



AMERICAN
UNIVERSITY
OF BEIRUT

Mediterraneo

NON-DISCRIMINATION POLICY

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POLICY STATEMENT

AUB Mediterraneo is committed to the principle of equal opportunity in education and employment. Consistent with this commitment and in alignment with the objectives of Lebanese, U.S., and other applicable laws, it is the policy of AUB Mediterraneo not to tolerate discrimination or discriminatory harassment and to provide those who feel they are victims of discrimination or discriminatory harassment with mechanisms for seeking redress, as described further below.

PURPOSE

The aim of this policy is to promote a safe, respectful and ethical work and academic environment in which members of the AUB Mediterraneo community are free from discrimination and discriminatory harassment of all kinds, excluding sexual harassment, which is addressed in the [Sexual Harassment Policy](#).

SCOPE

This policy applies to all members of the AUB Mediterraneo community including its medical center and any affiliated program or facility associated with AUB Mediterraneo. Community members include:

- Members of the Board of Trustees
- Officers
- Faculty
- Staff
- Academic Appointees
- Alumni
- Students (including Medical Interns and Residents)
- Visiting Students
- Trainees
- Visitors
- Subcontractors
- Suppliers

DEFINITIONS

Capitalized terms shall have the meaning attributed to them in this section:

- **Academic Appointee** refers to an individual serving on an academic appointment and who is typically responsible for delivering duties related to academics or providing assistance in those duties.
- **Allegation** refers to an accusation made by the Complainant about a violation of this policy that he or she suspects or believes has occurred.

- **Anonymous Complaint** refers to complaints made anonymously using any of the reporting options outlined in [Procedures to Address Allegations of Discrimination, Discriminatory Harassment, and Sexual Harassment](#). To make an anonymous complaint by any method above, do not provide any personally identifiable information (such as name, email, phone numbers) when making the complaint.
- **Complaint** refers to a formal notification, either orally or in writing, lodged with the Title IX Office alleging a violation under this Policy.
- **Complainant** refers to the person who brings forward the complaint about an alleged violation of the policy.
- **Faculty Member** refers to an individual serving on an academic appointment and who is typically responsible for teaching, research or service. Faculty members may hold different titles in accordance with University policies and practices.
- **Health Care Provider** refers to an individual who is authorized by law to provide health care services and is providing direct care to the Parties or has been aware of the impacted individual's case by virtue of their work and responsibilities. The term includes but is not limited to: Doctor of Medicine, doctor of osteopathy, podiatrist, dentist, chiropractor, clinical psychologist, optometrist, nurse, nurse-midwife, radiology or imaging technician, laboratory technician, physiotherapist, and clinical social worker.
- **Interim Measures** refer to reasonably available and feasible measures, accommodations, or steps the University may take to protect the safety and well-being of members of the University community, maintain the integrity of the investigative and/or resolution process, and deter retaliation.
- **Intimidation** refers to the use of implied or overt threats that menace or cause reasonable fear to overcome an individual's freedom of will to choose whether to participate in sexual activity or provide affirmative consent. Affirmative consent obtained by intimidation is not valid.
- **Investigation Process** refers to the investigation process which purpose is to gather facts relating to the incident(s) outlined in the written complaint and to determine whether it is more likely than not that the alleged behavior occurred and, if so, whether it constitutes sexual harassment.
- **Managerial Level Staff** refers to non-academic employees at a management level.
- **Officer** refers to a member of the University leadership team and includes without limitation: the president, the rector the University auditor, and the deans.
- **Respondent** refers to the person who is the alleged perpetrator as identified by the complainant.
- **Retaliation** refers to any attempt to seek retribution against an individual or group of individuals involved in filing a complaint or report under this policy, filing an external complaint, participating in a disciplinary process, or opposing in a reasonable manner an action believed to constitute a violation of this policy.
- **Staff Member** refers to an individual serving on a non-academic appointment, and who is typically responsible for administrative duties. Staff include without limitation regular employees, temporary employees, fixed-term contract

employees, seasonal employees, and any other type of employees as described in relevant policies.

- **Students** refer to all those enrolled full-time or part-time in any program at AUB Mediterraneo, and may be continuing education, undergraduate, graduate, postgraduate, visiting, non-degree, graduate fellow, graduate teaching assistant, graduate research assistant, graduate administrative assistant. A student's status as "student" ceases at the time the student graduates or otherwise separates from his or her educational program at AUB Mediterraneo.
- **Visitor** refers to an individual who is physically present on campus temporarily and who is not a student, faculty member, or staff member. Visitors may include guests or others entering campus premises for a specific purpose or event.

