



**THE RHODES SCHOLAR CODE OF  
CONDUCT ACADEMIC YEAR 2021-2022**

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## **1. Preamble and Scholar Pledge**

As Rhodes Scholars, we aspire to live up to high standards of character and behaviour, acknowledging that we are joining a lifelong fellowship of Scholars who from the establishment of the Scholarships in 1903 have been selected for qualities including “truth, courage, devotion to duty, sympathy for and protection of the weak, kindness, unselfishness and fellowship.”

Therefore, we pledge to form a community grounded in mutual respect, compassion and care, to respect the dignity of all and to treat others with courtesy and kindness in our interactions at Rhodes House, in Oxford and beyond.

We recognise that as Scholars we are viewed as representatives of the Rhodes Trust and have a responsibility to uphold the Trust’s integrity and reputation in our dealings with others. At the same time, in accordance with the principles of academic freedom, we are at liberty to express our views and to engage in disagreement and critique.

Coming from all around the world to study a wide range of disciplines, we affirm the value of our diversity across cultures, nationalities, religions, races, ethnicities, gender and gender identities, sexual orientation and abilities, as well as academic, political, economic, and social viewpoints. We commit to engaging with one another in a spirit of friendship, dialogue, civility and respect, whatever opinion each of us may hold.

We recognise that we come to Rhodes House with diverse life experiences and have been brought up with different cultural norms with respect to a range of personal and social issues. We acknowledge that such differences may result in misunderstandings and missteps and pledge to navigate these differences with care, mutual respect, and open mindedness.

## **2. Purpose and Application**

### **2a. What This Policy Does**

The purpose of this Code of Conduct is to set out fundamental behavioural expectations within the Rhodes community and to specify the Trust’s policies and procedures for responding to complaints of Prohibited Conduct.

The Rhodes Trust strives to foster an inclusive environment where all Scholars are free to fully engage with the educational opportunities afforded, including academic, extracurricular, and social activities. We also strive to create an empowering community where all people who experience harm as a result of Prohibited Conduct feel safe, supported, and comfortable reporting their experience to Rhodes House.

In the Rhodes community, Prohibited Conduct is fundamentally incompatible with our community standards. It will not be tolerated. The Rhodes Trust is committed to providing prompt and equitable investigations of all Reports of Prohibited Conduct while using transparent policies, procedures, and reporting.

## **2b. When This Policy Applies**

This Code applies to all Rhodes Scholars while they are pursuing their Oxford degrees, whether on or off stipend. It sets out standards for how Scholars conduct themselves with others, both within and beyond the Rhodes Scholar community. This Code covers activities that occur both within and outside of Rhodes House, including activities beyond Oxford such as Scholar trips, as well as online.

The Code also applies to guests of Scholars for behaviour at Rhodes House or at Rhodes-sponsored events, including, but not limited to, events such as Rhodes Ball, Meet and Mingles, and Scholar Talks.

Additionally, the accommodations offered by this code are available to any Scholar who experiences or has experienced Prohibited Conduct, regardless of where or when that conduct took place.

The Code is a complement to the Rhodes Trust Code of Conduct, which governs the behaviour of Rhodes Trust staff, Trustees, National Secretaries, selection committee members, Senior Scholars and other members of the broader Rhodes community in their interactions with Rhodes Scholars.

## **2c. Relationship with University, College and Criminal Procedures**

The Trust is a registered U.K. Charity independent of the University of Oxford and its colleges. As students of the University and members of colleges, Scholars also come under the jurisdiction of the University and their respective colleges, which are separate entities with separate codes of discipline. A student who is a member of a college may bring a complaint either to the college or to the University, and the University and colleges reserve the right to decide which entity is better placed to investigate the incident after consultation with the students involved.

Because the University's Student Code of Discipline only applies to misconduct that occurs on university or college premises or in the course of university-sponsored activities, incidents occurring at Rhodes House or during Rhodes-sponsored activities will normally not come under the jurisdiction of either the University or of a college. However, the Trust reserves the right in serious cases to notify and consult with the Proctors or the relevant college authorities.

