

**Balkumari College**  
**Anti-Harassment Guidelines, Policies and Procedures**

## 1.0 INTRODUCTION

The college is committed to equal opportunities and to providing an environment in which all staff, students and those for whom the college has a special responsibility are treated with dignity and respect and in which they can work and study free from any type of discrimination, harassment, or victimization. All members of College are responsible for upholding this policy and should act in accordance with the policy guidance in the course of their day-to-day work or study, ensuring an environment in which the dignity of other staff, students, and visitors is respected. Offensive behavior will not be tolerated. Harassment is a serious offence which is punishable under the College's disciplinary procedures. This Policy, and the Code of Practice which accompanies it, apply to the academic and office staff of the College, undergraduate and graduate students, and all others for whom the College is responsible.

The College is committed to making all staff and students aware of this policy and the Accompanying guidance and to providing effective guidance and briefing on it. The College takes steps to ensure that both the policy and guidance are fully understood and implemented. The policy and guidance will be brought to the attention of all staff and students and are available on the College web-site.

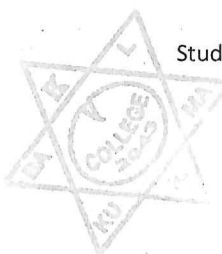
Management of College and all in positions of responsibility or seniority, including students who fall into these categories, have specific responsibilities. These include setting a good personal example, making it clear that harassment will not be tolerated, being familiar with, explaining, and offering guidance on this policy and the consequences of breaching it, investigating reports of harassment, taking corrective action if appropriate, and ensuring that victimization does not occur as a result of a complaint.

Balkumari College recognizes that a safe and respectful environment is important to address concerns related to harassment. For a healthy learning and work environment to exist, a culture of mutual respect must exist. Lack of mutual respect is apparent when the victim of harassment, sexual or wrongs experienced.

Balkumari College 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 getting rid of harassment to the extent possible from the learning environment.



2.2 To foster zero tolerance for sexual or any other kind of harassment and to ensure that all complaints of sexual harassment are taken seriously duly investigated with transparency and appropriately addressed.

2.3 To promote a culture of openness, with no fear of revenge either as a victim or an “informer”.

### 3.0 SCOPE

3.1 This policy is applicable to all students enrolled in BKC’s academic programmes, including undergraduate or Post graduate programmes, anyone participating in BKC’s academic activity, faculty and staff.

### 4.0 DEFINITIONS

4.1 No policy document can give an exhaustive description and/or definition of behaviors that fall within the field of harassment. This set of definitions is meant to serve as a guide for acts that will be considered as violating the spirit and intent of the College’s *Guiding Principles*.

#### 4.2 Harassment

4.2.1 Any unwelcome conduct, verbal and/or physical, towards a student because of his / her age, level, marital status, national / ethnic origin, sex, creed, caste, color, religion, disability, gender identity, sexual orientation or any other reason when such conduct creates an intimidating, hostile or offensive learning environment. Targeting student(s) because of being physically or mentally challenged shall also constitute an act of harassment, examples of which may include but are not in any way limited to:

- Tease, insulting comments, inappropriate jokes and insults
- 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
- 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
- Shouting at a student, using insulting and abusive language, humiliating or publicly condemning / criticizing her / his competence

#### 4.3 Sexual Harassment

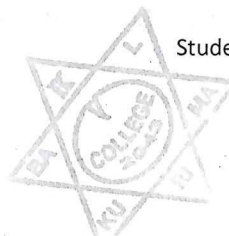
*J.S. Khanna*

- 4.3.1 Elaborately, sexual harassment includes any unwelcome sexual advance, request for sexual favors by verbal, written or other means of communication, physical conduct of a sexual nature or a sexually demeaning attitude that interferes with the victim's work/ academic performance; or creates an threatening, hostile, offensive work/study/learning environment in which continuation of a course of study is conditional to compliance and refusal results in disciplinary action.
- 4.3.2 Sexual harassment includes but is not limited to inappropriate gazing at a person's body, unsolicited physical contact including but not limited to touching, patting or pinching

- ✓ Verbal conduct of a sexual nature may include but not limited to: Unwelcome verbal advances, sexually oriented comments about physical appearance, requests for sexual favors 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.
- ✓ Invasion of personal space (standing too close)
- ✓ Non-verbal conduct of a sexual nature may include the display of or forced to see 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.
- ✓ 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

- 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.
- 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 honor of such students
  - ✓ Exposing students to ridicule and contempt and affect their self-esteem Verbal abuse and aggression, indecent gestures and obscene behavior
- ✓ Breaching the confidentiality of any information related to the student (e.g. grades, health issues, fee etc.)



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Principal

#### 4.5 Cyber-bullying

- ✓ Cyber-stalking is the use of the internet and mobile technology such as email, SMS text, social media or other electronic communications, to stalk and generally refers to a pattern of threatening or malicious behaviors, including communicating a credible threat of harm.
- ✓ 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 torment 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 BKC encourages the reporting of all incidents of harassment, regardless of who the alleged offender may be. The College assures that all complaints that are reported will be taken seriously, will be investigated thoroughly and expeditiously and that all parties will be treated with respect.

