

ISTANBUL BILGI UNIVERSITY

POLICY STATEMENT ON PREVENTION OF

SEXUAL HARASSMENT AND ASSAULT

Istanbul Bilgi University (hereinafter referred to as University) aims to create an environment free from any kind of sexual harassment or assault based on sex, sexual orientation, sexual identity or any basic discrimination or exploitation or any other reason so as to foster personal, intellectual and academic development. Members of the University are also responsible for exercising due care in the creation and maintenance of such an environment. In institutional environments with hierarchic relations, due to the difficulties people who are subject to sexual harassment or assault encounter when trying to express themselves, sexual harassment and assault more often than not remain invisible. This not only harms the person but also the institutional environment in question. Accordingly, the University ensures that sexual harassment and assault shall not be overlooked under any circumstance. All members of the University recognize and acknowledge this.

Sexism and sex based discrimination that we face in all areas of social life is a widespread yet invisible consequence of larger inequality that feeds upon and reproduces the existing male dominant social structure. Within this context, sexual harassment and sexual assault are kinds of discrimination and violence that result from gender inequality. Although sexual harassment and assault most visibly target women, they can be directed at men or occur between same-sex people. Besides, people different sexual orientation and sexual identity (lesbian, gay, bisexual, trans, intersex etc.) can be affected from sexual harassment and abuse.

Sexual harassment and assault within the university environment not only negatively affects an individual's work, education and academic life; but it can also have adverse effects upon individual's everyday life, physical and psychological wellbeing and even cause long-term traumatic effects. Moreover, sexual harassment or assault also constitute crime and rights violations that can harm people subject to them in multiple ways.

Policy Statement On Prevention of Sexual Harassment and Assault (hereafter the Statement) aims to empower individuals in the face of sexual harassment and assault and contribute to the process of developing instruments and support mechanisms to prevent and deter sexual harassment and assault mainly by determining the principles for creating an academic and professional environment free from sexual harassment and assault, by increasing awareness on gender equality and by creating an environment that allows people who have been subject to or witnesses of sexual harassment or assault to express themselves. Nevertheless, the objective of this Statement is not to strictly discipline relations between people, to prevent consensual relations, to impose a particular sexual morality, to inhibit freedom of expression and free debate, to include any type of personal conflict or discomfort of a sexual nature into official processes or to apply harsh sanctions upon these.

Consequently, this Statement that declares the University's attitude and policy towards elimination of sexist environment together with the Directive of Unit for the Prevention of Sexual Harassment and Assault (hereafter the Directive) present the definitions and principles that will set the foundation of the work of the Unit for the Prevention of Sexual Harassment and Assault.

PROHIBITION OF DISCRIMINATION

Directive and Statement shall be enforced without discrimination based on sex, sexual orientation, sexual identity, marital or family status, pregnancy, race, color, ethnicity, nationality, being member of a national minority, place of birth or residence, citizenship, religion, sect, belief, language, dialect, accent, physical appearance, health condition, disability, age, educational status, class, property, financial status, social background, political or philosophical views, status or on similar grounds.

DEFINITIONS

Person who commits sexual harassment or assault may be a stranger as well as an acquaintance like a spouse, a lover, a friend or a relative or a colleague, an instructor, or an administrative superior. Consensual romantic or sexual relations between people do not legitimize sexual harassment and assault. In such relationships, all sorts of speech, attitude or other conduct of a sexual nature that lack the consent of the person are considered in the scope of sexual harassment or assault.

Sexual Harassment

All speech, attitude or other conduct of a sexual nature that occur without any physical contact and consent of the individual are deemed as sexual harassment. Such conduct need not be continuous.

Including but not limited to, following examples shall be considered sexual harassment:

- Verbal harassment, making sexually explicit jokes or offering compliments or saying sexually explicit slangs,
- Showing unusually insistent behavior for flirting,
- Disturbing a person with pornographic materials, sending or showing these,
- Forcing a person to intimacy or to sexual intercourse by threatening her/him with the use or the spread of audio or visual recordings without consent,
- Recording and spreading a person's sexually explicit behaviors without her/his consent,
- Asking questions or spreading rumors about a person's sexual life,
- Making discriminatory remarks or engaging in discriminatory acts about a person's sex, sexual orientation or sexual identity,
- Engaging in behaviors resulting from acts of threat, blackmail, insult or similar.
- Stalking,
- Disturbing a person with unwelcome looks and gestures,
- Sending sexually explicit messages or requests through phone, e-mail or similar communication tools,
- Disturbing a person by sending sexually explicit messages or requests via electronic media including social networks like Facebook, Twitter, Instagram, Snapchat or similar; or with sharing visual or audio recordings or spreading rumors about a person's sexual life without her/his consent
- Insisting on sexual intercourse.

