



## REVISED ISU POLICY AGAINST HARASSMENT

NOTE: ARTICLE 14 – Sexual Harassment and ARTICLE 15 – Intimidation and Harassment, of the ISU Internal Rules, are incorporated by reference into this document.

### GENERAL

1. The International Space University (ISU) is committed to providing a workplace and academic environment free from harassment and discrimination.

In keeping with this commitment, ISU strictly prohibits all forms of harassment, including behavior by words or conduct of bias or prejudice based upon a person's protected characteristic(s) as defined in Section 7.

2. Harassment of employees by supervisors, subordinate employees, and coworkers is strictly prohibited. ISU also prohibits harassment of employees by non-employees, as well as harassment *by or of program participants, students, ISU faculty (including adjunct, associate, and emeritus), teaching assistants, visiting lecturers, agency personnel, sponsors, or other visitors involved in ISU program activities or events.*

3. This policy applies to any location where ISU employees are assigned to perform work, including during business-related travel, or at work-related functions. This policy also applies to any location where ISU programs are conducted, including off-site travel and other functions sponsored by ISU or the program's Host University/Organization.

4. Any person affiliated with ISU -as detailed in Section 2, above – who is found to have violated this policy shall be subject to disciplinary action up to and including immediate termination of employment, removal from an ISU program, **or prosecution in the appropriate court of law.**

5. No individual in or applicant for the protected positions listed in Section 2 of this policy may be disciplined, dismissed, or face retaliatory measures –whether direct or indirect – for having filed a complaint or report under this policy.

6. Questions about this policy should be directed as follows:

- a. Master's Program: The ISU Designated Contact for harassment reports, and ISU Human Resources Office
- b. SSP and SHSSP – The ISU Designated Contact for harassment reports, and the Host Site Designated Contact for harassment reports

## DEFINITIONS

7. Harassment is generally defined as any unwanted, unwelcomed, or uninvited physical or verbal behavior that annoys, threatens, intimidates, demeans, humiliates, alarms, or puts a person in fear of their safety. Harassing behavior may include, but is not limited to, epithets, derogatory comments or slurs and lewd propositions, assault, impeding or blocking movement, offensive touching or any physical interference with normal work or movement, and visual insults, such as derogatory posters or cartoons. Although harassment is often a behavior that persists over time, serious one-time incidents can also be considered harassment.

7.1 Psychological harassment is defined by actions that aim at or have the effect of worsening someone's working conditions likely to infringe his rights or dignity, alter his physical or mental health, or compromise his promotion.

7.2 Sexual harassment is defined as any unwelcome verbal or physical behavior of a sexual nature that either infringes someone's dignity because of its degrading or humiliating nature, or creates an intimidating, hostile or offensive situation. Any serious pressure, even non-repetitive, with the virtual or real aim to obtain an act of sexual nature, whether the sexual act is sought for themselves or for a third party, is treated as sexual harassment.

7.3 ISU also prohibits any unwelcome behavior by words or conduct that is severe or pervasive and that is directed at an individual because of their race, sex (including pregnancy, childbirth, and related medical conditions), ancestry, national origin, disability, age, sexual orientation/preference, ethnicity, marital status, family responsibility, political affiliation, language, creed, religious belief, religious association or activities, physical handicap, color, socioeconomic status, gender, gender identity, and gender expression – actual or perceived.

7.4 ISU prohibits all unwelcome conduct directed at any individual with a protected characteristic(s) as described in Section 2, above, regardless of whether that conduct rises to the level of severity required for a violation of applicable law in the jurisdiction where the conduct has occurred.

7.5 This prohibition applies to conduct that occurs on the ISU Central Campus, as well as on the sites hosting the Space Studies Program and the Southern Hemisphere Space Studies Program. It also applies to off-site conduct, including on-line or electronic conduct, if the conduct: 1) occurred in the context of an employment or education program or activity of ISU, or 2) has continuing adverse effects on the program. During the SSP or SHSSP, the relevant policies of the partnering institution/host site will be incorporated into this policy by reference.

7.6 For the purposes of this policy, **applicable law** means the laws of the state or country in which the ISU program is located, as well as the laws, policies, rules, or regulations of the host site(s) for ISU's SSP and SHSSP programs.

