Responding Parties, and witnesses, AUB Mediterraneo endeavors to investigate potential violations of its Non-Discrimination and Anti-Discriminatory Harassment and Sexual Harassment Policies with sensitivity and due regard for the importance of maintaining confidentiality.

The University will maintain the confidentiality of the Complaint and privacy of the persons involved to the greatest extent possible, consistent with its goal of conducting a thorough and complete investigation and to the extent permitted by law. Accordingly, the concerned parties, members of the Investigative Panels, advisors, and any other person participating in the investigation process shall maintain the confidentiality of the information obtained throughout the investigation process and as indicated above.

All members (including parties, witnesses, advisors, members of the syndicate, among others) participating in a Formal Investigation should sign a pledge acknowledging the applicable confidentiality requirements.

If a Reporting Party does not wish for their name to be shared, does not wish for an investigation to take place, or does not want formal resolution to be pursued, the reporting party may make this request to the Title IX Coordinator.

The University will consider the request and honor it whenever possible. The Office of Institutional Compliance and Ethics will promptly notify the Reporting Party whether the University will be able to honor their request for anonymity.

Considerations that are taken into account include: the Reporting Party's articulated concerns; the best interests of the University Community; fair treatment of all involved individuals, including the Responding Party's right to have specific notice of the allegations if the University were to take action that affects the Responding Party; and the University's obligations to provide a safe and non-discriminatory environment for all members of its community.

In cases indicating pattern, predation, threat, weapons and/or violence, the University will likely be unable to honor a request for anonymity. In cases where circumstances allow a request for anonymity to be honored, the University may offer interim support and remedies to the Reporting Party and community, but will otherwise not pursue formal action.

Information about Confidential Resources for parties who wish to have confidential discussions with trained health professionals is available in the Non-Discrimination and Anti-Discriminatory Harassment Policy (see page 6) and in the Sexual Harassment Policy (see page 7-8).

Advisors

Although the Reporting Party and Responding Party are expected to represent themselves during the resolution process, they may each be accompanied in meetings and investigation interviews by a member of the AUB Mediterraneo Community who is not a family member or a member of the legal profession, so long as this does not delay the proceedings.



When resolving allegations of dating violence, domestic violence, sexual assault, or stalking, both the Reporting Party and Responding Party may be accompanied to any related meeting or proceeding by the advisor of their choice. Their companions may only address the Panel if invited to do so as witnesses.

Evidentiary Burden

In all stages of the investigation and resolution of Complaints, AUB Mediterraneo will apply a preponderance of the evidence, or “more likely than not,” standard when determining whether a violation of the Non-Discrimination and Anti-Discriminatory Harassment Policy and/or the Sexual Harassment Policy has occurred.

Resolution Processes

The Title IX Coordinator is responsible at all times for ensuring a prompt, fair, and impartial investigation and resolution of complaints alleging violations of the Non-Discrimination and Anti-Discriminatory Harassment Policy and/or the Sexual Harassment Policy.

I. Informal Resolution

As explained above, the Title IX Coordinator is responsible for determining whether Formal and Informal Complaints will be resolved by Informal or Formal Resolution, provided that Informal Resolution may occur only when both the Reporting Party and Responding Party agree—in writing—to Informal Resolution. Informal Resolution is usually inappropriate when the alleged misconduct involves sexual violence, actual or perceived serious threat, or risk of harm to any of the parties or to the University community.

Since the Informal Resolution process is voluntary, the Reporting Party, Responding Party, and Title IX Coordinator may each decide to end the Informal Resolution process at any time before its completion, including in the event that the Title IX Coordinator determines that any University members' safety is at risk. In that case, the Complaint will be resolved through Formal Resolution. However, once a Complaint has been resolved through Informal Resolution, the result becomes binding, the case will be closed, and a complaint about the same incidents will not be accepted. If an Informal Resolution process is terminated in favor of Formal Resolution, the information obtained during Informal Resolution may be used in a subsequent Resolution.

