

INTEGRAL POLICY ON SEXUAL HARRASMENT, GENDER VIOLENCE AND GENDER DISCRIMINATION

Oficializado por Decreto de Rectoría
N° 123 de fecha 12/12/2022

1. BACKGROUND

Law 21,369 was published in the *Official Gazette* on September 15, 2021. Its purpose is to promote integral policies on the prevention, investigation, penalization and eradication of sexual harassment, gender violence and gender discrimination and on the protection and redress of victims in the sphere of higher education in order to create safe environments free from sexual harassment, gender violence and gender discrimination for all people interacting in higher education academic communities, regardless of their sex, gender, sexual identity and sexual orientation.

One of the things stipulated in the law is the creation, by institutions of higher education, of an integral policy on sexual violence, gender violence and gender discrimination, which must contain a model on the prevention and another model on the penalization of such conduct, designed with the involvement of all levels existing in an institution.

The University issued its first policy, regulations and protocol on sexual harassment, gender violence and gender discrimination in 2017. These documents were updated in 2019 and served as the basis for the work done by the University since the enactment of the law with the different bodies in our university community. The texts have been improved and adapted participatively to the requirements in the law, which is seen in the creation of models of prevention, investigation and penalization designed through participative gender-parity procedures.

This work led to a Commission comprised of members of the University knowledgeable in human rights and the gender perspective. That Commission drafted this document that contains our integral policy, prevention, penalization and investigation models, the Regulations regulating the complaint procedure and a protocol that contains a simple version of the Regulations and clear guidelines so that the entire community knows what to do, where to go and what rights they have in a situation of sexual harassment, gender violence and gender discrimination.

2. OBJECTIVES

The objective of this policy is to create and maintain respectful, safe environments free of any type of sexual harassment, gender violence and gender discrimination for everyone who is a member of our university community, regardless of their sex, gender, sexual identity and sexual orientation. This will be accomplished by prevention, monitoring, impact assessment, education, sensitization and penalization to eradicate any type of sexual harassment, gender violence and gender discrimination.

This policy also aims to prevent, protect and redress victims by means that include investigation procedures according to the rules of due process and principles of proportionality, gender equality and gender equity, victim protection. It prohibits revictimization and offers supportive measures, such as psychological, medical, social and legal support, to victims and to members of the university community who may be affected by the events reported.

To fulfill its mission, the University worked for months on the directives and guidelines that the policy on sexual harassment, gender violence and gender discrimination should have, which has finally materialized in the creation of the prevention, investigation and penalization models that have been developed through participatory, gender-parity procedures.

3. GUIDING PRINCIPLES

The actions and procedures established by the University regarding this offensive conduct are grounded on its institutional values of a commitment to the development of a society of free individuals; observance of Christian humanism; freedom of thought, diversity and free expression; non-discrimination and an appreciation of diversity, as well as the following principles:

The Principle of Gender Equality and Gender Equity: The central principle is that all people are equal in dignity and rights, regardless of their sex, sexual orientation, sexual identity or gender expression. This notwithstanding, strategies and measures must be implanted to eradicate the historic, gender-based inequalities so that this universal legal principle translates into a true equality among people.

Dignity and Respect: A respect for, and the dignity of, people involved in a specific case is guaranteed, whether it be the dignity of the presumed victim or of the presumed aggressor or offender, so as to ensure an impartial treatment of everyone involved.

Confidentiality: We will keep the identity of everyone involved in the procedure confidential as well as the resulting information in all pertinent stages, from the moment that help is requested and the claim is made, throughout the investigation and until there is a resolution.

Claim: Any member of the university community can report cases of sexual harassment, gender violence and gender discrimination of which they are victim.

Access: We will ensure that the victims of sexual harassment, gender violence and gender discrimination receive integral care and advice and are given access and guidance on the units to which they must resort and the measures of support implemented by the University.

Diligence and Celerity: Both the investigation as well as the resolution of the specific matter will be done with the utmost diligence and celerity possible to avoid any undue delays.

Cooperation: All members of the university community are required to cooperate with investigations and must also appear when they have been summoned as a witness.

Good Faith: It is presumed that all claims are made in good faith, with no intention of causing harm or damage to others. Claims made in bad faith, with the direct intention of harming another person, will be subject to the corresponding disciplinary penalty.

Due Process: Every investigation resulting in the imposition of disciplinary penalties will be preceded by strict rational and fair procedure in which the parties will be heard, they may provide information,

they will be notified of the different resolutions in the process, they will exercise their right to a defense, and they may appeal the final decision.

Proportionality: The measures adopted during the process and the penalties imposed as a result of the investigation must be appropriate, necessary and proportional to the conduct claimed.

No revictimization: No irrelevant or invasive questions may be asked of a victim in an investigation. There will be no unnecessary repetition or questioning of their statement, no public exposure and they will not be held accountable for the conduct claimed.

4. GLOSSARY

Sexual harassment: Sexual harassment means any action or conduct of a sexual nature or connotation, whether verbal, non-verbal, physical, in person, virtual or via telematics, undesired or not consented to by the person who is targeted, which offends the dignity of a person, equal rights, their freedom or physical, sexual, mental or emotional integrity or which creates an intimidating, hostile or humiliating environment or one that may threaten, harm or impact their opportunities, physical conditions or job or academic performance, regardless of whether that behavior or situation is one-off or reiterated.

Behavior that may be considered offensive or inappropriate but which has no sexual connotation will not constitute sexual harassment.

Gender violence: Any action or conduct based on sex, sexual orientation, sexual identity or the gender expression of a person that causes their death, harm or physical, sexual or mental suffering in a public or private environment.

Gender discrimination: Any distinction, exclusion or restriction based on sex, sexual orientation, sexual identity or gender expression of a person that lacks a reasonable justification and causes deprivation, disturbance or a threat to the legitimate exercise of their human rights and basic freedoms.

Prevention Model: These are measures, actions and strategies adopted by the University to educate and train its employees, students and service providers in the subject and to promote a culture and spaces free from sexual harassment, gender violence and gender discrimination and to prevent any such conduct and/or limit its impact and damage.

Investigation and penalization model: These are measures adopted by the University and included in the Regulations on reporting sexual harassment, gender violence and gender discrimination so that any such conduct can be investigated and penalized and victims can be redressed.

Victim or aggrieved party: This means the person suffering damage or injury because of a certain action constituting sexual harassment, gender violence or gender discrimination.

Aggressor or offender: A person who sexually harasses, assaults, discriminates, offends, attacks or attempts to attack the physical or psychological integrity, dignity and/or freedom of one or more

individuals, causing adverse psychological, emotional or physical consequences; and/or the deprivation, disturbance or threat to the legitimate exercise of their rights that has an impact on the victim's job opportunities and/or academic performance.

University Community: For purposes of this policy, university community will mean the community comprised of:

- **Employees:** Employee means all personnel of the University with an employment contract.

For purposes of these regulations, professors, teachers, investigators, tutors, aids, thesis supervisors and other individuals who have an academic or teaching assistant relationship with undergraduate or graduate students at the University will be considered an employee, even if they do not have an employment contract or service contract with the University.
- **Students:** Students in any undergraduate or graduate program or in any certification or diploma program, course, seminar or academic activity imparted by the University, whether a regular, free or exchange student, intern, participant, auditor or another type of student.
- **Alumna, alumnus, alumni and alumnae:** Former students in an undergraduate or graduate program or in any certification or diploma program, course, seminar or academic activity imparted by the University, whether they were a regular, free, special or exchange student, an intern, participant, auditor or another type of student.
- **Service provider:** People who do not belong to the university community but who provide services or conduct activities at the University or in a location where the University conducts an activity as a contractor, subcontractor or the like, and any employees thereof.

Regulations on reporting sexual harassment, gender violence and gender discrimination: A regulatory text the main purpose of which is to regulate the procedure for reporting events that occur and constitute sexual harassment, gender violence or gender discrimination so that certain preventive, protective, supportive, reparative and penalization measures can be adopted to thus provide an appropriate solution to the entire university community within the University's sphere of action.

Protocol on handling claims of sexual harassment, gender violence and gender discrimination. An instrument containing a simplified version of the claim Regulations and the main aspects thereof, as well as the rights and guarantees of those involved, stages in the process, and information and reporting channels. The purpose is to guarantee that the entire university community didactically and clearly understands the main regulations on the subject, where to go and what rights they have.

Gender perspective: Gender perspective means a conceptual tool that aims to show that men and women are different not only because of their biodeterminism but also because of the cultural differences inherent to human beings.

