

Mapping Policies on Sexual and Gender Based Harassment and Assault

Toolkit for Universities in Turkey

Self-Assessment Checklist



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SELF-ASSESSMENT CHECKLIST

The purpose of this self-assessment checklist is twofold: to generate discussion about conceptual and practical issues surrounding sexual and gender-based harassment at (and beyond) universities and to provide practical guidance to university officials responsible for policy development processes by pointing out important issues that should be taken into consideration. At the same time, we recognize the specific circumstances of Turkish higher education and the need of the policies, including sexual and gender-based harassment policies, to be in line with the directives of the Council for Higher Education (COHE).



DEFINITIONS

Who is considered as a potential subject of sexual and gender-based harassment (SGBH)?

- Women
- LGBTQI+ individuals
- Men

Who can file a complaint about incidents of SGBH?

- The subject of harassment
- The witness of harassment
- Anonymous

What forms of sexual harassment are considered in the policy?

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|---|---|
| <input type="checkbox"/> Offering favors of employment benefits such as promotion, favorable performance evaluation, favorable assigned duties or shifts, recommendations, reclassifications, etc., in exchange for sexual favors | <input type="checkbox"/> Demanding sexual favors accompanied by implied or overt threats concerning one's job, grades, or letters of recommendation |
| <input type="checkbox"/> Observing, photographing, videotaping or other recording of sexual activity or nudity without the knowledge and consent of all parties | <input type="checkbox"/> Leering, ogling or other gestures with suggestive overtones |
| <input type="checkbox"/> Visual displays of sexual images perceived to be degrading or offensive | <input type="checkbox"/> Acts of vengeance motivated by rejected sexual attentions |
| <input type="checkbox"/> Sexually suggestive comments, jokes or innuendos | <input type="checkbox"/> Unwelcome touching and groping |

- | | |
|---|---|
| <input type="checkbox"/> Repeated requests for dates or contact information | <input type="checkbox"/> Verbal abuse or threats of a sexual nature |
| <input type="checkbox"/> Unwelcome sexual invitations or requests | <input type="checkbox"/> Relationship violence |
| <input type="checkbox"/> Sexual assault and rape | <input type="checkbox"/> Stalking |

What forms of gender-based harassment are considered?

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| <input type="checkbox"/> Giving employees or students more difficult assignments and/or being more critical of their work based on their actual or perceived gender, gender identity or expression, marital status, sexual orientation or appearance | <input type="checkbox"/> Humiliating, intimidating, and/or demeaning comments (about one's actual or perceived gender, gender identity or expression, marital status, sexual orientation or appearance) |
| <input type="checkbox"/> Excluding, ostracizing or withholding information from a person because of their actual or perceived gender, gender identity or expression, marital status, sexual orientation or appearance | <input type="checkbox"/> Deliberate usage of the wrong name or pronoun in relation to a transgender, transsexual or intersex person, or persistently referring to their gender identity history |
| <input type="checkbox"/> Threats of or disclosure of someone's sexual orientation or identity without consent | |

Is online form of SGBH considered by the policy?

Does the policy contain clear definition of what is understood as unwelcome conduct or consent?

Does the policy adequately address and set rules for the consensual relationships between individuals in inherently unequal positions, e.g. teacher and student or supervisor and employee, or refer to any other policy that sufficiently covers the issue?



JURISDICTION

To whom is the policy applicable?

- Students, faculty, and staff
- Subcontracted third parties providing services at the campus/university property including dormitories

Where is the policy applicable?

- On the university property, including dormitories
- Off the university property if:
 - The conduct was in connection with a university or university-recognized program or activity
 - The conduct may have the effect of creating a hostile environment for a member of the university community

ORGANIZATION

Is there a unit, rather than a single person, in charge of overseeing and coordinating many duties associated with receiving and responding to complaints about SGBH?

Do the officials of the unit have appropriate experience, established authority, and sufficient resources to carry out their duties effectively?

