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Ritsumeikan University Harassment Prevention Guidelines

Ritsumeikan University Harassment Prevention Committee

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I. Preventing Harassment

Ritsumeikan University strives to create a climate where people facilitate one another's growth by valuing character and mutually respecting diversity.

1. Purpose of Guidelines

By refusing to tolerate harassment, Ritsumeikan University is creating a community where all students, teaching staff and other staff can engage in dynamic learning, education, research and work in safe and pleasant education, research and work environments. This encourages students' learning and growth and is crucial to fulfilling the university's social mission.

With respect for the dignity and human rights of all members of Ritsumeikan University, these guidelines were established to create safe and pleasant education, research and work environments; to prevent and eliminate harassment; and to institute appropriate measures should harassment occur.

2. Basic Stance of Ritsumeikan University

Ritsumeikan University is an educational and research institution that promotes education and research with a founding spirit of "freedom and innovation" and an educational philosophy of "peace and democracy." As set forth in the Constitution of Japan and the Act on Securing, Etc. of Equal Opportunity and Treatment between Men and Women in Employment and in accordance with its basic spirit of respect for human rights, Ritsumeikan University will not tolerate any infringement of human rights threatening the dignity, safety or security of any student or member of the teaching staff or other staff. The same applies to harassment, which is speech or behavior that infringes on human rights ("speech and behavior," hereinafter).

With the understanding of all students, teaching staff, and other staff, Ritsumeikan University strives to be a harassment free university.

3. Efforts Made by Ritsumeikan University

Ritsumeikan University has established the Ritsumeikan University Harassment Prevention Regulations ("the Regulations," hereinafter) and the Ritsumeikan University Harassment Prevention Guidelines ("the Guidelines," hereinafter). While further clarifying its stance on respect for human rights that it has taken to the present, Ritsumeikan University is promoting efforts to ensure that no harassment whatsoever will be tolerated.

In addition to the Regulations and the Guidelines, the University is also using the Ritsumeikan Charter and Action Guidelines for Teaching Staff and Other Staff to clarify its stance on respect for human rights.

■ The Ritsumeikan Charter

The Ritsumeikan Academy formulated the "Ritsumeikan Charter" in 2006 and presented the basic guidelines for the future.

As stipulated in the ideals of the Ritsumeikan Charter, Ritsumeikan University will pursue the creation of universal values based on academic freedom and will search for solutions to the pressing issues facing humankind, in order to help open the door to the future of the human race. To this end, it is important for all members of the university to respect each other and mutually accept universal rights and human rights as human beings, regardless of ideology, faith, race, citizenship, and origin. As the university is a place for growth and development, as well as for the free pursuit for truth, nothing is more important than respecting each other's character and freely interacting with each other.

■ Action Guidelines for Teaching Staff and Other Staff

Ritsumeikan University established the “Action Guidelines for Teaching Staff and Other Staff” to accomplish the purposes of the Ritsumeikan Charter. The action guidelines state that teaching staff and other staff at Ritsumeikan University should: be conscious of the social responsibility borne by those who are engaged in higher education & research, respect fundamental human rights, fulfill their duties with integrity and justice, live up to high morality and public decency, and place emphasis on legal compliance. Accordingly, teaching staff and other staff at the university are required to respect fundamental human rights and the character, values, and privacy of undergraduate and graduate students, along with all the other people working at the university. In addition, the action guidelines demand that teaching staff and other staff do not commit any acts of harassment, taking strict action against such acts, in order to create an environment in which everyone can engage in education & research activities or work without anxiety.

4. Scope of Guidelines

The Guidelines apply to all members of Ritsumeikan University.

(1) “Members” is defined as follows (Article 2 of the Regulations).

① Teaching staff and other staff

For teaching staff and other staff, all types of employment apply, with no distinction made between full-time and part-time.

This refers to temporary workers, contract workers, and research workers with no employment relationship who are working at Ritsumeikan University.

② Students

This refers to university students, graduate students, and other people learning at Ritsumeikan University.

③ Persons concerned

This refers to students’ guardians, vendors concerned, their employees, and other persons having professional relationships with Ritsumeikan University.

(2) Harassment claims may be brought against members of Ritsumeikan University within three years of completing their time in school or in service. For students, this applies to those who have been stricken from the register after graduating from, withdrawing from, or completing their studies at Ritsumeikan University. For teaching staff, other staff, and persons concerned, this applies to those who have left their positions at Ritsumeikan University.

