



2021 SEXUAL MISCONDUCT AND HARASSMENT POLICY AND PROCEDURES

POLICY STATEMENT

Sexual harassment, nonconsensual sexual contact, nonconsensual sexual intercourse, sexual exploitation, domestic violence, dating violence, and stalking are prohibited, and will not be tolerated by any program of World Learning. Any act or attempted act that falls within the definition of sexual harassment, nonconsensual sexual contact, nonconsensual sexual intercourse, sexual exploitation, domestic violence, dating violence, or stalking is a violation of World Learning policy. Disciplinary sanctions for any member of World Learning community engaging in such conduct may include suspension or dismissal from World Learning, termination of employment and referral for criminal investigation and prosecution by local law enforcement. Victims of any such conduct are encouraged to contact the Group Leaders for support and assistance (services are available to all regardless of gender identity and expression or sexual orientation). All other World Learning staff and partners are required to report such conduct to World Learning staff in Brattleboro, Vermont, or Washington, DC.

Students and staff from other countries must abide by U.S. federal laws and regulations as well as World Learning policies while members of this community. Students and/or staff involved in programs in countries other than the United States must abide by U.S. laws and regulations while overseas, as well as observe local laws and regulations of their host-country. Sexual harassment and sexual assault, as defined below, are never acceptable, although a special effort is made to explain and clarify the rules for those from other cultures who may not be familiar with such a code of behavior. Please note that World Learning has no control over the behavior of host country individuals who are not associated with the program and cannot necessarily prevent harassment toward students and others in these locations where it may be considered culturally acceptable or otherwise.

REASON FOR THE POLICY

World Learning is committed to creating and maintaining a community in which its members are free from all forms of harassment, exploitation, intimidation, and violence. World Learning recognizes the long-lasting and detrimental effects of sexual misconduct and assault on the individual victim, on the entire community, and on World Learning's mission to prepare its participants to lead productive, responsible, and creative lives.

APPLICABILITY OF THE POLICY

This policy applies to all members of World Learning community and our overseas partners.

NOTICE OF NONDISCRIMINATION

World Learning does not discriminate on the basis of race, color, ethnic or national origin, sex, sexual orientation, gender identity, religion, age, ancestry, disability, military status, veteran status, or other non-merit reasons, in admissions, educational programs, or activities and employment, and complies with all applicable federal and state laws regarding nondiscrimination and affirmative action, including Title IX of the Education Amendments of 1972 and Section 504 of the Rehabilitation Act of 1973, and Title VII of the Civil Rights Act of 1964.



DEFINITIONS OF PROHIBITED ACTS

SEXUAL HARASSMENT

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct, written (including electronic) communication of an intimidating, hostile, or offensive sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education; or
2. Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual; or
3. Such conduct has the effect of substantially interfering with an individual's academic or job performance or creating a hostile, intimidating, or offensive employment, educational, or living environment for the person as a participant and/or employee.

A hostile environment is created when sexual harassment is:

- sufficiently severe; or
- persistent or pervasive, and objectively offensive.

Examples of conduct which may constitute sexual harassment include but are not limited to: conditioning a promotion, pay raise, or course grade upon the receipt of sexual favors; unwelcome hugging, kissing, embracing, patting, pinching, or any other unwelcome touching; leering; persistent unwelcome social invitations; use of vulgar language of a sexual nature; graphic comments about a person's body; displaying sexually explicit pictures or other materials; making sexually suggestive comments or telling sexually suggestive or "dirty" jokes or stories; asking an employee or participant questions about his or her sex life; and/or continuing to engage in any such behavior if it is known or should be known that the behavior is unwelcome.

NONCONSENSUAL SEXUAL CONTACT

Nonconsensual sexual contact is defined as any intentional sexual touching, however slight, with any body part or object by a person upon another person that is without consent and/or by force.

Examples of sexual contact include, but are not limited to: intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; or any other intentional bodily contact in a sexual manner.