Are the duties of the unit clearly defined and sufficient in their extent to effectively address complaints of SGBH?

- Receiving and responding to incident reports and official complaints
- Ensuring that the victim receives whatever immediate care and follow-up are needed (see *Immediate/interim measures and remedies* section)
- Disseminating information to the campus through materials, education and training sessions

- Coordinating communication and record keeping within the university as well as with external partners
- Collecting and reporting data and information in accordance with local legislation

Is there a survivor-focused communication and referral process ensured?

Has the unit developed partnerships with external organizations that support and serve people who have experienced SGBH, especially sexual violence?

External organizations' knowledge and expertise are important in building internal capacity to prevent and respond to SGBH and, at the same time, external partners can serve as potential service providers. It is also important to consult and coordinate procedures with the police, health-care providers and community service providers experienced in dealing with sexual violence.

Are the services available 24 hours?

Is there a possibility of confidential/anonymous consultations?

A confidential university resource is an individual who is exempted from the obligation to report an allegation of SGBH, including sexual assault, to the university reporting office and law enforcement (unless the alleged victim is a minor or there is a belief that there is an imminent threat of harm to self or other). This person can provide emotional support and present all reporting options and possible outcomes to the individual subjected to SGBH.



REPORTING

Does the policy establish clear reporting guidelines and reporting options for subjects of SGBH?

- All reporting options for both, students and employees including the level of their confidentiality (names, titles and contact information are necessary)
- What information should an official complaint include should be provided
- Obligation to report incidents that are reported and/or witnessed by all university faculty and staff (except for designated confidential resources)
- Prompt reporting should be encouraged without establishing a specific time limit

Are the procedural options and the rights of both reporting parties clearly defined?

Depending on the circumstances and the nature of the incident following procedural options can be considered:

- Direct communication between parties with the help of an adviser/counsellor
- Third party intervention (indirect or direct mediation that could establish explicit agreements about future conduct, changes in workplace assignments or other relief, where appropriate)
- Targeted preventive educational and training programs
- Referral for disciplinary action

These options may be especially useful when a report is made by a third party or anonymously; both parties prefer an informal process; or a case involves less serious violations. The complainant should have the right to request a formal investigation at any time.

Formal investigation conducted by impartial and trained personnel within a reasonable timeframe (e.g. 60 days) and with the attitude that it is more likely than not that the reported allegations are true, followed by formal grievance, appeal and disciplinary processes. If the complainant requests that no investigation is launched, the university shall determine whether the allegations nonetheless require an investigation to mitigate a potential risk to the university community.

- Both reporting parties should be notified of how the complaint is being responded to, resolved and when appeal can be made
- Both parties have the right to participate in the investigation, including identifying Witnesses and identifying and/or providing relevant information to the investigation
- Both reporting parties should have the right to support and help in the form of an advisor or a counsellor
- Both parties and witnesses have the right to be protected from retaliation and intimidation
- The right not to be disciplined for drug and alcohol violations (relating to voluntary ingestion)
- In case of formal investigation, both parties have the right to be informed how to obtain a copy of the investigation report

Is the privacy of the reporting parties ensured to the extent that immediate/interim measures and the local law permit?

Are the rules regarding incidents of sexual assault, their investigation and reporting in line with local legislation?

IMMEDIATE/INTERIM MEASURES AND REMEDIES

Immediate assessment concerning the health and safety of the complainant and the university community should be made upon receiving a report/complaint about SGBH.

A written explanation of rights, reporting options (including the right to make reports to the police), confidentiality matters and the range of possible outcomes, and of available university and community resources should be provided to the Complainant.