Sexual Assault

Violation of a person's bodily integrity with sexually explicit behaviors without a person's consent. Such behaviors do not have to be continuous in order to be considered sexual assault.

Sexual assault can happen in two ways:

- In the first type, sexual assault can happen with the violation of a person's bodily integrity. Examples may include hugging, caressing, touching, tweaking on the cheek, kissing, holding hands and caressing one's hair.
- In the second type, assault takes place by violation of a person's bodily integrity through penetration with a sexual organ or any other object, in other words rape.

Emergency Situation

Situations under which failure to take immediate action or measures will likely result with the failure to prevent sexual harassment or assault, jeopardizing the protection of the safety or the rights and freedoms of the people considered as applicants in the Directive, causing harm to these people, or losing the evidence to sexual harassment or assault, are considered as emergency situations.

Stalking

All sexual attitudes and conduct that create feelings of physical or psychological fear or helplessness in the person and keep her/him under pressure by causing them worry about their safety through physical, verbal, written acts or through the use of any type of communication means.

Retaliation

Complicating a person's work or education life in an implicit or explicit fashion for purposes of revenge because the person has turned down an act or proposal of a sexual or romantic nature, or because the person believes that she/he has been sexually harassed or assaulted and wants to proceed or has already proceeded with complaint processes, or because the person wants to proceed or has already proceeded with complaint processes regarding a sexual harassment or assault she/he has witnessed.

Including but not limited to, following examples shall be considered retaliation:

- If the person subject to retaliation is a student: decreasing grade, ignoring, obstructing or not answering questions, refusing requests to meet for academic purposes, spreading rumors that will affect the student negatively, complicating or obstructing her/his access to academic and financial supports (scholarship, reference letter etc.),
- If the person subject to retaliation is an employee: hindering promotion, ignoring, hindering professional development, refusing requests to meet for professional purposes, spreading rumors that will affect the employee negatively, complicating her/his use of personal rights (annual leave, overtime wage etc.), forcing to do tasks not included in job definition.

Reward Promises

Promising privileges that will allow a person to gain unjust benefits such as rewards, promotion, grades or similar upon her/his acceptance of an act or request of a sexual or romantic nature. Expressing to the person in an explicit or implicit manner that upon her/his acceptance of the sexually explicit act or request, she/he will be rewarded unjust benefits is deemed as reward promise.

Including but not limited to, following examples shall be considered reward promises:

- If the person subject to reward promises is a student: promising higher grades, academic or financial support or sharing exam questions, etc.,
- If the person subject to retaliation is an employee: promising promotion or salary increase, reducing work load, shorter work hours etc.

ETHICAL ISSUES REGARDING CONSENSUAL SEXUAL AND/OR ROMANTIC RELATIONS BETWEEN PEOPLE IN A HIEARARCHICAL RELATIONSHIP

The involvement of a member of the University (according to the Directive, academic and administrative staff of the University, representatives and employees of sub-contractor companies, employees of all service providers and students are considered members) in a romantic and/or sexual relation with another member upon whom the former has academic, administrative or career shaping authority may carry exhausting risks for both sides even if the relationship is based on mutual consent. Such relationships have high potential for conflict of interests, exploitation and nepotism, all of which could eventually harm a free work environment based on merits.

In the emergence of such voluntary sexual and/or romantic relations, the person at the higher position in the hierarchic order bears the main responsibility. In such a situation, the mentioned person is primarily responsible to prevent the emergence of such a relationship. In case such a relationship develops, the person at the higher position in the hierarchic order is expected to end the authority relationship with the other party. In the termination of the authority relationship, measures that are both suitable and necessary such as assigning another advisor to the student or changing the class of the student should be considered and that are both appropriate and necessary to the existing situation should be considered and implemented.

With this Statement, Istanbul Bilgi University guarantees that sexual harassment and assault shall not be overlooked under any circumstance. The University releases to the public that it is ready and determined to encourage people who believe they have been subject to or witness of sexual harassment or assault to take the necessary steps for application, to increase awareness of the members of the University regarding sexual harassment and assault, and to strive to prevent such incidents and run an effective support and empowerment mechanism in the case of such applications.