NONCONSENSUAL SEXUAL INTERCOURSE

Nonconsensual sexual intercourse is defined as any sexual intercourse, however slight, with any body part or object, by a person upon another person that is without consent and/or by force.

Examples of sexual intercourse include, but are not limited to: vaginal or anal penetration by a penis, finger, tongue, or object, and oral copulation (mouth to genital contact), no matter how slight the penetration or contact.



SEXUAL EXPLOITATION

Sexual Exploitation occurs when one person takes nonconsensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to: invasion of sexual privacy; prostituting another person; nonconsensual digital, video, or audio recording of nudity or sexual activity; unauthorized sharing or distribution of digital, video, or audio recording of nudity or sexual activity; engaging in voyeurism; going beyond the boundaries of consent (such as letting your friend hide in the closet to watch you having consensual sex); knowingly exposing someone to or transmitting an STI, STD, or HIV to another person; intentionally or recklessly exposing one's genitals in nonconsensual circumstances; or inducing another to expose their genitals.

DOMESTIC VIOLENCE

Domestic violence may include violent acts by a current or former spouse; by a person with whom the victim shares a child in common; by a person who is or has cohabitated with the victim as a spouse; by a person similarly situated to a spouse; between a parent and child; between members of the same household in an intimate relationship; or by any other person similarly situated. Domestic violence can be physical, sexual, emotional, or economic in nature.

DATING VIOLENCE

Dating violence can be violence or abusive behavior used by one partner to gain or maintain control over another partner. It can be violence committed by a person who is or has been in a social, romantic, or intimate relationship with the victim. The existence of such a relationship will be determined by factors such as the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved.

STALKING

Stalking is a series of unwanted or obsessive attention, behaviors, or actions toward a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or to suffer substantial emotional distress. Stalking may involve following, lying in wait for, or harassing a person by demonstrating a pattern of conduct composed of two or more acts evidencing a continuity of purpose. Stalking may include the monitoring of an individual online or involve the use of social media, email, or other technology. It may also include unwanted observation or surveillance.



GENERAL DEFINITIONS

CONSENT

Consent is defined as willingly giving permission or agreement to a particular sexual activity or behavior, without coercion, fear, or threat of harm, or other unwanted consequences. Consent is an informed, voluntary agreement to participate in a specific act. Consent is communicated either by words or clear, unambiguous actions that are not achieved through manipulation, intimidation, fear or other acts that a reasonable person would construe as coercion. Consent cannot be given by one who is mentally or physically incapable of giving clear consent at the time of the sexual activity. It is the responsibility of any person who wants to engage in a sexual activity with another person to ensure that they have the affirmative, expressed, and unequivocal consent of that other person to engage in the particular sexual activity. Silence, lack of protest or lack of resistance does not mean consent. The existence of a dating relationship between the persons involved or the fact of a past sexual relationship is not a sufficient basis to assume consent. Consent is present only where an individual is fully conscious, and is not incapacitated due to physical challenge and/or helplessness, or incapacitation due to alcohol or other substances.

REPORTING PARTY

The reporting party is a person who alleges that they are the victim of a violation of World Learning policy.

RESPONDENT

The respondent is a person who has been accused of an alleged violation of World Learning policy.

SAFE BYSTANDER INTERVENTIONS

Observers of a sexual assault or other types of gender- or intimate partner-based misconduct, such as domestic violence, dating violence, or stalking, may be able to help the victim. However, it is important that you do so in a positive manner and in a way that keeps you and the victim safe. Appropriate interventions will depend on the situation. Safe and appropriate options for bystanders may include calling the police to report violent or potentially violent situations, intervening if you believe someone is in a potentially uncomfortable or unsafe situation, and/or encouraging the target of such conduct to report the incident and seek support.

