AUN SEXUAL HARASSMENT POLICY

Applicability:

This policy applies to all students, student bodies, and organizations of American University of Nigeria.

Introduction:

American University of Nigeria is committed to providing students with an environment where they can pursue their studies without being sexually harassed. Sexual harassment of or by any member of the University community against a student(s) is unacceptable and will not be tolerated.

Purpose:

The purpose of this policy is defined as follows: unsolicited sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1) submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic work; or

2) submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual; or

3) such conduct has the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, hostile, or sexually offensive working or academic environment. Examples of sexual harassment include, but are not limited to the following:

1. Repeated unwanted sexual flirtations, advances, or propositions;
2. Continued or repeated verbal abuse or innuendo of a sexual nature;
3. Uninvited physical contact such as touching, hugging, patting, brushing, or pinching;
4. Verbal comments of a sexual nature about an individual's body or sexual terms used to describe and individual;
5. Display of pictures, posters or cartoons that a reasonable person would find offensive or sexually suggestive;
6. Continued or repeated jokes, language, epithets, or remarks of a sexual nature;
7. Prolonged staring or leering;
8. making obscene gestures or suggestive or insulting sounds;
9. Demand for sexual favors accompanied by an implied or overt threat concerning an individual's employment or academic status or promises of preferential treatment;
10. Incident exposure etc.

3. Procedure:

In determining whether an alleged incident constitutes sexual harassment, the judicial affairs office will look at the totality of the circumstances, such as the nature of the sexual advances and the context in which the alleged incidents occurred. The final decision regarding a suitable penalty will be made from the finding of fact on a case-by-case basis and any record of previous sexual harassment by the Respondent or Accussed student.

The University recognizes that it has a responsibility to provide a procedure for rapid and equitable resolution of all sexual harassment complaints. In many instances, resolution can be reached without the need for formal measures. The goal in all instances is to ensure that inappropriate and offensive behavior is stopped. To assist Complainants in resolving sexual harassment complaints, the University has established both informal and formal procedures and has identified a well-trained cadre of individuals, "Complaint Handlers", the judicial personnel as "complaint handler" who can advise parties of appropriate options and procedures. The hearing procedure shall be conducted by the code of conduct council in its usual manner of all conduct matters but with due diligence to the totality of the circumstances of the case at hand.

4. Informal Resolution:

In some circumstances, informal resolution of a complaint before or instead of initiating the formal process may be more satisfactory than directly proceeding to a formal grievance. Informal resolution options include, but are not limited to, self-help; consultation and action at the department level; or mediation through the judicial affairs office.

5. Formal Resolution (Filing A Formal Grievance):

Complainants who are dissatisfied with or do not wish to utilize informal resolution should consult directly with the judicial affairs office to determine the appropriateness of filing a formal grievance. Although informal resolution attempts are not required before filing a formal grievance, they are nonetheless encouraged. Any individual who chooses to file a formal sexual harassment grievance may do so immediately following the incident giving rise to the complaint, or following efforts to reach an informal settlement.

6. Confidentiality:

All parties involved in any aspect of this process will act at all times to preserve the confidentiality of these proceedings. Information will be shared with those individuals who have a legitimate and operational need to be informed, and to the extent that it is necessary to maintain the effectiveness of this process. Individuals found to have violated the confidentiality of this process may be subject to disciplinary proceedings consistent with the

appropriate AUN policy.

7. Deadlines:

A Complainant has till graduation following an incident to initiate a complaint under this policy and procedures unless he or she can show good reason for having that deadline waived. Complainants or affected students and persons are advised to report any incident immediately. Requests for exceptions to the filing deadline must be made in writing to the Director, Judicial Affairs, who will render a decision in writing following his or her review of the request. In some instances, particularly when a pattern of behavior is the subject of the complaint, supporting evidence may include reports of behavior that occurred outside of the twelve-month filing deadline. Such evidence is not subject to the exception requirement. Failure to meet any of the deadlines stipulated in this procedure will not result in a decision by default or prevent the process from continuing. After the Complainant or accused student graduates, the University may not have jurisdiction to adjudicate such complaints except otherwise as determined by Judicial Affairs.

8. Requirements for Participation and Withdrawals:

If a Respondent fails to answer a charge or to participate in this process, the judicial affairs director will submit the case for adjudication at the Conduct Council. Failure to respond to a claim or to appear at a hearing will be considered a breach of responsibility and could result in disciplinary action. Furthermore, a Respondent will not prevent this process from proceeding by his or her silence or absence; failure to appear may result in the hearing proceeding solely based on the Complainant's testimony and evidence. None of the above actions should be construed to impinge upon the right of the University to initiate or continue a claim despite a request to withdraw when, in the opinion of the Dean of Students, the allegations are sufficiently egregious to merit further action on the part of the University. The alleged victim will be relied upon to serve as a witness under these circumstances.

9. Retaliation:

No individual shall be retaliated or discriminated against for participating in these procedures. Any act of retaliation directed against the person(s) participating in these procedures is illegal. Complaints of retaliation should be addressed to the director of judicial affairs who will determine the appropriate action.

In no event will it be filed greater than twelve months following the incident which gave rise to the complaint unless otherwise. Staff from the judicial affairs office will initially meet with the Complainant to assess the complaint, including the appropriateness of the complaint being filed under this Policy and Procedures. The judicial affairs office will then advise the Complainant of appropriate next steps.