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

5.3 Students, who either believe that they have become the victim of harassment or have witnessed harassment, should immediately report their concerns through any of the following routes:

- Report to the Principal/V.P/ Administrative Chief /GRM Coordinator
- Report to the director /coordinator /academic head of their programme

### 6.0 RESOLUTION PROCEDURES

#### 6.1 Informal Resolution

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

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. Students could lodge a formal complaint with

Student Anti-Harassment Policy

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any of the following offices: GRM Coordinator & Principal/ VP as applicable, for assistance in pursuing the matter or use the Safe Disclosure process to lodge a complaint.

- ✓ If a member of faculty or staff receives repeated claims of offenses against the same individual, but each student making the accusation is unwilling to file a written complaint or appear as a complainant, that member of the College shall inform the GRM or Principal/VP/Chief Admin as applicable, about the same.
- ✓ 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.
- ✓ The GRM Policy shall be used in cases where a student charges a member of staff with harassment.
- ✓ The coordination, the Principal/ VP, or, in the case where a staff member is involved, Chief Administrator shall attempt to make temporary arrangements so that the accused and the complainant do not have to interact during the investigation period.

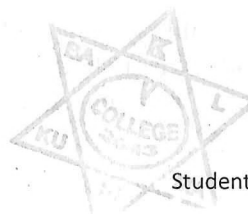
Revenge from either party shall be strictly monitored. During the process of the investigation, class schedules shall be strictly monitored. Any occurrence of revenge by the accused shall result in suspension from the College.

## 7. INQUIRY PROCEDURES

- 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 or staff.
- 7.2. All matters related to the review and investigation of any charge of harassment will be undertaken in strict 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 any of the following offices: Principal/ VP, or, in the case where a staff member is involved, Chief Administrator as applicable, or the GRM office

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Principal



- 7.3.1. The office receiving the complaint, in coordination with the respective PI, will review the information provided by the student.
- 7.3.2. Once it has been determined that all of the relevant information has been provided, will convene an Investigating Committee to consider the case.
- 7.3.3. 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.
- 7.3.4. Wherever possible, within five working days, from the day the charge is communicated, the respondent shall be requested to appear before the Investigating Committee for an interview, or submit a written defense. On her / his failure to appear before the Committee or to submit a written defense, without a reasonable cause, the Committee shall proceed *ex-parte*.
- 7.3.5. The GRM may request the attendance of appropriate individuals to appear before the Committee in order to provide information pertinent to the case.
- 7.3.6. 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.
- 7.3.7. The Investigating Committee shall give its findings and recommendations in writing with appropriate reasons within 10 working days of the initiation of inquiry.
- 7.3.8. In cases where a student has been found guilty of harassment, the regulations noted in the College'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.
- 7.3.9. 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 Principal /VP or Chief Admin. The Principal in consultation with the CMC her /his representative regarding sanctions that may be imposed.

## **8.0 COMMUNICATION AND COMPLIANCE WITH THE POLICY**

- 8.1 The Principal /VP or Chief Admin, as applicable, in cooperation and coordination with the College's PI, shall be responsible for wide dissemination of this policy.
- 8.2 The Anti-Harassment Policy will be available on the website, [www.Balkumari College .edu.np](http://www.BalkumariCollege.edu.np).

## **9.0 Support and First Line of Contact**

- 9.1. In the unlikely situation(s) in which students who are victims of an attack (sexual or otherwise) should be able to seek help from the GRM. Designated emergency helpline numbers should be provided to the students and also displayed in public spaces.
- 9.2 In the unlikely situation(s) in which students who are victims of an attack (sexual or otherwise) should be able to seek help from the GRM in BKC. Designated helpline numbers should be provided to the students and also displayed in public spaces.

## 10.0 COUNSELLING

10.1 Student counseling service must be available to students/victims of harassment.

### 11. Safe Disclosure Details

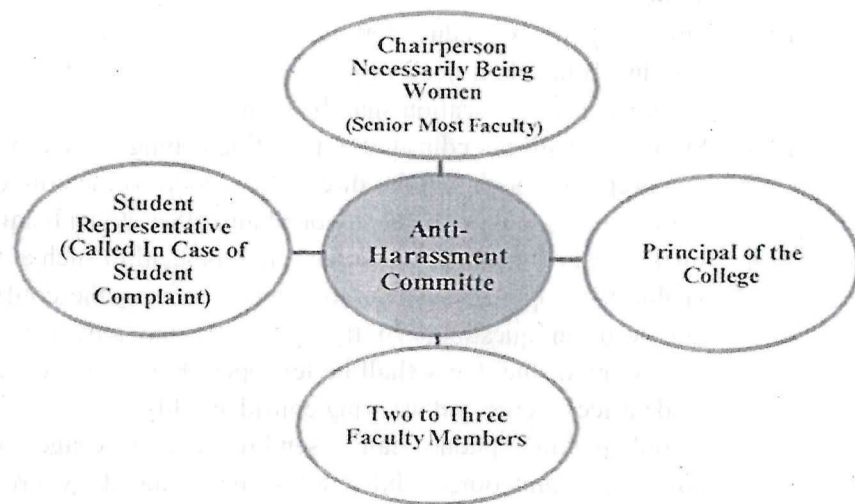
11.1 To report on harassment students could resort to the BKC Safe Disclosure Policy and Process as noted in the link below.