5. Scope of Application of Guidelines

Concerning harassment occurring between members of Ritsumeikan University themselves, the Guidelines shall apply regardless of time or place, even if said harassment occurred outside of school hours, outside of work hours, or off campus.¹

The Guidelines shall also apply if either the victim or the perpetrator is still a member of Ritsumeikan University.²

¹In the event that a teacher affiliated with Ritsumeikan University perpetrates harassment while serving as a part-time instructor or the like at another university, it shall be handled as a personal matter, as said act would be considered to have occurred off the job, with permission for dual employment having first been obtained.

As a rule, it shall be handled by the other university involved. However, if, as a result, it is clear that an act of wrongdoing occurred that would considerably harm the honor and credibility of Ritsumeikan University, the perpetrator could be subjected to disciplinary action.

²If the complainant³ or the victim is a member of Ritsumeikan University and the respondent (other party)⁴ or the perpetrator is not a member of Ritsumeikan University, explanation of the intent of the Guidelines to the other party or the perpetrator may be called for to elicit said party's understanding. In addition, the institution or organization to which said party belongs shall be contacted and warned and may be called on to prevent a recurrence or conduct an inquiry.

³If the counselee files a complaint after receiving harassment counseling, the counselee shall be referred to as the complainant.

⁴The person accused of perpetrating harassment by the counselee and the complainant shall be referred to as the other party.

II. What is Harassment?

1. Definition of Harassment

In the Regulations, harassment is defined as speech or behavior perpetrated by teaching staff and other staff that inflicts disadvantage or discomfort on other teaching staff and other staff, students, or relevant parties, thereby violating their human rights. Or, it refers to speech or behavior by students or relevant parties that inflicts disadvantage or discomfort on other students or teaching staff and other staff, thereby violating their human rights (Article 2, Item 1).

In other words, among students, teaching staff, and other staff, it refers to infringing on human rights with speech or behavior concerning personal attributes or character that harms another, puts another at a disadvantage, or causes another psychological or physical harm.

Personal attributes include sex, gender, sexual orientation, age, ability, physical and mental condition, nationality, ethnicity, race, origin, place of birth, family connections, thinking, ideology, religion, occupation and anything else related to social standing.

In the Regulations, harassment is categorized into three types that universities are prone to: sexual harassment, academic harassment and power harassment.

2. Sexual harassment

Sexual acts on others against their wishes constitutes sexual harassment.

(1) Definition of sexual harassment

In the Regulations, sexual harassment is defined as sexual speech or behavior that inflicts disadvantage or discomfort on others against their wishes, thereby violating their human rights (Article 2, Item 2).

Sexual (in a broad sense) speech or behavior is that which brings with it a sense of humiliation or that which inflicts psychological pain or discomfort on others.

(2) Types of sexual harassment

1) Unwanted sexual propositions and forced sexual activity

This refers to making relentless or coercive sexual propositions to another, touching another's body without just cause, and engaging in stalking and similar acts.

2) Quid pro quo sexual harassment

This refers to someone who uses a superior position to make unwanted sexual demands or propositions of another and puts that person at an advantage or a disadvantage, at work or school, based on that person's submission or refusal. This includes speech and behavior implying the same.

3) hostile environment sexual harassment

This refers to sexual speech or behavior in venues for education, research or work that detracts from another's education, research, or work environment.

4) Discriminatory speech or behavior based on awareness of gender roles

This refers to speech or behavior that is intended to sexually discriminate against members of the University.

*Please refer to "Speech and Behavior That May Constitute Sexual Harassment" on page 17.

(3) Sexual harassment based on gender and sexual orientation

Sexual harassment also applies to those of the same sex. It applies no matter what sex or sexual orientation the person who has incurred harassment is. (More specifically, it applies no matter what people's awareness of their sexuality is, what they feel their sexual identity to be, or what the objects of their love life and sex life are.)

[Reference: "Guidelines Concerning Measures to be Taken by Employers in Terms of Employment Management with Regard to Problems Caused by Sexual Harassment in the Workplace" (last amended on August 2, 2016; Public Notice of the Ministry of Health, Labour and Welfare No. 314)]

People making offensive remarks to those who identify as lesbian, gay, bisexual and transgender (LGBT) and people who speak or behave negatively concerning another person's personality, ability, or behavior for the sole reason that said person is a sexual minority are infringing on human rights, and this shall be deemed sexual harassment.