RETALIATION

World Learning prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports. Any attempt by a member of World Learning community or our overseas partners to intimidate, penalize, or threaten a person who reports or who is otherwise involved or cooperating in, a report of discrimination, misconduct, or harassment is strictly prohibited. Any person found to have participated in an act of retaliation will be disciplined accordingly.



PROCEDURES

World Learning's greatest concern is for the safety and physical and mental health of all its participants, partners, and staff. World Learning is committed to maintaining a welcoming and supportive educational climate. Therefore, the following procedures are available to all participants, group leaders, and staff who feel they have experienced or witnessed gender-based misconduct, including sexual harassment and gender discrimination as discussed above.

REPORTING MISCONDUCT

All members of World Learning community who experience, witness, or hear about an incident of sexual misconduct, including sexual harassment and sexual assault, are encouraged to immediately contact the appropriate Group Leaders or, if necessary, the World Learning management team in Vermont and Washington, DC. In an emergency, please call 911 or contact local law enforcement in the case of overseas programs.

There is no time limit on how long after an incident you can make a report of misconduct; however, World Learning's ability to respond to a report may be hindered by the length of time between the alleged misconduct and the report itself.

Once World Learning is informed of alleged misconduct, World Learning staff and risk management team will work with the relevant parties on next steps. World Learning will always reach out to the reporting party to both gather more information and to provide support. All reports of alleged misconduct will be investigated thoroughly, impartially, and promptly, whether reports of such misconduct are made formally or informally. World Learning will facilitate the implementation of measures to stop the behavior, and take steps to prevent its recurrence. Appropriate corrective action will be taken, including, but not limited to, termination or expulsion. Parental notification will occur in accordance with Vermont law and World Learning policy.

World Learning management team will help the parties involved access appropriate medical and/or mental health services; discuss possible interim arrangements during the investigation process; help students understand and be part of the parental notification process; and answer questions along the way.

World Learning students, staff, and overseas partners will receive a copy of the Sexual Harassment Policy and will be informed that any incident of harassment and/or assault should be reported to one of the following persons:

ON-SITE CONTACTS

Group Leaders
Designated Partner Contact - in-country

Kirstin French, Director of Operations
802-258-3418 | kirstin.french@worldlearning.org

Christina Thomas, Divisional Vice President
202-464-8542 | christina.thomas@worldlearning.org



If an individual who makes a report insists that his or her name or other identifiable information not be revealed, and World Learning is able to respect that request, the individual must understand that World Learning will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the alleged perpetrator.

Upon receipt of a report, World Learning will make all reasonable efforts to maintain confidentiality and respect the privacy of those involved. World Learning understands that reports of this nature can be difficult, emotional and stressful. Therefore, World Learning will only share information as is needed to conduct a prompt, thorough and effective investigation. Even if the reporting party asks that World Learning not pursue an investigation, or decides to attempt to resolve the situation informally, World Learning may still investigate the allegations and address the conduct as may be warranted under the circumstances.

World Learning will contact participants' parents in the case of a report of sexual misconduct.

Depending on the type of conduct and the parties involved, World Learning may contact local law enforcement. World Learning will continue its own investigation into the alleged conduct, regardless of whether the police decide to pursue their own investigation. World Learning will cooperate with all police investigations and will honor and enforce any judicial no-contact, restraining, or protective orders the parties may obtain outside World Learning process.

DUAL RELATIONSHIPS

Employees and participants should be aware of conflicts of interest that are inherent in personal relationships where professional and educational careers are also involved, as well as potential abuses of authority. This is especially true of amorous or sexual relationships between group leaders and participants or between staff/administrators and participants, given the inherently unequal structure of power between them, and the fact that many World Learning participants are minors.

It is the policy of World Learning that group leaders, overseas partners, and administrators are not permitted to engage in consensual sexual relationships with participants of World Learning programs. Should a charge of sexual harassment arise from such a relationship, the burden and cost of providing a defense falls on the group leader or staff/administrator. Members of World Learning community should know that, in such instances, defenses are extraordinarily difficult to prove.