



MODIBBO ADAMA UNIVERSITY, YOLA
(Office of the Registrar)

**POLICY FRAMEWORK ON PROHIBITION OF
SEXUAL HARASSMENTS IN THE UNIVERSITY**

Approved by Council on:
Wednesday 14th December 2022
(To be reviewed whenever the need arises)

LIST OF ACRONYMS

- CEDAW - Convention on Elimination of Discrimination Against Women
MAU - Modibbo Adama University, Yola
SH-GBV - Sexual Harassment and Gender Based Violence

DEFINATION OF TERMS AND CONCEPTS

- i. **Complainant:** Means an individual that raises an issue, files report providing a notification or making a complaint about a matter that they wish the University to consider and for which specific outcome(s) or resolution(s) are explicitly or implicitly expected.
- ii. **Confidential Resources:** Means the employees who receive reports in their confidential capacity (including University employees but excluding campus legal counsel), or someone who is supervised by such a person.
- iii. **Respondent:** Means a student or employee against whom claims relating to sexual harassment and sexual violence are made.
- iv. **University Community:** Means all individuals who have a relationship with or to the Modibbo Adama University, Yola (or had at the time of the incident), including but not limited to:
 - a. Students, meaning individuals registered for a degree, diploma or certificate course of with the Modibbo Adama University Yola, whether on full-time or part-time basis (including special students).
 - b. All employees and faculty, including all unionized and non-unionized academic and support staff as well as those whose salary is paid through sources other than the Modibbo Adama University Yola operating funds, such as grants, research grants and external contracts.
 - c. Persons with an academic appointment fellows and research trainees.
 - d. Contractors, consultants, suppliers or other entities engaged by the Modibbo Adama University Yola to provide services or goods when on University property or while acting in a capacity defined by their relationship to the Modibbo Adama University Yola.
 - e. Members of the Council and any of their respective committees, as well as members of any advisory committee formed to help the Modibbo Adama University achieve its goals.
- v. **Consent:** Means actively agreeing to be sexual with someone where such consent is informed and un-coerced. It is an active confirmation that requires that both persons affirm, are conscious, and have voluntary agreement to engage in sexual activity. It is the responsibility of each person to ensure they

have the affirmative consent of the other to engage in the sexual activity. Lack of protest, lack of resistance, or silence does not alone constitute consent. Consent obtained through threats and coercion is no consent. In addition, consent obtained by the abuse of position of authority is no consent.

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INTRODUCTION

Sexual harassment and gender-based violence (SH-GBV) constitutes a crime, therefore, Modibbo Adama University (MAU) Yola, has a zero-tolerance policy for such conduct in its community. MAU Yola is committed to ensuring an educational and work environment that is safe and healthy where members of the school community are not in any way or manner subjected to any form of discrimination, whether on the basis of gender, religion, cultural or ethnic affiliation, ability, age, immigration status, and/or race and are excluded from participation in, denied the benefits of, or subjected to discrimination in any MAU Yola program or activity. SH-GBV is a serious issue that can profoundly affect the life of the person who experienced SH-GBV (the survivor), including their ability to participate in or enjoy programs or activities of the school.

This policy on SH-GBV, is compliant with the existing laws and policies in Nigeria designed to guarantee a violence free, safe and non-discriminatory educational and work environment in accordance with national, regional and international legal frameworks in particular the 1999 Constitution of the Federal Republic of Nigeria, Violence against Persons Prohibition Act, the Child Rights Act, Civil Service Code and Labor Laws. Other international and regional instruments include the Universal Declaration on Human Rights, Convention on the Elimination of all forms of Discrimination against Women (CEDAW), Beijing Platform for Action, Protocol to the African Charter on Human and Peoples Rights on the Rights of Women, and others prohibiting sexual and gender-based violence in the society. The MAU Yola policy does not preclude the application or enforcement of other school policies.

The goal of this policy is to promote a safe environment for learning and development without any form of hindrances. The policy will therefore support awareness programs that can contribute to prevention and protection of students, staff, and other stakeholders from SH-GBV; organize capacity development; provide support services; provide a referral system that is effective and multi-sectoral responses to SH-GBV training programs; encourage reporting of incidents; make available effective and timely services for those who have been affected; and provide prompt and equitable methods of investigation and resolution to stop sexual and gender based harassment, remedy any harm, and prevent recurrence.

SH-GBV is unlawful in the context of employment and education. SH-GBV diminishes dignity of persons and impedes aspiration for educational opportunities as well as inhibits university's scholarly research, education and service mission. SH-GBV will not be tolerated at MAU Yola. Violation of this policy may result in the imposition of sanctions up to, and including, termination, dismissal, or expulsion, as determined by the appropriate committees.