*Please refer to "Speech and Behavior Against Sexual Minorities (LGBT) That May Constitute Sexual Harassment" on page 17.

■ **Understanding forced agreements and relationships**

Sexual speech or behavior that goes against the wishes of others constitutes sexual harassment.

Because teachers and students are particularly prone to power relationships, hierarchical relationships and authority exerted from a superior position, the party incurring harm ("the victim," hereinafter) often feels forced to accept or tolerate such speech or behavior.

In keeping, one party's lack of clear refusal must not be simply taken by the other party as consent.

(4) Maternity harassment

Female teaching staff, other female staff, and female students and the like must not be subjected to inappropriate speech or behavior when they utilize systems pertaining to pregnancy, childbirth, and childcare leave. The use of such conditions as reasons for dismissal or termination of employment or to demand voluntary resignation from work, voluntary withdrawal from school, or taking a leave of absence from school is unfair and is prohibited by law. (In keeping with the amendment of the Child Care and Family Care Leave Act and the Equal Employment Opportunity Law, since January 1, 2017, employers are obligated to devise preventive measures in kind.)

However, maternity harassment shall not apply to speech and behavior based on what is necessary from a work standpoint, viewed objectively in light of the necessary division of work, safety considerations, and the like.

1. Harassment of those making use of systems

*This refers to speech and behavior concerning the use of the systems and measures (“systems, etc.,” hereinafter) listed below that detracts from the work or school environment.

- ① Applying health management measures during pregnancy and following childbirth
- ② Applying employment restrictions on hazardous work
- ③ Taking maternity leave prior to childbirth
- ④ Switching to light work
- ⑤ Restricting overtime work, late-night work, and work on holidays
- ⑥ Taking childcare time
- ⑦ Taking a leave of absence from school

1) Anything suggestive of dismissal or other disadvantageous treatment

This refers to anything suggestive of dismissal, refusal to provide guidance on education and research, or other disadvantageous treatment of female members.

2) Anything hindering requests to use or the actual use of systems, etc.

- ① This refers to supervisors, advisors and the like telling female members who have consulted on or requested the use of systems, etc., not to do so.
- ② It also refers to the coworkers and friends of female members who have consulted on or requested the use of systems, etc., repeatedly or continuously asking them not to do so.

3) People harassing others for using systems, etc.

This refers to supervisors, advisors, coworkers, or friends who repeatedly and constantly harass female members who have used systems, etc. (by using harassing speech and behavior, by not letting them work, by making them do routine work only, etc.).

2. Situational harassment

*This refers to people who harm the work or school environment with speech or behavior pertaining to pregnancy or childbirth (“pregnancy, etc.” hereinafter), as listed below.

- ① The fact that someone is pregnant
- ② The fact that someone has given birth
- ③ The fact that someone cannot begin work or does not perform work in accordance with the provisions of the restrictions on hazardous work
- ④ The fact that someone cannot start work in accordance with the provisions of the work restrictions following childbirth or that someone has taken leave after childbirth
- ⑤ The fact that someone cannot or could not render service for reasons stemming from pregnancy or childbirth (morning sickness, severe morning sickness, the danger of miscarriage, failure to recover after giving birth, etc.) or that someone’s productivity has decreased

1) Anything suggestive of dismissal or other disadvantageous treatment

This refers to supervisors, advisors, etc., suggesting to the relevant female member dismissal, refusal to provide guidance on education and research, or any other disadvantageous treatment.

2) People who harass women who have been pregnant, etc.

This refers to supervisors, advisors, coworkers or friends who repeatedly or constantly harass a female member when she is pregnant, etc.

*Please refer to “Speech and Behavior That May Constitute Maternity Harassment” on page 18.

3. Academic harassment

(1) Definition of academic harassment

In the Regulations, academic harassment is defined as speech or behavior that, through the abuse of an advantageous position of power or through a hierarchical relationship in a situation of education and research, harms the advantages or rights relating to the education, research, and study of others. It does not necessarily involve sexual speech or behavior (Article 2, Item 3).

Although people may feel dissatisfied with or offended by instructions, cautions or guidance necessary for the purpose of education, research or work, depending on how they take it, it does not constitute harassment if it is within the scope of what is appropriate in the line of education, research or work.

