

AGA KHAN UNIVERSITY
Guidelines, Policies and Procedures

Policy Name	Student Anti-Harassment Policy
Policy Number	028
Approved by	Academic Council
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Contact	Office of the Registrar

1.0 Preface

1.1 The Aga Khan University is committed to providing its students with an environment that is free from all forms of harassment, intimidation, bullying, ragging / hazing, discrimination or exploitation. Each student enrolled at the University is responsible for fostering mutual respect and dignity, for being familiar with this policy and for refraining from conduct that violates this policy.

2.0 Purpose

2.1 To educate students in the recognition and prevention of harassment and to provide effective means of eliminating harassment from the learning environment.

3.0 Scope

3.1 This policy is applicable to all AKU students enrolled in an undergraduate or graduate certificate, diploma or degree programme, including interns, residents and fellows of the Postgraduate Medical Education (PGME programme), any visiting students and anyone participating in a University academic activity.

3.2 A parallel document, the Aga Khan University Human Resources "Harassment Policy", covers faculty and staff.

4.0 Definitions

4.1 No policy document can give a full description and definition of behaviours that fall within the meaning of harassment. This set of definitions is meant to

serve as a guide for acts that will be considered as contravening the spirit and intent of the University's *Guiding Principles*.

4.2 Harassment

- 4.2.1 Any unwelcomed conduct, verbal or physical, towards a student because of his / her age, marital status, national / ethnic origin, colour, religion, disability, gender identity; when such conduct creates an intimidating, hostile or offensive learning environment that causes a student's performance to suffer. Targeting student(s) because of being physically or mentally challenged shall also constitute an act of harassment.
- 4.2.2 Ridicule, derogatory comments, jokes and insults.
- 4.2.3 Unwarranted behaviour that is shown towards a student that has the impact of making that student feel that her / his respect and dignity has been violated.
- 4.2.4 Display or circulation of materials and / or pictures, physically or electronically (e.g., via email, SMS, social media, etc.) which are degrading, sexually promiscuous and intimidating.
- 4.2.5 Shouting at a student, using insulting and abusive language, humiliating or publicly condemning / criticising her / his competence.

4.3 Sexual Harassment

- 4.3.1 Sexual harassment refers to conduct of sexual nature that is unwanted and unwelcome. Sexual harassment includes inappropriate gazing at a person's body, touching, patting or pinching or any other unsolicited physical contact.
- 4.3.2 Verbal conduct of a sexual nature may include unwelcome verbal advances, sexually oriented comments about physical appearance, requests for sexual favours and continued suggestions for private social activity after it has been made clear that such requests and suggestions are unwelcome. Offensive verbal conduct could also include jokes of a sexual nature, offensive flirtation or lewd remarks of a sexual nature, such as expressions of sexual interest that are addressed directly to the student.
- 4.3.3 Non-verbal conduct of a sexual nature may include the display of sexually suggestive pictures, objects or written material, or sexually suggestive gestures. Verbal or non-verbal conduct that creates a sexually offensive learning environment also constitutes sexual harassment.
- 4.3.4 Demanding sexual favours or sexually directed remarks / behaviour constitutes sexual harassment when submission to or rejection of such conduct is made, explicitly or implicitly, a basis for an academic decision.

4.4 Bullying / Ragging / Hazing

4.4.1 Bullying means offensive, abusive, intimidating or insulting behaviour, abuse of power and/or unfair punitive sanctions which makes the student feel upset, threatened, humiliated and / or vulnerable, which undermines the student's self-confidence and/or reduces the student's feelings of self-esteem and self-worth, and which may cause the student to suffer stress.

4.4.2 Ragging and / or hazing means the practice of using rituals and any other acts, conduct or practices by which the dominant power of senior students, former students or alumni, is brought to bear on students who are in any way considered junior by other students. Ragging and / or hazing includes individual or collective acts or practices which include, but are not limited to:

- Involvement in physical or psychological assault or threat or use of force or wrongful confinement or restraint;
- Violating the status, dignity and honour of such students;
- Exposing students to ridicule and contempt and affect their self-esteem;
- Verbal abuse and aggression, indecent gestures and obscene behaviour.

4.5 Cyber-bullying

4.5.1 Cyber-stalking: is the use of the Internet and mobile technology such as email, SMS, social media or other electronic communications, to stalk and generally refers to a pattern of threatening or malicious behaviours, including communicating a credible threat of harm.

4.5.2 Cyber-harassment: usually pertains to unconsented conduct such as threatening or harassing email messages, instant messages, or to social media and blog entries or websites dedicated solely to tormenting an individual. Cyber-harassment differs from cyber-stalking in that it is generally defined as not involving a credible threat.

5.0 Reporting

5.1 The University guarantees that all complaints that are reported will be taken seriously, will be investigated expeditiously and that all parties will be treated with respect.

