

Shakti Centre

THE SHAKTI CENTRE POLICY REGARDING SEXUAL AND OTHER UNLAWFUL HARASSMENT

Shakti Centre, a constituent unit of SAIoC, is founded on the principles and guided by the light of Sri Aurobindo and The Mother. The school is located within the premises of Lakshmi's House, that houses Sri Aurobindo's *Relics* - a material assurance of Their living Presence and Guidance. All members of this institute breathe this very presence and share with their souls a vibration of truth, consciousness and love that awakens and intensifies aspiration into a one-pointed flame seeking the Divine. Therefore, it is expected that all staff members and students must behave, in and outside the school, in a manner befitting the ideals of the school and the moral values inculcated by them. The school is committed to maintaining an environment free of unlawful discrimination and harassment and is responsible for the healthy physical, emotional, intellectual and social development of the children. Each individual has the right to learn or work in a safe atmosphere that promotes equal opportunities and prohibits discriminatory practices, including harassment. Therefore, the school expects that all relationships among persons on campus will be respectful and free of bias, prejudice, and harassment. All members of the school community share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment.

Definitions of Harassment

Sexual Harassment:

Sexual harassment of any kind is in total disregard to the culture of the school and will not be tolerated. Sexual harassment constitutes discrimination and is unlawful under national, state and local laws. Sexual harassment may include a range of subtle and not so subtle behaviours and may involve individuals of the same or different gender. Depending on the circumstances, these behaviours may include, but are not limited to:

Unwelcome sexual advancements, leering, sexual flirtations or propositions:

- Unwelcome sexual slurs, epithets, verbal abuse, derogatory comments or sexual degrading descriptions
- Graphic verbal comments about an individual's body, or overly personal conversation.
- Sexual jokes, stories, drawings, pictures or gestures, including digital media
- Spreading rumours related to perceived sexual advances/molestation
- Touching an individual's body or clothes in a sexual way, or in way that may be construed as sexual
- Displaying sexually suggestive objects in the educational environment
- Any act of retaliation against an individual who reports a violation of the school's sexual harassment policy or who participates in the investigation of a sexual harassment complaint
- Request for sexual favours regardless of the seriousness of the request, i.e. to say "I was just joking" does not excuse the statement

Not all behaviour with sexual connotations constitutes unlawful sexual harassment. Conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects an individual's education, or such that it creates a hostile or abusive educational environment.

Non-sexual Harassment

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that is derogatory or shows hostility or aversion toward an individual because of:

- his/her race, colour, religion, national origin, ancestry, citizenship status, sex, sexual orientation, gender identity, age, disability,

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- any other characteristic protected by law, and that:
- is sufficiently severe, pervasive, and persistent such that it adversely affects an individual's education, or such that it creates a hostile or abusive educational environment.

Harassing conduct includes, but is not limited to: epithets, slurs, or negative stereotyping; threatening, intimidating or hostile acts; derogatory jokes; and written or graphic material that is derogatory or shows hostility or aversion toward an individual or group or that is placed on walls or elsewhere in the school premises.

Definitions of Sexual Violence

Sexual violence is a criminal matter and includes, but is not limited to; rape, sexual assault, sexual battery, sexual coercion; or "any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent." Victims of sexual violence are strongly encouraged to report the matter to law enforcement agents immediately.

Individuals and Conduct Covered

These policies apply to all students and employees of the school community, including persons hired/deputed to provide contracted services and persons volunteering at school activities. Conduct prohibited by these policies is unacceptable in all academic, educational, co-curricular, physical education, and other programmes of the school, whether those programmes occur on campus, on a bus, or at another location away from campus. Individuals who violate these policies will be subject to disciplinary action, up to and including suspension (if a student) or suspension or termination of employment (if an employee), and in egregious situations, law enforcement officials will be notified. In accordance with its obligations under federal law, The school reserves the right to investigate reports of harassment occurring between students and other members of the school community, regardless of whether the alleged harassment occurred on or off school grounds; during or outside school hours; or using school-owned or personally-owned electronic devices (e.g., postings to digital media and electronic forums such as WhatsApp/Twitter and Facebook or text messages). In keeping with the school's mission to create world class citizens, students are prohibited from using school computers or the school network to harass others, whether the harassment occurs on or off campus. The full range of disciplinary actions outlined in the School Prospectus may be applied, including demerits, restrictions on computer use and suspension.