If Prohibited Conduct covered by this Code has occurred on university or college premises, a Scholar may bring a report to the Proctors, the relevant college authorities, or Rhodes House. To avoid conflicting outcomes and wasted resources, it will usually be appropriate for only one entity to pursue an investigation. In cases of overlapping jurisdiction, the Trust will confer with the relevant University and college authorities to decide how to proceed, after consultation with the complainant. The Trust reserves the right, when circumstances warrant, to carry out its own investigation and act upon it, in addition to any investigation and action which the University and/or college may undertake.

In cases where the Prohibited Conduct may constitute criminal misconduct, the Trust will, consistent with current University practice and English law, usually defer to any ongoing police investigation. But it reserves the right to conduct a concurrent investigation if circumstances warrant and if such investigation will not interfere with the legal process.

The Trust reserves the right to provide accommodations and impose interim measures pending the outcome of an investigation by police or University or college authorities, but on the basis that they are not to be taken as a finding of fault in advance of the outcome of an investigation.

### **3. The Trust's Responsibilities**

The Trust has the responsibility

To educate and engage the Scholar community about the Code, to include an annual requirement to read and sign the Code on *Rhodes Connect* as well as a Scholar-led workshop during Welcome Week that covers consent, bystander intervention and other relevant topics and provides an overview of the Code;

To treat with respect and care any Scholar or other person who discloses or submits a complaint(s) of violations of the Code or against whom such a complaint is lodged, making no presumption of innocence or guilt;

To strive to protect the privacy of all affected individuals, except in circumstances where there is a significant risk of harm or legal obligations otherwise require;

To respect the right of Scholars to make their own decisions about seeking criminal or civil recourse;

To seek, whenever possible and appropriate, to resolve complaints and conflicts in educational and restorative ways;

To provide an annual report from the Warden summarizing, in a suitably anonymised format, the number and type of cases considered under this Code, making this report available to Rhodes Trustees and upon request to any current Scholar in residence;

To include questions about the Code and about experiences of Prohibited Conduct, in suitably anonymised format, in the annual Scholar survey;

To review this Code at least every two years and update it as necessary. This process should include an advertisement for Scholars to join a small group to assist with the review process and host open sessions for Scholars to provide input.

### **4. Prohibited Conduct**

Conduct inconsistent with the high standards of behaviour expected of Rhodes Scholars includes:

- Academic misconduct – plagiarism and cheating
- Lying or Fraud
- Harassment or Discrimination
- Sexual Harassment
- Sexual Assault
- Relationship Violence

- Bullying
- Stalking, including cyber-stalking
- Retaliation
- Violation of a No-Contact Directive or Agreement
- Violence
- Theft
- Other criminal conduct
- Misuse of Rhodes Trust name, logo or affiliation

Voluntary impairment by alcohol or other drugs is NOT a defense to Prohibited Conduct.

### **5. Reporting Misconduct**

Any individual who wishes to report misconduct by a Scholar or guest under this Code should contact one of the Conduct Officers:

- The Warden
- The Registrar
- The Dean of the Rhodes Scholarship
- The Director of Human Resources
- The Chair of the Trustee Academic Committee
- The Director of Global Engagement
- The Chief Financial and Operating Officer

Those who experience misconduct have three options:

**Disclosure:** When an individual wishes to disclose information about an incident they have experienced and to seek advice or support, but does not wish to do anything about the issue at this time;

**Informal complaints:** When an individual wishes to disclose information to Rhodes House and seek advice, support and informal resolution of their complaint. This is for limited types of Prohibited Conduct, if the Warden and both parties agree. Informal complaints may be resolved through a brief investigation by the Warden or other Conduct Officer and an agreement between the parties about the appropriate resolution. They may also, with the agreement of both parties, be handled through mediation. Depending on the circumstances, mediation may be facilitated internally by a Rhodes House staff member or externally by a trained mediator. Complainants can opt to withdraw a complaint prior to reaching a Resolution Agreement if they do not wish to pursue the issue further. Either party (or the Warden) can withdraw the case from Informal Resolution at any time prior to reaching a Resolution Agreement, and initiate a Formal complaint.