7.7 For purposes of this policy, **medical condition** means a condition relating to cancer or genetic characteristics including, but not limited to: epilepsy, diabetes, allergies, or vision and speech impairments. The terms **physical disability** and **mental disability** are broader defined under applicable laws as stated in Section 7.2, above

7.8 Harassment directed at an individual with protected characteristics (Section 2) may take many forms. Examples include, but are not limited to: verbal conduct, such as epithets, derogatory comments, or slurs; visual conduct, such as derogatory posters, cartoons, drawings, or gestures; or physical conduct, such as assault, impeding or blocking movement, or physical interference with normal work or movement. Such conduct may constitute harassment if witnessed or overheard by another individual, even if the conduct is not directed at that individual, and even if that individual is not a member of the protected group at which the conduct is directed.

8. Examples of sexual harassment include, *but are not limited to*: unwelcome sexual flirtations, advances, propositions; verbal abuse of a sexual nature; subtle pressure or requests for sexual favors; threats or demands to submit to sexual requests in order to keep one's job or avoid some other loss or detriment; offers of job or program benefits in return for sexual favors; unnecessary touching of an individual; a workplace display of sexually suggestive objects or pictures; sexually explicit or offensive jokes, stories, cartoons, or nicknames; lewd gestures or leering; impeding or blocking movement or physical interference with normal movement; or physical assault.

8.1 Such conduct may constitute harassment if witnessed or overheard by another individual, whether or not the conduct is directed at that individual. Sexual harassment can occur between two individuals of the same sex or opposite sex.

8.2 There is no requirement that a witness or witnesses must be named before an incident of sexual harassment can be reported.

8.3 To maintain privacy, anyone who wishes to report an incident of sexual harassment may choose to file their complaint through an ISU Designated Reporter, whose report will be accepted as documentation of the incident. The Designated Reporter(s), for ISU will be appointed for each ISU program by the ISU Administration, in accordance with the restrictions on conflicts of interest set forth in Section 9.

## PROCESS

**NOTE: Nothing in this policy or process precludes an individual from accessing assistance and/or protection from an appropriate law enforcement agency.**

9. Any employee or other person involved in an ISU program (Section 2) who believes they have been harassed or who has witnessed harassment of another, must immediately report the facts of the incident or incidents and the names of the individuals involved to the ISU Designated Contact for harassment reports, or to the Host Site Designated Contact if the ISU contact is not available. If neither contact person is available, *and if there is no conflict of interest involved*, the report may be made to a direct supervisor, a Program Director, or to the ISU Human Resources Office.

9.1 For the purposes of this policy, **conflict of interest** means that a report of harassment should not be taken by someone whose position of professional responsibility 1) gives them direct power or influence over the person who has been subjected to or who has witnessed an incident of harassment; or 2) may give them either a personal or professional interest in the outcome of the decision-making process in a harassment investigation.

10. ISU will promptly and thoroughly investigate every complaint of harassment and will take appropriate preventive and/or corrective action when it is warranted. In addition, ISU will conduct each investigation and handling of harassment complaints with discretion, preserving confidentiality during the conduct of the investigation and following resolution of the complaint.

11. There will be no retaliation against any employee or other affected individual for: 1) making a good faith complaint of harassment or who brings inappropriate conduct to the attention of ISU; 2) preventing unlawful practices; or 3) participation in an investigation.

11.1 Any employee or affected individual who believes that they have been or are being retaliated against should immediately report such conduct to the Designated Contact (for ISU or the Host site, as appropriate). If there is no conflict of interest, the affected person can report the offensive conduct to their direct supervisor, the Human Resources Office, or the Office of the ISU President, so that a prompt investigation can be conducted.

11.2 Any employee or other individual involved with an ISU program, who is found to have engaged in retaliation related to a report of harassment will be subject to disciplinary action up to and including immediate termination of that employee's or individual's contract.

12. Reports, complaints, or other information must be provided in good faith. It is a violation of this policy when a person knowingly or recklessly alleges a *false complaint* of **discrimination, harassment**, and/or related **retaliation**, or provides false information during the course of an investigation, and violators may be subject to disciplinary action, up to and including expulsion from the ISU program or termination of employment, as applicable.

12.1 This provision does not apply to reports made or information provided in good faith, even if, at a later date, the facts alleged in the report prove to be unsubstantiated.

13. ISU supports the use of confidential resources so that victims of **discrimination, harassment**, and/or related **retaliation** can provide information about such misconduct confidentially and receive support and accommodations as necessary through the person(s) that will be assigned per ISU program.