MODEL ON PREVENTION OF SEXUAL HARRASMENT, GENDER VIOLENCE AND GENDER DISCRIMINATION

This model contains:

- Prevention Strategies and Courses of Action
- Implementation Unit

SECTION I: GENERAL RULES

I. Purpose

Universidad del Desarrollo wants to promote a culture and spaces free from sexual harassment, gender violence and gender discrimination.

That is why this prevention model has been developed, which is intended to set down the measures and actions that will sensitize, form and educate people in matters regarding sexual harassment, gender violence and gender discrimination, hereinafter "AVD," and will provide the different tools, strategies and courses of action. It will help people recognize early signs of these situations and it will reinforce what actions must be taken to prevent this conduct and/or limit any impact or damage, helping to build a culture regarding this behavior.

II. Scope of Application

This model, which sets down the measures and actions that will sensitize, form and educate people in matters regarding sexual harassment, gender violence and gender discrimination, is applicable to the entire university community.

III. Prevention Strategies and Courses of Action

Universidad del Desarrollo wants to create and maintain respectful, safe environments free from any type of sexual harassment, gender violence and gender discrimination, for all members of our community, regardless of their sex, gender, sexual identity or sexual orientation.

This is a permanent concern of the University and it understands how complex these matters are, so an intervention is required in our university community to prevent early on any sexual harassment, gender violence and gender discrimination.

The promotion¹ and prevention² actions are vital to creating spaces free from this type of conduct. It is therefore fundamental to promote forming or changing the types of relationships that people

¹ Promotion means a set of educational, social and cultural interventions that aim to promote values such as gender equality, respect and consent from a focus of human rights. The goal is to foster a university, academic and work environment where the people in the university community can develop fully, with equal opportunities, in a space free from gender violence and gender discrimination.

² Prevention means the set of anticipative and educational actions to avoid any sexual harassment, gender violence and gender discrimination and to sensitize and educate people in the forms of this conduct.

must build in the framework of equal treatment and mutual respect. For this reason, as an institution, we intend to provide safe environments free from this type of conduct and to contribute to eradicating all forms of AVD that might occur at the University by means of specific promotion, prevention, penalization, redress, care and monitoring strategies and actions.³

The strategy of this University is to contribute to creating a culture of AVD prevention and to collaborate in strengthening the University's sphere of prevention.

This strategy also entails specific actions that will contribute to the success of this model as a whole, harmoniously, systematically and in a mutually influential way, in line with the stages of progressive and simultaneous deployment.

This strategy and the courses of action will be implemented through annual action programs that will describe how this prevention model will be implemented, and that will establish the goals that are to be achieved in a certain period, the measurement indicators, verification means and oversight of completion of the actions. All of this will lead to a diagnosis of the institutional activities, processes and interaction that will take place both regularly and sporadically. In this way, the problem will be seen, it will be determined where the risk of conduct representing sexual harassment, gender violence and gender discrimination is either present or increasing, so that we can work together and mitigate those risks.

IV. Courses of action

This prevention model includes the following courses of action:

1. Creation of a culture of prevention of sexual harassment, gender violence and gender discrimination through ongoing activities and campaigns to sensitize and inform people about, among other subjects, human rights, sexual harassment, gender violence and gender discrimination, causes, manifestations and consequences, and sexual consent.
2. Ongoing training and specialization of employees in matters of human rights, gender violence and gender discrimination.
3. The inclusion of content on human rights, gender violence and gender discrimination in the University's curricula.
4. Studies and an annual analysis of the institutional activities, processes and interactions, whether regular or sporadic, to determine where the risk of sexual harassment, gender violence and gender discrimination is present or is increased within the University community.

³ Care and monitoring actions means all actions that are intended to provide informational, legal and psychological assistance and provide an initial approach to people in the University community; facilitate the search for and oversight of actions representing sexual harassment, gender violence and gender discrimination; and track the measures that have been adopted to protect the people affected or the university community in general.

5. A specific inclusion of the internal regulations on sexual harassment, gender violence and gender discrimination in employment contracts, educational service contracts and other contracts, academic and research agreements.

6. Inclusion of the policy, regulations and protocol on sexual harassment, gender violence and gender discrimination in university induction processes.

These actions will be developed by the different levels on an ongoing and systematic basis to be able to create conditions for an environment of respect and equality among all members of the university community and to attain a university-wide institutionalization of the gender perspective at Universidad del Desarrollo, and to be able to continue advancing towards a non-sexist education and the promotion of a university culture free of any form of sexual harassment, gender violence and gender discrimination.

The following forms a part of the above courses of action, without limitation:

1. Creation of a culture of prevention of sexual harassment, gender violence and gender discrimination by means of a sensitization of the university community:

1.1 Ongoing activities and campaigns to gain a sensitization and provide information on, among other subjects, human rights, sexual harassment, gender violence and gender discrimination, the causes, manifestations and consequences; and sexual consent.

a) Design communicational actions and organize activities on specific commemorative dates regarding issues of human rights, gender violence and gender discrimination.

b) Hold regular information campaigns, which should inform and be oriented towards a sensitization to matters of sexual harassment, gender violence and gender discrimination, consisting of posters, brochures, audiovisual media, either capsules or interactive videos, among others.

These campaigns should at least consist of:

- information on situations constituting sexual harassment, from the slightest to the most serious forms, to denature sexual violence.
- information targeting individuals who wonder whether their own conduct could be defined as sexual harassment.
- information on victims' rights.
- an explanation of the channels available at the university for care, support and making claims that involve members of the university community.
- information on the right to an environment that guarantees dignity and mutual respect among all members of the university community.

These campaigns should also be uploaded to the website and/or social networks of Universidad del Desarrollo and emphasize the relevance of a space that respects the dignity of everyone, fosters mutual respect and rejects all forms of sexual harassment, gender violence and gender discrimination.

In order to do the foregoing, these Units must be supported by and coordinate with the Implementation Unit.

c) Prior to the start of volunteer efforts, hold talks and workshops on matters relating to consent, sexual harassment, gender violence, gender discrimination and how to present a claim.

d) The Operations Office of the University will include in its tenders all information on this integral policy, its models and all regulations on sexual harassment, gender violence and gender discrimination existing at the University. The internal regulations on sexual harassment, gender violence and gender discrimination will also be expressly added to any new contracts.

e) Through its different units, the University will expressly incorporate the internal regulations on sexual harassment, gender violence and gender discrimination to academic and research agreements and any other instrument signed by the University, including agreements that are made to hold recreational and leisure activities.

f) The Secretary General will ensure fulfillment of the obligations in letters d) and e).

g) Talks, workshops and seminars must be held to inform, make visible and sensitize people to conduct constituting sexual harassment, gender violence and gender discrimination.

2. Ongoing and specialized training of authorities, administrative employees, academics and personnel with an employment contract in matters of human rights, gender violence and gender discrimination.

a) The Implementation Unit will coordinate the development of these training and specialization programs.

This training will relate to matters involving human rights, gender violence and gender discrimination, including tools for early detection and timely response, which will prepare them to prevent and confront potential situations arising in the university community.

b) Cooperation agreements will be signed with Universities, research centers, civic organizations, trade associations and public and private institutions regarding specialization in human rights, gender violence and gender discrimination.

3. Inclusion of content on human rights, gender violence and gender discrimination in curricula.

a) The corresponding Offices of Academic Vice-Presidents will include content on human rights, gender violence and gender discrimination in curricula, with the support of the Implementation Unit.

b) The Implementation Unit will coordinate the design of communication strategies to inform students of programs that include content on human rights, gender violence and gender discrimination.

4. Studies and an annual analysis of institutional activities, processes and interaction, both regular and sporadic, to determine where the risk of sexual harassment, gender violence and gender discrimination is present or is increased within the university community.

a) The Implementation Unit will coordinate with the different units at the University to conduct, at least once a year, a qualitative investigation, compile opinions of diverse levels and gather relevant information on situations existing at the University in connection with sexual harassment, gender violence and gender discrimination.

b) The Implementation Unit will coordinate an annual online survey and will send forms to the entire university community on these subjects of interest.

c) Each year, the Secretary General must send the Implementation Unit a report on all claims and proceedings regarding sexual harassment, gender violence and gender discrimination.

d) The Implementation Unit must gather all information obtained by the means described in this course of action and then prepare a complete analysis reflecting the current situation of the university community. The purpose is to be able to make a meticulous analysis of where the risk of conduct constituting sexual harassment, gender violence and gender discrimination is present or is increased, to then focus on those situations and design a specific action plan to make improvements in these areas.

