

Sexual Harassment Prevention Policy Document

Preamble

Ilia State University is committed to the creation of an environment free of sexual harassment in the University and is aware that:

Sexual harassment is a form of discrimination which creates an uncomfortable and humiliating environment for a person;

Sexual harassment can affect anyone, irrespective of their gender, sexual orientation, social status, position, or other characteristics. It can occur between individuals of the same or different sexes;

Any behavior of a sexual nature that is involuntary and unwanted, creating an uncomfortable environment for the other person, may have no justification. Sexual harassment has a particularly negative impact on the psycho-social well-being of the victim, including a reduction in work and study productivity. One of the most severe forms of sexual harassment is "quid pro quo," where a person is offered some benefit in exchange for sexual services. Sexual harassment may be committed by the University employees, interns, or students against the University employees, interns, students, or a third party. It shall be addressed to handle allegations of sexual harassment.

Article 1. Scope of the Document

1. The Document is designed to create an environment free from sexual harassment and prohibit any form of sexual harassment at the University.
2. Any location utilized for the University's activities, encompassing University buildings, as well as spaces outside the buildings, such as meetings, business trips, training, conferences, social events, and any other gatherings associated with the University's purposes, shall be considered part of the University
3. Sexual harassment may be committed, and victims of sexual harassment may include:
 - a) University employees;
 - b) interns;
 - c) students;
 - d) any third person against whom the individual has perpetrated sexual harassment in the status of the University employee, intern, or student.
4. For the purposes of the Document, a person holding an administrative, academic, scientific, research, teaching, or support position shall be considered a staff member.
5. For the purposes of the Document, the University student is a person who is enrolled in the manner established by the Law of Georgia "on Higher Education" and the Statute of the University and who is registered in the professional educational program and studies for a bachelor's degree, a master's degree, an integrated bachelor's and master's degree, undergoes teacher training, medical/dental, doctoral educational program, as well as a person enrolled in a higher education

institution recognized under the legislation of a foreign country and completing a part of the academic or research component within a joint educational program at the University or an independent scientific research unit, as well as listeners, free listeners, certificate program listeners, residents.

Article 2. Concept of Sexual Harassment

1. Sexual harassment is any form of unwanted verbal, non-verbal, or physical conduct of a sexual nature which has the purpose or effect of violating the dignity of a person or of creating an intimidating, hostile, humiliating, degrading, or offensive environment.
2. Sexual harassment takes two forms:
 - a) “**Quid Pro Quo**, which involves a request of a sexual nature in exchange for some benefit.
 - b) a **hostile work environment**, i.e., creating intimidating and offensive conditions in the workplace.
3. Sexual harassment may take the form of, **but is not limited to**, degrading or intimidating, hostile, humiliating, derogatory or offensive verbal, **non-verbal and physical** conduct:
 - a) jokes of a sexual nature;
 - b) commenting on a person's appearance, clothes, or private life;
 - c) commenting on human sexuality;
 - d) commenting on a person's sexual orientation;
 - e) commenting on your sexual experience/preferences;
 - f) calling names of a sexual nature;
 - g) showing or sending photos/videos of a sexual nature via the Internet or cell phone;
 - h) making gestures of a sexual nature;
 - i) sending a text of a sexual nature via the Internet or cell phone;
 - j) violating personal space/getting too close to another person while talking;
 - k) gazing;
 - l) whistling;
 - m) touching the face or body (e.g., shoulder or waist);
 - n) hugging;
 - o) pinching.
4. Indicators of sexual harassment may **include**:
 - a) the nature of the action;
 - b) the victim's perception of the situation;
 - c) the intensity of the action;
 - d) repeatability of the action;
 - e) the ability of the harasser to influence the victim;
 - f) the victim's vulnerability;
 - g) the relationship between the harasser and the victim.

Article 3. Complaint Submission and Review Procedure

1. Procedure for submitting and reviewing complaints against the University staff and intern

- (a) Any individual who believes they have experienced sexual harassment should, if feasible, communicate to the alleged harasser that the behavior is unwelcome and unacceptable.
- b) The victim of alleged sexual harassment shall file a written complaint.
- c) In the complaint, the alleged victim shall indicate the name and surname of the alleged harasser, the position held, information about their work/professional relationship, and the facts of the sexual harassment. The alleged victim shall attach to the complaint if there is any evidence (written, photo, video, audio, and other materials, names of third parties who may have information about the fact).
- d) It is prohibited to retaliate against individuals for filing a complaint of alleged harassment.
- e) The victim of sexual harassment shall submit a complaint about sexual harassment to the Rector/Head of Administration of the University.
- f) If the victim is a student, they may also report alleged sexual harassment to the Dean of the relevant Faculty, who shall then inform the Head of Administration of the University or the Rector about the incident. In the event of a refusal to establish a Commission, the authorized representative of the University shall provide a written decision to the party indicating that the complaint will not be considered.
- g) After the victim of alleged sexual harassment has filed a written complaint, the Rector of the University and the Head of Administration shall be authorized by a joint decision to establish a commission to consider the issue of disciplinary responsibility of the alleged harasser.
- h) The composition of the Commission shall be determined by the Order of the Rector and the Head of Administration, who shall be members of the University.
- i) The alleged victim or the harasser has the authority, in case of conflict of interest, to request the replacement of any member of the Commission with another university employee or student.
- k) The Head of the University Administration or the Rector shall decide to comply with the request referred to in sub-section "i" of this clause and select an alternative member of the Commission.
- k) Individuals involved in the procedure shall be obliged not to disclose information about the parties and the case facts.