PROTECTED CHARACTERISTICS

Protected characteristics shall have the meaning attributed to them in this section:

- **Age** refers to the number of years from the date of a person's birth.
- **Alienage Or Citizenship Status** refers to the immigration status or citizenship status of a person recognized under the custom or law as being a legal member of a sovereign state or belonging to a nation.
- **Color** refers to an individual's skin pigmentation, complexion, shade, or tone.
- **Disability** refers to a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.
- **Genetic Predisposition**, also called genetic susceptibility, refers to an increased likelihood of developing a particular disease based on a person's genetic makeup. A genetic predisposition results from specific genetic variations that are often inherited from a parent.
- **Carrier Status** refers to a person or other organism that has inherited a recessive allele for a genetic trait or mutation but usually does not display that trait or show symptoms of the disease.
- **Marital Status** refers to civil status, or marital status, are the distinct options that describe a person's relationship with a significant other. Married, single, divorced, and widowed are examples of civil status.
- **Pregnancy** refers to the condition of being pregnant or expecting a baby.
- **National or Ethnic Identity** refers to an individual's actual or perceived country or ethnicity of origin.
- **Political Affiliation** refers to having a close or official connection with a certain political party.
- **Race** refers to an individual's actual or perceived racial or ethnic ancestry or physical characteristics associated with a person's race, such as a person's color, hair, facial features, height, and weight.

- **Religion** refers to all aspects of religious observance and practice, including lack of religion.
- **Sex** refers to an individual's biological status of male or female, including pregnancy. Conduct of sexual nature is by definition based on Sex as a Protected Status.
- **Sexual Orientation** refers to whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

RESPONSIBILITIES

- (A) In alignment with the objectives of Title IX of the US Education Amendments of 1972, which prohibits sex discrimination in education, AUB Mediterraneo maintains a Title IX Coordinator in the Office of the Rector and Title IX Deputies as needed to address complaints of discrimination and discriminatory harassment addressed under this policy.
- (B) Inquiries regarding discrimination and discriminatory harassment may be directed to the Title IX Coordinator, or by email at titleix@aubmed.ac.cy. The Office of the Rector maintains a resource page on [Anti-Discrimination initiatives and Title IX](#).

JURISDICTION AND STATUTE OF LIMITATIONS

- (A) The policy is applicable to all the AUB Mediterraneo Community including: members of the Board of Trustees, officers, faculty, staff, academic appointees, students, visiting students, alumni, trainees, visitors, contractors, subcontractors, suppliers, located on AUB Mediterraneo's campus, as well as all affiliated programs or facilities associated with AUB Mediterraneo.
- (B) All aspects of this policy apply to situations in which both parties (the complainant and the respondent) are members of the AUB Mediterraneo Community.
- (C) This policy applies to discriminatory and discriminatory harassment misconduct that occurs:
- on-campus or
 - off-campus when the conduct in question affects or could affect any of the party's ability to participate in the university educational or work-related program or activity
 - using any means of communication (including online, phone, email, social media, among others) when the conduct occurs in connection with a program or activity related to the University, or
 - using the University's electronic communications system.
- (D) Complaints submitted against or by alumni involving misconduct that occurred off campus or online are not within the scope of this policy and will not be considered, unless the misconduct occurred at a university-sponsored program or activity.

- (E) Information regarding sexual harassment can be found in the Sexual Harassment Policy.

PROHIBITION AGAINST DISCRIMINATION AND DISCRIMINATORY HARASSMENT

A. Background

1. AUB Mediterraneo is committed to the principle of equal opportunity in education and employment. Consistent with this commitment and in alignment with the objectives of Cypriot, U.S., and other applicable laws, it is the policy of AUB Mediterraneo not to tolerate discrimination or discriminatory harassment and to provide those who feel they are victims of discrimination or discriminatory harassment with mechanisms for seeking redress, as described further below.
2. AUB Mediterraneo works towards increasing awareness of such misconduct, eliminating its occurrence on campus, providing support for survivors, diligently investigating all reports of discrimination and discriminatory harassing misconduct, and dealing fairly and firmly with offenders. Creating a safe campus environment and a culture of respect is the shared responsibility of all members of the AUB Mediterraneo community, individually and collectively.

B. Discrimination

1. AUB Mediterraneo prohibits discrimination against any member of the AUB Mediterraneo community on the basis of any “Protected Characteristics” (listed below) or any other legally protected characteristic to the fullest extent permitted by law.
2. Protected Characteristics may include race, color, religion, age, national or ethnic identity, sex, sexual orientation, pregnancy, marital status, disability, genetic predisposition or carrier status, alienage or citizenship status, and political affiliation. Specific definitions of the above terms are provided in the “definitions” section below.
3. This prohibition against discrimination and discriminatory harassment applies to all of AUB Mediterraneo activities as well as all affiliated programs or facilities associated with AUB Mediterraneo, including, but not limited to, the administration of its educational, admissions, and employment policies; recruitment, hiring, compensation, assignment, training, promotion, performance evaluation, discipline and discharge; and other university programs and activities.

