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I. Statement of Legal Compliance

In accordance with the Republic Act No. 11313 to be known as the Safe Spaces Act or "AN ACT DEFINING GENDER-BASED SEXUAL HARASSMENT IN STREETS, PUBLIC SPACES, ONLINE, WORKPLACES, AND EDUCATIONAL OR TRAINING INSTITUTIONS, PROVIDING PROTECTIVE MEASURES AND PRESCRIBING PENALTIES THEREFORE" enacted on April 17, 2019 to address existing gaps and issues on equality, security, and safety of both women and men in private and public spaces; and its Implementing Rules and Regulations pursuant to Section 38 of R.A. 11313 approved on October 28, 2019. The Safe Spaces Act is intended to expand the scope of the Anti-Sexual Harassment Act of 1995 or Republic Act No. 7877. The University hereby adopts the following policy on full promotion of the value and dignity of every human person and guarantee full respect for human rights; recognize the role of women in nation-building and ensure the fundamental equality, security, and safety not only in private but also on the streets, public spaces, online, workplaces and educational and training institutions.

II. Declaration of University Safe Spaces Policy (Purpose)

The Guiding Principles of the Philippine Lasallian Family define the kind of the Lasallian presence and mission in the country today. As provided by the Lasallian tradition, there are three elements that enable our participation. These elements, taken together as one dynamic unity, provide a way of integrating and expressing every Lasallian's vocation: The **Spirit of Faith** allows one to discover God's active presence in his Word, in members of the community, in the poor, in nature, in history and in ourselves; **Zeal** for the integral Salvation of all allows one to actively express their faith in gospel

witness and service. It is enthusiastically giving of oneself that involves preferential concern for the poor and the vulnerable; **Communion in Mission**, Mission as Communion allows one to work in solidarity and collaborations as a way of accomplishing the mission. Our response to the call is to be in association with the mission and **articulate** (1) **faith in the presence of God** (2) **respect for all Persons** (3) **Inclusive Community** (4) Quality Education and (5) Concern for the Poor and vulnerable (*Our Lasallian Tradition*, 2020).

The Lasallian Guiding Principles defined the Poor and the vulnerable as:

“All those deprived of the means to realize their dignity as persons. In a broader sense, these are men, women and children who suffer from various forms of “poverty as frustration,” the impoverishment born of injustice, physical and social evils, personal insufficiency and failure”

DLSU as a Community of Faith and Zeal. We are guided by the life of the Gospel emphasizing the inalienable dignity of each person and striving to develop authentic personal relationships through trust and mutual respect. As a tertiary school, we seek to serve and embrace each member of the community with varied needs and diverse personal, social and cultural backgrounds and do so, in providing accommodations which are committed to living the Lasallian mission.

DLSU, as an institution that facilitates personal and social development, adheres to the mandates of the Philippine Laws to lift the dignity, respect and raise the awareness of its members of their rights within and beyond the bounds of the university, specifically the observance of the Safe Spaces Act that ensures the preservation of human dignity and assures people of their rights.

Faithful to its mission as a Lasallian institution, we see the importance of a policy to enable us to bring this agenda at the institutional level, where conversations, policies, structures, programs, and support are provided to those who need them.

III. Scope

This policy puts the implementation of Safe Spaces Act in the context of the University community, and integrates provisions in the Commission on Higher Education (CHED) memo on gender and development. It governs all members of the Lasallian community composed of students, faculty members, administration and non-teaching personnel, regardless of a person's gender, gender identity, gender expression, sex, age, race, or nationality.

This policy covers all that occurs on any University campus or in connection with University programs or activities including those in a virtual environment.

The University hereby amends, as prescribed in the Implementing Rules and Procedures of Republic Act No. 11313 or the Safe Spaces Act of 2018 and the Policies and Guidelines for the Prevention and Investigation of Sexual Harassment Cases, established pursuant to Republic Act No. 7877, or the Anti-Sexual Harassment Act of 1995.