5. Express inclusion of the internal regulations on sexual harassment, gender violence and gender discrimination in employment contracts, fee-based contracts, educational service contracts, academic and research agreements and any other instrument signed by the University to further its institutional purposes and goals, including agreements made to conduct recreational and leisure activities.

a) The Secretary General will include the internal regulations on sexual harassment, gender violence and gender discrimination in educational and other service contracts, academic and research agreements and any other instrument signed by the University after the effective date of Law 21,369, including agreements made to hold recreation and leisure activities, and in any that are in force on that date, even though they were signed previously.

b) The Human Rights Area will expressly include the internal regulations on sexual harassment, gender violence and gender discrimination in employment contracts signed after the effective date of Law 21,369 and in those that are in force on that date, even though they were signed earlier.

c) The Secretary General will ensure compliance with these obligations.

6. Inclusion of the policy, regulations and protocol on sexual harassment, gender violence and gender discrimination in University induction processes.

a) The integral policy must be included in the institutional induction of students.

- b) The integral policy must be included in the institutional induction of new hires.
- c) Prior to beginning internships, internship preparation, clinics and other similar events, the department of the corresponding major or program must hold an induction of students in matters of consent, sexual harassment, gender violence and gender discrimination and the procedure to report such conduct according to the policy.

V. UNIT FOR IMPLEMENTATION OF THE LAW ON SEXUAL HARASSMENT, GENDER VIOLENCE AND GENDER DISCRIMINATION

The Implementation Unit, a part of the Office of the Secretary General, has the mission of ensuring that the prevention model contained in the University's integral policy on sexual harassment, gender violence and gender discrimination is properly followed and of fostering its continuous improvement. Some of its goals include the distribution of, and induction in, UDD's integral policy on sexual harassment, gender violence and gender discrimination so that the members of our university community have a general understanding of it.

This unit will implement the prevention model, will coordinate training, and will provide support to the different units involved in the strategies and courses of action in this model. It will answer technical questions on human rights, sexual harassment, gender violence and gender discrimination.

This unit will be focused on meeting the above goals so that everyone understands how the University is attempting to eradicate and confront this type of situation to provide safe environments free from sexual harassment, gender violence and gender discrimination.

The Implementation Unit will be comprised of:

- The Secretary General, who will be head of the unit.
- The Vice-President of Undergraduate Education.
- The Director of Human Resources.
- The Director of Student Experience and Development.
- The Director of Post-Graduate Education.
- Two individuals representing the Office of the Vice-President of Research and Doctorates.
- Two attorneys trained in human rights, the gender perspective, gender violence and gender discrimination, who have a technical understanding of these subjects.

This unit will have personnel knowledgeable in matters of human rights and the gender perspective so that they can make decisions and provide support to the different units at UDD in the sensitization and educational activities on these subjects targeting the university community. The purpose is to encourage reflection, both individual and collective, question inequality and gender violence, and promote good practices to build an inclusive university that is respectful of diversity and encourages equal opportunity.

This unit will appropriately independent, and it will have enough human and economic resources and authority to effectively complete its mission. The Implementation Unit will have the following duties, without limitation:

a) It will perform an annual analysis to identify the institutional activities, processes and interaction, both regular and sporadic, where the risk of sexual harassment, gender violence and gender discrimination is present or is increased within the university, based on current information.

b) It will examine the results of the above annual analysis and prepare a proposal on actions aimed at improving the results and eliminating eventual breaches involving sexual harassment, gender violence and gender discrimination, which will lead to a recognition of the problem and progress in confronting these situations.

c) It will provide support to the different units at the University so that there is a technical understanding of human rights, the gender perspective, sexual harassment, gender violence and gender discrimination.

d) It will coordinate the distribution of this prevention model throughout the university community and generate statistics on its application and outcome. This will facilitate a general analysis by the different levels of authority at the University to be able to propose measures that will improve university life.

e) It will coordinate the creation, production and distribution, either in a graphic or audiovisual format, of educational materials on sexual harassment, gender violence and gender discrimination, which must be exhibited in the University's buildings to assure a widespread distribution.

f) It will design a work plan with the different UDD units to hold workshops and create spaces for reflection on matters involving sexual harassment, gender violence and gender discrimination.

g) It will collaborate with the corresponding units in the inductions on the integral policy on sexual harassment, gender violence and gender discrimination.

h) It will provide support to the Offices of Academic Vice-Presidents in the inclusion of human rights, gender violence and gender discrimination in curricula.

i) It will arrange for training by the different units of the University in human rights, gender violence and gender discrimination.

j) It will confirm that the work of the different units collaborating on, and developing, actions to prevent sexual harassment, gender violence and gender discrimination has been completed and their goals have been attained.

k) It will ensure that the integral policy on sexual harassment, gender violence and gender discrimination is strictly followed.

l) It will perform any other function it is assigned under the integral policy on sexual harassment, gender violence and gender discrimination.

The Implementation Unit may use existing resources of the different units and departments of the University to perform these duties.

INVESTIGATION AND PENALIZATION MODEL

The following model is comprised of:

- the Regulations on reporting sexual harassment, gender violence and gender discrimination.
- the Investigation, Penalization and Redress Unit.
- a protocol on what to do when there are claims of sexual harassment, gender violence and gender discrimination.

REGULATIONS ON REPORTING SEXUAL HARASSMENT, GENDER VIOLENCE AND GENDER DISCRIMINATION

SECTION I: GENERAL RULES

Article 1. OBJECTIVE. The main purpose of these regulations is to regulate the procedure for claims about acts that constitute sexual harassment, gender violence and gender discrimination in order to adopt certain preventive, protective, supportive, reparative and penalty measures that will provide an appropriate solution for the entire university community within the University's sphere of action.

The foregoing is based on the seals, values and guiding principles set down by the University, which will not preclude the individuals affected from taking the judicial actions available to them pursuant to law.

Article 2. SCOPE OF APPLICATION. These regulations regulate cases of sexual harassment, gender violence and gender discrimination in which any member of the university community is involved as perpetrator or victim and which takes place during activities organized or developed by the University or by related persons, whether or not in the field of academia or research, especially any acts or situations that have an impact on the attainment of the University's goals and purposes.

Therefore, these regulations also extend to deeds and situations occurring in non-academic and non-research buildings of the University, such as gymnasiums, study rooms, locker rooms, recreational areas, common areas and parking lots; and they even encompass spaces outside of its buildings, such as clinical campuses, places of professional internship preparation and internships, field trips, outings, sports events, university parties organized by the University, graduation ceremonies, degree award ceremonies, and others held by the University.

These regulations will also apply to deeds that constitute sexual harassment, gender violence and gender discrimination that take place on social networks or in other means of communication.

If the individuals involved in a case of sexual harassment (claimant or accused) have an employment contract with the University, everything regarding the claim, investigation and penalization procedure will be regulated by Section XIV of the Internal Regulations on Order, Hygiene and Safety.

Article 3. DEFINITIONS. For purposes of these Regulations and their protocol:

Sexual harassment: Sexual harassment means any action or conduct of a sexual nature or connotation, whether verbal, non-verbal, physical, in person, virtual or via telematics, undesired or not consented to by the person who is targeted, which offends the dignity of a person, equal rights, their freedom or physical, sexual, mental or emotional integrity or which creates an intimidating, hostile or humiliating environment or one that may threaten, harm or impact their opportunities, physical conditions or job or academic performance, regardless of whether that behavior or situation is one-off or reiterated.

Behavior that may be considered offensive or inappropriate but which has no sexual connotation will not constitute sexual harassment.

Gender violence: Any action or conduct based on sex, sexual orientation, sexual identity or the gender expression of a person that causes their death, harm or physical, sexual or mental suffering in a public or private environment.

Gender discrimination: Any distinction, exclusion or restriction based on sex, sexual orientation, sexual identity or gender expression of a person that lacks a reasonable justification and causes deprivation, disturbance or a threat to the legitimate exercise of their human rights and basic freedoms.

Victim or aggrieved party: This means the person suffering damage or injury because of a certain action constituting sexual harassment, gender violence or gender discrimination.

Aggressor or offender: A person who sexually harasses, assaults, discriminates, offends, attacks or attempts to attack the physical or psychological integrity, dignity and/or freedom of one or more individuals, causing adverse psychological, emotional or physical consequences; and/or the deprivation, disturbance or threat to the legitimate exercise of their rights that has an impact on the victim's job opportunities and/or academic performance.

University Community: For purposes of this policy, university community will mean the community comprised of:

- **Employees:** Employee means all personnel of the University with an employment contract.