Reprisals and/or retaliation against any person for reporting allegation of SH-GBV, for cooperating in an investigation of such a complaint, or for opposing discriminatory practices is prohibited. Submitting a complaint that is not in good faith or providing false or misleading information in any investigation of complaints is also prohibited. By this policy, persons who lodge complaints of SH-GBV or participate in the investigation of such a complaint are protected from retaliation and/or reprisal for those actions. Retaliation and/or will not be tolerated at MAU Yola.

Nothing in this policy shall be construed to abridge academic freedom and inquiry, principles of free speech, or the University's educational mission. MAU Yola recognizes that allegation of SH-GBV is a very serious matter. MAU Yola will therefore not tolerate false complaint under this policy, and anyone who files a false complaint shall be subject to discipline.

CHAPTER ONE

DEFINITION, PURPOSE AND SCOPE OF SEXUAL HARASSMENT

1.1 Definition of Sexual Harassment

1.1.1 Sexual harassment within the context of Modibbo Adama University, Yola is any unsolicited, unwelcomed and unreciprocated sexual overture from a person to elicit unwanted sexual relations from another person.

1.1.2 Sexual harassment includes any inappropriate sexual overture, subtle and unsubtle persistent behaviours, assault and actual sexual abuse.

1.1.3 Sexual overture may take any form: physical, verbal or non-verbal and may involve, but is not limited to assault, bullying, coercion, discrimination, favouritism (of a sexual nature), exploitation, intimidation, inappropriate or unwelcome promise of rewards of any kind in exchange for sexual favours

1.2 Purpose of the Policy

The objectives of this policy are:

- a. To sensitize the Modibbo Adama University's community on the ills of sexual harassment and thereby engender collective responsibility for eradicating it.
- b. To ensure that every member or visitor to the University is aware that the University is strongly opposed to sexual harassment and that such behaviour is prohibited.
- c. To establish an institutional framework that encourages victims of sexual harassment to exercise their rights, maintain their dignity and resist submission to its pressures.
- d. To take action to eliminate sexual harassment at the University.
- e. To ensure that victims of sexual harassment do not suffer additional harm and are provided appropriate redress and support to help them overcome the effects of victimization as quickly as possible.
- f. To dissuade romantic and sexual relationships amongst or between staff and students,
- g. To prevent the occurrence or recurrence of sexual harassment.
- h. To protect victims of sexual harassment.
- i. To provide appropriate sanctions, corrective actions and remedies.

1.3 Scope of the Policy

1.3.1 This policy applies to all students, staff (academic and non-academic) whether engaged on fulltime or part-time basis, anyone who acts on behalf of the University in any of its programmes and activities including those taking place on-campus and off-campus, all contractors, subcontractors, service providers, vendors, traders, clients, admission seekers, job applicants, staff of companies or firms operating on campus and all other visitors to the University.

1.3.2 This policy applies to all forms of sexual misconduct as contained in this policy.

1.4 Types of Sexual Harassment

Sexual harassment includes:

- a. **Quid Pro Quo Sexual Harassment:** This is the more easily recognized form of sexual harassment. In its legal usage, *quid pro quo* (literal meaning: *this for that*), indicates the trading of an item or service in return for something of value.
- b. **Hostile Environment Harassment:** This is a covert form of sexual harassment. It takes the form of unwanted verbal or non-verbal conduct directed at a person

1.4.1 Sexual harassment takes place when:

- a. The satisfaction of sexual demand(s) is made the condition for granting benefits (e.g., appointment, continued employment, promotion, increment, retirement, rewards, favours, marks, grades, prizes, etc.) or other decisions regarding an individual.
- b. An unwanted sexual overture is directed at a person such as touching, hugging, sexual remarks about a person's clothing, body or sexual relations, persistent request for an outing, conversations, jokes, stories of a sexual nature, display of sexually suggestive materials in the workplace, or in the classroom without any educative relevance.
- c. There is an unwelcomed and deliberate physical contact of a sexual nature on another person such as touching, hugging, massaging or kissing.
- d. Doors, windows and other access routes are closed, locked or blocked at official and unofficial places or hours with the intention of sexually harassing a person.

1.4.2 Sexual Harassment also Occurs When There Is:

- a. Displaying sexually graphic pictures, posters or photos; sending sexually explicit emails or text messages; sexual posts or contact on social media.
- b. An offer of sexual favours or making promises in return for sexual favors.
- c. An unwanted hints, invitation, innuendoes or suggestions for sex.
- d. An unsolicited gifts in cash or kind for sexual favour or gratification.
- e. Persistent unwelcomed and obscene language(s) or comments of a sexual nature towards a person.
- f. An offensive gesture of sexual nature such as suggestive looks, winking, staring or leering towards a person.
- g. Sexual victimization and spreading sexual rumours about a person
- h. An unsolicited visit by a person to another with a sexual gesture to attract undue privilege(s).
- i. Indecent dressing with a covert or overt sexual expression.
- j. Intrusive questions about a person's private or sex life, and discussing your own sex life

1.4.3 It is also unlawful to treat someone less favorably because the person either has submitted a complaint of sexual harassment or has rejected such behavior

1.4.4 The Harasser(s) May Use:

- a. A privileged position
- b. An academic or non-academic opportunity
- c. Counseling or mentor-like relationship
- d. Highly sexualized environment(s) such as brothels, hotels, beer palours and relaxation joints

1.4.5 Sexual Harassment Situations:

- a. Sexual harassment may occur in a variety of situations or circumstances and the harasser may or may not be in a position of power or authority over the victim.
- b. The harasser may be any person; staff; student; resident; dependent; guardian; visitor; stranger; member or non-member of the University community and the harassment may take place in any place within or outside the University.