IV. Definition of Terms

As provided in the Safe Spaces Act and the DLSU manuals and handbook, the following are hereby defined as:

- 1.1. **Student** refers to those enrolled in any subject or course in the University, regardless of the number of units enrolled, those included in the official student list of the Office of Registrar (OUR) and Office of Academic Services for Integrated School (OASIS), whether enrolled, on official leave of absence (LOA), on residency, or absence without leave (AWOL); and those allowed to graduate from the University and Integrated School (IS) but has not yet secured the required clearances from the University;
- 1.2. **Employee** refers to a person, who in exchange for remuneration, agrees to perform specified services for another person, who exercises fundamental control over the work regardless of the term or duration of agreement. As provided in the RA11313 Safe Space Act, that for the purposes of the law and these rules, a person who is detailed to an entity under a subcontracting or secondment agreement shall be considered an employee.
- 1.3. **Employer** refers to those who exercise control over the employee. For DLSU, employer pertains to the following:
 - 1.3.1. Board of Trustees
 - 1.3.2. Central administration or university administration refers to those employed by the University for supervisory positions or those that have been appointed to oversee academic programs, support services, and other operations units.
- 1.4. **University Student Government and Graduate Student Council** refer to the supreme and autonomous representative body of the students, undergraduate and graduate respectively.
- 1.5. **DLSU Integrated School Student Council** refers to the autonomous representative of the Integrated School student body from Preschool to Grade 12. This term collectively includes both Student Councils for Laguna and Senior High School Manila.
- 1.6. **Catcalling** refers to unwanted remarks directed towards a person, commonly done in the form of wolf-whistling and misogynistic, transphobic, homophobic, and sexist slurs.
- 1.7. **Cyberstalking** is a form of stalking that is committed through an electronic medium in which online communication takes place.
- 1.8. **Gender** refers to a set of socially ascribed characteristics, norms, roles, attitudes, values, and expectations identifying the social behavior of men and women, and the relations between them.
- 1.9. **Gender-based online sexual harassment** refers to an online conduct targeted at a particular person that causes or likely to cause another mental, emotional or psychological distress, and fear of personal safety, sexual harassment acts including unwanted sexual remarks and comments, threats, uploading or sharing of one's photos without consent, video and audio recordings, cyberstalking and online identity theft.

- 1.10. **Gender identity and/or expression** refers to the personal sense of identity as characterized, among others, by manner of clothing, inclinations, and behavior in relation to masculine or feminine conventions. A person may have a male or female identity with physiological characteristics of the opposite sex, or may have been assigned a particular sex at birth but who identifies with the opposite sex, or may have an identity that does not correspond to one's sex assigned at birth or to one's primary or secondary sex characteristics, in which case this person is considered transgender.
- 1.11. **Homophobic remarks or slurs** are any statements in whatever form or however delivered, which are indicative of fear, hatred or aversion towards persons who are perceived to be or actually identify as lesbian, gay, bisexual, queer, pansexual and such other persons of diverse sexual orientation, gender identity or expression, or towards any person perceived to or actually have experienced same-sex attraction.
- 1.12. **Information and communication system** refers to a system for generating, sending, receiving, storing or otherwise processing electronic data messages or electronic documents and includes the computer system or other similar devices by or in which data are recorded or stored and any procedure related to the recording or storage of electronic data messages or electronic documents.
- 1.13. **Information and communications technology or ICT** shall mean the totality of electronic means to access, create, collect, store, process, receive, transmit, present and disseminate information.
- 1.14. **Misogynistic remarks or slurs** are any statements in whatever form or however delivered, that are indicative of the feeling of hating women or the belief that men are inherently better than women.
- 1.15. **Sexist remarks or slurs** are statements in whatever form or however delivered, that are indicative of prejudice, stereotyping, or discrimination on the basis of sex, typically against women.
- 1.16. **Transphobic remarks or slurs** are any statements in whatever form or however delivered, that are indicative of fear, hatred or aversion towards persons whose gender identity and/or expression do not conform with their sex assigned at birth.
- 1.17. **Stalking** refers to conduct directed at a person involving the repeated visual or physical proximity, non-consensual communication, or a combination thereof that cause or will likely cause a person to fear for one's own safety or the safety of others, or to suffer emotional distress.

V. Policy Statement

De La Salle University recognizes its role in assuring the holistic development of the individual through collaborative and capacitating engagements. In greater recognition of this role, the University maintains integrity in service of the Lasallian community, upholds the rights and dignity of every individual, and guarantees full respect for human rights.

De La Salle University believes that all individuals should be treated equally. It welcomes learners, educators and support staff from all backgrounds. It is committed to creating and maintaining an inclusive learning environment, recognizing and respecting diverse perspectives in all issues. It looks upon difference and plurality as sources of creativity, personal and

communal enrichment, as well as encouraging grounds for the practice of mindfulness. It supports all kinds of engagement that furthers understanding and appreciation of different ways of being in the world.