The Informal Resolution process addresses a Complaint in the most effective and expeditious manner possible. Informal Resolutions are accomplished by the Title IX Coordinator with the assistance of other offices/units/departments on Campus.

Informal Resolutions may require undergoing a mediation or abbreviated investigation to reach an appropriate finding, outcome and/or a resolution agreement. Outcomes of an Informal Resolution process may involve sanctions when both parties agree to the sanctions. Other outcomes may include appropriate remedial measures, such as no contact orders, permanent



assignment of an employee to a different unit/department, and changes in academic/course schedules, among others.

The Title IX Coordinator will keep records of the Informal Resolution finding and of the outcome/resolution reached. In certain cases, Informal Resolutions may result in a written resolution agreement that both parties approve and sign.

Sanctions or remedial measures related to an Informal Resolution that are implemented through the Human Resources Department or through the Office of Student Affairs or through other offices shall be communicated to the Office of Institutional Compliance and Ethics.

Failure to abide by the resolution outcome/resolution may result in sanctions.

II. Formal Resolution

The first step in the Formal Resolution Process is a Formal Investigation. The Investigation is conducted by an Investigative Panel selected by the University Vice Chancellor in consultation with the President and the Title IX Coordinator.

If the Title IX Coordinator determines that Formal Resolution is appropriate, but the Reporting Party refuses to participate in the process, the Formal Resolution process may nevertheless continue.

1. Formal Investigation Process

a. Pre-investigation process

Within five (5) working days after commencement of the Formal Resolution Process (typically the date the Formal Complaint is submitted), the Responding Party will be provided through a face-to-face meeting (or otherwise by email/mail) with a written Notice of Investigation including the allegations constituting a potential violation of the Policies, the section of the Policies allegedly violated, and the date and location of the alleged incident(s).

The Responding Party will be given ten (10) working days, from the date of receiving the written Notice of Investigation (explained above), to submit, if they wish, a written response to the Complaint.

Following receipt of the written statement, the University Vice Chancellor in consultation with the President will constitute an Investigative Panel comprised of three voting members, plus the Title IX Coordinator, who serves as the Panel's non-voting chair. If a full Panel is constituted, its voting members are drawn, as appropriate, from a standing pool of members (faculty and/or staff) who have received relevant/appropriate training to conduct investigations of complaints covered by the AUB Mediterraneo policies. The Panel's composition is detailed in the section below regarding the "Composition of the Investigative Panels".

b. Investigation Process

The roles of the Investigative Panel are to gather facts and information relevant to the Complaint, to provide a recommendation to the University Vice Chancellor and the President as to whether a violation of the Non-Discrimination and Anti-Discriminatory Harassment Policy and/or the Sexual Harassment Policy has occurred, and to recommend sanctions and remedial measures, when applicable. The role of the Title IX coordinator in the investigation process is to



ensure a prompt, fair, and impartial investigation process, compliance with the University's relevant policies and procedures, and to report the Panel's findings and recommendations to the University Vice Chancellor and the President.

The Title IX Coordinator is also responsible for providing the Reporting Party and Responding Party with an estimated timeline for the completion of the Panel's investigation and for providing timely updates should circumstances change.

During the first meeting of the Investigative Panel, the Title IX Coordinator will review with the Panel members their obligations with respect to privacy and confidentiality. The Title IX Coordinator will then provide the Panel members with the Formal Complaint and/or a summary of the Informal Complaint (as applicable). Voting panelists must disqualify themselves if they discover that there is an actual or perceived conflict of interest. If a voting member panelist disqualifies, another member is appointed by the University Vice Chancellor in consultation with the President and the Title IX Coordinator.

In the event that the University Vice Chancellor and/or the President, in consultation with the Title IX Coordinator, determines that the Title IX Coordinator has an actual conflict of interest that would undermine confidence in the proceedings, the University Vice Chancellor in consultation with the President may appoint another University official with appropriate training to fill the role of the Title IX Coordinator.