For purposes of these regulations, professors, teachers, investigators, tutors, aids, thesis supervisors and other individuals who have an academic or teaching assistant relationship with undergraduate or graduate students at the University will be considered an employee, even if they do not have an employment contract or service contract with the University.

For purposes of these regulations, a distinction will hereafter be made between an employee with and without an employment contract.

- **Students:** Students in any undergraduate or graduate program or in any certification or diploma program, course, seminar or academic activity imparted by the University, whether a regular, free or exchange student, intern, participant, auditor or another type of student.
- **Alumna, alumnus, alumni and alumnae:** Former students in an undergraduate or graduate program or in any certification or diploma program, course, seminar or academic activity imparted by the University, whether they were a regular, free, special or exchange student, an intern, participant, auditor or another type of student.
- **Service provider:** People who do not belong to the university community but who provide services or conduct activities at the University or in a location where the University conducts an activity as a contractor, subcontractor or the like, and any employees thereof.

Article 4. CONFIDENTIALITY. The confidentiality of the identity everyone involved in a procedure will be assured according to these regulations as well as the resulting information. The parties have the obligation to keep the confidentiality of, and not to convey or disclose, information on the content of the conflicts in the processing of a claim or investigation or their outcome, even after they have concluded.

The information gathered during an investigation will not be disclosed to third parties unless there is an imminent risk of harm to someone or it is requested pursuant to governing law.

The foregoing notwithstanding, the Implementation Unit will keep a record to design actions for prevention, study and monitoring.

Efforts will be made to keep confidentiality in all instances and stages of a procedure.

The foregoing notwithstanding, confidentiality cannot be absolutely guaranteed since often disclosure may be required, for example:

- by law, by a court or the Prosecutor's Office;
- when necessary to protect the interests of the individuals involved;
- when there is a clear risk that the individual or the university community in general may be exposed to sexual harassment, gender violence or gender discrimination.

If it is proven that any of the parties involved has violated the duty of confidentiality that must prevail in the stages of claim, investigation and resolution, the violator may be subject to one of the penalties or measures set down in these regulations.

SECTION II. THE INVESTIGATION, PENALIZATION AND REDRESS UNIT

The goal of this unit is to create different areas for members of the university community, in particular safe spaces instilling confidence and providing protection to file claims about conduct constituting sexual harassment, gender violence and gender discrimination.

Among other duties, this unit will conduct investigations to clarify the deeds reported, based on the rules of due process and the principles of proportionality, equality and gender equity, victim protection and no revictimization.

It will also ensure that the victim is protected from the moment the claim is filed, and it will monitor enforcement of the penalty resulting from the investigation and redress to the victim.

This unit must keep the parties involved informed of the status in all stages of the procedure.

This unit will be comprised of different actors who will be able to attain the aforesaid objectives. Their duties and specific tasks will depend on how they are involved and the stage of the procedure.

The Investigation, Penalization and Redress Unit is comprised of:

1. A Claim and Accompaniment Unit that will receive claims and accompany victims in all stages.

This unit will employ individuals knowledgeable in human rights and the gender perspective so that it can strictly fulfill its mission.

Since this is the first means of approach by the victim, this unit will provide orientation on options, support and ways to file a claim both with, and outside of, the University. It will also refer victims to academic, medical, social and legal aid, as applicable.

The employees of this Unit will have the duty to keep the information they receive confidential and they must protect the identity and intimacy of the parties involved in the process.

One person in this unit will guide the victim or claimant promptly and discreetly from the moment they present a claim, in seeking the professional help they need, and in assuring the adoption of any relevant supportive and temporary measures.

2. A Prosecutor, who is the person handling the investigation of AVD claims and of proposing, when relevant, either that the accused is not culpable or the corresponding penalties. The Prosecutor will be appropriately independent and have the human and budgetary resources sufficing to do their job, in addition to being trained and knowledgeable in human rights and the gender perspective.

The Prosecutor will have broad powers in conducting investigations of claims, but they must abide by the rules of due process and the principles of proportionality, equality and gender equity, victim protection and no revictimization.

SECTION III: THE CLAIM PROCEDURE

Article 5. THE CLAIM. This a verbal or written notice by the victim or a third party that there has been conduct constituting sexual harassment, gender violence and gender discrimination involving members of the university community.

Any person may report acts constituting sexual harassment, gender violence and gender discrimination of which they have been victim or of which they learn. The alleged victim must ratify a claim presented by a third party in writing before it can be processed.

The claim must be presented to the Claim and Accompaniment Unit, which may adopt the measures necessary to appropriately protect the victim.

Claims of sexual harassment, gender violence and gender discrimination will be kept confidential until the investigation concludes. Therefore, both the claimant and accused will have full access to all parts of the investigation only after the investigation has ended.

Notwithstanding the stipulations in these regulations and the University's commitment to accompany victims and to provide all information it has in its possession, victims have the right to file a claim with the Office of the Public Prosecutor.

Article 6. CONTENT OF CLAIMS. Claims may be made **verbally** or in **writing, in person or by e-mail**, and must contain at least the following information:

A. Written claim:

- 1) Identification of the claimant, their major or the unit where they work, as the case may be;
- 2) Identification of the accused;
- 3) The school, program, unit and/or area where the accused works, if the claimant knows this;
- 4) A detailed description of the deeds constituting the violation;
- 5) Identification of the individuals who witnessed or know of the deeds, if possible;
- 6) Evidence of the conduct claimed, if any, which must be furnished;
- 7) The date and place of the claim;
- 8) The means by which the claimant prefers to receive communications or notices issued in the proceedings;
- 9) The claimant's signature.

B. Verbal claim:

Any verbal claim must always be put in a written record containing the information listed in the preceding letter in the claimant's presence, who will sign it together with the employee of the Claim and Accompaniment Unit receiving the claim.

However, even though the claim does not contain all the required information, the Claim and Accompaniment Unit must provide a copy to the claimant and record the date of receipt. It will then

send the information to the Review Committee, with a copy to the Secretary General, to proceed in accordance with these Regulations.

No claim will be processed, whether anonymous or presented by a third party, until it is ratified by the alleged victim.

Article 7. RECEIPT OF CLAIMS. Once a verbal or written claim has been made, an employee of the Claim and Accompaniment Unit must convene a Review Committee, hereinafter the “Committee,” within no more than 2 business days following receipt of the claim. Members may be given notice of the meeting by e-mail, accompanied by the claim and information on it.

The employee in the Claim and Accompaniment Unit receiving the claim must attend the meeting of the Review Committee to explain the deeds claimed and the case.

Article 8. THE REVIEW COMMITTEE. The purpose of the Committee is to analyze the claim and the information presented by the victim and either order an investigation or dismiss the claim when it is obvious that the deeds reported do not constitute sexual harassment, gender violence or discrimination or not a part of such conduct or go beyond the scope of the Committee’s competence.

This Committee will be comprised of:

1. the corresponding Vice-President of the Office of the Vice-President to which the claimant and/or accused belong, or their designate,;
2. The HR Director or their designate if the claimant and/or accused is an employee, whether or not they have an employment contract;
3. The Director of the Office of Student Experience or Development or their designate;
4. The Secretary General or their designate.

This Committee will meet if a majority of its members are present and resolutions will be adopted by a majority of the attendees.

Any member of the Committee may act as secretary.

Article 9. Actions that the Committee may adopt when it learns of a claim. The Committee identified in the preceding article will have a period of three business days to meet and review the information received, and in that period it may request further or additional information from the academic and administrative authorities it deems pertinent or from the claimant. It must adopt one of the following decisions, which must be notified in the period of 2 business days after the corresponding meeting is held:

- a) **Order an investigation** when the severity of the deeds reported so warrant, and appoint a Prosecutor, who will have appropriate independence and be trained in human rights and the gender perspective;

b) **Dismiss the claim** when the deeds claimed do not constitute sexual harassment, gender violence or discrimination, are not a part of such conduct or go beyond the Committee's competence. That decision must be grounded, be set down in writing and be notified to the claimant.

The Committee may order measures of support and/or temporary measures regulated in Section VII of these regulations during any stage of the process after the claim has been received, either at its own initiative or at the request of the Claim and Accompaniment Unit and/or the victim.

SECTION III: THE INVESTIGATION

Article 10. START OF AN INVESTIGATION AND REFERRAL TO THE PROSECUTOR. If the Committee decides to order an investigation, it must give notice to the Prosecutor of their appointment and to the victim, either personally or by the preferred medium indicated in the claim, of the resolution containing such decision and the reasons for it.

