

**Sri Aurobindo International Centre of Education
(SAICE)**

SAICE Sexual Harassment Policy (Version 1.0) as on 16.12.2024

Table of Contents

1. Policy Statement	3
1.1. Definitions	3
1.2. Scope and applicability	4
1.3. Internal Complaints Committee	4
1.4. Procedure for registering complaints	5
1.5. Complaints resolution procedure	5
1.6. Enquiry process	6
1.7. False or malicious complaint	6
1.8. Confidentiality	7
1.9. Where sexual harassment amounts to a criminal offence	7
2. Guidelines for Faculty / Sports Captains / Coaches / Staff / Volunteers	8

1. Policy Statement

Sri Aurobindo International Centre of Education (SAICE) (“Institute”) is committed to providing a campus that is free from sexual harassment irrespective of gender, race, caste, religion, place of origin, disability or economic status.

This Policy is also in furtherance of requirements of the legislation and the intent is to enforce the essence contained in *The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013* and *University Grants Commission (Prevention, Prohibition and Redressal of Sexual Harassment of Women Employees and Students in Higher Educational Institutions) Regulations, 2015 (collectively referred to as the ‘law’)*. In the application of this policy, the SAICE is adopting a gender-neutral approach to protect all genders from sexual harassment.

1.1. Definitions

- **Institute** means SAICE that includes Kindergarten, Avenir, Progres, En Avant Vers la Perfection and Knowledge.
- **Registrar** is the chief administrative authority of the Institute.
- **Faculty** means a person who is teaching at the Institute on a full-time, ad-hoc, part-time, visiting, adjunct, guest or honorary basis. This includes sports captains, coaches and volunteers.
- **Non-Teaching staff** includes any employee of the Institute, who is not included in the category of faculty.
- **Student** means a person admitted and pursuing a programme of study in the Institute.
- **Campus** means the location or the land on which the Institute and facilities such as Sports Ground and Annexe, Playground, Tennis Ground, Corner House, laboratories, classrooms, toilets, other areas of work, play and boarding are situated.
- **Sexual harassment** as defined in the law means
 - “An unwanted conduct with sexual undertones if it occurs or which is persistent and which demeans, humiliates or creates a hostile and intimidating environment or is calculated to induce submission by actual or threatened adverse consequences and includes any one or more or all of the following unwelcome acts or behaviour (whether directly or by implication), namely –
 - any unwelcome physical, verbal or non-verbal conduct of sexual nature
 - demand or request for sexual favours
 - making sexually coloured remarks
 - physical contact and advances; or

- showing pornography, cyber-stalking, inappropriate digital messages or comments posted on any social media or via direct communication;
- any one (or more than one or all) of the following circumstances, if it occurs or is present in relation or connected with any behaviour that has explicit or implicit sexual undertones –
 - implied or explicit promise of preferential treatment as a *quid pro quo* for sexual favours
 - implied or explicit promise of detrimental treatment in the conduct of work
 - implied or explicit threat about the present or future status of the person concerned
 - creating an intimidating offensive or hostile learning environment
 - humiliating treatment likely to affect the health, safety, dignity or physical integrity of the person concerned

Such harassment may occur by any means – verbal, physical, mental, via digital media of any type. etc.

1.2. Scope and applicability

This Policy will apply to all students, faculty, non-teaching staff and individuals (who are 18 years or older) engaged by or associated with the Institute regardless of their position, nature, and duration of their involvement (e.g., visitors, vendors, contractors, and external stakeholders who may interact on campus).

1.3. Internal Complaints Committee

In furtherance to the law, the Institute has constituted an Internal Complaints Committee (“ICC”) to promote gender sensitisation and to investigate allegations of sexual harassment on the campus.

The term of the ICC shall be 3 years and the Committee shall continue to function till the constitution of a new Committee.

Members may be appointed for more than 1 term.

The ICC shall have the following composition:

- A Presiding Officer who shall be a senior lady faculty member and who is a member of the Ashram;
- One member, preferably a woman, being an external expert familiar with issues of sexual harassment.
- A total of six members (a majority of whom shall be members of the

Ashram) who are either faculty members or Captains in the Physical Education Department.

A majority of the members shall be women.

Quorum shall be constituted when the external member along with at least 75% of the other members are present.

The ICC shall meet at least once a quarter and record the minutes of every meeting which should be signed by those present.

1.4. Procedure for registering complaints

For the ICC to consider and initiate any process, a complaint has to be submitted by the aggrieved person(s). Complaints should be made in writing, not later than 3 months from the date of occurrence of the alleged incident, as per the law (and in case of a series of incidents, within a period of 3 months from the date of the last incident). Relatives, friends and other associates of the aggrieved person may file the complaint in only such situations where the aggrieved person is physically or mentally incapacitated and unable to make a complaint. Such written complaints may be made in any language that the aggrieved individual is comfortable with and the ICC shall make necessary support available, if required, to do this while ensuring complete confidentiality.

The complaints submitted should be clear and include details of the incident(s), supporting facts and related documents, names of individuals involved and the names, addresses and details of the witnesses, if any. The ICC is restricted under the law from considering any complaint that is more than 6 months after the alleged incident of sexual harassment has occurred.

In certain exceptional cases, the ICC may, at its discretion, decide to extend this time limit of 6 months for valid reasons (e.g., trauma or fear) that should be clearly detailed in writing.

Complaints may also be sent by email to ugcicc@saice.in.

This entire process shall be conducted in complete confidentiality.