**Formal complaint:** When an individual wishes to make a written complaint and request a formal investigation.

Individuals may request confidentiality when reporting misconduct. The Trust will respect privacy and confidentiality when possible, except in cases where there is significant risk of harm or where legal obligations require. In such instances, the Conduct Officer will inform the Respondent in advance to explain the need to disclose information. It may also be difficult or impossible to investigate or respond to a complaint without disclosing information.

## **6. Accommodations and Protective Measures**

The Trust is committed to supporting Scholars who report misconduct, whether or not that misconduct falls within the Trust's investigative scope. The Trust is also obligated to support Scholars against whom a complaint has been made. In both of these cases, the specific forms of support offered, at the Warden's discretion and without limitation, may include:

- Referral to appropriate college, university, and law enforcement authorities;
- Referral to medical care and psychological counselling;
- Support for academic accommodations;
- Follow-up as needed with Heads of House and university authorities;
- Limited financial support when necessary to provide access to initial legal advice;
- Limited financial support when necessary to provide access to initial counselling services or needed accommodation changes;
- Limited financial support when necessary to provide short-term security (e.g. escorts or safe rides) at locations and activities where the Prohibited Conduct occurred;

Accommodations and protective measures are available to individuals who report Prohibited Conduct, regardless of their choice to go forward with an informal or formal complaint. The Rhodes Trust will maintain the confidentiality of accommodations to the extent that confidentiality does not impair the Rhodes Trust's ability to provide those accommodations or infringe any legal requirement.

Protective measures are designed as temporary or permanent remedies to support the well-being and safety of both parties. They may include No-Contact Agreements or Directives. The Trust may impose protective measures pending the outcome of an investigation or as a preliminary to determining which authority should conduct an investigation, on the basis that they are not to be taken as a finding of fault in advance of the outcome of an investigation.

The Conduct Officer meeting with the Complainant will:

- Specifically discuss accommodations and protective measures with the Complainant;
- Determine which accommodations and protective measures will be granted;
- Arrange necessary accommodations and protective measures to protect the Complainant and the Rhodes Trust community;

- Re-evaluate accommodations, protective measures, and remedies on an ongoing basis during and after the conclusion of any investigation to ensure that the Complainant and the Rhodes Trust community continue to be protected.

## **7. Investigating Complaints**

The Trust will consider investigating complaints under this Code of Conduct only in situations where an allegation of misconduct has been made against

- (i) a Rhodes Scholar for any conduct while the Scholar is resident in Oxford in the course of pursuing their degree (including, if and to the extent that the Warden considers it to be practical and/or appropriate, when the conduct in question occurs overseas or otherwise away from Oxford ); or
- (ii) another student or guest of a Scholar for behaviour that occurs in Rhodes House or at a Rhodes-sponsored event. The Trust will take reasonable steps to ensure that this Code of Conduct is publicly available. Attendance by another student or guest of a Scholar at Rhodes House or a Rhodes-sponsored event will be taken as acceptance by that student or guest of the application of this Code of Conduct to such behaviour.

The Warden will decide in the Warden's discretion whether it is appropriate for any investigation to be undertaken. Without limiting the generality of such discretion, the Warden will decide whether to launch an investigation in circumstances where it appears to the Warden that the alleged misconduct falls within, or may fall within, the jurisdiction exercisable by any of the colleges, the university, and/or the police. In the exercise of that discretion, the Warden may have regard to the disciplinary codes, rules and procedures of the university and/or of any relevant college, and may liaise in such manner as the Warden sees fit with personnel at the university and such college for that purpose.

If the alleged misconduct is being or will be investigated by a college, the university, and/or the police, and where disciplinary processes have been initiated by these outside bodies, the Trust may at the Warden's discretion run a concurrent investigation or wait until those processes are completed before deciding whether or not to take action. Regardless of whether the investigation has been launched or whether its outcome is still waiting for approval, the Complainant will still have access to the accommodations, such as Rhodes House help with housing changes, provided to people who have experienced Prohibited Conduct.

