

1.0 SEXUAL HARASSMENT POLICY

1.1. POLICY STATEMENT

- i. For productive teaching and learning to occur in a university environment, members of the community - lecturers, staff and students - should pursue their responsibilities guided by a strong commitment to principles of mutual trust, respect and confidence, as well as professional codes of conduct. Relationships developed among lecturers, staff and students may involve power differentials that can carry risks of conflict of interest, breach of trust, abuse of power, and breach of professional ethics. Trust and respect are diminished when those in "positions of authority" are perceived as abusing their power. Those who abuse their powers in such a context, violate a duty to the University College Community, undermine professionalism and hinder fulfillment of the University's educational mission.
- ii. Sexual harassment by any lecturer, staff member, or student is a violation of both national law and university policy and will not be tolerated at the University.

1.2. DEFINITIONS

- i. GCUC considers sexual harassment as a very serious offence and shall subject the offender to dismissal or other sanctions following the University College's investigation and substantiation of the complaint and compliance with due process requirements.
- ii. Sexual harassment is defined as unwelcome sexual advances, deliberate provocative dressing targeted at an individual(s) to gain favours, requests for sexual favours, verbal or physical advances of a sexual nature when:
 - a. Submission to such conduct is either explicitly or implicitly made a condition of an individual's employment with the University College or a factor in the educational programme of a student;
 - b. Such conduct has the purpose or effect of unreasonably interfering with an individual's right to achieve an educational objective or to work in an environment free of intimidation, hostility or threats stemming from acts of a sexual nature.

1.3 EXAMPLES OF SEXUAL HARASSMENT

- i. Sexual slurs about one's gender.
- ii. Contrived work or study assignments and assigning more onerous or unpleasant tasks predominantly to students of one gender.
- iii. Repeated unwanted touching, patting or pinching.

- iv. Repeated inappropriate social invitations or requests for sexual favours.
- v. Repeated unwanted discussions on sexual matters.
- vi. Use of sexual jokes, stories, analogies or images which are not related to the subject of the course or work situation.
- vii. Touching, fondling or deliberate brushing against another person.
- viii. Ogling, leering or prolonged stares at another's body.
- ix. Display or use of sexual graffiti or sexually-explicit pictures or objects.
- x. Sexually suggestive letters, comments, e-mails, or other written or oral communications.

1.4. PROCEDURES FOR LODGING SEXUAL HARASSMENT

COMPLAINTS

- i. Individuals who are aware of or have experienced an incident of sexual harassment should promptly report the matter to one of the University College's officials designated to receive these complaints including the President, Registrar, Head of School/Department, Dean of Students, Guidance and Counselling Officer, Hall/Hostel Manager/Manageress depending on the status of the offender and venue of commission.
- ii. No person shall be subject to restraints, interference or reprisal for action taken in good faith to report or to seek advice in matters of sexual harassment. In the course of a complaint, the University College will attempt to maintain confidentiality for all parties involved.
- iii. However, there can be no guarantee of confidentiality and anonymity based upon the course and scope of the complaint investigated.
- iv. An aggrieved person, whose complaint is found to be both false and to have been made with malicious intent, will be subject to disciplinary action which may include, but not limited to demotion, transfer, suspension or termination of employment of the lecturer/staff/student, or warning, suspension, or dismissal in the case of a student.
- v. Employees or students of the University College who believe they have been subjected to sexual harassment are encouraged to use either the formal or informal approach to seek redress.

1.5. INFORMAL INVESTIGATION AND RESOLUTION

- i. Individuals who believe they have been subjected to sexual harassment should report the incident promptly to their immediate supervisor or academic dean or to a departmental supervisor/head.

- ii. The person to whom the complaint is made shall immediately contact the Registrar, Guidance and Counseling Officer, Dean of Students, the Vice President, the Dean of School, the Head of Department or the President depending on the status of the offender. One or more of these administrators will determine the course of the informal investigation and resolution.
- iii. The department head involved and/or the supervisor to whom the complaint was made may be asked to assist in the informal investigation.
- iv. If an informal resolution of the matter is satisfactory to the complainant, respondent, and the University College Official, the matter shall be considered closed and all parties involved shall be so advised in writing by the immediate supervisor or academic dean with copies to the Registrar and the Dean of Students.