In light of this, De La Salle University therefore fights all forms of sexual harassment, and promotes a harassment- and violence-free environment--both physical and virtual--for all, and shall take effective measures to foster a safe space for all.

The University further affirms that every member of the Lasallian community, enjoys and is assured of:

- Right to a community free of harassment
- Right as a survivor, to report inappropriate conduct without retaliation or repercussions
- Right as a witness or confidant, to report inappropriate conduct without retaliation or repercussions
- Right as a respondent, to due process and appropriate hearing procedures
- Right to a quick and thorough investigation that shall observe confidentiality and respect for privacy
- Right to seek help, both for mental or physical health

Further, it commits itself in ensuring that the following are responded to:

- Gender responsive curriculum through mainstreaming strategies, including research activities,
- Periodic audit of policies, guidelines, structures and mechanisms to support gender equality and safe spaces,
- Training and development support for faculty and partners in the implementation of related programs, and
- Integration of relevant programs in the institutional plans.

VI. Communication of this Policy

- Every member of DLSU shall familiarize themselves with this policy.
- DLSU will highlight this policy through:
 - consciousness-raising campaigns, including the posting of the University Policy and other relevant materials in public spaces on campus, and releasing of information through HDAs.
 - holding training sessions, especially to the members of the pool for CODI
 - free seminars/webinars on the Safe Spaces Act and the DLSU Safe Spaces Policy
 - including a discussion of the Safe Spaces Act and the DLSU Safe Spaces Policy in GENDERS and related courses
 - creating discussion forums on Gender and Gender-related issues.
 - making the anti-sexual harassment orientation and clearance a component of the student curriculum, personnel related actions, such as hiring, tenure and promotion, and accreditation of service contractors, and partner entity engagements.

VII. Sexual Harassment and Discrimination

- A. **Sexual harassment Defined:** any unwanted, unwelcome, uninvited sexual advances, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature, or any offensive remarks about a person's sex, sexual orientation, gender expression, or gender identity that might reasonably be expected or be perceived to cause offence or humiliation to another, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive environment. While typically involving a pattern of behaviour, it can take the form of a single incident. Sexual

harassment may occur between persons of the opposite or same sex. Both males and females can be either the survivors or the offenders.

- B. Discrimination Defined:** refers to any distinction, exclusion or restriction which has the purpose or effect of nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil, or any other field.

II. VIII. Acts of Sexual Harassment and Other Sexual Offenses:

Acts of sexual harassment and discrimination, as defined in RA 11313, are classified as light, less grave, and grave offenses, which are as follows:

- i. Light Offenses shall include, but are not limited to:*
 1. Unwanted remarks with sexual overtones;
 2. Unwelcome sexual innuendos which may be in the form of statements, questions, or jokes;
 3. Repeated unwanted comments on one's appearance that may degrade, humiliate, insult, or offend the receiver/s;
 4. Covert glances on a person's private parts or underclothing;
 5. Other analogous cases.

- ii. Less Grave Offenses shall include, but are not limited to:*
 1. Repeated sexual jokes or comments that may degrade, humiliate, insult, or offend people who may hear;
 2. Repeated verbal abuse with sexual undertones;
 3. Making offensive hand or body gestures that may resemble sexual activities;
 4. Creating rumors about one's gender orientation, identity, and/or sex life;
 5. Not considering a person for a role based on their sex, orientation, gender identity, and expression;
 6. Making derogatory or degrading remarks directed towards one's sex, sexual orientation, gender identity, or sexual activities;
 7. Repeated offensive hand or body gestures that may resemble sexual activities;
 8. Invasion of the survivor's privacy through cyberstalking and incessant messaging;
 9. Other analogous cases.