During the investigation, the Reporting Party and Responding Party will have an equal and meaningful opportunity to be heard, to submit information and corroborating evidence, and to identify witnesses who may have relevant information. The Reporting Party and Responding Party will also have an opportunity to submit written questions for the other party and witnesses.

At any point in its deliberations, the Investigative Panel may recommend to the University Vice Chancellor that additional Interim Measures be taken.

The Investigative Panel will gather facts and information through interviews (of the Parties involved and witnesses), supporting documents provided by the parties and witnesses, and by collection other types of evidence including documentary, demonstrative, digital, direct, and circumstantial evidence. Interviews conducted by the Investigative Panel will be audio recorded by the Panel for the Panel's own use. Interviewed parties must be informed about the recording of the interviews and their consent should be sought. If an interviewee refuses to have the interview recorded, both the Title IX Coordinator and a voting member of the Panel must take notes during the interview, and then jointly prepare an interview summary. If the interviewee consents, an interview summary will be prepared based upon the recording.

Written interview summaries conducted by the Panel will be provided for review by the concerned interviewees. Parties and witnesses may not make their own recordings or copies of interview summaries provided for review.

The Panel may confidentially confer at any point during formal investigation process with University counsel and appropriate university officials.

At the conclusion of its investigation, the Investigative Panel will synthesize the information that it has gathered into a Draft Investigation Report. The Draft Investigation Report will include a recommendation to the University Vice Chancellor and the President, determined by majority vote, as to whether there has been a violation of the Non-Discrimination and Anti-



Discriminatory Harassment Policy and/or the Sexual Harassment Policy. None of the three voting members may abstain. If the Panel recommends a finding of violation(s), it will also recommend sanctions and remedial measures to the University Vice Chancellor and the President. The Title IX Coordinator will review the Draft Report and may suggest revisions, which the voting members of the Panel can accept or reject.

Following final approval of the Panel, the Title IX Coordinator will share the Draft Report and its appendices with the Reporting Party and Responding Party. The parties will be able to review the report but will not be allowed to keep a copy of it.

The Reporting Party and the Responding Party will have ten (10) working days, from the date of reading the Draft Report, to provide their written response to the report, if they wish to do so. They may also provide new information, evidence, clarifications of previously shared information, and suggestions of additional witnesses who may offer new information that was not previously available. The written responses will be shared with the parties and the Investigative Panel for review.

The Investigative Panel will consider the responses of the parties. If the Panel believes that material new facts (that were not and could not have been made available during the investigation process) are brought by any of the parties, the Panel will consider the new information and/or may reopen its investigation.

Once the Draft Investigation Report review process is complete, the Panel will issue a Final Investigation Report. The parties will be invited to read the Final Investigation Report within five (5) working days of its completion. The parties should be given ten (10) working days, from the date of reading the Final Investigation Report, to provide another written response to it, if they wish to, for consideration by the University Vice Chancellor and the President.

2. Vice Chancellor review and action

The Title IX Coordinator will provide the Vice Chancellor and the President with the Final Investigation Report (including its appendices) within five (5) working days of the finalization of the Final Investigation Report. The Title IX coordinator may append a letter to the forgoing that includes their comments and/or recommendations of particular forms of remedies and/or sanctions. Neither the Recommendations of the Investigative Panel nor the Title IX Coordinator are binding on the Vice Chancellor and the President.

The Vice Chancellor in consultation with the President have fifteen (15) working days to review the Investigation Report and issue a final written decision (Notice of Outcome letter) adopting, modifying, or rejecting the Investigative Panel's determinations as to (1) whether a policy violation occurred; and (2) if a violation occurred, what sanctions and/or remedial measures are appropriate.

The decision of the Vice Chancellor is final.