Classification and examples of academic harassment are listed as follows.

1) Educational harassment

- ① Refusing to provide or neglecting necessary educational guidance for no sound reason
- ② Imposing excessive assignments
- ③ Giving unfair treatment such as undeserved evaluation in conferral of academic degrees or credits
- ④ Violating or threatening freedom of choice for career

2) Research harassment

- ① Refusing to provide a research theme, prohibiting the use of equipment or facilities, or unfairly restricting opportunities to publicize research (this type is known as “research marginalization”)
- ② Exploiting others’ research achievements or personal ideas (this type is known as “research exploitation”)

4. Power harassment

(1) Definition of power harassment

In the Regulations, power harassment is defined as speech or behavior that harms the advantages, rights, character, or dignity of others in a work situation or elsewhere, or speech or behavior that deteriorates the environment of a workplace or other situations. It is an abuse of authority in a working position or of advantageous position in human relations or other areas that oversteps the bounds of appropriate guidance or admonition, thereby inflicting psychological or physical pain on others in subordinate positions (Article 2, Item 4).

Power harassment does not only exist between superiors and subordinates but also between senior students and junior students and between coworkers. Subordinates can also subject superiors to it. It includes a variety of types of superiority (such as having acquired specialist skills or knowledge).

Although people may feel dissatisfied with or offended by instructions, cautions or guidance necessary for the purpose of education, research or work, depending on how they take it, it does not constitute harassment if it is within the scope of what is appropriate in the line of education, research or work.

(2) Power harassment: Actions (types and specifics) and perspectives

Actions: Types and Specifics	Perspectives
(1) Physical aggression (violence and injury)	This is not included within the scope of what is appropriate in the line of work.
(2) Psychological aggression (intimidation, verbal abuse, etc.) (3) Isolation from human relationships (keeping people at a	As a rule, these actions exceed the scope of what is appropriate in the line of work.

distance, excluding them from friendships, or ignoring them)	
(4) Unreasonable demands (demanding what is clearly unnecessary or impossible in the line of work or obstructing work)	Specific judgments on whether these actions exceed the scope of what is appropriate in the line of work would conceivably depend on the situation and the frequency of the actions.
(5) Belittling demands (ordering a person to do work that is far below the person's abilities or experience, or not assigning a person work, which would be irrational from a work standpoint)	
(6) Infringing on the individual (being overly intrusive about personal matters)	

(3) Power harassment between students

These acts described above are deemed as power harassment, irrespective of the situation where these acts are undertaken—these acts are not limited to workplaces only. Even in a situation of extra-curricular activities among students, the acts undertaken on the basis of status or advantageous position constitute power harassment.

- It seems like the orders of a senior student must be strictly obeyed and that those who do not obey will not be allowed to practice.
- A senior student coerces people into going drinking every day.
- In extracurricular activities, one person is singled out for unfair treatment.

5. This type of speech and behavior is also harassment.

The definition of sexual harassment was established in the 1997 amendment of the Equal Opportunity Employment Act. Since that time, harassment potentially existing in various communities, including workplaces and schools, has surfaced. At present, over 30 types of harassment are commonly known, including those types commonly heard of. Several such types are presented here.

(1) Alcohol harassment

More than anything, urging or forcing students under 20 to drink alcohol is a crime.

Alcohol harassment involves drinking, and because forcing someone to drink alcohol can cause acute alcohol poisoning, this type of harassment can lead to situations that endanger lives.

- Using a hierarchical relationship to force people to drink alcohol with no regard for their physical constitution or condition
- Making people down drinks whole
- Intentionally getting people drunk
- When someone with seniority who is drunk drags people to after-parties, preventing them from going home
- Being inconsiderate of people who do not drink alcohol (by not providing non-alcoholic beverages, etc.)

(2) Gender harassment

Gender harassment is speech and behavior based on fixed gender stereotypes of men and women - regardless of individual abilities and characteristics - that makes others feel uncomfortable. Different from sexual harassment, it involves harassing others by criticizing speech and behavior that deviates from common notions of masculinity and femininity. From the standpoint of respect for diverse ways of life, we must not criticize the way people live or impose a way of life on them.

- In the workplace, only having women serve tea and only having men do work requiring physical strength
- Saying things like, "For a man/woman, you're..." or "You should be more masculine/feminine"

(3) Racial harassment

Racial harassment is unjust discriminatory speech and behavior based on differences in race, nationality or ethnicity.

