

ANTI HARASSMENT POLICY

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| Policy # | AD-070 | Revision # | 01 |
| Accessibility level: | A | Effective date: | Jan 20, 2021 |

1. Scope

This policy applies to FBSU students, employees, employees of contractors, visitors, guests, and other third parties.

2. Purpose

FBSU is committed to providing a safe and non-discriminatory learning, living, and working environment for all members of the university community. The university does not discriminate on the basis of sex or gender in any of its education or employment programs and activities.

It is a violation of university policy to engage in Sexual Assault, Harassment, Sexual Exploitation, Domestic Violence and Stalking, and Retaliation against a person for the good faith reporting of any of these forms of conduct or participation in any investigation or proceeding under this policy. Prohibited Conduct is prohibited regardless of the sex, sexual orientation, and/or gender identity/expression of the Complainant or Respondent.

FBSU will take prompt and equitable action to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects. Some forms of Prohibited Conduct may also constitute crimes under Saudi law, which may subject a person to criminal prosecution and punishment in addition to any sanctions under this policy. Complainants have the right to notify or decline to notify law enforcement in addition to any actions taken under this policy. Complainants may simultaneously pursue criminal and university complaints.

Employees or students who violate this policy may face disciplinary action up to and including termination or expulsion. Third Parties who commit Prohibited Conduct may have their relationships with the university terminated and/or their privileges of being on university premises withdrawn.

3. Definitions:

- I. **Discrimination:** is adverse treatment of any individual based on their actual or perceived membership in a protected class or category of persons to whom they belong, rather than on the basis of their individual merit with respect to the services they provide. Such adverse treatment may include, but is not limited to, selecting, terminating, supervising, scheduling, training, evaluating, or deciding how to compensate that individual, as applicable.
- II. **Harassment:** means abuse as when one trespasses the other with bad intentions, and therefore it is an illegal behavior that someone performs against another or an organization against the other with the aim of pressing the other party to change a position or to bring benefit and avoid damage, and in most cases, it reflects the power of the harassing party. It is considered a kind of illegal segregation and it is a sort of physical and psychological harm and practicing power on others. Harassment takes

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many shapes; it could be in the shape of vulgar words or words that reflects the desire of the speaker to seduce the victim through socially rejected means, like physical contact, or the use of body language, or the use of hand movement or any other body part or the exposure of pictures and movies in front of the victim with the purpose of molesting and influencing him/her.

- III. **Sexual Assault:** any sexual act directed against another person, without the consent of the complainant including instances where the complainant is incapable of giving consent.
- IV. **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress. Stalking may include the concept of "cyber-stalking," a particular form of stalking in which a person uses electronic media, such as the internet, social networks, blogs, cell phones, texts, or other similar devices to pursue, harass, or to make unwelcome contact with another person in an unsolicited fashion.
- V. **Sexual/gender harassment:** is a specific form of discriminatory harassment and constitutes misconduct. Sexual/gender harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, or when an individual is being treated "less well" than others because of their sex/gender by being subjected to unwelcome verbal or physical conduct of a sexual nature
- VI. **Retaliation:** is any adverse action taken against an individual because they filed a charge of discrimination or harassment (including sexual/gender harassment), complained to the University or a government agency about discrimination or harassment (including sexual/gender harassment), or participated in a discrimination proceeding (such as an internal investigation or lawsuit), including as a witness. Retaliation also includes adverse action taken against someone who is associated with the individual opposing the perceived discrimination, such as a family member. Examples of retaliation include termination, providing a negative evaluation or any other adverse action that would discourage a reasonable person from opposing perceived discrimination.

4. Policy and Procedures

All the regular students of FBSU, and students enrolled in training programs as well as postgraduate programs students or employee are subject to these regulations, provided that they do not contradict with the basic systems of the Saudi Universities.

This policy applies to acts of Prohibited Conduct when:

- 1) the conduct occurs on campus or other property owned or controlled by the University;
- 2) the conduct occurs outside the context of University employment or a University

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educational program or activity, but has continuing adverse effects on or creates a hostile environment for an individual while on the University's campus or other property owned or controlled by the University or in any University employment or educational program or activity

The violations that occur outside the university premises and do not influence the University reputation are exempted from these regulations. Such violations fall within the responsibility of the public authorities.