2. Authority of the Commission when reviewing the complaints against the University staff and intern

- a) The Commission shall:
 - a. a.) question the alleged victim;
 - a. b.) question the alleged harasser;
 - a. c.) question third parties who have information related to the case;
 - a. d.) investigate all the evidence of the case;
 - a. e.) based on the circumstances and evidence of the investigated actual case, by the majority of votes, make a reasoned written decision on the presence or absence of the fact of sexual harassment;
- b) If the Commission does not confirm the fact of sexual harassment, the Head of Administration of the University shall terminate the disciplinary proceedings.

3. Time Limits for Reviewing Complaints Against University Staff and Interns

- a) Within 14 working days of the filing of the complaint, the Rector of the University or the Head of Administration shall appoint the Commission;
- b) The Commission shall decide on the sexual harassment complaint within one month.
- c) If more than one month is required to investigate the circumstances of a disciplinary offense, the Rector of the University and the Head of Administration, upon the recommendation of the Commission, shall decide on extending the disciplinary proceedings period by a maximum of two months. This decision shall be made ten working days before the expiration of the initial one-month period.

4. Procedure for Submitting and Reviewing Complaints Against Students

- a) The victim of sexual harassment may inform the Rector of the University, the Head of Administration, or the Dean of the Faculty in which the alleged harasser is enrolled about the fact of sexual harassment by the student.
- b) The Commission appointed by the Rector and the Head of Administration is empowered to decide on initiating disciplinary proceedings against the student in question following the submission of a written complaint by the victim of alleged sexual harassment.
- c) The Commission shall:
 - c. a.) question the alleged victim;
 - c. b.) question the alleged harasser;
 - c. c.) question third parties who may have information related to the case;
 - c. d.) investigate all evidence of the case;
 - c. e.) decide on the presence or absence of sexual harassment based on the facts and evidence of the case under investigation.
- d) The Commission shall terminate the disciplinary proceedings if the Commission does not confirm the fact of sexual harassment.
- e) The authorized individuals shall not disclose information about the parties and the case facts.
- f) The initiation of the disciplinary proceedings against a student shall not restrict their authority to participate in the educational process, except for the cases stipulated by the Statute and internal

regulations of the University, if this is a threat to the protection of the rights of other persons, health, property and safety of the University.

Article 4. Disciplinary Responsibility

1. The Rector/Head of Administration of the University shall decide on the imposition of the following disciplinary measures on the University staff who were found guilty of committing an act of sexual harassment by the Commission:

- a) warning;
- b) reprimand;
- c) severe reprimand;
- d) deduction of not more than 50% of the salary;
- e) termination of employment.

2. Earlier removal of the disciplinary measures against the perpetrator of sexual harassment is prohibited.

3. The Rector of the University or the Head of the Administration shall decide to impose the following sanction on an intern who was found guilty of committing an act of sexual harassment by the Commission:

- a) warning;
- b) termination of the internship.

4. The Faculty Board shall decide on the application of the following sanctions to a student found guilty of an act of sexual harassment by the Commission:

- a) warning;
- b) reprimand;
- c) severe reprimand;
- d) termination of student status.

5. The degree of disciplinary responsibility shall depend on the severity and quality of the sexual harassment.

6. Only one type of sanction may be imposed on the harasser.

Article 5. Implementation of the Policy Document

1. The Head of Administration of the University shall be responsible for familiarizing the University staff and interns with the Policy Document on the Prevention of Sexual Harassment.

The Dean of the respective Faculty where the student is enrolled shall ensure that students are acquainted with the Document on the Prevention of Sexual Harassment.

Article 6. Monitoring and Evaluation

1. The Academic Board shall approve the Document on the Prevention of Sexual Harassment;

2. The Head of Administration of the University shall compile statistics and prepare an annual report on the implementation of the Policy Document, the number of incidents, and the pending results. It shall be submitted to the Academic Board.

3. The University shall evaluate the effectiveness of the Policy Document according to the trends

revealed by the annual report and make amendments as deemed necessary.