Because a principle of the Ritsumeikan University Charter is to "...pursue the creation of universal values based on academic freedom and search for solutions to the pressing issues facing humankind,..." it is important for all members of Ritsumeikan University to respect each other and acknowledge one another's basic human rights, regardless of race, nationality and other such differences.

*Please refer to "Speech and Behavior That May Constitute Racial Harassment" on page 18.

(4) Dating violence

Dating violence is when people who are romantically involved are in a relationship of domination and submission; one physically or psychologically abuses the other with speech and behavior.

- One behaves violently (punching or kicking) when the other does not do exactly what they say
- One restricts the other's behavior, attire, or social circle
- One forces the other to tell them their e-mail or LINE password

III. Basic attitude not to commit harassment

In order not to commit harassment, nothing is more important than respecting fundamental human rights.

People tend to think that harassment is difficult to be assessed because of differences in reactions from each individual or position. Therefore, it may be a good idea to look at it from the other persons' perspective.

Taking sexual harassment as an example, suppose the case in which your speech or behavior is directed at your partner, children, or any other person who is important to you. If you have a sense of discomfort, such speech or behavior is likely to constitute harassment.

In case of academic harassment or power harassment as well, suppose the case in which you are treated in the same way. If you have a sense of unfairness or feel discouraged, it is likely to constitute harassment. It is also necessary to be fully aware of the following points.

1. Harassment is assessed on the basis of how the person who received it takes it.

Speech or behavior, in particular, that which is sexual in nature, is taken differently by each individual, gender, position, or viewpoint. It should be kept in mind that whether speech or behavior constitutes harassment or not is mainly assessed on the basis of how the person who received it takes it. Even if you intend to express a sense of intimacy, it may make that the person receiving it is uncomfortable despite your intention. Thinking that "speech or behavior of this level will be acceptable to that person" or that "I have a close relationship with that person" may be an incorrect assumption and may lead to harassment.

2. Do not repeat the same speech or behavior.

If you realize that your speech or behavior is refused or unwanted, you must not repeat such speech or behavior.

3. The person receiving harassment doesn't always express how he/she feels.

A person that has received harassment doesn't always indicate that such speech or behavior is uncomfortable. There are many cases where those suffering harassment cannot refuse it because the perpetrator is their teacher

or superior. Not expressing refusal should not be taken as “agreement.”

1. Pay attention to the extended situation of work or education.

It is not sufficient to be careful about harassment only during working hours or in the workplace. Specifically, you need to pay attention to harassment in other situations where a relationship in work or education is maintained, such as at training camps, parties, social functions, or any other event.

■ Romantic relationships between teaching staff and undergraduate/graduate students

(1) Teaching staff are in a position higher than students. (The balance of power between teaching staff and undergraduate/graduate students is inherently on the side of teaching staff.)

Teaching staff and undergraduate/graduate students cannot be in a 50/50 or collegial relationship. They appear to be in a 50/50 or collegial relationship since they exchange views and debate with each other. However, university teaching staff are authorized to assess the academic achievements of undergraduate/graduate students, and thus teaching staff are in a position that is higher than their students.

Especially in graduate schools, the authority of teaching staff becomes even stronger. Teaching staff at graduate schools has conclusive influence on their students, in terms of guiding research or reviewing papers to confer academic degrees. Teaching staff should be conscious of their advantageous position, as it could easily lead to harassment.

For the reasons above, a romantic relationship between teaching staff and undergraduate/graduate students are likely to lead to serious sexual harassment or academic harassment, once such a relationship is broken down.

(2) Toward maintaining a sound educational/research environment

Teaching staff should be always conscious of their special position regarding relationships with undergraduate/graduate students and should pay particular attention not to enter into inappropriate relations with them. Should teaching staff form a romantic relationship with their undergraduate/graduate students (over whom teaching staff have authority when giving out academic evaluation), the teaching staff must inform the Dean of such to maintain the fairness of academic evaluation and a sound educational/research environment. The Dean, after being informed, then takes necessary actions in education & research as the responsibility of a supervisor, to avoid the situation where a private relationship and teacher-student relationship coexist.

IV. If you suffer harassment...

The victim is not to blame.

You as a victim are not responsible for harassment. Take action toward settlement before the situation gets worse. Do not blame yourself or tolerate the situation.