- iii. Grave Offenses shall include, but are not limited to:*
 1. Unwanted touching or brushing of the offender's genitals to any part of another's body or any part of the offender's body with another's genital;
 2. Groping and touching of private parts that include, but not limited to, breasts, genitals, and buttocks;
 3. Forcing someone to kiss or engage in sexual activities;
 4. Attempted or consummated unwanted and forced sexual intercourse or torture in a sexual manner;
 5. Sexual activities that deprive the survivor of their liberty;

6. Requesting for sexual favor in exchange for employment, promotion, local or foreign travels, favorable working conditions or assignments, a passing grade, the granting of honors or scholarship, or the grant of benefits or payment of a stipend or allowance;
7. Physical, psychological, and emotional threats, unwanted sexual misogynistic, transphobic, homophobic, and sexist remarks and comments online whether publicly or through direct and private messages;
 - a. Unwanted recording or taking of photos or videos or any other recording that are directed towards a person's private parts or underclothing;
 - b. Uploading, sharing, and spreading photos, videos, or any information online — whether real or edited—without the knowledge and consent of the survivor that may cause damage to one's reputation;
 - c. Impersonating identities of victims online or posting lies about the victims to harm their reputation; or
 - d. Filing false abuse reports to online platforms to silence victims.
8. Physical assault of a sexual nature, such as but not limited to rape, sexual battery, molestation, or attempts to commit these assaults; and
9. Other analogous cases.

IX. Committee on Decorum and Investigation (CODI)

- a. A **Committee on Decorum and Investigation (CODI)** shall be constituted for each case in accordance with the prescribed standards of the Safe Spaces Act.
- b. Principal Function. The Committee shall serve as an independent internal grievance mechanism that will act as the main body in the investigation and resolution of cases of all forms of sexual harassment and discrimination, as those involving violations of the Anti-Sexual Harassment Act of 1995, the RA11313 or The Safe Spaces Act, and any of the prohibited acts defined in these implementing policies and guidelines, in particular.
- c. As provided in the RA11313, the CODI shall be chaired by a woman, and not less than half of its members shall be women. To ensure equal representation, at least one member will be from the LGBTQI sector. Appointment of alternates to meet this criterion shall be made.
- d. All regular members shall appoint their respective permanent alternates who shall act on their behalf, and with authority to render decision, in case they are not available or when inhibition from the case has been made.
- e. There shall be a pool of members who shall be trained to handle cases. The CODIs shall be drawn from this pool. Members of the Council for Inclusion, Diversity and Well-being (CIDW) shall no longer be members of this pool and shall not be assigned to be a part of any CODI.
- f. Any of the parties, including the complainant and/or respondent, may request for a CODI member to inhibit themselves. The decision shall be made by the UCODI Chair, and affirmed by majority vote of the members excluding the member being questioned. The following may be grounds for conflict of interest, and may serve as a basis for granting of inhibition.
 - i. Relation by consanguinity or affinity
 - ii. Initiative of the member, for reason of close affiliation with any of the parties

- g. Issues raised by either parties on the member's ability to be impartial on the case. There shall be two types of CODIs

CODI For Cases Involving Faculty and Employees Only:

i. Jurisdiction -- This Committee shall have jurisdiction over all (a) employees, whether regular or probationary, (b) faculty, whether full-time or part-time, (c) all other employees who have subsisting and executory employment contracts with the University, verbal or written or on a trimestral or yearly basis, when the complainant is another faculty or employee

ii. Composition

1. Representative from top management (academic if case is faculty vs. faculty)
2. Representative from employees from the supervisory rank (academic if case is faculty vs faculty)
3. Representative from rank-in-file employees (academic if case is faculty vs. faculty)
4. Representative from the Unions and Employee Associations (this would be AFED and/or DLSUEA, or DLSU IS Faculty Association, depending on the parties).

CODI For Cases Involving Students:

i. Jurisdiction – The Committee shall have jurisdiction over (a) employees, whether regular or probationary, (b) faculty, whether full-time or part-time, (c) all other employees who have subsisting and executory employment contracts with the University, verbal or written or on a trimestral or yearly basis, and (d) all students, whether in integrated school, undergraduate, graduate or under exchange or non-degree programs, full-time or part-time, and as defined in the Student Handbook, when the complainant or respondent is a student

ii. Composition

1. Representative from the school administrators
2. Representative from the faculty to represent the trainers, instructors, professors or coaches
3. Representative from administrative employees
4. Representative from the students
5. Representative from the parents