The Prosecutor must accept the position within 5 business days after notice of appointment and issue a resolution beginning the investigation, which will be notified to the accused. That resolution will contain a detailed description of the deeds reported and will set a day, time and place for a defense hearing.

This hearing may not be scheduled earlier than 5 or later than 10 business days after notice.

Article 11. OBJECTION TO THE PROSECUTOR. Either the claimant or the accused may present an objection to the Prosecutor to the Review Committee within 2 business days after notice of the start of the investigation when they believe that there is a conflict of interest that will keep the Prosecutor from being impartial in the investigation.

The objection must indicate in writing to the Review Committee the reason or reasons for the objection. The Committee will decide within 2 business days after receipt. If the reasons are accepted, the resolution so stating must contain the appointment of a new Prosecutor.

The measures or procedures taken by any Prosecutor who is ultimately removed will not be canceled. The notice of the defense hearing will continue to be valid.

The same procedure must be followed in the event of the death, illness or ensuing disability of a Prosecutor.

Article 12. DEFENSE HEARING. The accused must attend this hearing in person to make a statement and they must present in writing the defenses and evidence that they deem pertinent. In the defense brief, the accused will explain their defenses and arguments and will request the measures they deem necessary as well as their preferred medium to receive notices and summons issued in the process.

Article 13. AUTHORITY OF THE PROSECUTOR. The Prosecutor will have ample authority to perform their duties, will be vested with appropriate independence and be knowledgeable in human rights and the gender perspective.

All members of the university community will endeavor to collaborate with the Prosecutor as necessary, in the shortest time possible, and will provide all facilities possible to the Prosecutor so that the investigation will be successful.

The Prosecutor in charge of an investigation may appoint an Attestation or Authentication Officer, who will certify all resolutions and measures issued or adopted by the Prosecutor. They will also cooperate with the Prosecutor in substantiating the investigation and they must keep all the proceedings confidential.

Article 14. PERIOD OF INVESTIGATION. Investigations will be conducted in the period of 10 business days after the date of the defense hearing at which the accused appears or from the date when the accused is declared in contempt, as the case may be. This period may be extended for as many as 10 business days by a well-founded resolution of the Prosecutor if measures are pending, or for other justified reasons, in the Prosecutor's opinion, which must be notified to the parties to the process.

Article 15. INVESTIGATION AND DOCKET. The Prosecutor will be available to hear the parties and existing witnesses or any offered by the parties during the investigation, and to receive the evidence and information that the claimant and/or accused believe necessary to present. This must be recorded in the docket.

The Prosecutor will analyze the facts, gather all information and evidence possible or that the parties present in support of their arguments or defense.

The docket will be correlatively numbered and will contain all statements, proceedings, measures, documents and records that are furnished, in chronological order.

Nonetheless, when advisable for the safety or privacy of the witnesses or the parties, the Prosecutor may, in a well-founded resolution, order that the name of one or more of certain witnesses or information in the docket be kept permanently confidential.

Article 16. EXTRAORDINARY HEARING. The Prosecutor must give the parties notice of any new facts, information or evidence appearing during the investigation, and summon them separately to an extraordinary hearing. The Prosecutor must set the day, time and place, which may be no earlier than 5 business days after notice.

The notice must describe the new facts, evidence or information so that the parties can present their defense or evidence that they deem relevant.

Article 17. SUMMONS. The Prosecutor may issue the pertinent summons in the proceedings to the accused and to the alleged victim and witnesses by any medium that makes the investigation quicker and more expeditious. A record must always be made of this in the docket. Digital media will be used preferably that have been provided by the parties in their briefs of claim and defense, respectively.

The parties and any member of the university community summoned to testify are required to appear. Any unjustified refusal or absence will be punished by a written admonition noted in their respective record or by another measure determined by an academic or administrative authority, as applicable.

If the accused does not appear but has been notified, the investigation will continue with the accused in contempt until it concludes.

A notice will be suspended in the event of a serious impediment to appearing personally to make a statement, as decided by the Prosecutor, and a new day and time will be set one-time only for the statement to be made in the shortest period possible

If the person does not attend the new summons, the Prosecutor may order a continuation of the investigation in their absence.

Article 18. APPRECIATION OF EVIDENCE. Evidence will be appreciated in conscience, without contradicting the principles of logic, the maxims of experience and science-based knowledge.

A confession of the accused will suffice to prove both a violation and their participation in it.

SECTION IV: CLOSING OF THE INVESTIGATION AND FINAL RESOLUTION

Article 19. REPORT BY THE PROSECUTOR. Once the period of the investigation ends or the investigation has concluded, the Prosecutor will declare that the investigation is closed, which must be informed to the parties to the process.

The Prosecutor will have a period of 5 business days after notice to the parties of the closing of the investigation to issue their report and send it to the Review Committee. This report must be properly supported and contain at least the following:

- a) Identification of the claimant(s);
- b) A detailed account of the events investigated;
- c) An account of the evidence received;
- d) A summary of the arguments presented by the parties;
- e) The means by which the facts have been established or proven;
- f) The participation and degree of responsibility of the accused, and any attenuating or aggravating circumstances;
- g) The conclusions based on the merits of the information gathered;
- h) Measures of protection, redress or other measures imposed or proposed by the Prosecutor;
- i) A proposed resolution to the specific case, either to declare that the accused is not guilty or to penalize or apply measures against them.

Article 20. FINAL RESOLUTION. Once the Prosecutor's report has been issued as indicated in the preceding article, the Review Committee will have a period of 5 business days to decide and may at the end of that period **either ratify or modify the Prosecutor's proposal**. It must issue the

corresponding well-founded final resolution, which must be sent to the Prosecutor, who will give notice thereof to the parties.

This period may be extended only once, for 5 business days, if the Committee deems it necessary to come to a better decision.

The final resolution must contain at least:

1. a summary of the claim and of the events investigated;
2. the evidence received;
3. a reasoned decision;
4. the penalty or penalties and measures that will be imposed, if relevant;
5. the individuals to whom notice of the decision must be given, together with instructions for its enforcement.

Article 21. NOTICE OF THE FINAL RESOLUTION. The final resolution will be notified by the Prosecutor to the parties no later than the business day following receipt, either personally or by the medium that they have requested in the proceedings.

If there is no evidence of a request for digital notice and the party does not accept the in-person notification, notification may be ordered by a certified letter sent through the Chilean Post Office or other equivalent medium to the address recorded in the proceedings or in the University's database.

Notices given by letter will be deemed given, and any deadlines will begin to run, as of the third business day after being sent. The sending date will be the date stamped by the Post Office on the corresponding form.

Once the resolution has been notified to the claimant and accused, they may request access to all parts of the investigation, notwithstanding the provisions in Law 19,628.

SECTION V: DISMISSAL

Article 22. A final dismissal will be decided by the Prosecutor:

- a) when the information shows that the facts investigated do not constitute cases of sexual harassment, gender violence or gender discrimination;
- b) when it is obvious that the person or persons who have been accused are innocent, who will also be declared not guilty of the charges;
- c) when the accused has died;
- d) when there has been an express and spontaneous pardon by the victim of the events claimed.

Article 23. The Prosecutor will order a temporary stay:

- a) when the occurrence that led to the investigation is not proven;

- b) when the investigation does not show sufficient reason to penalize the accused for sexual harassment, gender violence or gender discrimination regulated in these regulations.
- c) because the accused is unable to defend themselves due to a serious, and duly proven, health condition.
- d) because the accused has left the university community.

SECTION VI: PENALTIES AND MEASURES

Article 24. The penalties, measures or effects that may result from an investigation are the following, but without limitation, which will be based on the nature and severity of proven events, any circumstances that attenuate or aggravate responsibility, the nature of the contractual bond or the offender's status:

A. If the violator is a student:

- 1. A verbal admonition, which may or may not be noted in the student's file.
- 2. A written admonition recorded in the student's file.
- 3. Suspension of the student for one or more academic periods.
- 4. A loss of ranking in applying for courses.
- 5. Expulsion from the University.

B. If the violator is an alumnus or alumna:

- 1. Loss of the benefits offered or granted by the University to alumni and alumnae.
- 2. A ban on entering the University and its buildings on any of its campuses.
- 3. A ban on participating in activities organized by the University.

C. If the violator is an employee with an employment contract with the University:

- 1. Verbal admonition.
- 2. Written admonition.
- 3. Transfer from their job according to article 12 of the Labor Code.
- 4. A deduction of as much as 25% from the employee's daily salary.
- 5. Termination of the employment contract with no right to an indemnity, pursuant to article 160 of the Labor Code.
- 6. Revocation of the hierarchy that they have attained in accordance with the University's existing regulations.