Whether or not a Scholar is found guilty of a criminal offence or responsible for a breach of University or college regulations, the Trust reserves the right to pursue the same matter under this Code of Conduct.

Once a formal complaint is made and the Warden determines to initiate an investigation, the Warden shall establish a Complaints Committee consisting of three Conduct Officers of the Trust and, in consultation with this Committee, shall decide whether to launch an internal or external investigation.

An internal investigation may be led by a Rhodes Trustee or member of staff. An external investigation will be led by an individual with investigative expertise. In cases involving sexual misconduct, external investigators shall be individuals with experience of conducting trauma-informed and sensitive investigations.

The Complaints Committee shall oversee the investigation, review the results of the investigation and determine an appropriate resolution, sanction or response. The Complaints Committee shall, in its discretion, decide upon the procedures it will adopt for these purposes in light of what it considers to be most appropriate in the relevant circumstances.

## **8. Timetable**

In the case of an informal complaint, and subject to Section 7 above, the Trust will endeavour to resolve the issue within four weeks, or in instances where the complaint is raised within the last four weeks of a term, by the end of the fourth week of the following term.

In the case of a formal complaint, and subject to Section 7 above, the Trust will launch an internal or external investigation within two weeks. The Trust will endeavour to ensure that the investigation is completed and considered by the Complaints Committee within four weeks. This timetable may be adjusted as necessary to account for breaks between terms or other relevant factors as the Complaints Committee shall determine.

## **9. Resolving Complaints**

Complaints may be resolved through any of the following mechanisms:

1. Informal resolution
2. Mediation – internal or external
3. Formal Investigation and determination of responsibility

The first two mechanisms are not applicable for situations of stalking; intimate partner violence; retaliation; or a second or subsequent allegation of Prohibited Conduct.

## **10. Sanctions and Responses**

Any recommendation for appropriate redress and / or sanction shall be proportionate to the seriousness of the conduct and may, without limitation, include:

- Discussion with Respondent to explain why their behaviour was harmful;
- Restorative/educational sanctions;
- Warning or official reprimand;
- No-contact directive between the complainant and respondent;
- Exclusion from Rhodes House on a temporary or ongoing basis;



- Exclusion from Rhodes Trust activities and additional support (grants, trips) on a temporary or ongoing basis;
- Exclusion from Rhodes Connect on a temporary or ongoing basis;
- Notation on permanent record in Rhodes House;
- Formal report to college/University;
- Temporary or permanent suspension from ability to participate on selection committees;
- Temporary suspension or permanent cessation of scholarship funding;
- Removal of the Rhodes Scholarship including loss of privilege to call oneself a Rhodes Scholar.

In cases of sufficient seriousness that, after their investigation, the Warden and the Complaints Committee recommend that a sanction of temporary suspension or permanent cessation of scholarship funding or removal of the Rhodes Scholarship including the loss of privilege to call oneself a Rhodes Scholar should be imposed, the Warden and the Complaints Committee shall prepare a report for submission to the Academic Committee of the Trustees. The Scholar shall be provided with a summary of the findings of the investigation and shall have an opportunity to prepare a written statement to be included with the report.

The Academic Committee shall consider the report, the Scholar's written statement, and the recommendation and review the procedural aspects of the investigation to ensure its fairness. They shall then make a recommendation to the full Board of Trustees. The decision of the Board of Trustees shall be final.

## **11. Appeals**

Either party may appeal the sanction, finding or resolution by submitting a written appeal to the Warden within four weeks. The Warden will consider the appeal and make a decision within two weeks. A second appeal may be submitted to the Chair of the Rhodes Trustees who will appoint a committee of three Trustees to consider the appeal and respond within four weeks. The decision of this Trustee committee is final and the Trustee committee shall, in its discretion, decide upon the procedures it will adopt for these purposes in light of what it considers to be most appropriate in the relevant circumstances.