- c. The harasser may be of any gender and the victim does not have to be directly harassed once the conduct is sexually offensive and the victim is one of those affected by it.

1.5 INTIMIDATION

1.5.1 Sexual Intimidation

Sexual intimidation is just one form of sexual harassment, and occurs when one person engages in a behavior or makes comments intended to compel or scare and/or threaten another person. Sexual intimidation can occur either between members of the same sex or opposite sex. It can also occur between co-workers, and does not necessarily have to occur between a supervisor and subordinate, as is sometimes believed to be the case. It can poke fun at sexuality or sexual orientation, or just be patently lewd or offensive. These actions are typically offensive due to their sexually inappropriateness or otherwise gender related content. Some common examples of sexual intimidation in the academic settings include:

- a. Employees posting sexually explicit or demeaning jokes, pictures, cartoons, or other materials on an office bulletin board.
- b. An employee sending emails to coworkers that contain sexually explicit language and jokes.
- c. Repeatedly standing too close to or brushing up against a person.
- d. Repeatedly asking a person to socialize during off-duty hours when the person has previously declined.
- e. Giving gifts or leaving objects that are sexually suggestive.
- f. Repeatedly making sexually suggestive gestures.
- g. Off-duty unwelcomed conduct of a sexual nature that affects the work environment.

1.6 SEXUAL EXPLOITATION

Sexual exploitation occurs when a person abuses or exploits another person's sexuality without that person's consent. Sexual exploitation can be in the form of:

- a. **Recording images or audio of a person** without that person's consent of:
 - i. Sexual activity
 - ii. Intimate body parts
 - iii. Nakedness

- b. **Distributing images or audio** with the content above if, the person distributing them does not have that person's explicit consent.
- c. **"Revenge pornography"** in which a person threatens to post or actually does post images, audio, or video of their partner participating in sexual activity.
- d. **Viewing another person's sexual activity, intimate body parts, or nakedness without the person's consent** in a place where that person would have a reasonable expectation of privacy.
- e. **Exposing someone's genitals** without their consent.

1.7 VICTIMIZATION

- 1.7.1* Victimization is when someone is single out for unjust treatment. The person suffers a detriment such as the failing of a course, which he/she would have otherwise pass.
- 1.7.2* Victimization is injurious because it causes a sense of powerlessness, frustrations, subjugation and anger, which are contrary to traits intended to be raised and nurtured in any person in an academic setting.
- 1.7.3* For both child and adult victims of sex crimes, involvement in sexual activity is unwanted or forced in order to satisfy another person's sexual gratification, need for power, control and sexual and/or financial benefit.

CHAPTER TWO

2.0 MISCONDUCTS

Sexual misconduct is a type of violence that uses power, control, and/or intimidation to harm another. It includes sexual harassment, sexual assault, dating violence, and stalking. It occurs when there is an absence of consent. Consent is a free and clearly given yes, not the absence of a no, and cannot be received when a person is incapacitated by alcohol or drugs.

2.1 Non-Consensual Sexual Intercourse: Means any sexual intercourse or penetration (anal, oral, or vaginal), however slight, with any object, by a person upon another person, that is without consent and/or by force; often referred to as sexual assault.

2.2 Non-Consensual Sexual Contact : Means any sexual touching, however slight, with any object, by a person upon another person that is without consent and/or by force.

2.3 Domestic Violence: Means violence committed by the victim's current or former spouse or cohabitant.

2.4 Dating Violence: Means violence by a person who has been in a romantic or intimate relationship with the victim.

2.6 Cat calling: Means rude sexual remarks made by men passing by women on the street. Usually "cat calls" are about the woman's body as a whole or a certain feature.

2.7 Stalking:

means repeated conduct of a sexual or romantic nature or motivation directed at a person (e.g., following, monitoring, observing, surveying, threatening, communicating or interfering with property) that would cause a reasonable person to fear for their safety, or the safety of others, or to suffer substantial emotional distress.

2.8 Sexual Violence: Means any non-consensual sexual act, attempt to obtain non-consensual sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed, against a person using coercion, by any person regardless of their relationship to the victim, in any setting, including home, school and work places.