Retaliation Is Prohibited

The school encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of the school to investigate such reports and it prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports. Retaliation against an individual for reporting harassment or discrimination or for participation in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will subject an individual to disciplinary action. Acts of retaliation should be reported immediately and will be investigated and corrective action taken promptly. Corrective action may include suspension and in egregious situations, the involvement of law enforcement officials.

Complaint Procedures - Reporting an Incident of Harassment, Discrimination, Sexual Violence or Retaliation, the school encourages reporting of all perceived incidents of discrimination, harassment, sexual violence or retaliation, regardless of the offender's identity or position. The school encourages the prompt reporting of complaints or concerns so that rapid and corrective action can be taken. Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. All employees of the school are required to immediately report in writing to the school's Convener of Discipline Committee, suspected discrimination, harassment, sexual violence or retaliation of a student regardless of whether it is based on the employee's own observations, on information from the

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student, the student's parent, or a third party. An employee who observes such acts is expected to intervene, unless circumstances would make such intervention dangerous. All complaints of discrimination, harassment, sexual violence or retaliation will be investigated.

Informal Complaint Procedure

The informal complaint procedure is intended to stop inappropriate behaviour and investigate and facilitate resolution through informal means. It is not a precursor to the filing of a formal complaint and may be terminated at any time to move to the formal process. As an initial step, an individual who believes he or she has been subject to discrimination or harassment is encouraged to promptly advise the alleged offender that his or her behaviour is unwelcome and request that it be discontinued, as long as he or she feels comfortable doing so. In some cases, an offender may not realize his/her behaviour is offensive and being perceived as harassment. This action alone may sometimes resolve the problem. The Discipline Committee is available to support an individual taking this initial step. The school recognizes, however, that an individual may prefer to pursue the matter through informal or formal complaint procedures. If for any reason an individual does not wish to address the offender directly, or if addressing the offender does not successfully end the offensive conduct, the individual should notify, orally or in writing. All reports will be filed with the school's Discipline Committee, who will either facilitate an informal resolution or appoint another individual to facilitate an informal resolution. An informal resolution may involve meeting with the alleged offender to discuss the unwelcome nature of the behaviour, or, if both parties agree, facilitating a meeting between the complainant and the alleged offender to work out a mutual resolution. The informal complaint procedure is not intended for victims of sexual violence.

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint procedure, or if an individual elects to file a formal complaint initially, the following formal procedures will be followed. An individual who believes he or she has been subject to discrimination, harassment, sexual violence or retaliation may file a formal complaint, orally or in writing, with the Convener of Discipline Committee. If a report is made to any other employee of the School, orally or in writing, about any complaint of discrimination, harassment, sexual violence or retaliation, the employee must immediately report that information to the Discipline Committee. All allegations of harassment, discrimination, sexual violence or retaliation will be investigated promptly. Discipline Committee is responsible for investigating complaints. Investigations will be launched immediately upon the filing of a complaint, and will be completed promptly. Typically, the investigation will begin with an interview of the alleged victim to obtain information regarding the identity (ies) of the alleged offender, the offensive conduct, the potential witnesses, and the desired resolution. The alleged victim will be offered an opportunity to submit any evidence that he or she believes relevant to the investigation within 5 school days. Within 5 school days of receiving the initial complaint, the alleged offender will be informed of the allegations and will be offered an opportunity to submit a written response to the allegations. The alleged offender's response and any supporting materials must be submitted within 3 school days. The investigator will then review the relevant documents and conduct additional interviews as necessary to determine whether there has been a violation of this policy. For instance, the investigator may conduct interviews with the alleged offender, the parent(s) or legal guardian(s) of the parties, and/or other individuals who may have observed the alleged conduct or may have other relevant knowledge. Upon receiving a complaint, the investigator will consider whether any interim measures should be taken during the investigatory phase of the complaint process to protect the alleged victim from further harassment, sexual violence, or retaliation. For instance, the investigator, in conjunction with the in-charge of School and other members of the Discipline Committee, may determine that it is necessary to place the alleged perpetrator in interim suspension or alternative setting, change schedules. In many cases, investigations may be resolved within 5 school days, but in some situations, the investigation may require up to 60 days to complete. Within 7 school days of the completion of the investigation, the investigator will prepare a report that summarizes the evidence gathered, states whether there was a policy violation, and makes recommendations. In determining