C. Discriminatory Harassment

1. AUB Mediterraneo also prohibits conduct that constitutes harassment and creates a hostile environment on the basis of on any of the listed “Protected Characteristics” or any other legally protected characteristic to the fullest extent permitted by law.
2. A harassing conduct is defined as unwelcome conduct that may include verbal abuse, graphic or written statements, physical assault, or other conduct that may be threatening, harmful, or humiliating.

3. For purposes of this policy, a harassing conduct creates a hostile environment if, based on the totality of the circumstances, it is:
 - (i) subjectively and objectively offensive; and
 - (ii) so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the institution's education or employment programs or activities.
4. To assess whether the alleged conduct has created a hostile environment, the University considers all relevant evidence, weighs a variety of factors, and evaluates the conduct at issue from both a subjective and objective perspective. The University will examine the totality of the circumstances surrounding the conduct, including its nature, pervasiveness, severity, the relationship between the parties and the context in which the conduct occurred and whether it unreasonably interfered with, limited, or deprived a member of the community of the ability to participate in or to receive benefits, services, or opportunities from the University's education or employment programs and/or activities.
5. Harassment does not require intent to offend or intimidate. Thus, inappropriate conduct or communication (verbal, physical, written, graphic, electronic, media or other) meant as a joke or a prank can lead or contribute to harassment in violation of this policy.
6. Discriminatory harassment may occur between people of equivalent status. It is especially serious, however, when it involves abuse of power or authority, such as by a faculty or staff member over a student, faculty or staff member over subordinate.

D. Non-Discriminatory Conduct

1. As part of its commitment to its mission, AUB Mediterraneo believes deeply in and encourages freedom of thought and expression and seeks to foster tolerance and respect for the plurality of opinions and dialogue. Accordingly, actions or statements (oral or written) that serve a necessary function in an academic, educational, or research context or that are relevant and appropriately related to course subject matter, academic debate or academic research do not violate this policy; so long as they do not have the intent or effect of unreasonably interfering with an individual's or group's participation in educational or work related programs or activities; or of creating a subjectively and objectively hostile, intimidating, or offensive educational, work, or living environment.
2. Instances in which one person is discourteous or disrespectful toward another, or in which adverse actions are taken for a legitimate educational or employment reason (e.g., providing constructive criticism or changing a work location) do not constitute discriminatory harassment unless the conduct was because of a Protected Characteristic. Improper or unfair treatment that reflects a serious and aggravated lack of civility, but is not because of a Protected Characteristic, may be addressed under the [Grievance Policy and Procedures](#).
3. In addition, conduct that does not rise to the level of harassment may still violate AUB Mediterraneo's [Principles of Ethical Conduct](#) or the [Student Code of Conduct](#). Even conduct that does not violate an AUB Mediterraneo policy may be inappropriate, and any inappropriate conduct should be addressed by the unit/department head/chair, dean, or supervisor.

PROHIBITION AGAINST RETALIATION

1. AUB Mediterraneo prohibits retaliation against individuals who, in good faith, complain about, report, or assist others in reporting non-compliance with the university Non-Discrimination Policy. AUB Mediterraneo also prohibits retaliation against any person who provides evidence or otherwise participates or refuses to participate in the investigation or resolution of a complaint under this policy.
2. These prohibitions include complaints brought to law enforcement or governmental bodies or participation in related proceedings outside of the University.
3. Retaliation includes, but is not limited to, any action, statement or behavior that is designed to punish an individual for making a complaint or cooperating with an investigation, or to deter an individual from making or pursuing a complaint or participating in an investigation or the resolution of a complaint.
4. Retaliatory conduct may include, but is not limited to, threats, intimidation, reprisals, and/or adverse actions affecting employment, education, or quality of life. It does not include petty slights or annoyances.
5. Reports of non-compliance with university policies that are made in good faith, even if the allegations ultimately do not lead to a finding that a policy was violated, are not considered retaliation.
6. Allegations of retaliation, while a matter is pending pursuant to the Procedures to Address Allegations of Discrimination, Discriminatory Harassment, and Sexual Harassment; may be investigated separately through a new investigation, or folded into the pending investigation, based on the circumstances of the allegations.
7. Those who believe that they have experienced retaliatory action should inform the Title IX Coordinator for guidance on how to proceed. Such an allegation may become part of an existing complaint or form the basis for a new one.

OBLIGATION TO REPORT

AUB Mediterraneo is committed, and may be required by law, to take action if it has knowledge of actual discrimination or discriminatory harassment even if an individual does not wish to file a formal complaint. Academic and administrative unit heads have a special responsibility to stop discrimination and discriminatory harassment in areas under their supervision.