2.9 Sexual Assault: Means unwanted sexual acts or behaviours, which an individual did not consent to, or was not able to consent to, through the use of physical force, intimidation or coercion, including but not limited to:

- a. Aggravated sexual assault (sexual assault with a weapon).
- b. The threat of unwanted sexual contact and/or assault.
- c. Attempted rape.
- d. Indecent assault.
- e. Penetration by objects and forced sexual activity that did not end in penetration.
- f. Rape (sexual penetration without consent) by violence or duress
- g. Recording, photographing, transmitting, or distributing intimate or sexual images without the prior knowledge and consent of the parties involved.
- h. Physical contact without the consent of the complainant by touching an intimate body part such as genitals, anus, groin, breast, or buttocks unclothed or clothed.

2.10 Sexual Threat: Means an act of a sexual nature carried out against an individual's will through the use of physical force, intimidation or coercion made face to-face or through electronic means or any other form alluding to that.

2.11 Workplace Sexual Harassment: means engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, where the cause of comment or conduct is known or ought reasonably to be known to be unwelcomed, or making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

2.12 Consensual Romantic or Sexual Relationship Guidelines

- a. Modibbo Adama University is aware that there exist within its community, power differences between and among staff, students and associated professionals. Modibbo Adama University therefore will not encourage consensual sexual or romantic relationships between individuals in positions of authority (such as faculty, instructional staff, managers or supervisors, and other staff), and the students or employees whose performance they are responsible for grading, supervising or evaluating. This is to prevent situation that can lead to problems where there can be allegation of or likelihood of

abuse of power, conflict of interest, or questions regarding the validity of consent.

- b. Modibbo Adama University believes that educational environment should be protected from influences or activities that can interfere with learning, personal development and the working environment. For these reasons, people in the University community that are in position of authority are discouraged from commencing or continuing any consensual or sexual relationship with a student or employee they are in a position of authority over and emphasizes that such relationships are to be avoided. Where such sexual relationships exist or past relationship occurs, such must be formally disclosed to the Vice Chancellor, Deans/Directors or HODs. Modibbo Adama University requires timely disclosure to the aforementioned henceforth, so as to be formally advised on the appropriate actions to manage the conflict of interest. Such a person will therefore be removed from having supervisory role or grading such student or staff.
- c. Actions in violation of the above are deemed unethical and are subject to discipline.
- d. Student consent not a defense: It shall not be a defence that the student consented to any form of sexual and gender-based violence as defined in this policy.

CHAPTER THREE

CAUSES AND PREVENTION OF SEXUAL HARASSMENT

3.1 Causes Of Sexual Harassment

Some of the causes of sexual harassment are as follows:

- i. Indiscipline on the part of the harasser. This includes lack of self-control on the part of the person doing the harassment.
- ii. Manipulative tendencies by the person being harassed may include indecent exposure, provocative dressing and over familiarity with the harasser.
- iii. Ignorance on the part of the harassed. This may be due to lack of awareness of what constitutes sexual harassment and its prevention and handling.
- iv. Exploitation of unequal power relations.
 - i. Low self-esteem and/or poor productivity on the part of the subordinate.
 - ii. Societal attitudes. These include patriarchal, judgmental and beneficial mentality and attitudes.
 - iii. Peer group influence.
 - iv. Undue attraction from the harassed.
 - v. Unhealthy work environment relationships.
 - vi. The breakdown of social, cultural and religious values.
 - vii. Negative media influence (print and electronic)
 - viii. Poverty

3.2 Prevention of sexual Harassment

Sexual harassment must be confronted and stopped so that schools can be safe and positive places for teaching and learning. As recommended by best practices worldwide, some of the techniques that can be used to prevent harassment are:

- a. Sexual harassment should not be ignored.
- b. Practical training on assertive behaviour and self-defense should be conducted regularly.
- c. Avoid unnecessary visits to offices and/or spaces of the opposite sex.
- d. Cultivate appropriate dressing for appropriate occasion(s).

- e. The harassed should report to appropriate authorities immediately.
- f. Policies and structures to prevent and address sexual harassment should be institutionalized.
- g. Appropriate sanctions should be meted out to those found culpable.
- h. Enlightenment campaigns/education should be conducted regularly to the University community. Educate students about sexual harassment. Students must be taught the difference between friendly teasing and bullying, between flirting and harassment. Behavior expectations must be clearly defined and explained; fair and consistent consequences need to be outlined and reinforced.
- i. Students and staff should be encouraged to be diligent and excel in their work.
- j. Elimination of sexual harassment must be made a top priority.
- k. Get parents involved. Parental involvement is critical to long-term behavior modification. In many cases, parents will need to be educated about sexual harassment and its harmful effects in order to help them identify harassment and respond appropriately.
- l. Make the policy framework on sexual harassment accessible and available to avoid ignorance.
- m. Staff should be trained regularly to be able to identify red flags.
- n. The workplace should be monitored and all complaints should be taken very seriously.