h. **Powers and Functions.**

- i. Investigates, hears and decides cases for which it was constituted
 - ii. Issues subpoenas and other necessary writs and processes for the effective, efficient, objective, and impartial, and expedient disposition of cases.
 - iii. Makes factual and administrative findings, renders the corresponding decision, and imposes the appropriate penalty in accordance with these policies and guidelines.
 - iv. Exercises other powers necessary to effectuate the Anti-Sexual Harassment Act of 1995 and the Safe Spaces Act.
- i. **Jurisdiction.** The Committee shall have jurisdiction over all (a) employees, whether regular or probationary, (b) faculty, whether full-time or part-time, (c) all other employees who have subsisting and executory employment contracts with the University, verbal or written or on a trimestral or yearly basis, and (d) all students, whether in integrated school, undergraduate, graduate or under exchange or non-degree programs, full-time or part-time, and as defined in the Student Handbook.
 - j. **Mandate to Investigate.** The University adheres to the IRR of Safe Spaces Act that requires prompt investigation to determine the veracity of information or knowledge and the circumstances that under which the act of GBSH or sexual violence were committed or reasonably know an impending act of such and take appropriate steps to collate evidence on its own initiative, and if necessary, relay the evidence for the conduct of an investigation by the Committee on Decorum and Investigation. This provision is regardless whether there was an official complaint filed or a request for the University to take action.

X. Procedures

- A. The CODI shall, at all times, observe due process and, investigate and decide on written complaints within ten (10) working days or less upon receipt
- B. It shall also ensure an appeal process for respondents.
- C. All sexual harassment and discrimination complaints must be filed with the Lasallian Center for Inclusion, Diversity and Well-being (LCIDWell) through its Coordinator for Gender Responsiveness and Safe Spaces.
- D. Filing. Any form of sexual harassment or gender-based discrimination committed may be reported verbally or in writing, in English or Filipino, by the complainant, or by any person on behalf of the alleged victim. Formal reports must be signed and notarized by the aggrieved party and accomplished in three (3) copies. It must contain the following:
 1. The name and office or affiliation of the individual against whom the complaint is filed;
 2. A narration of the circumstances with supporting evidences or documents attached.
- E. All informal reports done verbally or any other informal means shall be reduced in writing by the Coordinator for Gender Responsiveness and Safe Spaces using the prescribed complaint form signed by the aggrieved party or representative of the aggrieved party; Provided, that all supporting documents submitted shall be attached thereto;
 1. In case of incidents reported anonymously, or incidents that have come to the knowledge of LCIDWell without a formal complaint, the Coordinator for Gender Responsiveness and Safe Spaces will make an inquiry on the incident. In the case of the Integrated School, anonymous reports or incidents that have come to the knowledge of the Student Discipline and Formation Unit (SDFU) without a formal complaint, the SDFU Director will create the incident report for submission to the Coordinator for Gender and Development and Safe Spaces.
- F. Upon receipt of a Complaint, the Coordinator for Gender Responsiveness and Safe Spaces will notify the immediate Supervisor for employees, and the Associate Dean for undergraduate and graduate

students. For the Integrated School, it will be the Principal and the Associate Principal for Student Affairs.

- G. Interview. The Coordinator for Gender Responsiveness and Safe Spaces shall determine the particulars of the incident to be attested to by the aggrieved party for the purpose of verifying the complaint and providing adequate support and assistance to the victim.
- H. Notice. – Within five (5) working days from receipt of the complaint, Coordinator for Gender Responsiveness and Safe Spaces shall serve a notice of complaint upon the person complained of with copies of all pertinent documents.
- I. If the student involved in the case, whether complainant or respondent, is below 18, his/her parent or guardian shall be served with a notice of complaint with copies of all pertinent documents.
- J. Answer. – Upon receipt of the notice of complaint, the respondent is required to submit to the Lasallian Center for Inclusion, Diversity and Well-being (LCIDWell) three (3) copies of the Counter-Affidavit/Answer, signed and notarized, within three (3) working days from receipt of the notice, furnishing a copy to the complainant; otherwise, the Counter-Affidavit/Answer shall be considered as not filed. The answer, which must be written, signed and notarized, shall be specific and shall contain material facts and applicable laws, if any, including documentary evidence/s, sworn statements covering testimonies of witnesses, if any, in support of the respondent's case. It shall also include a statement indicating whether he/she elects a formal investigation. The answer must be filed within three (3) days from receipt thereof.
- K. Prima Facie Determination of Sexual Harassment and all gender-related offenses shall be the role of the University Legal Counsel. The prima facie determination is not appealable.
- L. Issuance of Formal Charge. After the evaluation of the case by OULC, and once prima facie has been established, the complaint shall be given clearance to proceed. A formal charge will be made against any or all of the respondents within ten (10) working days from the receipt of the Lasallian Center for Inclusion, Diversity and Well-being (LCIDWell) report and recommendation/s.
- M. The Council for Inclusion, Diversity and Well-being (CIDW), in coordination with the Coordinator for Gender Responsiveness and Safe Spaces shall also form a CODI and recommend this to the CIDW Chair who shall then convene the Council for approval. The CIDW will then formally constitute the CODI assigned for the said case.
- N. The process in the conduct of hearing shall be prepared by LCIDWell, and shall be approved by the CIDW, pursuant to the provisions stipulated in both RA7877 and RA11313.