3. Notification of outcome

For any party who is not a student, a copy of the Notice of Outcome letter of each of the parties should be sent to:

- The Title IX Coordinator, **and**
- The Human Resources Department, **and**



- The provost, if the concerned party is a faculty member, **and**
- The dean of the relevant Faculty, if the concerned party is a faculty member, **or**
- The director of the relevant unit, and
- The Equity/Title IX Office of AUB.

For any party who is a student, a copy of the "Notice of Outcome" letter of each of the parties should be sent to:

- The Title IX Coordinator, **and**
- The dean of the Faculty where the student is enrolled, **and**
- The Office of Student Affairs Administrator/Representative and
- The Equity/Title IX Office of AUB.

The information provided to the aforementioned individuals should be kept confidential.

Duration of the Formal Investigation

The Investigative Panel is responsible for completing a comprehensive and thorough investigation within a prompt and reasonable time frame.

The investigation process is normally completed within ninety (90) working days after the Investigative Panel's first meeting until the finalization of the draft report. However, the duration of the investigative process may vary and sometimes may need to be extended depending on extenuating circumstances including the complexity of the allegations, unavailability of parties or witnesses, and material new information (that is timely provided by a party).

In all cases, if the Investigative Panel needs, for a good cause, more time to conclude their work, the Title IX Coordinator may approve the extension in writing, including an explanation for the extension, with a copy provided to the Reporting and Responding Parties.

Composition of the Investigative Panel

The Investigative Panels are composed of a total of four members: three voting members and one non-voting member. The Title IX Coordinator will ordinarily serve as the non-voting chair of the Investigative Panel. However, the Vice Chancellor in consultation with the President and the Title IX Coordinator may designate, when needed (including in the event of actual conflict of interest), another trained faculty member to serve as non-voting member on the Panel.

If applicable, the three voting members are selected from a standing pool of trained members (faculty and/or staff from AUB and/or AUB Mediterraneo) who have been trained to conduct investigations of complaints covered by the AUB Mediterraneo Policies.

A full Panel's composition will be as follows:

- If the Responding Party is a faculty member, all three voting members will be faculty members of equal or higher rank. It is recommended whenever possible and available that the selected members be from a Faculty that is different from the Responding Party's Faculty. However, in all cases, the selected faculty members should be from a different department.



- If the Responding Party is a staff member, one or two voting members should be a staff of equal or higher grade; the other member(s) may be a faculty. The selected staff members should be from a Faculty/Unit/Department/Office different from the one of the Responding Party.
- If the Responding Party is a student, the composition of the Panel will depend on the status of the Reporting Party, as per the above description of the panel's composition for Responding Parties who are faculty or staff members. If the Reporting Party is also a student, the panel may be formed of three faculty members or two faculty members and one staff. None of the panel members should be from the Faculty in which the student is or was enrolled.

Witnesses

Both the Reporting Party and Responding Party will be given the chance to provide names of potential witnesses to the Investigative Panel. The Investigative Panel will interview witnesses whom it believes will be helpful to its investigation, and/or request from them either an oral or written statement. Witnesses may also be asked to submit supporting evidence and documentation.

Witnesses may include individuals from within or outside the AUB Mediterraneo community.

If either the Reporting Party or Responding Party notified the Investigative Panel of a witness to the events under investigation, and the Panel chooses not to or could not interview the witness, the Investigation Report must include an explanation of the reason the interview(s) did not occur.

Non-Testimonial Evidence

Non-testimonial evidence may be provided to the Investigative Panel by the parties and witnesses. Such evidence includes any facts or information presented in support of an assertion they have made during the investigation, including documentary, demonstrative, and digital evidence, and may include both inculpatory and exculpatory evidence.

The Investigative Panel may also consider prior misconduct by the parties, as well as any relationship history between the parties. However, character evidence (information that does not directly relate to the facts at issue, but instead reflects upon the reputation, personality, qualities, or habits of an individual) is not usually considered when determining whether a violation of an applicable policy occurred.

During the investigation, the Investigative Panel may share at its discretion with the parties and/or witnesses any documentation that it has received from a party and/or witness.