3.3 Education and Awareness of Sexual Harassment

The University will include sexual harassment and related issues into its core training/orientation event to let staff and students have an idea on complaint procedures and details of contact personnel such that they will recognize and effectively deal with sexual harassment. There would also be posting of harassment policies and resources through accessible locations such as email communications, intranet, cafeteria messages, walkway, notice boards, and porters lobby in hostels and bathrooms. To raise the level of awareness, the following would be done:

- i. Make the policy clear and available to all stakeholders and management must ensure zero tolerance to the policy.
- ii. Frequent training sessions should be conducted.
- iii. The reporting procedure must be clear and simple.
- iv. A safe working environment should be created and the consequences clarified.

CHAPTER FOUR

PROCEDURES FOR FILING AND DEALING WITH COMPLAINTS AND/OR REPORTING OF SEXUAL HARASSMENT

4.1 Who May Report Sexual Harassment?

- a. Any person, whether or not a member of the University community, may report sexual harassment, which took place in breach of this policy and whether or not such breach occurred on or off campus.
- b. Any person to whom a report of sexual harassment has been officially made must forward the report to appropriate organs of the University

4.2 To Whom Reports May be Made

The University avails a network of individuals and offices that may receive reports namely:

- a. Academic Tutors (Course Advisers).
- b. Heads of Departments/Units.
- c. Deans of Faculties.
- d. Dean of Student Affairs.
- e. Directors/Coordinators of Centres/Units.
- f. University Counselors(s) in the Guidance and Counseling Unit.
- g. Chief Medical Officer at the University Medical Centre.
- h. Servicom Officer(s)
- i. Gender Mainstreaming Unit (GMU)
- j. Anti-Corruption and Transparency Unit (ACTU)
- k. principal Officers of the University
- l. Deputy Vice-Chancellors
- m. Vice Chancellor

4.3 Format of a Reporting

- a. The prescribed format for reporting sexual harassment shall be in writing.
- b. When the complainant cannot write, the person receiving the complaint is obliged to reduce the complaint into writing containing an illiterate Jurat

4.4 Procedure in Dealing with Complaints

The University offers a range of formal and informal methods for dealing with sexual harassment. The methods that are stated below need not be followed in a specific order.

4.4.1 Consultation

- a. Consultations about sexual harassment shall be referred to either the Deans of Faculties, Dean of Student Affairs, Heads of Departments and Units, Academic Tutors and Counselor(s) in the Guidance and Counselling Units. Others include Hall Wardens/Mistresses/Masters, Chaplains in the University Chapels and Imams of the University Mosque and the Chief Medical Officer.
- b. Any member of the University Community against whom an allegation of sexual harassment has been made may seek the counsel of any person listed above provided that the same person may not counsel both an alleged harasser and a complainant.

4.4.2 Internal Grievance, Appeal and Disciplinary Processes

The applicable procedure depends on the circumstances of the case but it generally consists of the following:

- a. Complainant submits written statement in strict confidence to the Vice Chancellor describing the specific offensive act or acts, the time, location and circumstances under which they took place, and any other information relevant to the case. The complaint should identify the alleged harasser as well as any witnesses to the act(s) or anyone else to whom the incident has been mentioned. The statement must be signed and dated by the complainant.
- b. The Vice Chancellor provides alleged harasser with a copy of the complaint submitted by the complainant in order to advise him or her of the allegation.
- c. Alleged harasser is given the opportunity to respond in writing.
- d. A process of fact-finding or investigations by a University committee or representative is instituted.
- e. A decision of the fact-finding or investigating committee or designated representative of the University is submitted to the Vice Chancellor and

both the complainant and the alleged harasser shall be informed of the decision.

- f. The complaint shall be brought within three (3) months of the alleged incident of sexual harassment although an extension of time may be granted where the circumstances of the case justify such. An appeal for extension of time shall be submitted in writing to any of the persons authorized to receive a complaint. Such appeal shall contain reasons for the delay in reporting.

4.4.3 Other Procedural Matters Relating to the Grievance Processes

a. Investigation

If significant facts are contested, an investigation will be undertaken. The investigation will be conducted in a way that respects, to the extent possible, the privacy of all persons involved. For example, unless significant differences exist in the information obtained during this stage of the investigation, third party witnesses should not be brought into the investigation. Both the complainant and the alleged harasser should be briefed once the investigation is completed and a determination made.

b. Confidentiality

The officials of the University responsible for implementing this policy will keep confidential the names and details related to sexual harassment complaints unless disclosure is necessary as part of the disciplinary or corrective process.