D. If the violator is a contractor with no employment contract with the University:

- 1. They will be informed of the results of the investigation.
- 2. The service agreement may be terminated early because of a breach of the obligations in the agreement, if any.
- 1. The person will be removed from the activities performed for University students and/or any hierarchy that would have been attained will be revoked according to the University's existing regulations.

E. Accessory penalties: Depending on the nature of the contractual bond or the offender's status and the severity of the events, the above sanctions may be coupled with:

1. A conditional enrollment for one or more academic periods.

Conditional enrollment will mean enrollment subject to the following condition: If the violator again commits acts, deeds or omissions that entail a duly proven violation of university regulations, they will be immediately expelled from the University.

2. No possibility of applying for and holding positions of representation within UDD.

3. A ban on working as an aid or tutor or participating in exchanges, fellowships, sports events, volunteer work, missions and other similar activities organized or sponsored by the University.

4. A loss of economic benefits granted by the University (scholarships, discounts, awards and similar benefits).

5. Disqualification from holding managerial positions or being a member of the Councils of Schools.

6. A temporary impediment to applying for, or the loss of, training or improvement scholarships offered by the University.

7. A loss of honors.

8. Mandatory attendance of classes or workshops providing formation and education in matters of sexual harassment, gender violence and gender discrimination.

SECTION VII: MEASURES

Article 25. SUPPORTIVE MEASURES. From the moment of and during any stage of the processing of the claim, either the Committee and/or the Prosecutor, officially or at the request of the victim or of the Claim and Accompaniment Unit, may order gratuitous supportive measures that assure that the victims receive appropriate care and advice, depending on the nature of the occurrence.

All measures ordered must be previously discussed with the Claim and Accompaniment Unit, which may provide advice on the enforcement of these measures within the scope of its expertise.

Therefore, the University will make the following supportive measures available to victims:

Psychological Support: Support and psychological orientation will be provided to victims who need it by the Integral Psychology Service (SPI) of the University.

Medical support: Care will be provided to victims at the care centers with which the University has an agreement so that a general assessment can be made, notwithstanding any pertinent referrals to the relevant health care establishments.

Legal Guidance: Victims will receive legal information and guidance from the Legal Clinic of the University's School of Law.

Social Support: All members of the university community will be heard and treated with dignity and they will receive emotional support from their professors, university employees, the authority of their school or unit, etc. They will be given all information needed to mitigate the stress caused by the particular situation.

Academic Support: The victims of sexual harassment, gender violence and gender discrimination will receive the academic support they need during the proceedings by means of temporary protective measures that will be evaluated, accepted and/or defined, if relevant, by the Committee that will hear the claim.

The following will also be considered supportive measures, among others:

- a) The provision of clear, complete and timely information on the potential courses of action against the occurrence, including a claim to the courts whenever the cases constitute offenses or crimes.
- b) Access by the victim to services to restore their physical, psychological and/or social condition, through care provided by specialists in those areas.
- c) Access by the victim to appropriate legal counsel so that they understand and can defend their rights.
- d) Initiatives in spaces of accompaniment and containment for victims and the affected educational community within the University.

Article 26. TEMPORARY PROTECTIVE MEASURES. Protective measures are intended to safeguard the safety of the victim, especially during the investigation, and to protect their right to be in AVD-free spaces.

Either the Committee or the Prosecutor, officially or at the request of a party, may, in any stage of the process, depending on the severity of the events, order temporary measures to ensure the outcome of the investigation and/or protect the persons affected. They must ensure that the measure adopted does not violate rights guaranteed by law.

As long as the process is under way, one of the following measures may be imposed, for example, depending on the nature of the bond existing with the person affected:

- A change in the nature of the service or the place where it is provided by the accused, according and subject to the stipulations in article 12 of the Labor Code.
- A temporary suspension of the accused's academic work or activities, with or without the right to salary or fees.

- A temporary prohibition of the accused aggressor engaging in exchanges sponsored by the University or participating in fellowships organized by the University.
- A temporary ban against the presumed aggressor participating in sports events, volunteer work, missions and other activities organized by the University.
- A change in the evaluations calendar of the presumed victim.
- An extension of periods for the presumed victim to retake examinations.
- A reduction in the presumed victim's academic load.
- A relocation of the course, section or rotation for the presumed victim or accused.
- Cancellation of registration in courses or a suspension of studies outside deadlines.
- A ban on contact by any means between the presumed victim and the accused.
- A change in the location of an internship, rotation or tutor, to give priority to the claimant.
- A total cancellation or total or partial suspension of an internship.
- Suspension of the status of student of the person accused of sexual harassment, gender violation or gender discrimination, in exceptional and duly grounded cases.
- Any other measure that is deemed pertinent.

The measures adopted cannot be appealed and the Claim and Accompaniment Unit will give the respective unit notice for immediate enforcement. Measures will terminate automatically when a final dismissal or resolution is issued, as the case may be, unless it has been decided that it must stay in place.

In the case of situations occurring in places of internships or clinical campuses, the agreed measures must be notified to the Director or management of the establishment for the pertinent purposes.

Article 27. REPARATIVE MEASURES. Reparative measures are intended to minimize the impacts of the sexual harassment, gender violence or gender discrimination.

The Prosecutor may propose one or more of the following reparative measures to the Committee, and the Committee will decide on such measures, but always after first consulting the victim:

1. Written private or public apologizes by the aggressor;
2. Specialized psychological support to the people involved, when requested;
3. Academic monitoring and support or other benefits based on the harm caused to the affected person;
4. Acceptance of responsibility and/or recognition of the harm caused;
5. Actions to monitor the continuity of studies or work activities of the victim so that the victim resumes their activities in a manner similar to their original situation;
6. Intervention strategies to restore the victim's environment before the sexual harassment, gender violence or gender discrimination;
7. Other measures that are considered necessary to redress the damage caused to the victim.

Depending on the case, these measures may be agreed by the person responsible and the victim or decreed by the Review Committee in the final decision in the proceedings regarding a claim of sexual harassment, gender violence or gender discrimination, always after consulting the victim.

SECTION VIII: ATTENUATING AND AGGRAVATING CIRCUMSTANCES

Article 28. The penalties or measures imposed may be modified if there are any circumstances that either **attenuate** or **aggravate** responsibility.

Article 29. Attenuating circumstances are, among others:

- Previous irreproachable conduct;
- Self-reporting;
- A spontaneous confession of unproven facts that are prejudicial to the confessor;
- Voluntary redress for the damages caused;
- Substantial collaboration in clarifying the facts.

Article 30. **Aggravating** circumstances are, among others:

- A repeat or recurrence of conduct regulated in these regulations or their protocol;
- The existence of more than one victim;
- Acting in concert with one or more individuals;
- An unjustified failure to appear for the summons made by the Prosecutor;
- A physical or mental disability of the victim, whether permanent or temporary;
- Incompliance with protective measures imposed according to these regulations;
- Incompliance with protective measures;
- An abuse of a physical or moral superiority or a position of authority over the victim to overcome their resistance or pressure them and in any case, to commit the offense with a greater facility or assurance;
- Intimidation, coercion, or harassment of the victim and of any witnesses during an investigation.

SECTION IX: APPEAL

Article 31. The claimant and accused will have a period of five business days after notice of the final resolution to file an appeal with the Review Committee that ordered the summary investigation.

The **University Permanence Committee** will hear appeals. This Committee will be comprised of the President or their designate and by two Vice-Presidents who have not participated in any stage of the proceedings being appealed.

For these purposes, the day after receiving the appeal, the Review Committee must give the Permanence Committee notice of the appeal.

In appeals, the claimant and accused may request access to all parts of the investigation, notwithstanding the provisions in Law 19,628.

The Permanence Committee will have a period of 10 business days after notice of the appeal to make a decision to either confirm the resolution being appealed or amend it, should it decide that

there is reason to do so, which it must do in a reasoned resolution. The Prosecutor who investigated the case must give notice of this resolution to the parties involved.

If the penalty applied in the resolution being appealed is termination of the employment contract of a higher authority of the university, the Committee will send a report to the University Board in a period of 5 business days. The University Board will analyze and decide on the appeal at either a regular or special meeting, as may be determined.