4.1. Reporting Discrimination, Harassment, Retaliation, or Sexual Assault to The University

Any student or employee who believes that they have been subjected to discrimination, harassment (including sexual/gender harassment), retaliation or sexual assault prohibited by this Policy, or any non-employee who has witnessed such discrimination, harassment (including sexual/gender harassment), retaliation or sexual assault, should immediately report the circumstances in accordance with the procedure set forth below. The University may investigate any conduct that violates this Policy, even in the absence of a complaint, and take remedial action where appropriate.

The university urges anyone who becomes aware of an incident of Prohibited Conduct to report the incident immediately to the University's administrators. Reports can be made to the university's president, chancellor, assistants' chancellor, administrative coordinator (counsellor) or deans and directors by telephone, email, or in person at their respective location, email addresses and/or phone numbers.

In order to initiate a formal investigation of Prohibited Conduct by the university, a complainant must submit a formal complaint to the appropriate coordinator. Upon receipt of a formal complaint requesting that the university investigate an allegation of Prohibited Conduct, the university shall follow the appropriate grievance procedures: Procedures for Responding to Reports of Prohibited Conduct Committed by Students and Employees. A Respondent shall be presumed to be not responsible for the alleged conduct until a determination is made as to responsibility at the end of the grievance process. The University shall use the preponderance of the evidence standard in determining responsibility for a violation of this policy for all cases.

4.2. Disciplinary Committees.

- 4.2.1 A permanent Employee Disciplinary Committee is formulated for two years by a decree from the university president based on the nomination of the Chancellor. It should be headed by the Chancellor
- 4.2.2 Subsidiary Student Disciplinary Committees are formulated in colleges with a decree from the Dean, as follows: Dean of college or any vice dean, two staff members, the head of department of violation students.

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- 4.2.3 The disciplinary committee investigates into the violations referred to it by the Chancellor, or by any disciplinary committee at any faculty or institute or by any deanship or administration at the university
- 4.2.4 The committee holds its meeting as needed and it is by an invitation from the head of the committee, and its legal unless two thirds of the members are present. Decisions are made through the votes of the majority and if the two sides are equal, the side of the head of the committee overweighs the other.

4.3. University Investigation and Disposition of Complaints

4.3.1. The Investigation

- a- Where a complaint alleges a potential violation of this Policy, there will be a prompt, thorough and impartial investigation of the complaint, as necessary and appropriate. Every effort will be made to complete the investigation within forty-five (45) days of a report of discrimination or harassment and to keep the investigation confidential to the extent possible. The investigator may find it necessary to extend the time period for completing an investigation in some circumstances. The investigator will provide the complainant, the alleged wrongdoer, and other appropriate individual(s)/office(s) with notice of any extension and, where necessary and appropriate, give them a new timetable for completion of the investigation.
- b- The investigation will include an interview with both parties, as well as the person who made the initial report, if different than one of the parties, and such may include such other persons as deemed necessary. Any person affiliated with the University is expected to cooperate with any investigation. The investigator may also review relevant documents. Both parties will have an opportunity to be heard and present information.
- c- Notwithstanding, if the complainant or alleged wrongdoer is an employee or contractor of an agency or company contracted to provide services to the University, then the University may require the agency or company to conduct the investigation and provide the results of the investigation to the University for any appropriate action by the University, as it sees fit. In such case, the procedures of the agency or company may govern the investigation.

4.3.2. Findings and Recommendations

The investigator will report their findings to both parties and relevant managers and supervisors as may be appropriate. Where the investigator concludes that a violation of this Policy has occurred, the relevant School or

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Department will take prompt and appropriate remedial action, including but not limited to: reprimand/verbal counselling, training, letters of warning or suspension, dismissal, and termination. A single violation of this Policy may warrant suspension or discharge depending on the nature and severity of the conduct.

4.4. Legal Protections and External Remedies for Sexual Harassment

Aside from the reporting process at the University, individuals covered by this Policy may also seek to pursue judicial remedies, or administrative remedies with governmental entities if covered under the applicable governing law. The University strongly encourages individuals to use the University's reporting process as a starting point so that the University can promptly address conduct. The University will maintain the confidentiality of the complaint, and the privacy of the persons involved, to the greatest extent possible, consistent with its goal of conducting a thorough, prompt and impartial investigation and to the extent permitted by applicable law.