CHAPTER FIVE

DISCIPLINARY MEASURES/SANCTIONS

5.1 Disciplinary Measures and Sanctions

In appropriate cases, disciplinary action may be commenced and the applicable disciplinary procedure will depend on the status of the individual whose conduct is in question. For the avoidance of doubt where appropriate, discipline imposed may lead to expulsion in the case of a student or termination of employment in the case of an employee. Such disciplinary action may include verbal or written warning; counseling or therapy; campus access restriction; no contact directive; loss of privileges; loss of teaching and supervisory responsibilities and probation or demotion or loss of pay increase. Others include revocation of offer of admission or employment or license to trade (in the case of vendors on campus); rustication; nullification or revocation of degree; termination of contract for contractors; termination of employment and referral by the University to law enforcement agents for prosecution. Table of disciplinary measures/sanctions appended to this policy, as Appendix 1, shall apply to the different forms of sexually harassing conduct

5.2 Sexual Harassment Management at Acute Stage-Emergency Health Care

In the event where the sexual harassment has possibly led to sexual intercourse (i.e. rape), the following should be done:

- a. Stabilize the victim/patient.
- b. Gather information and obtain consent(s), as some forensic investigation may need to be done.
- c. Obtain any medical history and sexual history

5.3 Retaliation

- a. This policy prohibits retaliation against a person who reports sexual harassment, assists someone with a report of sexual harassment or participates in any manner in an investigation or resolution of a sexual harassment report. Retaliation includes threats, intimidation of any kind, reprisals and or other forms of adverse actions related to employment or education.
- b. Retaliation violates one of the guiding principles of this policy and is a misconduct for which the perpetrator may be subject to disciplinary measures irrespective of the merits of the sexual harassment allegation.

5.4 Intentional False Report

- a. Sexual harassment frequently involves interactions between persons that are not witnessed by others. This often means that allegations may be difficult to prove but lack of corroborating evidence should not discourage reporting under this policy.
- b. Individuals who make reports that are later found to have been intentionally or maliciously made or made without regard for the truth, will be subject to disciplinary action. Such measures shall be without prejudice to the obligation of a person who falsely accuses another to publicly clear the name of the person against whom the false complaint was made.
- c. Any staff covered by this policy who has filed a complaint alleging that he/she has been a victim of sexual harassment within the University and a subsequent investigation reveals that the individual has falsely accused the purported harasser of sexual harassment knowingly, and that, in fact, no sexual harassment occurred, shall be subject to discipline, which may include but not be limited to verbal reprimand, written reprimand, suspension without pay, demotion, or dismissal, with respect to employees and whatever steps deemed appropriate with respect to non-employees.
- d. Any student covered by this policy who has filed a complaint alleging that he/she has been victim of sexual harassment within the University and a subsequent investigation reveals that the student has falsely accused the purported harasser of sexual harassment and that, in fact, no sexual harassment occurred, shall be subject to discipline as set forth in the current student handbook

5.5 Whistle Blowing

- a. To strengthen compliance with and promote the enforcement of this policy, the University encourages third parties other than direct victims or those having an obligation to report incidents of breaches known to them.
- b. While a third party is encouraged to put his/her name to any report made by him/her, the University may exercise its discretion to follow up an anonymous report taking into account factors such as seriousness of the issue raised, credibility of the allegation, and likelihood of confirming the allegation. Whistle blowers are encouraged to provide sufficient information to provide a lead for investigation and any contact details that can be used in the course of investigation.

- c. The University shall take all necessary steps to ensure that whistle blowers are protected from reprisal or victimization.
- d.

5.6 Education and Training

- a. As part of its commitment to providing a sexual harassment-free working and learning environment, this policy shall be widely disseminated to the University community through publications in print, websites, new employee orientations, student orientations and other appropriate channels of communications.
- b. All individuals designated to receive allegations shall be provided with training relating to handling sexual harassment allegations.
- c. The University believes that the single most effective deterrent against sexual harassment in the workplace is awareness. Persons who are aware of conduct, which constitutes sexual harassment, are less likely to behave in a manner that is offensive to their colleagues. Unwilling victims who are aware of their rights and avenues of recourse will be more assertive and forthcoming in putting a stop to the offensive behaviour.

