

China Graduate School of Theology
Anti-Sexual Harassment Policies and related Guidelines

Policy on Anti-Sexual Harassment

The China Graduate School of Theology formulated the Anti-Sexual Harassment policies and guidelines based on the Sex Discrimination Ordinance, aims to emphasize that each individual has the right to be respected and treated equally. As sexual harassment is a discriminating and illegal act, the School will not tolerate any form of sexual harassment.

These policies and guidelines ensure that all stakeholders (including all students, faculty/staff members, volunteers, contractors/service vendors/agents) may enjoy their learning, engaging of extra-curricular activities, working or providing services in a safe environment free from sexual harassment. These policies and guidelines are committed to eliminate and prevent the occurrence of sexual harassment incidents. For any related or suspected sexual harassment cases, the School will definitely investigate and follow up on it. If it is confirmed as sexual harassment case after investigation, disciplinary action will be taken.

Sexual Harassment Handling Guidelines

The School is committed to eliminating and preventing sexual harassment and will not condone any act of sexual harassment. The policies and guidelines below set out the mechanism for dealing with allegations or complaints of sexual harassment and for providing proper redress if and when sexual harassment occurs.

(1) Legal Definition of Sexual Harassment

1. According to the Sex Discrimination Ordinance (Cap. 480):
If any person
 - (a) makes unwelcome sexual advances or unwelcome request for sexual favours to another person; or
 - (b) engages in other unwelcome conduct of a sexual nature in relation to that other person; in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that other person would be offended, humiliated or intimidated; or

2. if any person, either alone or together with other persons, engages in a conduct of a sexual nature which creates a hostile or intimidating environment for another person, then it is sexual harassment.

“Sexual related behaviours” includes physical, visual, verbal or non-verbal statement of a sexual nature to a person no matter when that person is in the scene or not:

- Any sex-related language, action or physical contact that is unwelcome.
- It can be through spoken words, body contacts, emails, letters, phone calls, or the like.
- It may occur between persons of the same sex or opposite sex.
- It may not only be a series of incidents, but also even a single incident may be sufficient to constitute it.
- It may not be necessarily intentional or aimed at any particular subject whereas it may be explicit or implicit.

(2) The following are some sexual harassment examples:

1. Persistent requests for dates even though being rejected by the other party every time.
2. Offensive sexual comments and obscene or humiliating words.
3. Talkative about personal sexual life or intrusive questions or insinuations of a sexual nature about a person’s marriage and sexual life.
4. Approach another person for prayer or concern as an excuse but actually for unwelcome physical touch.
5. Advise sexual suggestion or make other under stress to accept sexual advances.
6. Explicitly or implicitly makes other person under threat to have sexual co-operation.
7. Obscene gesture or unwelcome physical contact (such as pat, touch, force to kiss or squeeze a person).

(3) If a person feels being sexually harassed, he/she may adopt the following procedures:

1. Speak up and say “No” at the time. Tell the harasser that his/her behaviour is unwanted and has to stop. After the incident you may also write a letter or note to the harasser that his/her behaviour is unwanted and has to stop.
2. Keep a written record of the incidents, including the dates, time, location and witnesses and nature of sexual harassment and your own response and feeling.

3. Seek guidance and assistance: Tell someone you trust to seek their assistance or to seek professional organization for assistance.
4. Lodge a formal written complaint: Go in person or write to the School address to the Dean, Director of Administration, Department Head, Senior Executive Management Committee or the President for further handling procedures.
5. Lodge a complaint with Equal Opportunity Commission or bring the action to District Court.

(4) Complaint Investigation and Handling Procedures

1. Upon receipt of a written complaint, the School will form an Investigation Panel with at least three panelists within a week to conduct a full and impartial investigation.
2. The investigation work will start as soon as possible once the complaint is received, and the complainant and complainees will be updated of latest development of the case. In general, the investigation of the complaint shall be completed in three months.
3. After the Investigation Panel finished its investigation, it will inform the President and then formally report to the School during the Senior Executive Management Committee meeting of the result.
4. If the complainant or the complainees has any objections to the result of the investigation, he/she may appeal to the President or the Senior Executive Management Committee for review.
5. All the parties involved in the investigation including the Investigation Panel, the President, the Senior Executive Management Committee are responsible for keeping all information in strict confidence in order to protect the confidentiality of the complainant and the complainees. The School aims to ensure the complainant will not suffer any harm or unbeneficial treatment due to this complaint case.

(5) Formal Disciplinary Procedures

1. If it is determined that an act of sexual harassment has been committed and the conduct of a student of the School warrants possible disciplinary action, the Dean would invoke relevant disciplinary procedures and take appropriate disciplinary action against the student concerned.
2. If it is determined that an act of sexual harassment has been committed and

the conduct of a faculty or staff member of the School warrants possible disciplinary action, the Director of Administration/or the Department Head/or the Senior Executive Management Committee would invoke relevant disciplinary procedures and take appropriate disciplinary action against the faculty or staff member concerned.

3. If necessary, the School will report the case to the police or Equal Opportunity Commission for further assistance or investigation.

(6) Review of Policies and Guidelines

The School is committed to provide a sexual harassment free working and learning environment. The School will take all reasonable measures to prohibit any illegal act, and will handle any sexual harassment complaint cases in an appropriate manner in order to ensure the rights of all faculty/staff members and students are protected. The School will review these policies and guidelines on a regular basis for their validity and welcome any recommendations for improvement.