Implementation of measures to minimize the impact and burden on the involved parties consistent with protecting the well-being of the involved parties and the community should be considered, such as;

- Housing accommodations
- No contact directives, stay away letters, or campus bans



- | | |
|---|--|
| <input type="checkbox"/> Academic accommodations | <input type="checkbox"/> Escorts |
| <input type="checkbox"/> Counselling and other health care measures | <input type="checkbox"/> Limitations on extracurricular or athletic activities |
| <input type="checkbox"/> Legal or family planning assistance | <input type="checkbox"/> Removal from university community |

DISCIPLINARY ACTION

Does the policy establish any potential penalties for the policy violation?

Are the penalties differentiated and specified in terms of different levels of severity of sexual and gender-based harassment?

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|---|--|
| <input type="checkbox"/> Expulsion/Dismissal (in cases of sexual assault) | <input type="checkbox"/> Probation with a suspended suspension |
| <input type="checkbox"/> Suspension up to one academic year | <input type="checkbox"/> Probation |
| <input type="checkbox"/> Warning | |

If a complainant is deemed to have known or to have reasonably been expected to know that a complaint was unfounded, the allegation of harassment may be judged to be malicious, and disciplinary action may be taken against them. No action will be taken if a complaint which proves to be unfounded is judged to have been made in good faith.

RETALIATION

Does the policy include explicit prohibition of retaliation against individuals who report incidents of harassment?

Does the policy specify disciplinary actions that will follow threats and attempts to retaliate?

COMMUNICATION

Is the policy readily accessible to all members of the university community?

- University's official website
- University's campus including dormitories
- Specific website dedicated to the SGBH policy, guidelines and reporting

Does the publicized information contain all essential information about the policy for potential victims and harassers, such as operational definitions of SGBH including sexual assault, explaining why these actions violate acceptable standards of conduct and, in some cases, constitute criminal offences, contact information, complaint procedures and penalties?

Are the communications materials developed in consultation with students, staff and faculty, and with community partners with expertise that are both internal and external to the university?

Is there an easy-to-understand procedural document accompanying any policy/guideline/ protocol that addresses SGBH?

Do the communication and awareness strategies target all, students, staff and faculty, to ensure understanding of current and new policies, and reporting processes?

Has the policy been continually publicized using multiple modes of delivery such as press releases, brochures, posters, radio and video spots, and web- based messages?

All such messages should contain the name and contact information of reporting officers and contact persons, campus and appropriate off- campus law- enforcement officials, and online resources.

Some campuses post stickers with emergency information on the doors of all campus buildings.



PREVENTION

Does the policy establish any prevention measures, such as education and training, and awareness raising campaigns etc.?

It is critical to have university-wide education and training programs that cover following topics in several formats, both online and in-person;

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| <input type="checkbox"/> Explaining the elements of consent, gender-based expectations and culturally-based norms that can normalize SGBH | <input type="checkbox"/> Identifying services and resources to assist all involved parties |
| <input type="checkbox"/> Defining various aspects of SGBH, including sexual assault | <input type="checkbox"/> Bystander intervention training |
| <input type="checkbox"/> Defining rights and options about reporting SGBH | <input type="checkbox"/> How to respond to sexual violence using methods that acknowledge the impact of violence and trauma on survivors' lives |
| <input type="checkbox"/> Explaining issues of confidentiality, disclosures, and reporting obligations | <input type="checkbox"/> Explaining potential disciplinary action in cases of SGBH |

It is also desirable to have education and training programs targeting men and all- male university groups. Such programs explore what men can do, individually and collectively, to prevent SGBH. All university students and employees should be required to complete education and training annually with separate and specifically tailored modules for student and employees.

Survivors of sexual violence that are concerned about being triggered by training should receive an alternative training without providing details about their experience.

MISCELLANEOUS

Does the policy undergo regular review to ensure that it is reflective of the needs of the university community?

The review should include consultations with students, staff and faculty, including those who have experienced sexual violence to ensure that representative and marginalized voices are captured during the review.

Are gender-conscious teaching methods in all university study programs implemented?

Do students/doctoral students have the unconditional right to change their tutor or supervisor?

Is an open discussion climate where employees and students are free to express opinions about their work/study environment promoted?