5.7 Table of Disciplinary Measures and Sanctions

S/N	SEXUALLY HARASSMENT CONDUCT	DISCIPLINARY MEASURES/ SANCTIONS IN ORDER OF GRADATION
A	1. Sexually suggestive comments or jokes; sexual innuendos such as hooting, sucking and lip smacking. 2. Unwarranted redirection of academic or occupational discussions into sexual.	<u>Student:</u> i. Verbal Warning ii. Written Warning iii. Counseling/Therapy iv. Suspension For 2-Semesters <u>Staff:</u> i. Verbal Warning ii. Written Warning iii. Counseling/Therapy iv. Suspension For One Year
B	1. Unwelcomed touching 2. Unnecessary familiarity 3. Unwarranted invitations 4. Sexually explicit physical contact 5. Feigned "accidental" brushing 6. Intrusive questions about a person's life or body 7. Compelling or requesting a person to narrate sexual history, preferences or fantasies 8. Insults or taunts based on sex/gender	<u>Student:</u> i. Verbal Warning ii. Written Warning iii. Counseling/Therapy iv. Suspension For 2-Semesters <u>Staff:</u> i. Verbal warning ii. Written warning iii. counseling/therapy iv. Suspension for one year
C	Obscene Phone calls	<u>Students:</u> i. Rustication (Suspension for 2 semesters) ii. Counseling on return <u>Staff:</u> i. Suspension for one year ii. Termination of appointment
D	1. Request for sex 2. Sending sexually explicit emails, SMS or posts on any social media platform	<u>Students:</u> i. Rustication for 2- semesters ii. Counseling upon return <u>Staff:</u> i. Suspension for one year ii. Termination of appointment

S/N	SEXUALLY HARASSMENT CONDUCT	DISCIPLINARY MEASURES/ SANCTIONS IN ORDER OF GRADATION
E	Stalking	<p>Students: i. No contact directive ii. Counseling/therapy iii. Suspension for 2-semester iv. Expulsion</p> <p>Staff: i. No contact directive ii. Counseling/therapy iii. Suspension for one year iv. Termination of employment</p>
F	<p>1. Forcing or inducing a person to watch or make pornographic or X-rated movies or take such pictures.</p> <p>2. Observing, photographing, videotaping, audio recording or making any other visual records of sexual activity or nudity of a person's where there is a reasonable expectation of privacy, without the knowledge and consent of such person</p> <p>3. Sharing visual or auditory records of sexual activity or nudity of other persons to the recipient, without the consent of such recipient.</p> <p>4. Sexual assault and or battery</p>	<p>Students: i. Rustication for four (4) semesters; ii. Expulsion</p> <p>Staff: Termination of employment and report to law enforcement agents for prosecution</p>
G	Where a degree or certificate or an appointment or promotion; or an approval of a contract or conferment of any privilege of any sort is obtained; or a license to trade is issued as a reward or benefit based on any act defined as a misconduct under this policy.	<p>Student : Nullification/ Revocation of degree or certificate</p> <p>Staff: Termination of employment Vendors: Revocation of license to trade Contractors: Termination of contract Agent: Revocation of the license of the principal General: Report to law enforcement agents For prosecution</p>

S/N	SEXUALLY HARASSMENT CONDUCT	DISCIPLINARY MEASURES/ SANCTIONS IN ORDER OF GRADATION
H	Where someone is singled out for unjust treatment; or a person suffers a detriment such as the failing of a course, which he/she would have otherwise passed.	<p>Student: Written apology and rustication for two (2)-semesters</p> <p>Staff:</p> <ul style="list-style-type: none"> i. Written apology and suspension ii. Termination of appointment and report to law enforcement agents for prosecution
I	Abduction for Sexual Slavery	<p>Student: Expulsion and report to law enforcement agents for prosecution</p> <p>staff: Termination of appointment and report to law enforcement agents for prosecution</p>

CHAPTER SIX

IMPLEMENTATION OF THE POLICY, MONITORING AND EVALUATION

6.1 Implementation of The Policy

The University will ensure that this policy is widely circulated to all staff and students by including it in the staff and student handbooks. All students must be oriented on the content of this policy as part of their induction into the University. It is the responsibility of the management to ensure that all staff and students are aware of the policy.

6.1.1 Modibbo Adama University (MAU) encourages the reporting of SH-GBV under this policy. Similarly, MAU has paramount interest in the expansive protection of the well-being and safety of its community members and preventing and remedying SH-GBV

6.2 Monitoring of the Policy

The University will not underestimate the importance of monitoring this sexual harassment policy and will ensure that it anonymously collects statistics and data as to how it is used and whether or not it is effective. Supervisors and other management officials will report on compliance with this policy, including the number of incidents, how they were dealt with, and any recommendations made. This will be done on a yearly basis. As a result, the University will evaluate the effectiveness of this policy and make any changes needed. Monitoring and evaluation shall be through different means including, amongst others, questionnaires completed by employees and feedback from students and staff.

6.3 Code of Conduct

- a. The MAU Yola encourages and expects all persons to immediately report, verbally or in writing, incidents of sexual harassment to any of the officer(s) in charge.
- b. All complaints of sexual harassment will be investigated and promptly resolved. The complainant and alleged harasser will have the opportunity during the investigation to present witnesses or other evidence with respect to the complaint. Upon receipt of an allegation of sexual harassment from any person, the officer in charge will commence investigation into the complaint within 48 hours.
- c. Each complaint of sexual harassment shall be promptly investigated in a way that respects the privacy of all parties concerned to the extent permitted by

law and to the extent practical and appropriate under the circumstances.