There are cases where the perpetrator doesn't realize that his/her speech or behavior constitutes harassment at all. You can thus settle harassment for yourself by directly notifying the perpetrator verbally or in writing that his/her speech or behavior is harassment and uncomfortable—if you are not in a hostile relationship with the perpetrator.

In an emergency case where you are in imminent danger, make contact with people around you or with the administrative offices for help, or contact police if necessary. When you go to the police, you will be accompanied by a harassment counselor or by teaching staff and other staff.

On the website of the Harassment Prevention Committee, you can find ways to respond to harassment, emergency contact numbers, and information about external counseling offices. You can also refer to the leaflet “Harassment Prevention Handbook,” which is available at the administrative offices of each college or at other places.

V. Processes and Procedures for Resolving Issues

1. Harassment counseling

1) Harassment Advisors

- ① In response to harassment counseling, the university is staffed by Harassment Advisors, including those who were selected from the teaching staff of each college or graduate school. The Harassment Advisors are stationed at the administrative offices of each college, offices of student affairs, the health center (office of medical services), office of the payroll and employee benefits and at other places at the Kinugasa Campus, the BKC, Suzaku Campus and the OIC.
- ② The Harassment Advisors receive training twice a year to properly offer harassment counseling.
- ③ Together with the consultee, the Harassment Advisors consider the harassment that the consultee has been subjected to, proposes possible settlement methods, and provides support for the consultee to make his/her own decision.

2) Requesting and receiving counseling

- ① In addition to the person who was harmed by harassment, counseling can also include those who saw someone else being harassed and felt uncomfortable, those to whom someone else pointed out that harassment was taking place, and supervisors (of the teaching staff and other staff) who have received harassment-related counseling.
- ② Counseling can be scheduled by telephone, fax or e-mail.
- ③ Counseling is provided face-to-face, in principle, at an office or place where privacy is fully protected.
- ④ When you receive counseling, you can select any Harassment Advisor with whom you feel at ease talking to, regardless of the campus, college, or graduate school where you study.
In addition, with a justifiable reason, the counselee may request to change Harassment Advisors during the counseling process.
- ⑤ The counselee can also seek support from an outside professional counselor when desired or necessary.
- ⑥ Harassment advisors have the duty of confidentiality. Without the consent of the counsees, the details of counseling or the names of counsees are never be revealed to those other than the Harassment Advisors in charge or the members of the Harassment Prevention Committee.
- ⑦ Needless to say, people other than the Harassment Advisor who have been consulted about the harassment may take part in the counseling process. However, as it may be necessary to take action quickly to help the victim and resolve the matter, please recommend that the victim be counseled by a Harassment Advisor as necessary.

3) Records of the details of the harassment

The actual circumstances of harassment may not be immediately obvious to those not involved. If you feel you are suffering harassment, try to record the details correctly as much as possible, including when, where, from whom, and how you suffered harassment.

It may be a good idea to ask a bystander, if any, to serve as a witness. A witness can help settle the issue by contributing to assess the situation objectively.

2. Specific (complaint) settlement methods and processes

The available methods of settling matters when someone feels they have been harmed by harassment include not only being advised by a Harassment Advisor and having the counselee (the person harmed) take independent action towards settlement while receiving support but also filing a complaint with the Ritsumeikan University Harassment Prevention Committee (“Harassment Prevention Committee,” hereinafter).

(1) Types of complaints and how they are handled

Complaints are classified as follows, and counsees choose a method of settlement.

1) Settlement through notification

- ① With this method of settlement, the person who files a complaint (“complainant,” hereinafter) can remain anonymous if he/she so wishes, and the person named as having perpetrated the harassment (“the other party,” hereinafter) is notified that harassment counseling took place concerning a specific act.
- ② Based on interviews with the complainant, the members of the Harassment Prevention Committee and the staff of the Secretariat communicate the specifics of the complaint to the other party.
- ③ The Harassment Prevention Committee Secretariat then notify the complainant that the other party has been informed.

This does not constitute acknowledgment that an act of harassment occurred.

2) Settlement through adjustment

- ① With this method, a settlement is sought by adjusting the differences in the claims of the complainant and the other party from a fair point of view.
- ② Based on interviews with the complainant and the other party, the Chairperson of the Harassment Prevention Committee and the person in charge of supervising the other party (the department head, head of research, section manager, office manager, etc.) work together to make adjustments to ensure that the appropriate measures are taken.
- ③ The Chairperson of the Harassment Prevention Committee communicates the results of said adjustments to the complainant.