Article 32. NOTICE OF THE FINAL RESOLUTION. Once the period has ended to file the appeal but no appeal has been filed or an appeal has been decided, the final resolution will be informed by the Prosecutor to the Office of Academic Records, to the Human Resources Office and/or to the respective Dean's Office so that the penalties or measures imposed can be recorded in the record of the person being penalized and other administrative, academic or labor measures can be adopted, as relevant.

The resolutions expelling a student will be formalized by a Vice-Presidential Decree that will take effect as from the date of the resolution, which must be informed to the Secretary General for recording and to the corresponding academic units.

Finally, the respective docket will be sent to the Secretary General for filing.

SECTION X: FINAL PROVISIONS

Article 33. The investigation of any claim will be terminated if the victim has withdrawn it, as will any temporary measures that may have been decreed, unless the Review Committee believes it is convenient to continue with the investigation and/or the measures.

Article 34: If it is determined in any stage of the process regulated in these regulations that the claim has been presented in bad faith, that is, fraudulently or deceitfully, in the intent to harm the other party, or that false data or misrepresentations have been made for the same purpose, the Prosecutor may impose any of the measures stipulated in these regulations on the individuals responsible, notwithstanding the actions that the party affected by the false or malicious claim may take before the Courts of Justice.

Article 35. Conduct constituting the crimes of rape or sexual abuse defined in articles 361, 365 and 366 of the Penal Code will not be governed by these Regulations or their protocol, and victims must file the corresponding claim with the Office of the Public Prosecutor in those cases.

This is notwithstanding the University's commitment to provide all information it has in its possession as well as legal aid, social, medical, psychological and academic support that victims may need.

In addition, the University may adopt the measures and penalties it deems pertinent according to these Regulations whenever any member of the university community is convicted of any of these crimes by any court, according to the University's Disciplinary Regulations.

Article 36. When acts have been committed by a service provider (contractor, subcontractor or their employees), the measures or effects stipulated in agreements, contracts or regulations regulating their direct or indirect relationship with the University will be imposed, in addition to the penalties in these regulations.

Article 37. In the case of clinical campuses and centers of internship preparation or internships, the University will give notice of the start of the investigation of acts of which a person working at, or providing services to, such places is accused, and of the outcome, to the Director or corresponding authority of the establishment for the pertinent purposes. The measures that the University has adopted for the pertinent purposes will be notified in the same way.

The foregoing is notwithstanding the measures or effects that are enforced according to agreements or regulations regulating the relationship of the establishment with the University.

Article 38. For purposes of these regulations, periods will always be individual and of business days. Saturdays, Sundays, holidays, winter vacation periods, if any, according to the academic calendar of the program, the period from January 1 to the last day of February of each year, and academic holidays will not be considered business days.

The foregoing notwithstanding, the parties may agree by any means to begin an investigation in those periods provided they make a record of that agreement in the docket.

Given the nature of the events, investigations begun prior to University vacation or closing periods will continue until they are concluded, unless decreed otherwise for good reason.

Article 39. Any matter not expressly regulated in these regulations or any exceptional situations will be decided by the Secretary General of the University.

SECTION XI: "TRANSITIONAL PROVISIONS"

Article 40. These Regulations will apply to the investigation of events constituting sexual harassment, gender violence and gender discrimination among members of the university community reported after these regulations enter into effect.

Article 41. The University will publicize and distribute these Regulations and the integral policy so that they are appropriately understood and known to the entire university community.

Article 42. These Regulations will enter into force on the date they are made official by a Presidential Decree. The foregoing notwithstanding, investigations that have begun prior to that date will continue according to the regulations in force on the date they began.

**PROTOCOL ON ACTION IN RESPECT OF CLAIMS OF
SEXUAL HARASSMENT, GENDER VIOLENCE AND GENDER DISCRIMINATION**

Our Mission

One of the missions of Universidad del Desarrollo is to build safe spaces free from sexual harassment, gender violence and gender discrimination. This is one of the University's ongoing concerns.

Therefore, UDD has assumed the commitment to ensure that the relationships among people comprising the university community develop in a framework of equal treatment. So, it rejects any type of conduct representing sexual harassment, gender violence and gender discrimination.

Nonetheless, we clearly understand the actual across-the-board issues regarding these subjects regarding which UDD has taken action and has designed the following protocol that forms a part of our integral policy on sexual harassment, gender violence and gender discrimination.

OUR PRINCIPLES

- 1. Due Process:** Every investigation resulting in the imposition of disciplinary penalties will be preceded by strict rational and fair procedure in which the parties will be heard, they may provide information, they will be notified of the different resolutions in the process, they will exercise their right to a defense, and they may appeal the final decision.
- 2. No revictimization:** No irrelevant or invasive questions may be asked of a victim in an investigation. There will be no unnecessary repetition or questioning of their statement, no public exposure and they will not be held accountable for the conduct claimed.
- 3. Confidentiality:** We will keep the identity of everyone involved in the procedure confidential as well as the resulting information in all pertinent stages, from the moment that help is requested and the claim is made, throughout the investigation and until there is a resolution.
- 4. Diligence and Celerity:** Both the investigation as well as the resolution of the specific matter will be done with the utmost diligence and celerity possible to avoid any undue delays.
- 5. Proportionality:** Any disciplinary penalties imposed as a result of an investigation must be appropriate, necessary and proportional, and for protection of the victim, to guarantee that the harassment, gender violence or gender discrimination stops and is not repeated. They must not disproportionately affect the accused.
- 6. The Principle of Gender Equality and Gender Equity:** The central principle is that all people are equal in dignity and rights, regardless of their sex, sexual orientation, sexual identity or gender expression. This notwithstanding, strategies and measures must be implanted to eradicate the



historic, gender-based inequalities so that this universal legal principle translates into a true equality among people.

7. Dignity and Respect: A respect for, and the dignity of, people involved in a specific case is guaranteed, whether it be the dignity of the presumed victim or of the presumed aggressor or offender, so as to ensure an impartial treatment of everyone involved.

8. Claim: Any member of the university community can report cases of sexual harassment, gender violence and gender discrimination of which they are victim.

9. Access: We will ensure that the victims of harassment, gender violence and gender discrimination receive integral care and advice and are given access and guidance on the units to which they must resort and the measures of support implemented by the University.

10. Cooperation: All members of the university community are required to cooperate with investigations and must also appear when they have been summoned as a witness.

11. Good Faith: It is presumed that all claims are made in good faith, with no intention of causing harm or damage to others. Claims made in bad faith, with the direct intention of harming another person, will be subject to the corresponding disciplinary penalty.

KNOW YOUR RIGHTS

Sexual harassment, gender violence and gender discrimination are in all ways a conduct that violates the dignity of the members of our university community and are therefore categorically rejected by UDD.

In this context, as a University we promise that:

- we will listen to you;
- we will give you space to talk without any reproach, shame or fear of potential repercussions;
- we will treat you with dignity;
- we will protect you and avoid your repeated exposure and revictimization;
- we will respect your sexual orientation;
- we will respect your gender identity;
- we will respect and make use of your social name if you request, according to existing instructions;
- we will make channels available to provide efficient help;
- we will help you and advise you confidentially;
- we will provide psychological, medical, social, legal and academic support;
- you may request that temporary measures be imposed to protect your integrity and reparative measures to minimize the impacts of the sexual harassment, gender violence and gender discrimination;
- you may make a claim using any of the existing channels;

- you may provide information and learn about the progress in your claim and in the investigation;
- we will further and advance investigations to ensure that they are done quickly, without any unjustified delays;
- you have access to the investigation after it ends;
- you will be notified of the final resolution issued in the process;
- you may file an appeal against the final resolution rendered in the proceedings.

THINGS YOU NEED TO KNOW

What is sexual harassment?

Sexual harassment is any action or conduct of a sexual nature or connotation, whether verbal, non-verbal, physical, in person, virtual or via telematics, undesired or not consented to by the person who is targeted, which offends the dignity of a person, equal rights, their freedom or physical, sexual, mental or emotional integrity or which creates an intimidating, hostile or humiliating environment or one that may threaten, harm or impact their opportunities, physical conditions or job or academic performance, regardless of whether that behavior or situation is one-off or reiterated.