### 12. Guidelines & Policy Directives for Maintaining Ethical Boundaries in BKC

- 12.1. Do not take a student or staff into closed or secluded areas, such as one's personal room, bathrooms, empty auditoriums/ classrooms, unless there are others present along with.
- 12.2. Imparting of sex education (unless mandated by the curriculum) in class or offering counseling need to have the free consent of the students. No one-to-one sessions on sex education shall be held.
- 12.3. Students shall be educated on distinguishing between appropriate touch and inappropriate touch, and be directed to report to the college authorities if they are not comfortable with the behavior of any other student/staff towards them.
- 12.4. Interviews, counseling, or tuitions shall be held in such a way that the candidate is visible to people outside without compromising the confidentiality provisions of the event in question. To this purpose, one may use rooms with glass door provisions or the doors shall be left open. Every effort shall be made to make the student feel secure, yet assuring confidentiality.
- 12.5. Avoid making phone calls, sending text messages or e-mails to minors, colleagues, and other adults unless necessitated by professional and academic requirement. Avoid forwarding playful e-mails and unwholesome jokes to students and staff. Be careful in linking with students and staff on social networking sites; if you do, ensure that your communications are befitting the role of a guru/colleague.
- 12.6. Do not provide students with alcoholic beverages, tobacco, drugs, or anything that is prohibited by law. Do not photograph students without their permission.
- 12.7. Do not use the photograph of a student colleague for public purposes without their permission. This does not apply to posting the photograph of public cultural or sports or other relevant events.
- 12.8. Do not undermine parental authority by ridiculing parental beliefs or allowing students to do acts against the wishes of their parents. Never ask a student to keep a secret from its parents.
- 12.9. Never shame or belittle a student or colleague in public. If you need to correct someone, do it in private.
- 12.10. Do not engage in any corporal punishment in public or private.
- 12.11. If a staff falls in love with a student, care shall be taken not to act on it or communicate to the same to the student; professional dignity and ethics prevent a staff from revealing it to the student and acting on it. However, once the student graduates and leaves the college, he/she is not bound by this restriction.

- 12.12. If a student falls in love with a staff and communicates the same to the latter the latter shall not reciprocate externally or do anything that compromises the *guru-sishya* relationship and shall maintain professional distance. However, once the student graduates and leaves the college, he/she is not bound by this restriction.
- 12.13. If a staff falls in love with a colleague, they are free to express the same. However, care shall be taken not to compromise professional behavior or engage in scandalous behavior on or off the Campus.

Anti-harassment committee shall comprise of following members



## 6. Penalties

Disciplinary action against a person found guilty of harassment may take various forms. An indicative list is provided below:

### Penalties for Faculty Members

1. Warning or censure
2. Withholding of increments
3. Removal from an administrative position
4. Dismissal from holding an Academic position
5. Suspension from service
6. Compulsory retirement
7. Dismissal from service

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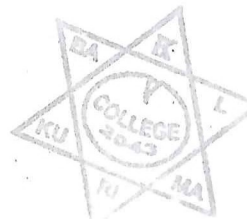
**Penalties for Administrative Staff**

1. Warning
2. Withholding of increments
3. Transfer
- 4 Suspension from service
5. Compulsory retirement
6. Dismissal from service

**Penalties for Students**

1. Warning
2. Denial of an official character certificate from the College
3. Rustication from the College for one or two weeks.
4. Dismissal from the College
5. Bar on future admission to the College

Penalties for Third Party Vendors or any other individuals in the College can be a combination of these above.



*J. S. Chandel*  
Principal

**ANNEXURE**  
**Response Form**

**I. Name of Complainant:**

E-Mail Address of Complainant:

Designation of Complainant:

**II. Name (s) of Defendant (s):**

E-Mail Address of Defendant (s):

Contact No of Defendant(s):

Designation of Defendant (s):

**III. Witnesses:**

A. Name:

Designation:

e-mail Address:

Contact no:

B. Name:

Designation:

e-mail Address:

Contact:

C. Name:

Designation:

e-mail Address:

D. Name:

Designation:

e-mail Address:

Contact No:

E. Name:

Designation:

e-mail Address:

Contact No:

**IV. Supporting Documents (if any) (list and attach):**

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