This does not constitute acknowledgment that an act of harassment occurred.

3) Settlement through investigation

- ① With this method, a fair investigation of the facts of the matter is conducted. When the results are judged as corresponding to harassment, impartial resolution of the matter is sought that includes disciplinary action for the other party.
- ② In principle, an investigation is conducted when the specifics of the counseling or written complaint indicate the possibility that there has been an act of harassment and when it is deemed appropriate to settle the matter in accordance with the method explained in “①.” This method is used to settle the matter if the adjustment process ends unsatisfactorily.
- ③ The Investigative Committee is established under the Harassment Prevention Committee. The facts of whether or not an act of harassment has occurred will be determined based on interviews with the complainant, the other party, and third parties and a review of the materials. In principle, the Investigative Committee will be composed of members of the Harassment Prevention Committee and the staff of the Secretariat. The Investigative Committee will settle the matter, giving due consideration to the neutrality and fairness of the investigation.
- ④ After the Harassment Prevention Committee has approved the report from the Investigative Committee, the Chairperson of the Harassment Prevention Committee will report the result (whether the act has been

assessed as harassment or not) to the complainant and the other party.

(2) Settlement efforts

- ① The person who can make a complaint is limited to the person who has been harmed by harassment.
- ② A complaint can be made by having the counselee submit a written complaint to the Harassment Advisor.
- ③ Once a complaint is made, the Harassment Prevention Committee will be immediately notified by the Harassment Advisor and the Chairman will determine the most effective way to settle the matter in accordance with the wishes of the complainant and the details of the complaint, based on the Regulations and the Guidelines.

At that time, if the appropriateness of the complaint and the most effective settlement method cannot be determined based only on the specifics of the counseling and the materials submitted, a preliminary investigation may be conducted prior to initiating specific measures for a settlement.

- ④ When the Harassment Prevention Committee receives the “Record of Harassment Consultation” that the Harassment Advisor has prepared and the Chairman deems emergency measures necessary, certain actions, such as educational measures, may be taken before a written complaint is submitted or before the Harassment Prevention Committee holds a meeting.
- ⑤ If a counselee and the other party are affiliated with the same department, a system for adjustment may be established in such a way that members of the department would play a key role in adjustment. In that case, the Harassment Prevention Committee will provide advice or support from a broader point of view, from the perspective of the university, to ensure the fairness and justice of the measures to be taken. All the information on responses taken by each college, division, or office will be forwarded to and managed by the Harassment Prevention Committee, which enables the collaborative settlement with the committee.

3. Points to heed regarding harassment counseling

(1) Protection of privacy (Duty of confidentiality)

Harassment advisors, members of the Harassment Prevention Committee and Investigative Committee, and any other person who is involved in counseling or in the processes of making a complaint about harassment have the duty of confidentiality to preserve the privacy of counselees and others concerned. This duty is imposed not only for the sake of counselees, complainants, and the other party, but also to preserve the privacy of those who cooperate in the investigation as third parties. Harassment Advisors and committee members are not to divulge the names of those concerned, the details of counseling or complaints, or any other confidential information that may have come to their knowledge, even if staff have resigned from office.

(2) Prohibition of retaliatory actions and disadvantageous treatment

The complainant, the third parties, and the other party must not take retaliatory actions against or disadvantageously treat each other or those who sought counseling or made complaints about harassment. Should such actions be confirmed, the university will take strict action, including disciplinary action.

(3) Prohibition of false statements and cooperation in investigations

Making a false complaint or a false statement in an investigation of the facts is prohibited. This applies not only to complainants and the other parties, but also to those who are asked to give testimony as a witness. Such false acts may be subject to disciplinary actions.

Complainants and the other parties cannot refuse the investigations of the harassment case in which they are involved. If you are asked for cooperation as a witness, please accept it as much as you can. Your cooperation is important for the confirmation of the facts and for the settlement of the issue. As previously stated, the duty of confidentiality is strictly imposed on those who are dealing with investigations; therefore, you never have to

have your privacy violated or suffer disadvantage due to your testimony.