Note that these appeal procedures do not apply in cases where the recommended sanction is temporary suspension or permanent cessation of scholarship funding or removal of the Rhodes Scholarship, including the loss of privilege to call oneself a Rhodes Scholar. All such cases require a vote by the full Board of Trustees, whose decision is final.

## **12. Annual and Periodic Review**

The Rhodes Trust commits to a data-driven and transparent (but suitably anonymised) response to Prohibited Conduct that includes conducting an annual climate survey on the prevalence of Prohibited Conduct and related behaviors and releasing the results to the Rhodes Community.

The Rhodes Trust will prepare an annual report, shared with Rhodes Trustees and available upon request to any Scholar in residence, of aggregate data regarding complaints, investigations, resolutions and sanctions that will disclose (1) the number of Reports; (2) the number of investigations; (3) the number of Informal Resolutions; (4) the number of students found responsible and not responsible as to each charge; and (6) the sanctions imposed. These annual reports will provide information that is consistent with privacy laws in the United Kingdom.

The Rhodes Trust shall review this Code at least every two years and update it as necessary. This review will capture legal requirements; evaluate the supports and resources available to the parties; assess the promptness and equitability of the resolution process; and assess fairness of the sanction and remedies imposed. The Trust will solicit input from Scholars in reviewing the Code and will specifically seek the feedback of individuals who have engaged with this Code as Complainants or Respondents.

As part of any review, the Trustees of the Rhodes Trust may consider whether any amendment to, or modification of, this Code may be appropriate. The Trustees may then amend or modify this Code accordingly, applying a similar consultative approach to that adopted in relation to the introduction of this Code.

#### **Appendix A: Definitions**

***Affirmative Consent:*** an informed, voluntary, and active agreement to engage in specific sexual activity.

- Voluntary impairment by the Respondent by alcohol or other drugs is **NOT** an excuse for failing to obtain Affirmative Consent.
- The person initiating sexual contact must obtain Affirmative Consent from their partner.
- Affirmative Consent is an active process that must be ongoing throughout sexual activity. Affirmative Consent to one sexual act does not constitute Affirmative Consent to another, and can be revoked at any point.
- Affirmative Consent requires a clear “yes.” Although the “yes” need not be verbal, verbal communication is the most reliable way to give and receive Affirmative Consent.

***Affirmative Consent is NOT:***

- Silence.
- Lack of protest or resistance.
- Obtained by force, coercion, or threat.

An individual is unable to give Affirmative Consent when that person cannot act on considered decisions to engage in sexual activity due to drugs, alcohol, unconsciousness, mental or physical disability, or some other condition. Prior sexual activity or the existence of a past sexual or dating relationship between parties does not imply Affirmative Consent. Consent to sexual activity with one partner does not mean consent with multiple or other partners.

**Bullying:** Bullying is a form of harassment and may be characterised as offensive, intimidating, malicious or insulting behaviour, or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.

**Complainant:** an individual who has reported Prohibited Conduct, and who is not a Confidential Complainant.

**Confidential Complainant:** an individual who is reported to have experienced Prohibited Conduct and makes a request to the Warden that their identity is not disclosed to the Respondent, and the Warden determines that the request can be honored. A Confidential Complainant can withdraw a request that their identity will not be disclosed to the Respondent at any time and become a Complainant.

**Conduct Officer:** Individuals to whom complaints of misconduct can be made. The current Conduct Officers of the Trust are:

1. The Warden: Elizabeth Kiss, [warden@rhodeshouse.ox.ac.uk](mailto:warden@rhodeshouse.ox.ac.uk)
2. The Registrar: Mary Eaton, [mary.eaton@rhodeshouse.ox.ac.uk](mailto:mary.eaton@rhodeshouse.ox.ac.uk)
3. The Dean of the Rhodes Scholarships: Doyin Atewologun, [doyin.atewologun@rhodeshouse.ox.ac.uk](mailto:doyin.atewologun@rhodeshouse.ox.ac.uk)
4. The Director of Human Resources: Danai Pampaglione, [danai.pampaglione@rhodeshouse.ox.ac.uk](mailto:danai.pampaglione@rhodeshouse.ox.ac.uk)
5. The Chair of the Academic Committee: Dame Helen Ghosh, Master of Balliol, [helen.ghosh@balliol.ox.ac.uk](mailto:helen.ghosh@balliol.ox.ac.uk)
6. The Director of Global Engagement: Rodolfo Lara, [rodolfo.lara@rhodeshouse.ox.ac.uk](mailto:rodolfo.lara@rhodeshouse.ox.ac.uk)
7. The Chief Financial and Operating Officer: Peter Anderson, [peter.anderson@rhodeshouse.ox.ac.uk](mailto:peter.anderson@rhodeshouse.ox.ac.uk)