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whether there has been a violation of policy, an investigator will consider a variety of factors, including but not limited to: the nature of the conduct, the age and maturity of the parties, the frequency of the conduct, the relationship between the parties, and whether the conduct adversely affected the victim's education or environment. The determination will be based on the totality of the circumstances and will be based on the 'preponderance of the evidence' (i.e., it is more likely than not that a policy violation occurred). The determination will not take into account any "past relationships" of the alleged victim. The investigator's recommendations may include discipline of the alleged offender up to and including suspension (if a student) or suspension or termination of employment (if an employee). Both parties will then be provided written notice of the outcome of the investigation. If either party is dissatisfied with the outcome, he or she may appeal to the In-charge of School by filing a written notice of appeal within 5 school days of the date of the written notice of the outcome of the investigation. Within 10 school days of receiving the notice of appeal, In-charge will review the report prepared by the investigator, the investigator's file, and any other documents or materials provided by the parties and affirm, reverse, or revise the determination and recommendations of the investigator. Where there has been a policy violation, the School will make every reasonable effort to stop any conduct in violation of these policies and prevent recurrence. Where appropriate, the School will also take steps to remedy the effects of any violation. Some examples of such remedial measures include: the provision of counselling and/or academic support to the victim. Any appropriate remedial measures will be determined on a case-by-case individualized basis.

Confidentiality and Recordkeeping

The School will make all reasonable efforts to protect the privacy of all parties involved in an investigation and to keep the complaint and investigation confidential. Confidentiality, however, cannot be guaranteed. For example, some details or identities may need to be revealed in order to fully investigate the complaint. In accordance with its regular recordkeeping practices, the School will maintain records of all complaints of discrimination, harassment, sexual violence or retaliation.

False Claims of Sexual Harassment, Retaliation, and/or Discrimination

In order to cover all possibilities of misconduct, the School reserves the right to discipline students who have falsely accused another student or staff of harassment/molestation, sexual violence, retaliation, and/or discrimination. This does not mean that a complaint will be considered "false" solely because it cannot be corroborated. Disciplinary action for making false claims may include suspension.

Application

- a) This policy is created for children learning in Shakti Centre.
- b) A separate policy for sexual harassment working for Shakti Centre is in place for the umbrella entity, namely SAIOc for adults learning or working on volunteering in Shakti Centre, this policy applies .

Conclusion

Shakti Centre has developed this policy to ensure that all its students can learn in an environment free from harassment, discrimination and retaliation. The School will make every reasonable effort to ensure that all necessary persons are familiar with these policies and aware that any complaint in violation of such policies will be investigated and resolved appropriately.

The aim therefore is to organise an environment and an atmosphere affording inspiration and facilities for the exercise and development of the essential aspects of personality: the physical, the vital, the mental, the psychic and the spiritual, as per the mission statement of the school.

Notwithstanding what is mentioned in the policy, we are committed to following the provisions of the

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POCSO Act, in its entirety and as may be amended from time to time.