- d. Verbal reports of sexual harassment should be put in writing by the individual complaining or by the person who receives the complaints and should be signed by the complainant. However, if a complainant chooses not to sign a written complaint for any reason, a thorough and complete investigation of the complaint must still be made.
- e. The University Management will designate a sufficient number of employees who are trained to investigate sexual harassment complaints.
- f. The complaint investigator will put his/her findings in writing and will forward a copy to the University management within one week or a reasonable extension of time after concluding the investigation.
- g. The investigator will communicate his/her findings, in writing, to the University as expeditiously as possible. The University will communicate the findings of the investigator to the complainant and the alleged harasser.
- h. The record of the investigation with findings and recommendation for discipline will be maintained by the University Management. The findings and recommendation for discipline will only become a part of an individual's personnel file if disciplinary action is taken.

6.4 Review and Evaluation

This policy shall be subject to monitoring and periodic review from time to time

6.5 Authority

This policy is approved by the **Governing Council** of the Modibbo Adama University, on **Wednesday, the 14th day of December, 2022**



MODIBBO ADAMA UNIVERSITY, YOLA
(Office of the Registrar)

COMPLAINT FORM

(Sexual Harassment and Gender Based Violence)

Instructions for filing out this form: If you believe that you have been the victim of sexual harassment or any form of gender based violence, kindly fill this form

1. Name of Complainant: _____

2. Address: _____

3. Telephone Number: _____

4. Email Address: _____

5. Student's I.D.NO. _____

6. Department & Level _____

7. Staff File No (SP/JP): _____

8. Department/Unit _____

9. Cadre: (Academic/Administrative/Technical) _____

10. Fact and circumstances surrounding the alleged sexual harassment causing this complaint (*Provide all the information necessary, you can add extra sheet, if need be*)

11. Are there other persons who witnessed the said abuse? Yes No
(Tick as Appropriate)

12. If yes, please provide the name(s), title or position of the person

13. Kindly provide specific dates, times, and locations of the abuse

14. Do you have any document or evidence that is relevant to this complaint? (i.e. audio or visual media, text messages or any other item you are attaching to the complaint) Yes No

15. If yes, please provide or list the evidences:

16. Please describe the outcome or remedy you seeking for this complaint.

17. Signature of Complainant: _____

18. Date of Filing: _____

NOTE: Retain a copy of this form for your records



MODIBBO ADAMA UNIVERSITY, YOLA
(Office of the Registrar)

DECLARATION FORM

(Sexual Harassment and Gender Based Violence)

1. Student's Name _____
2. I.D Card No: _____
3. Department _____
4. Level _____
5. Staff Name _____
6. File No (SP/JP) _____
7. Department/Unit _____
8. Cadre : (Academic/Administrative/Technical) _____
9. Rank _____
10. Declaration:
I, _____

(First & Last Name in Full)

Hereby Declare That:

- i. I have received/assessed online the electronic/hard copy of the 'Modibbo Adama University SH-GBV Policy document of the University on Sexual Harassment, 2022.
- ii. I have confirmed and read the said document and fully understood the provisions of the policy.
- iii. I undertake to fully comply with the intent and spirit of the policies.
- iv. I understand that i have an obligation to ensure that the Modibbo Adama University, Yola is free from any forms of Gender based violence and the University may take disciplinary action for any act(s) or omission on my part that contravenes the policies.
- v. I append my name and signature onto this form, on my own free will and agree to be bound by it.

SIGNATURE

DATE

6.6 ACKNOWLEDGEMENT

While developing this policy document, a number of related documents from various sources were obtained, adopted and integrated. Some of the major documents are listed below:

1. University of Lagos, Policy on Sexual Harassment, Sexual and Romantic Relationships
2. Obafemi Awolowo University, Ile-Ife, Nigeria, Anti-Sexual Harassment Policy
3. University of Bristol, Prevention of Sexual Harassment Policy
4. Covenant University, Sexual Harassment Policy, 2019 - 2024
5. Standard Operating Procedures on Sexual and Gender-Based Violence in Nigerian Tertiary Institutions
6. Women Advancement Research Development, Sexual Harassment Gender – Based Violence (WARD SHGBV)p
7. Templates for Collation and Reporting SGBV in Nigerian Tertiary Institutions
8. Omonijo, Dare Ojo; Uche, Onyekwere Chizaram Oliver; Nwadiafor, Kanayo Louis and Rotimi, Omolola Abidemi (2013). A study of Sexual Harassment in three selected Private Faith – Based Universities, Ogun-state. *Open Journal of Social Science Research*, 1(9), 250 – 263
9. Bello, Paul Oluwatosin (2020). Combating Sexual Harassment in Ivory tower in Nigeria: mixed feelings. *Bangladesh e-Journal of Sociology*. 17(1), 173 - 189
10. Lawn, Dawn (2021). i-Sight Webinar: *6 keys to building a workplace culture that Prioritizes Ethics*. United States