



Sexual Harassment Policy for Lebanese Higher Education Institutions

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POLICYbrief

Executive Summary

Lebanese higher education institutions (HEIs) are committed to the principle of equal opportunity in education and employment. Consistent with this commitment, it is the policy of these HEIs not to tolerate any kind of sexual misconduct and to provide those who feel they are victims of sexual harassment with adequate mechanisms to address it. Sexual harassment, its criteria, and types are defined below.

The aim of this policy brief is to promote a safe, respectful and ethical work and academic environment in which members of the HEIs community are free from any kind of sexual harassment.

Members of the HEIs community who believe that they have been subjected to any conduct in violation of this policy brief can address the issue through informal complaints, formal complaints or through complaints submitted to third party reporters.

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Target Audience

- Lebanese Ministry of Education and Higher Education
- Lebanese HEIs

There is lack of data on sexual harassment incidents in Lebanon (Munshey, 2020); however the International Men and Gender Equality Survey (IMAGES) has shown that two-thirds of women have experienced sexual harassment (2016).

HEIs in Lebanon encourage 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 Lebanese, and other applicable laws, it is the policy of HEIs not to tolerate any kind of sexual misconduct and to provide those who feel they are victims of sexual harassment with mechanisms for seeking redress. HEIs work towards increasing awareness of such misconduct, eliminating its occurrence on campus, providing support for survivors, diligently investigating all reports of sexual

Harassment, 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 HEIs community, individually and collectively.

What is Sexual Harassment

Sexual Harassment is defined as an unwelcome conduct (verbal, physical, written, graphic, electronic, media or other) of a sexual nature, which is so severe or pervasive that it unreasonably interferes with a person's university employment, academic performance or participation in university programs or activities, or creates a working, learning, program, activity or living environment that a reasonable person would find intimidating, hostile or offensive. Sexual harassment may occur in a single episode or represent persistent behavior. Sexual harassment may occur between people of the same or different gender or 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.

Examples of conduct that could constitute sexual harassment include, but are not limited to:

- ➔ Repeated unwelcome flirtation, advances, or propositions.
- ➔ Threats that a person's employment, wages, academic grade, promotional opportunities, classroom or work assignments or other conditions of employment or academic life may be adversely affected by not submitting to sexual advances.

Criteria of Sexual Harassment

For a conduct to be considered "sexual harassment", it has to be unwelcome and has led to creating a hostile environment.



Hostile Environment

A hostile environment is created when the conduct is:

- ➔ Severe, or
- ➔ Persistent, and
- ➔ Objectively offensive, such that it: unreasonably interferes with, denies, or limits someone's ability to participate in or benefit from the institution's education or employment programs.

Whether the conduct creates a hostile environment may depend on a variety of factors, including: the degree to which the conduct affected one or more person's education or employment; the type, frequency, and duration of the conduct; the relationship between the parties; the number of people involved; and the context in which the conduct occurred.



Unwelcome Conduct

Conduct is unwelcome if a person:

- ➔ Did not invite it, and
- ➔ Regarded the uninvited conduct as undesirable or offensive.

That a person welcomes communication and/or contact of sexual nature does not necessarily mean that person welcomes other similar conduct. Similarly, that a person willingly participates in conduct on one occasion does not necessarily mean that the same conduct is welcome on a subsequent occasion.

The following types of information may be helpful in making that determination:

- ➔ Statements by any witnesses to the alleged incident;
- ➔ Information about the relative credibility of the parties and witnesses;
- ➔ Information that the Reporting Party has been found to have made false allegations against others;

In addition, effective consent cannot be obtained from someone who is incapable of giving consent for any reason, including when the person is asleep, unconscious, physically helpless or otherwise incapacitated, including by alcohol or other drugs. An individual violates this policy if the individual initiates and engages in sexual activity with someone who is incapacitated and (1) the individual knew the other person was incapacitated or (2) a sober reasonable person under similar circumstances as the person initiating the sexual activity would have known the other person was incapacitated.



Intent

Sexual 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. All sexual harassment conducts should be reported to university officials who will provide informal and remedial responses.

Types of Sexual Harassment

Quid Pro Quo “Quid Pro Quo” sexual harassment occurs when a person’s submission to a sexually harassing conduct is implicitly or explicitly considered a basis for employment decisions, academic and performance evaluation, grades or advancement, or other decisions affecting participation in a University program or services.

Hostile Environment “Hostile work environment” sexual harassment occurs when a person is subject to a sexually harassing conduct that is sufficiently severe or pervasive that it unreasonably denies, adversely limits, or interferes with a person’s participation in or benefit from the education, employment or other programs and services of the University and creates an environment that a reasonable person would find to be intimidating or offensive.

Recommendations/ Reporting Guidelines:

Members of the HEIs 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.

1 Informal Complaints

A complaint is considered informal if it is submitted without a formal “Notice of Sexual Harassment” in-person, or via phone, email, University post, mail.

2 Formal Complaints

Members of the HEIs community who believe they have been subjected to conduct in violation of this policy may file a “formal complaint” by submitting the “Notice of Sexual Harassment” in-person, via email, internal post, or by mail to the University’s Equity who will log the complaint and deliver it to the Equity coordinator.

If after a “formal complaint” has been filed and has been opened for investigation, the reporting and responding parties voluntarily agree to participate in an informal resolution that does not involve a full investigation and adjudication after receiving a full disclosure of the allegations and their options for formal resolution;



and if the Equity Coordinator determines that the complaint in question is appropriate for such a process; the Equity Coordinator may facilitate an informal resolution, including mediation, to assist the parties in reaching an informal resolution.

The Equity Coordinator may also advise the parties to participate in an informal resolution, if the complaint in question is appropriate for such a process.

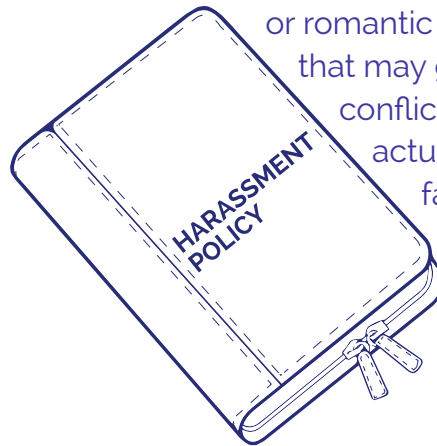
The ultimate decision to participate in an informal resolution must be made by the responding party and the reporting party (or parties)

3 Complaints submitted by third-party reporters

When a third party (e.g., a faculty member, advisor, friend, or staff) reports a sexual harassment misconduct incident, the Equity Coordinator or a designee will promptly notify the alleged target of the conduct and responding party that a report has been received, and Procedures will apply in the same manner as if the alleged target of sexual harassment had made the initial report.

Conclusion

This policy brief addressing sexual harassment aims at promoting a safe, respectful and ethical work and academic environment in which members of the HEIs community are free from sexual harassment of all types. It also addresses and aims at regulating consensual sexual or romantic relationships that may give rise to a conflict of interest, to actual or apparent favoritism, negative bias, or exploitation.



References

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