**Harassment:** A person subjects another to harassment by engaging in unwanted and unwarranted conduct which has the purpose or effect of:

- violating another person's dignity, or
- creating an intimidating, hostile, degrading, humiliating or offensive environment for another person.

Vigorous debate will not amount to harassment when it is conducted respectfully and without violating the dignity of others or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

**Informal Resolution:** for limited types of Prohibited Conduct, if the Warden and both parties agree, complaints may be resolved through a brief investigation by the Warden and an agreement between the parties. Either party (or the Warden) can withdraw the case from Informal Resolution at any time prior to reaching a Resolution Agreement, and initiate a Formal Investigation.

Informal Resolution is never appropriate for allegations of:

- Sexual Assault
- Stalking;
- Intimate Partner Violence;
- Retaliation;
- A second or subsequent allegation of Prohibited Conduct.

**No-Contact Directive/Agreement:** There are three possible No-Contact Directives/Agreements. All No-Contact Directives/Agreements will be (1) specific as to the persons and places to be avoided and will state clearly the requirements (e.g., the distance that an individual is directed to keep between themselves and another person or place, and the hours during which an individual is to avoid a place); and (2) will clearly state the procedure that a protected individual is to follow in the event of a suspected violation of the Directive/Agreement.

A **Limited Mutual No-Contact Directive** is not a sanction and does not presume a Respondent has committed Prohibited Conduct. It is an accommodation for either party and is intended to maintain a harmonious and healthy educational environment for the Rhodes community. A Limited Mutual No-Contact Directive may be requested by either party and may prohibit the parties from contacting each other, either directly or through third parties, including in person, in writing, via email or any electronic method, by phone, or using any other mechanism. The individual who requests a Limited Mutual No-Contact Directive will have the option of moving to a new location in order to separate from the other party, and may prohibit the parties from entering the other party's residence. In addition, the Rhodes Trust will make every effort to coordinate with the relevant college or academic department to provide the Complainant with options that allow the Complainant to avoid being in class or extra-curricular activities with the Respondent. In cases in which the Complainant requests confidentiality or requests that no investigation or disciplinary action be pursued, the Rhodes Trust's ability to take actions that impact the Respondent may be limited.

A **No-Contact Agreement** is agreed to by the parties during **Informal Resolution** and approved by the Warden. A No-Contact Agreement may include restrictions on each party's contact with the other and limitations on either party's housing, class schedules, and extracurricular activities, as agreed by the parties and the Warden.

A **No-Contact Directive** may be requested by the Complainant as an interim measure after a complaint is made or as a permanent remedy after a finding of responsibility for Prohibited Conduct. A No-Contact Directive is issued by the Warden and may prohibit the Respondent from contacting the Complainant, either directly or through third parties, including in person, in writing, via email or any electronic method, by phone, or using any other communication mechanism. It may also require the Respondent to change housing, classes, and daily schedule. The Warden will advise the Complainant of options for avoiding contact with the Respondent and will minimize the burden of any No-Contact Directive on the Complainant. In general, the Warden will give the Complainant priority over the Respondent in determining classes, housing, and activities.

**Complicity:** Complicity is any act taken with the purpose of aiding, facilitating, promoting, or encouraging another individual to commit Prohibited Conduct.

**Intimate Partner Violence:** Intimate Partner Violence is violent and/or controlling behavior by someone who is currently or was previously in a dating, sexual, romantic, domestic or other intimate relationship with the individual who experienced Prohibited Conduct.