A. Mandatory Reporters

1. AUB Mediterraneo has designated academic and administrative department/unit heads, managerial level staff, academic advisors, and protection officers, as responsible employees or “mandatory reporters”, and may designate others at its discretion. These individuals are obligated to report actual discriminatory and discriminatory harassing conduct that they become aware of to the Title IX Coordinator, unless they are a “confidential” resource as described below.
2. Mandatory reporters are not required to report incidents communicated in climate surveys, classroom writing assignments or discussions, human subjects research,

or focus groups, unless the complainant clearly indicates they wish a report to be made. Even if a formal process is not initiated, remedial steps may be taken as the result of such disclosures.

3. Failure by individuals in a supervisory role to report information they possess (either based on their own observation or a report to them) concerning discrimination and discriminatory harassment covered by this policy shall be considered to be a violation of this policy and is subject to disciplinary action.

B. Confidential Resources

1. Confidential resources are offered by designated staff at AUB Mediterraneo who are not required to report actual or suspected discrimination or harassment to appropriate university officials.
2. Confidential resources include on campus counselors in the Counseling Center of the Office of Student Affairs.
3. Confidentiality may nevertheless be limited in cases of suspected abuse of a minor, in the event of an external investigation or prosecution, and in the event of imminent danger to the complainant, respondent, or others.

CONFIDENTIALITY

1. In order to protect complainants, respondents, and witnesses, AUB Mediterraneo endeavors to investigate violations of its policies concerning discrimination with sensitivity and due regard for the importance of maintaining confidentiality.
2. The University will maintain the confidentiality of the complaints 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.
3. If a complainant 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 complainant may make this request to the Title IX Coordinator. The University will consider the request and honor it whenever possible.
4. Considerations that are taken into account include: the complainant's articulated concerns; the best interests of the University community; fair treatment of all involved individuals, including the respondent's right to have specific notice of the allegations if the University were to take action that affects the respondent; and the University's obligations to provide a safe and non-discriminatory environment for all students. The Title IX Office will promptly notify the complainant whether the University will be able to honor their request for anonymity.
5. In cases indicating pattern, predation, threat, weapons and/or violence, the University will likely be unable to honor a request for confidentiality. In cases where circumstances allow confidentiality to be honored, the University may offer interim support and remedies to the complainant and community but will otherwise not pursue formal action.

REPORTING VIOLATIONS OF THIS POLICY

1. Members of the AUB Mediterraneo community who believe that they have been subjected to any conduct in violation of this policy have recourse to informal and/or formal avenues to address their concerns.
2. Informal and Formal complaints concerning violation of this policy will be addressed following the Procedures to Address Allegations of Discrimination, Discriminatory Harassment, and Sexual Harassment.

AMNESTY PROVISIONS

1. AUB Mediterraneo encourages the reporting of discrimination or discriminatory harassment misconduct by complainants and witnesses. AUB Mediterraneo pursues a policy of offering complainants and witnesses acting in good faith amnesty from minor policy violations related to the incident.
2. A student (including an eyewitness), acting in good faith, who reports an incident of discrimination or discriminatory harassment under this policy (or to law enforcement), or who participates in the investigation of a report, will not be subject to subsequent disciplinary action for violation of the Student Code of Conduct related to the consumption of alcohol or illegal substances on campus, when the conduct occurred at or near the time of the reported incident, whether the related policy violation is intentional or accidental. This does not apply to such breaches of the Student Code of Conduct that occur with the intention of facilitating or participating in the violation of this policy.

GOOD FAITH / BAD FAITH ALLEGATIONS / DELIBERATE FABRICATION OF EVIDENCE

A. Good Faith Allegations

An allegation is made in good faith if the individual making it has an honest belief that the information provided in support of a complaint is true and has a reasonable basis to believe that there has been or may have been a violation of AUB Mediterraneo's policies.

B. Bad Faith Allegations

Individuals who make frivolous or false reports shall not be deemed to be acting in good faith. Providing information known to be false or misleading or making an allegation in bad faith may lead to serious disciplinary action. A bad faith allegation is one made in reckless disregard for, or willful ignorance of, facts that would disprove it or made with a view to personal gain.

C. Deliberate Fabrication of Evidence

If, at the conclusion of an investigation, it is determined that any of the parties or witness knowingly gave false or misleading information, it may be recommended that the individual be subjected to disciplinary action.

DISCIPLINARY ACTIONS

Disciplinary actions for violating AUB Mediterraneo's Anti-Discrimination Policy are stringent and may reach up to the termination of employment and/or tenure and expulsion from educational programs depending on the conduct severity.