XI. Corrective Measures. Sanctions and corrective measures shall be determined according to the gravity of the offense.

a. For students

i. *For light offenses*

- 1st offense – Severe reprimand and gender sensitivity reorientation
- 2nd offense – Suspension for 1 term and gender sensitivity reorientation
- 3rd offense – Dismissal or Expulsion

ii. *For less grave offenses*

- 1st offense – Community service of 2 terms and gender sensitivity reorientation
- 2nd offense – Suspension up to a year and gender sensitivity reorientation
- 3rd offense – Dismissal or Expulsion

iii. *For Grave offenses*

- 1st offense - Suspension with formation session to expulsion
- 2nd offense – Dismissal or Expulsion

b. For teaching and non-teaching employeesi. *For light offenses*1^s offense – Severe reprimand and gender sensitivity reorientation2nd offense – Suspension without pay, with prejudice to subsequent promotion, reclassification, for a period of up to three years, with gender sensitivity reorientation3rd offense – Dismissalii. *For less grave offenses*1st offense – Suspension without pay, with prejudice to subsequent promotion, reclassification, for a period of up to three years, with gender sensitivity reorientation2nd offense – Dismissaliii. *For grave offenses*1st offense – Dismissal from the University**c. Non-teaching personnel**

They shall adhere to the provisions stipulated in the agreement between their employers and with the University which may include, but is not limited to, formation sessions, severe reprimand, suspension without pay, with prejudice to subsequent promotion, reclassification and permanency and/or dismissal from the University.

d. **Additional Corrective Measures.** Supplementary to the sanctions, the additional corrective measures below may be imposed within the period of service of the corrective measure. The measures include, but are not limited to:

- i. Written or oral apology whichever is deemed necessary;
- ii. Well-being treatment; and,
- iii. Appropriate fines, if necessary.

e. In determining whether corrective measures are appropriate or necessary, the following factors may be taken into consideration:

- i. nature and circumstances of the act committed;
- ii. frequency and severity of the act; personal circumstances of the person complained of/ respondent (e.g., age, maturity, position, or rank)
- iii. safety of the parties or community; and,
- iv. such other relevant factors.

These corrective measures may also be adopted in complaints submitted for disposition under the informal procedure.

III. XII. Supplementary Provisions.

- a. **Preventive Suspension.** – Upon the determination of a prima facie case, the OULC may recommend to the University Chancellor or President, as the case may be, may suspend any student, teaching or non-teaching personnel for a non-extendible period of not more than ninety (90) days from the issuance of Formal Charge; *Provided*, that no suspension shall be beyond the maximum imposable penalty.