**Retaliation:** Retaliation is any adverse or negative action taken against an individual for raising concerns about, engaging in advocacy regarding, or reporting, Prohibited Conduct, or for being perceived as having done or being likely to do so. Actions taken by or through a third party, rather than by or through the Complainant or Respondent directly, may constitute Retaliation. Retaliation includes but is not limited to: threats, intimidation, exclusion, differential treatment because of a Report, and/or harassment.

**Sexual harassment and violence:** Sexual harassment and violence is any unwanted sexual behaviour which takes place without consent, whether someone knows the person or not. It can happen regardless of gender, sexual orientation, race, religion or age. It does not always happen in person. It may happen online, for example on social media, via e-mail or messaging.

Sexual harassment and violence can include: Catcalling, wolf-whistling, leering, unwanted comments or jokes about a person's body, clothing or sex life; Stalking someone or following them (in person or online); Unwanted physical contact, such as groping, sexual assault, abuse or rape; Relationship abuse; Unwelcome sexual requests; Non-consensual photos like up-skirting or sharing of explicit material.

**Sexual Assault:** Sexual assault is sexual contact without **Affirmative Consent**. Sexual contact includes any contact with the intimate body parts of another, including breasts, buttocks, groin or genitals. Sexual contact also includes making another person touch their own or another person's intimate body parts. Sexual contact may be clothed or unclothed and includes, but is not limited to, fondling; kissing; penetration of the mouth, anus, or vagina, however slight, with any body part or object; or any other sexual activity.

**Sexual Exploitation:** Sexual Exploitation occurs when an individual **knowingly**

- (1) Causes incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity, including through alcohol or drugs;
- (2) Observes, records, or photographs private sexual activity or an individual's intimate parts without Affirmative Consent;
- (3) Disseminates images of private sexual activity or an individual's intimate parts without Affirmative Consent;
- (4) Exposes an individual's genitals to another without Affirmative Consent; or
- (5) Transmits a sexually transmitted infection to an individual, after exposing the individual to the infection without their knowledge.

## **Sexual & Gender-Based Harassment:**

**Sexual Harassment** is any unwelcome conduct of a sexual nature. The conduct may be verbal or non-verbal, graphic, physical, or otherwise. Sexual harassment may include sexual advances, requests for sexual favors, or sexual comments about a person's clothing, anatomy, or looks.

**Gender-Based Harassment** is any harassment based on gender, sexual orientation, gender identity, or gender expression. Gender-based harassment may include acts of aggression, intimidation, or hostility. The conduct may be verbal or non-verbal, graphic, physical, or otherwise, and need not be sexual in nature.

**To be considered Sexual or Gender-Based Harassment, either or both of the following must be present:**

(1) Submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of a person's employment, academic standing, or participation in any the Rhodes Trust programs and/or activities, or is used as the basis for the Rhodes Trust decisions affecting the individual. (This is often referred to as "quid pro quo" harassment.)

(2) Such conduct creates a hostile environment. A "hostile environment" exists when the conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefiting from the Rhodes Trust's education or employment programs and/or activities. **A single incident, if sufficiently severe, can create a hostile environment.**

**Stalking:** Stalking is a course of conduct directed toward a person that is likely to cause alarm, fear, or substantial emotional distress. Stalking occurs when a person follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with another person's property directly, indirectly, or through third parties, by any action, method, device, or means. A course of conduct is two or more instances of such behavior.

**Violation of a No-Contact Directive/Agreement:** A No-Contact Directive/Agreement is considered violated if an individual knows a No-Contact Directive/Agreement has been issued to them and they violate any requirement of that Directive/Agreement. Violations of No-Contact Directives/Agreements issued as part of an investigation under this Policy are considered separately punishable as Prohibited Conduct.

**Report:** information received by the Rhodes Trust that Prohibited Conduct has occurred. This includes both a direct complaint from a student, as well as information from any other source, including social media, news articles, third parties, community members, and/or anonymous reports.

**Respondent:** an individual who has been accused of Prohibited Conduct.