Examples of conducts that may constitute sexual harassment:

- Deliberate, unsolicited and unnecessary physical contact, such as touching, rubbing, massages, palm slaps, pinching or kissing;
- Insinuating and/or compromising comments and observations about appearance or aspect;
- Non-verbal manifestations, such as sexual gestures or sounds that make one uncomfortable;
- Sexual comments or jokes made directly toward a person;
- An offer or insinuation that some type of reward will be received for agreeing to certain sexual requests;
- Offering or insinuating that some kind of reprisal would take place if a person does not agree to cooperate with certain sexual requests;
- Repeated invitations to begin a sexual relationship despite rejection;
- Causing or engaging in an excessive physical closeness that invades someone's personal space;
- Cornering, deliberately trying to get a person alone unnecessarily in order to intimidate them;
- Watching, taking pictures, making videos or any other image or audio recording of sexual activity or nudity in places where there is a reasonable expectation of privacy (such as bathrooms, locker rooms and other similar spaces), without the knowledge or authorization of all parties;
- Forcing a person to watch pornography;
- Intrusive personal or sexually explicit questions;
- Unsolicited non-academic invitations that may be interpreted to be for intimate sexual purposes;

- Unjustified demands to spend time alone with the victim, for example, requiring a student to undergo evaluations at an academic office or residence;
- Letters, phone calls, e-mails or messages with sexual insinuations, comments, jokes or photographs with undesired sexual content;
- A threat or spreading of sexual rumors, photographs or videos in situations that may make a victim uncomfortable;
- An inappropriate use during teaching of figures, drawings, photographs or Internet images that contain a sexual content, unless the use of those images is required by the specific nature of the course.

When are we not talking about sexual harassment?

Any behavior that may be considered offensive or inappropriate but which has no sexual connotation will not constitute sexual harassment.

What is gender violence?

Any action or conduct based on sex, sexual orientation, sexual identity or the gender expression of a person that causes their death, harm or physical, sexual or mental suffering in a public or private environment.

Examples of conduct that may constitute gender violence:

Please note that this conduct *MUST BE SAID OR COMMITTED BASED ON SEX, SEXUAL ORIENTATION, SEXUAL IDENTITY OR GENDER EXPRESSION:*

- Treating a person as inferior;
- Finding defects in many of their ways of being;
- Not allowing them to participate in decisions that correspond to their position, rank or title;
- Criticizing a person about their physical appearance and making them feel unattractive, provocative or immoral;
- Addressing a person by degrading nicknames;
- Manipulating a person through gestures, looks, finger-snapping or other ways;
- Twisting arguments so that a person frequently appears to be guilty of everything bad that is happening;
- Mocking or laughing about a person;
- Humiliating a person in public by criticizing, degrading or ignoring them;
- Comparing one person to another to make them look inferior;
- Asking for tasks or works to be done that go against a legitimate diversity of beliefs or convictions related to sexuality, sexual orientation or the gender identity of students or subordinates.

What is gender discrimination?

Any distinction, exclusion or restriction based on sex, sexual orientation, sexual identity or gender expression of a person that lacks a reasonable justification and causes deprivation, disturbance or a threat to the legitimate exercise of their human rights and basic freedoms

Examples of conducts that may constitute gender discrimination:

- An arbitrary and recurrent control or oversight of a person based on their sex, sexual orientation, sexual identity or gender expression;
- Discrediting a person because of their sex, sexual orientation, sexual identity or gender expression;
- Adopting decisions based on prejudices because of their sex, sexual orientation, sexual identity or gender expression;
- Degrading treatment because a person is of a certain sex, has a certain sexual orientation, sexual identity or gender expression.

What does victim or aggrieved person mean?

This means the person suffering damage or injury because of a certain action constituting sexual harassment, gender violence or gender discrimination.

What does aggressor or offender mean?

A person who sexually harasses, assaults, discriminates, offends, attacks or attempts to attack the physical or psychological integrity, dignity and/or freedom of one or more individuals, causing adverse psychological, emotional or physical consequences; and/or the deprivation, disturbance or threat to the legitimate exercise of their rights that has an impact on the victim's job opportunities and/or academic performance.

What does university community mean?

For purposes of these regulations, university community means the community comprised of all members of the University, that is, employees, students, alumni and service providers.

What does student mean?

Students in any undergraduate or graduate program or in any certification or diploma program, course, seminar or academic activity imparted by the University, whether a regular, free or exchange student, intern, participant, auditor or another type of student

What does alumnus, alumna, alumni or alumnae mean?

Former students in an undergraduate or graduate program or in any certification or diploma program, course, seminar or academic activity imparted by the University, whether they were a regular, free, special or exchange student, an intern, participant, auditor or another type of student.

What does employee mean?

Employee means all personnel of the University with an employment contract.

For purposes of these regulations, professors, teachers, investigators, tutors, aids, thesis supervisors and other individuals who have an academic or teaching assistant relationship with undergraduate or graduate students at the University will be considered an employee, even if they do not have an employment contract or service contract with the University.

What does service provider mean?

Service provider means people who do not belong to the university community but who provide services or conduct activities at the University or in a location where the University conducts an activity as a contractor, subcontractor or the like, and any employees thereof.

MAKING A CLAIM

Who can present a claim?

Members of the university community because of deeds constituting sexual harassment, gender violence or gender discrimination that take place in activities organized or held by the University or related persons, whether or not they occur in academic or research spaces, especially if such deeds or situations affect the proper attainment of the goals and purposes of the University.

Claims may also be made about deeds and situations occurring in non-academic and non-research buildings of the University, such as gymnasiums, study rooms, locker rooms, recreational areas, common areas and parking lots; and they even encompass spaces outside of its buildings, such as clinical campuses, places of professional internship preparation and internships, field trips, outings, sports events, university parties organized by the University, graduation ceremonies, degree award ceremonies, and others held by the University

What happens in a situation of sexual harassment between employees with an employment contract?

Everything related to the claim, investigation and penalization will be regulated by Section XIV of the Internal Regulations on Order, Hygiene and Safety.

To whom is a claim presented?

To the Claim and Accompaniment Unit, in charge of receiving claims and accompanying victims. Its personnel are trained and educated in human rights and the gender perspective.

How is a claim presented?

A claim can be presented verbally or in writing using the claim form found on the website of the support office, which can be presented in person or by e-mail.

Form: www.prevencionyapoyo.udd.cl

The former channels of communication are:

Santiago Claim and Accompaniment Unit:

Phone: +562 2578 5666

E-mail: udasantiago@udd.cl

Address: Building K3, RESB Campus, Avenida Plaza 680, Las Condes.

Concepción Claim and Accompaniment Unit:

Phone: +5641 268 6999

E-mail: udaconcepcion@udd.cl

Address: Ainavillo 456

Any verbal claim must always be put in a written record containing the required information, in the claimant's presence, who will sign it together with the employee receiving the claim.

No claim will be processed, whether anonymous or presented by a third party, until it is ratified by the alleged victim.

What happens once a claim is received?

The employee in the Claim and Accompaniment Unit receiving a claim must send the information to the Review Committee, which will analyze the claim and the information presented by the victim and either order an investigation or dismiss the claim when the deeds reported do not constitute sexual harassment, gender violence or gender discrimination or are not a part of such conduct or go beyond the scope of the Committee's competence.

What does the investigation procedure consist of?

1. It begins with a resolution of the Review Committee ordering an investigation of the occurrence and appointing a Prosecutor, which is notified to the parties.
2. Once the Prosecutor accepts the position, they must issue a resolution beginning the investigation and setting the day, time and place for a defense hearing where the accused can make a statement, present a defense and provide evidence. The Prosecutor will have ample authority to perform their duties, will be vested with appropriate independence and be knowledgeable in human rights and the gender perspective.

3. The entire investigation must be made in the periods indicated in the Regulations on reporting sexual harassment, gender violence and gender discrimination. Measures of support and protection of the victim may also be ordered.
4. The Prosecutor will declare an investigation closed after the deadline expires or the investigation has ended, which must be informed to the parties to the proceeding. The Prosecutor must then prepare a well-founded report for the Review Committee.
5. The Review Committee must issue a final resolution containing a decision on the investigation that declares that the accused is either not guilty or is punishable. In other words, the Committee will either ratify or amend the proposal contained in the Prosecutor's report. This resolution will be notified to the parties.
6. The procedure entails several measures of support, redress and penalization and a system to consider aggravating and attenuating circumstances.
7. The final resolution is appealable.
8. Once the deadline to file an appeal ends, an appeal is decided or none has been presented, the final resolution will be informed to all parties, especially any who must enforce the penalties imposed.

Where do I find the University's Integral Policy and the Regulations on Reporting Sexual Harassment, Gender Violence and Gender Discrimination?

They are posted on the University's website and are available to the entire university community for consultation.

To see the policy and regulations, click here: <https://www.udd.cl/dircom/web/Politica-Integral-Acoso-Sexual-Violencia-y-Discriminacion-de-Genero.pdf>