- i. An order of preventive suspension may be issued to temporarily remove the respondent from the scene of his/her malfeasance or misfeasance and to preclude the possibility of his/her exerting undue influence or pressure on the witnesses against his/her tampering of documentary evidence on file with this Office.
 - ii. A respondent under preventive suspension may be prohibited from any or all of the following:
 1. attending classes and academic activities/rendering work;
 2. entering DLSU academic offices / buildings and their premises;
 3. using DLSU campus facilities, including but not limited to, athletic facilities, libraries, and computer laboratories; except dormitories for athlete residents, health service, and others as may be recommended
 4. participating in DLSU activities within university premises;
 5. holding student/office jobs; and,
 6. enjoying IT privileges as defined by the current policies on IT uses and resources of the University, except online enrolment.
- b. **Protection Order.** For the purpose of preventing retaliatory acts such as but not limited to, disciplining, changing work assignments, or refusing to cooperate or discuss work or school related matters with the complainant because they complained about or resisted harassment, discrimination or retaliation or continuing acts of sexual harassment, a Protection Order may be issued by the Chancellor or President, as the case may be, on his/her own initiative, or upon application by the complainant, or upon the recommendation of the UCODI.
 - i. A Protection Order may be temporary or permanent. A Temporary Protection Order (TPO) may be issued for not more than ninety (90) days unless the charge is for a grave offense, in which case the TPO is issued for the duration of the proceedings. A Permanent Protection Order (PPO) may be issued as part of the corrective measures.
 - ii. The reliefs granted under a Protection Order shall serve the purpose of safeguarding the complainant from further harm, minimizing any disruption to their daily life, and facilitating their opportunity and ability to independently regain control over their life. The provisions of the Protection Order shall be enforced by the Academic Unit or Office that has authority over the respondent.
 - iii. Violation of the TPO/PPO shall be subject to immediate disciplinary action as recommended by the UCODI to the Chancellor.
- c. **Alternative Dispute Resolution.** – This provides the aggrieved party and the respondent the opportunity to settle cases amicably, either through mediation by the Lasallian Center for Inclusion, Diversity and Well-being (LCIDWell), if possible within the nature of the case, and with the presence of their respective representatives. It may be resorted to only in one complaint of sexual harassment; Provided, that these three requisites occur: it is the first complaint against the person being complained of; the complaint is a light offense; the case is peer-to-peer.
- d. **Appeal.** The party aggrieved by the decision of the CODI may file an appeal to the Chancellor through the Committee within five (5) working days from receipt of the decision. For Faculty and ASF, when the penalty is severance of service or dismissal, the case shall be automatically reviewed by the Service Review Board as prescribed in the 2021 Faculty Manual.
- e. **Resort of the Courts.** Nothing in this policy shall preclude the aggrieved party from instituting a separate and independent action for damages and other affirmative relief.
- f. **Malicious Prosecution.** While the University is totally committed to the safeguarding of the rights of all members of the academic community against sexual harassment, it is likewise the policy of the University to protect the same members from any malicious accusation and prosecution involving alleged acts of sexual harassment which

are baseless and non-existent. This will be referred to the applicable grievance or disciplinary procedure of the University.

- g. **Independent Action for Damages.** — Nothing in this policy shall preclude the aggrieved party from instituting a separate and independent action for damages and other affirmative relief.
- h. **Prescriptive Period.** – All complaints for sexual harassment or gender-based sexual harassment (discrimination) shall be filed with the Lasallian Center for Inclusion, Diversity and Well-being (LCIDWell), and may be done at any point of a complainant's stay in the University or as provided for in the IRR of RA11313 particularly on Sec. 46-Prescriptive period.
 - i. In case a sexual harassment incident happened during the time when a respondent was a *bona fide* student of DLSU, but is no longer associated with the University (e.g. graduate) at the time of discovery or filing of an independent case by an aggrieved party, the University can withhold the respondent's good moral certificate and rescind their diploma if found guilty.
 - ii. In case a respondent was a professor or employee during the time of occurrence of the sexual harassment incident, but is no longer associated with the University at the time of discovery or filing of an external case by an aggrieved party, the University shall impose a perpetual employment ban on the respondent if found guilty.
- i. **Confidentiality Clause.** – At any stage of the investigation, prosecution, and trial of an offense under this policy, the rights of the survivor and the accused shall be recognized and upheld.
 - i. In all cases of Sexual Harassment and Discrimination as enumerated in this policy and the supporting laws, the confidentiality of records on the survivor, and when the accused is a minor, will be protected.
- j. **Amendment.** The University Chancellor, with the approval of the Council for Inclusion, Diversity and Well-being shall call for the review of this policy or parts of it by members of the Lasallian Community periodically. Any member of the Lasallian Community may propose amendments through an initiative, and may do so with the USG. The amendment, as approved by the CIDW, shall take effect on the first day of the succeeding term.
- k. **Repealing Clause.** All administrative orders, rules, regulations, memoranda, circulars, resolutions, and other issuances or orders contrary to the provisions of the DLSU Safe Spaces Policy or inconsistent herewith are hereby repealed, modified or amended accordingly. This also amends Appendix M (Policies and Guidelines for the Prevention and Investigation of Sexual Harassment Cases) of the Faculty Manual
- l. **Effectivity Clause.** This policy shall take effect seven (7) days from publication in DLSU's official publication and platforms.

XIII. Complaints under this Policy

Complaints under this policy should be reported to the Lasallian Center for Inclusion, Diversity and Well-being (LCIDWell), (enumerated in Section VIII of this Safe Spaces Policy). (LCIDWell email: lcidw@dlsu.edu.ph)