The Investigation Report

The Final Investigation Report should include:

- Names and role of the Reporting Party and Responding Party.
- Names and titles of the investigative panel members.
- A detailed description of the incident(s)/alleged misconduct(s) including the place of the incident(s), date(s).



- The potential policy and/or code violations under consideration based the information collected during the investigation.
- Background information about any potential resolution attempted prior to the formal investigation.
- Relevant facts learned during the investigation, and conclusions drawn therefrom.
- Summary of information considered in the determination of findings, including extracts of interviews considered in the investigation.
- A clear declaration that a preponderance of the evidence standard is being applied.
- Credibility assessments of witnesses, including the Reporting Party and Responding Party, and findings of fact to resolve inconsistencies among the statements given by various witnesses (if applicable).
- Recommended findings as to whether policy violations occurred and recommendations as to sanctions and remedial measures, if appropriate, including a discussion of aggravating and mitigating circumstances. The Panel's numerical vote results must be included.
- A declaration about the opportunity for both parties to review and respond to information used in the finding.
- A summary of the panel consideration of responses to the Draft Investigation Report.
- A list of other identified misconduct (non-discriminatory in nature) for referral to the proper University officials.

The Final Investigation Report should be accompanied by appendices of all documents and materials collected during the investigation and on which the Panel relied, including:

- Formal Notices of Discriminatory Harassment
- Summary of Interview Notes
- Supporting Documentation provided by the parties
- Additional Information provided by witnesses
- Additional relevant information
- Responses of the parties to the Draft Investigation Report (if any)
- Responses of the parties to the Final Investigation Report (if any)

The Final Investigation Report, and all other documents related to the investigation are retained by the Vice Chancellor's Office.

If non-discriminatory misconduct is identified and noted in the Investigation Report, the Title IX Coordinator has the obligation to refer such misconduct to the appropriate University officials by providing a redacted version of the Investigative Report that includes information about only the non-discriminatory misconduct.



Sanctions and Remedies

Remedies and sanctions are imposed with the primary purpose of maintaining a safe and respectful environment conducive to learning, working and living.

I. Sanctions

Sanctions for violating AUB Mediterraneo's policies concerning Discrimination and Discriminatory Harassment, including Sexual Harassment are stringent and may reach up to the termination of employment and/or tenure and expulsion from educational programs, depending on the misconduct severity.

Sanctions are determined based on the number and severity of the alleged violation(s), whether the violations involved violence, the overall circumstances of the violations, the impact on the Reporting Party and/or the University Community, whether the Responding Party has accepted responsibility for the misconduct, and whether the Responding Party has a history of misconduct.

The determination of the sanctions also depends on whether the circumstances reveal a pattern of perpetration and/or suggest an increased risk of future acts of harm, violence, or threat to the safety of the University Community.

Sanctions may be issued individually, or a combination of sanctions may be imposed.

In addition to sanctions, the University President may also impose remedial and restorative measures on the Responding Party, such as referrals to counseling and/or community service, if such remedial and/or restorative measures do not threaten the safety of the AUB Mediterraneo Community, and are likely to allow (taking into account the safety of the AUB Mediterraneo community as a whole) the Responding Party to develop insight about responsibility for their behavior, learn about the impact of the behavior on the Reporting Party and the University Community, and identify how to prevent or change the behavior.

II. University-wide Remedies

In addition to any imposed sanctions, the University may, upon completion of each investigation, identify additional measures that may be reasonably taken to prevent future instances of discrimination or discriminatory harassment, such as increased monitoring or supervision of locations or activities where alleged incidents occurred, targeted training of faculty, staff, or students, or revision of existing policies.

Various departments will share responsibility over implementation of such measures, as applicable, including the Office of Institutional Compliance and Ethics, and the Human Resources Department, among others.

Disclosure of Information

The investigative file compiled during the investigation process described above is maintained by the Title IX Coordinator at the President's Office. This file generally contains a description of the alleged violation, supporting report with exhibits, and official case-related correspondence.