1.5. Complaints resolution procedure

Conciliation: Before the ICC initiates an enquiry into the complaint, the complainant may request the ICC in writing to settle the matter between the complainant and the respondent through conciliation. However, as per the law, no monetary settlement shall be made the basis of the conciliation. In the event of a settlement, no further enquiry shall be conducted. The resolution of the conflict to

the satisfaction of the complainant is preferred to punitive intervention.

Enquiry: All claims of sexual harassment will be promptly and thoroughly investigated by the ICC in accordance with the principles of natural justice and the provisions of law. Neither the complainant nor the respondent shall be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the ICC.

1.6. Enquiry process

- i. The ICC shall, upon receipt of a valid complaint, send one copy of the complaint to the respondent within a period of 7 days of such receipt.
- ii. Upon receipt of the copy of the complaint, the respondent shall file a reply along with the list of documents and names, addresses, and details of witnesses within a period of 10 days.
- iii. As mandated by the law, the enquiry has to be completed within a period of 90 days from the receipt of the complaint. The enquiry report, with ICC recommendations, if any, has to be submitted within 10 days from the completion of the enquiry to the Registrar. A copy of the findings and/or recommendations shall also be provided to the complainant, respondent, and the in-charge of Knowledge.
- iv. The Registrar shall act on the recommendations of the ICC within a period of 30 days from the receipt of the enquiry report, unless an appeal against the findings is filed within that time by either party.
- v. An appeal against the findings and/or recommendations of the ICC may be filed before the Registrar by either complainant or the respondent, within a period of 10 days from the date of the recommendations.
- vi. If the Registrar decides not to act as per the recommendations of the ICC, it shall be only on the basis of reasons recorded and conveyed to the ICC, complainant, and the respondent.

1.7. False or malicious complaint

If the ICC concludes that the allegations made were false, malicious or the complaint was made knowing it to be untrue, or forged or misleading documents or information has been provided during the enquiry, the complainant is liable to be dealt with as appropriate. However, the mere inability to substantiate a complaint or provide adequate proof will not attract attention against the complainant. Malicious intent on the part of the complainant shall not be established without an enquiry conducted before any action is recommended.

1.8. Confidentiality

All incidents/grievances reported will be treated seriously, sensitively and with utmost confidentiality. Contents of the complaint, the identity and addresses of the complainant, respondent and witnesses, any information relating to conciliation and enquiry proceedings, recommendations of the ICC and the action taken by the Institute must be treated as confidential by all involved parties. If any person entrusted with the duty to handle the complaint, enquiry or any recommendations of the ICC, contravenes his/her confidentiality obligation, he/she shall be liable to disciplinary action.

1.9. Where sexual harassment amounts to a criminal offence

Where the conduct of sexual harassment amounts to a specific offence under the Bharatiya Nyaya Sanhita, the ICC will immediately inform the complainant of their right to initiate action in accordance with the law with the appropriate authority and give advice and guidance regarding the same.

1.10. Training and Awareness

The SAICE will ensure that appropriate training is imparted and awareness created through:

- Workshops and awareness sessions to sensitize the campus community.
- Training sessions for ICC members to ensure fair investigations.

1.11. Monitoring and Evaluation

In order to ensure effectiveness of the policy and its implementation, the ICC shall submit an annual report of its activities and outcomes (while maintaining confidentiality) to the School Committee for review and action as may be appropriate.

2. Guidelines for Faculty / Sports Captains / Coaches / Staff / Volunteers

Faculty members should be most cautious about the integrity of the faculty-student relationship because it vests considerable trust in the faculty member, who, in turn, bears authority and accountability as mentor, educator, and evaluator. The faculty members should

- a) not practice or engage in any form of sexual harassment. *Quid Pro Quo* – engaging or asking for inappropriate favours in exchange for preferential treatment (implied or explicit) or to avoid detrimental treatment (implied or explicit) or creating an intimidating, offensive and hostile environment to work and study is unacceptable.
- b) hold meetings/sessions/interactions during college hours either on campus or in common areas. If these need to be scheduled beyond college hours, ensure that they are held on campus or in common areas and that each member feels comfortable. Only under exceptional circumstances and with prior permission from the Registrar / In-charge of Knowledge, the faculty members may be permitted to hold meetings/sessions at their residences. A record must be maintained of such permissions granted with reasons thereof.
- c) not, in relation to behaviour with sexual undertones, participate in or deliberately abet disruption, interference, intimidation or exclusion in the classroom or meetings, like shaming or passing derogatory remarks on members' performance, commenting on choices of dress, make-up, body shaming, etc., irrespective of whether the individual's choices conform with the faculty member's standards and expectations or not.
- d) be cautious and be informed – an intimate relationship, even if consensual, between a student and a teacher, who are in unequal power relationships (due to designation, position, roles, age, experience) is unacceptable.
- e) ensure that the faculty member assists the complainant by connecting them to any of the ICC members, so that appropriate action is initiated.
- f) actively prevent and counter the common tendencies of blaming the victim, putting pressure on a complainant to withdraw the complaint, and so on.
- g) not intervene proactively on behalf of a colleague accused of sexual harassment to force the complainant to withdraw the complaint, or collude (e.g., pressuring witnesses, spreading false narratives) with other students or faculty to withdraw support to the complainant.

- h) not seek to retaliate, in any manner, either against a complainant, those providing witness statements in favour of the complainant or any member of the ICC.

Any of the above acts or attempts (other than e. and f. above) shall be treated as a breach of discipline and the School Committee shall be at liberty to take any disciplinary action deemed fit under the circumstances.

The above guidelines are only indicative and do not address every scenario. All faculty members are encouraged to keep this in mind and act accordingly.