1.6. FORMAL INVESTIGATION AND RESOLUTION

- i. If informal procedures fail to resolve a sexual harassment complaint, the formal process will be pursued. In this case, the complainant will have to file a written complaint with the Registrar with a copy to the President within twenty (20) days. The complainant and respondent shall be entitled to have, to the individual's own expense, an advisor, who may or may not be an attorney, to assist in preparing the formal complaint or defense.
- ii. A Sexual Harassment Investigative Committee appointed by the Registrar or the President, depending on the status of the personalities involved, will notify the parties involved of the sexual harassment complaint, provide copies of the complaint and advise the parties of the procedures for a formal investigation and hearing within three (3) working days of receipt of the formal written complaint. The respondent will then be given five (5) working days to respond in writing to the complaint.
- iii. Within five (5) working days of the Committee's receipt of the complaint and the respondent's response, if any, the Committee will meet separately with the complainant and the respondent. The purpose of these preliminary meetings is to inform the parties about the case, to ensure that the complainant and respondent are fully aware of their procedural rights and to explain the nature of the investigation to the parties.
- iv. Throughout the proceedings, the respondent and complainant shall have the right to be accompanied by an advisor, who may or may not be an attorney. Attorneys will not be provided at University College's expense. The legal counsel may be present, but shall act only in an advisory capacity to his client.
- v. Within five (5) working days of the conclusion of the Committee's preliminary meetings with the complainant and respondent, the Committee will hold a formal meeting on the matter. The Committee members may receive any evidence they consider to be relevant.
- vi. The respondent and complainant, and their advisors, shall have the right to be present at any time a testimony is presented and to be provided copies of all evidence considered by the Committee. Neither the respondent nor complainant shall have the

right to cross-examine witnesses. Advisors shall not have the right to address or question committee members or witnesses.

vii. A written record of the minutes of the proceedings and recommendations of the Committee shall be presented to the President within five (5) working days of the Committee's final meeting and copied to both the complainant and the respondent.

viii. Within ten (10) working days of receipt of the Committee's recommendation (s), the President shall make a final decision concerning what action if any, to take including disciplinary action after considering the recommendation(s) of the Committee, and will notify the complainant and respondent accordingly.

1.7. CONSENSUAL RELATIONSHIPS POLICY

Definitions - The following definitions are to be understood in the context of this policy:

- i. Employees refer to lecturers, administrative staff of any status, and other staff.
- ii. Lecturers refer to all full and part-time employees of the University College with teaching responsibilities, and other instructional personnel, e.g. laboratory or workshop staff.
- iii. Students refer to all full or part-time students of GCUC.
- iv. A consensual relationship is any mutually agreed dating, romantic, or sexual relationship.
- v. "Position of authority" includes, but not limited to, situations in which an individual is responsible for the teaching, evaluation or supervision of students, or the employment, evaluation, promotion of staff.
- vi. For purposes of this policy, it is recognized that there are occasions when individuals, holding classifications of student, lecturer or staff in their regular duties will fall into more than one classification due to certain situations. For example, if a staff member is enrolled in a course and a consensual relationship develops within an instructional context, the staff member will be considered a student for purposes of the requirements of this policy.

Guidelines

- i. It should be understood by all members of the University College community that consensual relationships that occur in the context of educational or employment supervision and evaluation are generally deemed unwise because they present serious ethical concerns.
- ii. Even in instances in which the employee, especially a lecturer, has no direct working relationship with a student, he should be sensitive to the perceptions of other students

and staff who may conclude that a student in a consensual relationship with a lecturer may receive preferential treatment from him/her or his/her colleagues.

- iii. Consensual relationship between lecturers and students occurring outside the instructional environment may lead to difficulties particularly when the lecturer and student are in the same academic unit or in units that are academically allied. The lecturer may face serious conflicts of interest and should be careful to distance him/herself from any decisions that reward or penalize the student involved.
- iv. Further, a relationship in which the parties consider as consensual may appear to others to be exploitative. It potentially places the lecturer or staff in a position with the real possibility of advancing the student's academic and other interests in return for sexual favours.

Non-compliance with Consensual Relationship Policy

- i. Lecturers and staff who fail to remove themselves from a "position of authority" over a student or employee with whom a consensual relationship exists will be deemed to have violated an ethical obligation to students, employees, colleagues, and the University College.
- ii. Credible allegations of a lecturer's or staff member's failure to avoid or terminate a consensual relationship obligates the immediate or appropriate supervisor to conduct a prompt and thorough inquiry to determine whether or not there is any validity to the allegation.
- iii. Where it is concluded that a relationship involving a "position of authority" exists, the immediate or appropriate supervisor shall advise the lecturer/staff involved to terminate the relationship, or impose sanctions against the parties involved where the advice is ignored.
- iv. The Head of School/Department shall make suitable arrangements for an objective evaluation of the student's academic performance in order to ensure that the student's interest and the credibility of GCUC are protected.

Sanctions/Appeal

- i. Persons in violation of this policy shall be subject to sanctions ranging from verbal warnings to termination of appointment or expulsion from the University College.
- ii. Should it be determined that disciplinary action is appropriate, the action to be taken shall be determined in the case of a lecturer or staff by the President.
- iii. In the case of students, action shall be taken by the Dean of Students.
- iv. Persons who knowingly make false allegations that an improper relationship exists between a lecturer/staff and a student, cover it up, fail to act appropriately on it in the case of responsible officials, or block action when a complaint comes to their attention shall equally be subject to appropriate sanctions.

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