5.2 AKU encourages the reporting of all incidents of harassment, regardless of who the alleged offender may be. Students, who either believe that they have become the victim of harassment or have witnessed harassment, should immediately discuss their concerns with the Dean / Director of their academic entity, director / coordinator / academic head of their programme, Associate Dean, PGME, a member of the Campus and Student Life office or the Associate Vice-Provost (Student Experience).

6.0 Procedures

6.1 Informal Resolution Procedure

- 6.1.1 Informal resolution is aimed at bringing together the parties to discuss and resolve the complaint. A student who believes that s / he has been harassed may choose to discuss the matter with the person who has engaged in the behaviour and / or request that a member of his / her academic entity act as a liaison for an informal discussion with the involved student or member of faculty so as to resolve the matter.

6.2 Formal Resolution Procedures

Where a student does not wish to pursue the informal resolution procedure or where the informal resolution procedure is unsuccessful, the formal resolution procedures should be undertaken.

- 6.2.1 Members of the University community (students, faculty, staff, alumni) who receive complaints of harassment will immediately contact the Associate Vice-Provost (Student Experience) for assistance in pursuing the matter.
- 6.2.2 If a member of faculty or staff receives repeated allegations of offenses against the same individual, but each student making the allegation is unwilling to file a written complaint or appear as a complainant, that member of the University community shall inform the Associate Vice-Provost (Student Experience) about the same.
- 6.2.3 The Student Anti-Harassment Policy Review and Investigation procedures shall be used in cases where a student charges another student with harassment or where a student charges a member of faculty with harassment.
- 6.2.4 The Human Resources “Harassment Policy” shall be used in cases where a student charges a member of staff with harassment.
- 6.2.5 The Dean / Director of the student’s academic entity, in coordination with director / coordinator / academic head of the student’s programme, the Associate Dean, PGME, or, in the case where a staff member is involved, a Human Resources senior manager, shall attempt to make temporary arrangements so that the accused and the complainant do not have to interact during the investigation period.
- 6.2.6 Retaliation from either party shall be strictly monitored. During the process of the investigation, class and clinic schedules shall be strictly

monitored. Any occurrence of retaliation by the accused shall result in suspension from the University.

- 6.2.7 As harassment usually occurs when individuals are alone, it is often difficult to produce evidence. It is strongly recommended that members of the University community report any offensive behaviour immediately to someone they trust, or seek guidance / help.

7.0 Reviews and Investigation

- 7.1 The procedures noted in this section of the Policy deal with formal inquiries where the harassment has taken place between students or where the harassment has taken place between a student and a member of faculty.
- 7.2 All matters related to the review and investigation of any charge of harassment will be undertaken in the strictest confidence.
- 7.3 Reports / complaints of harassment from students must be made in writing and signed by the person preparing the complaint within 10 working days of the incident. It should include a factual description of the incident, including quotations of any offending language used. The complaint should then be submitted to the Associate Vice-Provost (Student Experience) or her / his representative.
- 7.4 The Associate Vice-Provost (Student Experience), in coordination with the respective academic entity head, will review the information provided by the student.
- 7.5 Once it has been determined that all of the relevant information has been provided, the Associate Vice-Provost (Student Experience) will convene an Investigating Committee to consider the case.
- 7.6 The Investigating Committee will be comprised of:
- The Associate Vice-Provost (Student Experience) – as Chair of the Committee
 - Two members of faculty appointed by the Associate Vice-Provost (Student Experience).
 - Two students recommended by the Manager, Campus and Student Life
- 7.7 In cases where the student is charging another student with harassment, the student members of the Committee must be selected from another academic entity. In cases where the student is charging a member of faculty, the faculty members of the Committee must be selected from another academic entity.

- 7.8 Wherever possible, within five working days, from the day the charge is communicated, the respondent shall be requested to appear before the Committee for an interview, or submit a written defence. On her / his failure to appear before the Committee or to submit a written defence, without a reasonable cause, the Committee shall proceed ex-parte.
- 7.9 The Investigating Committee may request the attendance of appropriate individuals to appear before the Committee in order to provide information pertinent to the case.
- 7.10 Both parties, the complainant and the individual who has been charged with harassment, shall have the right to be accompanied by a colleague / friend from within the institution.
- 7.11 The Investigating Committee shall give its findings and recommendations in writing with appropriate reasons within 10 working days of the initiation of inquiry.
- 7.12 In cases where a student has been found guilty of harassment, the regulations noted in the University's *Student Code of Conduct and Disciplinary Procedures* shall provide the penalty (penalties) that may be assessed and the manner by which appeals are heard.
- 7.13 In cases where a member of faculty has been found guilty of harassment, the Investigating Committee shall inform and provide its recommendation to the faculty member's Dean / Director and the Vice President, Human Resources. The Dean / Director will consult with the Vice-President Human Resources or her / his representative regarding sanctions that may be imposed.

8.0 Compliance and Access to the Policy

- 8.1 The Associate Vice-Provost (Student Experience), in cooperation and coordination with the University's academic entity heads, shall be responsible for wide dissemination of this Policy.
- 8.2 The Student Anti-Harassment Policy will be available on the Office of the Registrar website, www.aku.edu/registrar.