Requests to disclose the investigative file or any part thereof will be addressed by the Title IX

Appendices

Appendix I (at the end of this document): “Notice of Discrimination/Discriminatory Harassment form”

Appendix II (at the end of this document): “Notice of Sexual Harassment form”



NOTICE OF DISCRIMINATION/DISCRIMINATORY HARASSMENT

AMERICAN UNIVERSITY OF BEIRUT

OFFICE OF INSTITUTIONAL COMPLIANCE AND ETHICS

To promote timely and effective review, AUB Mediterraneo encourages Reporting Parties to file this form as soon as possible, after the alleged harassing behavior or prohibited conduct. A delay in reporting may affect AUB Mediterraneo's ability to gather relevant and reliable information, contact witnesses, investigate thoroughly, and respond meaningfully. It may also affect AUB Mediterraneo's ability to take disciplinary action against a student, faculty member, staff, or other member of the AUB Mediterraneo community who engaged in prohibited conduct.

When this form is completed and signed, it should be submitted in person, via e-mail, internal mail, or mail by the reporting party to the Title IX Coordinator in the Office of Institutional Compliance and Ethics, or to a Title IX Deputy. Information describing the alleged harassment, as well as any informal efforts to resolve the problem, and copies of documentary evidence that may support the case may be provided with the form or during the intake process after the form has been submitted.

Reporting Party Information

Reporting Party's name: _____

E-mail address: _____

Telephone number: _____

(Please provide your home number or AUB Mediterraneo extension or mobile number)

University status: () Faculty () Staff () Student () Other: _____

Job title (if applicable): _____

Faculty and/or department: _____

Head of department's name: _____

Responding Party Information

Responding Party's name: _____



University status: () Faculty () Staff () Student () Other: _____

Job title: _____

(If applicable)

Faculty and/or department: _____

Head of department's name: _____

Alleged incident(s)

Alleged incident type:

Discrimination

Discriminatory Harassment

Retaliation

Discrimination/ Discriminatory Harassment related to:

Alleged incident date:

Alleged incident place:

Description of alleged incidents:

Signature of Reporting Party

Date submitted



NOTICE OF SEXUAL HARASSMENT

AMERICAN UNIVERSITY OF BEIRUT

OFFICE OF INSTITUTIONAL COMPLIANCE AND ETHICS

To promote timely and effective review, AUB Mediterraneo encourages Reporting Parties to file this form as soon as possible, after the alleged harassing behavior or prohibited conduct. A delay in reporting may affect AUB Mediterraneo's ability to gather relevant and reliable information, contact witnesses, investigate thoroughly, and respond meaningfully. It may also affect AUB Mediterraneo's ability to take disciplinary action against a student, faculty member, staff, or other member of the AUB Mediterraneo community who engaged in prohibited conduct.

When this form is completed and signed, it should be submitted in person, via e-mail, internal mail, or mail by the reporting party to the Title IX Coordinator in the Office of Institutional Compliance and Ethics, or to a Title IX Deputy. Information describing the alleged harassment, as well as any informal efforts to resolve the problem, and copies of documentary evidence that may support the case may be provided with the form or during the intake process after the form has been submitted.

Reporting Party Information

Reporting Party's name: _____

E-mail address: _____

Telephone number: _____

(Please provide your home number or AUB Mediterraneo extension or mobile number)

University status: () Faculty () Staff () Student () Other: _____

Job title (if applicable): _____

Faculty and/or department: _____

Head of department's name: _____

Responding Party Information



Responding Party's name: _____

University status: () Faculty () Staff () Student () Other: _____

Job title: _____

(If applicable)

Faculty and/or department: _____

Head of department's name: _____

Alleged incident(s)

Alleged incident type:

Sexual Harassment

Retaliation

Type of Sexual Harassment:

Alleged incident date:

Alleged incident place:

Description of alleged incident(s):

Signature of Reporting Party

Date submitted