(4) Withdrawal of complaint due to non-cooperation of counselee or complainant

If the counselee or the complainant has not cooperated on the settlement of the matter for more than three months since the matter settlement process (of counseling or making a complaint) began and the Chairperson of the Harassment Prevention Committee deems that the counselee or the complainant has no intention to settle the matter, the counseling or the complaint will be regarded as having been withdrawn.

However, this shall not apply if the Chairperson of the Harassment Prevention Committee deems that unavoidable circumstances were involved, such as illness or studying abroad.

(5) Policy of non-interference in matter (complaint) settlement procedures

The complainant and the other party cannot appoint representatives for matter (complaint) settlement procedures. This is because matter (complaint) settlement procedures are handled on campus and are premised on the voluntary cooperation of campus-related officials. The appointment of representatives can thus be an obstacle to clarifying incident-related matters.

(6) Rejection of complaints

In keeping with the purpose of the Regulations and the Guidelines, the Harassment Prevention Committee may refuse to accept complaints.

If a complaint is rejected, the complainant will be promptly notified of the fact. The other party and related third parties will also be notified, only if it is necessary.

(7) When a complaint is not assessed as harassment

When a complaint has been accepted for investigation, it sometimes cannot be determined from the results of the investigation that an act of harassment has occurred; moreover, sometimes it can be determined that a relevant act has occurred but that harassment does not apply.

4. Harassment Prevention Committee

(1) Responsibilities of the Harassment Prevention Committee

The Harassment Prevention Committee is responsible primarily for the investigation and settlement of harassment cases, as well as the recommendation of necessary measures and disciplinary actions. For this purpose, the committee needs to have a certain authority. The Chairperson is designated by the President, and one of the Vice Chairperson positions is assumed by the Executive Trustee of General Affairs. In the meantime, the Committee has a system for the remaining Vice Chairpersons and the Chief Administrative Officer to flexibly respond to a specific case. In such case, the Chairperson is responsible for the final judgment.

(2) Measures by the Harassment Prevention Committee

If the Chairperson assesses that emergency countermeasures are necessary, he/she may require the relevant organizations to take “measures.” Such measures include a change of seminars or classes as an educational measure and the suspension of the other party’s Rainbow account. In addition, the Chairperson may require that the Dean or another supervisor remove the teaching staff as the other party from being in charge of the relevant class or prevent the teaching staff from studying abroad, based on the decision of the Faculty Council. If the speech or behavior is assessed as harassment or not from the results of investigations by the Investigative Committee, the Harassment Prevention Committee will take responsibility for seeking a settlement by proposing methods of settlement, discussing with the relevant organizations as necessary, or demanding to take strict

actions or give appropriate guidance.

(3) Disciplinary action

- ① Any teaching staff or other staff who has committed harassment in his/her workplace or any other situation is subject to disciplinary action based on the Work Regulations. In the same way, any students who have committed harassment are subject to disciplinary action based on the “the regulations on student discipline”.
- ② The Harassment Prevention Committee is responsible for “recommending” disciplinary action to the President. Even if an issue is settled through notification, adjustment, or investigation, the Committee will recommend disciplinary action for any case in which harassment was assessed as obvious.
If assessed as harassment, the other party is given an opportunity for explanation before the recommendation is made so that the fairness can be fully guaranteed.
- ③ The final judgment on “disciplinary action” is not made by the Harassment Prevention Committee, but on the basis of the “Regulations Regarding Procedures for Disciplinary Action against Teaching Staff and Other Staff” (or, the “The regulations on student discipline,” in the case of students).
- ④ When it has been decided that disciplinary action will be taken for an act of harassment, an announcement will be made based on the provisions of the Guidelines Regarding the Announcement, etc., of Disciplinary Action and Ritsumeikan University Student Disciplinary Regulations.

(4) Prevention of recurrence and victim support

Following the assessment as harassment, the perpetrator will receive support and guidance that make him/her review the matter and become aware of his/her own speech or behavior. Such support and guidance include training for a good understanding of harassment and to ensure that they do no re-offend.

The support offered to a victim includes the creation of an environment in which he/she continues to study or work without anxiety.

VI. Awareness-raising, education, and training

The Harassment Prevention Committee engages in information collection & provision and public relations (e.g., leaflets or through a website) as to harassment prevention, as well as in the training and development of support skills for “Harassment advisors.” It is also responsible for awareness-raising, education, and training for the members of the university as to fundamental human rights. Through these efforts, the university will continuously strive to create a campus environment in which no harassment occurs.

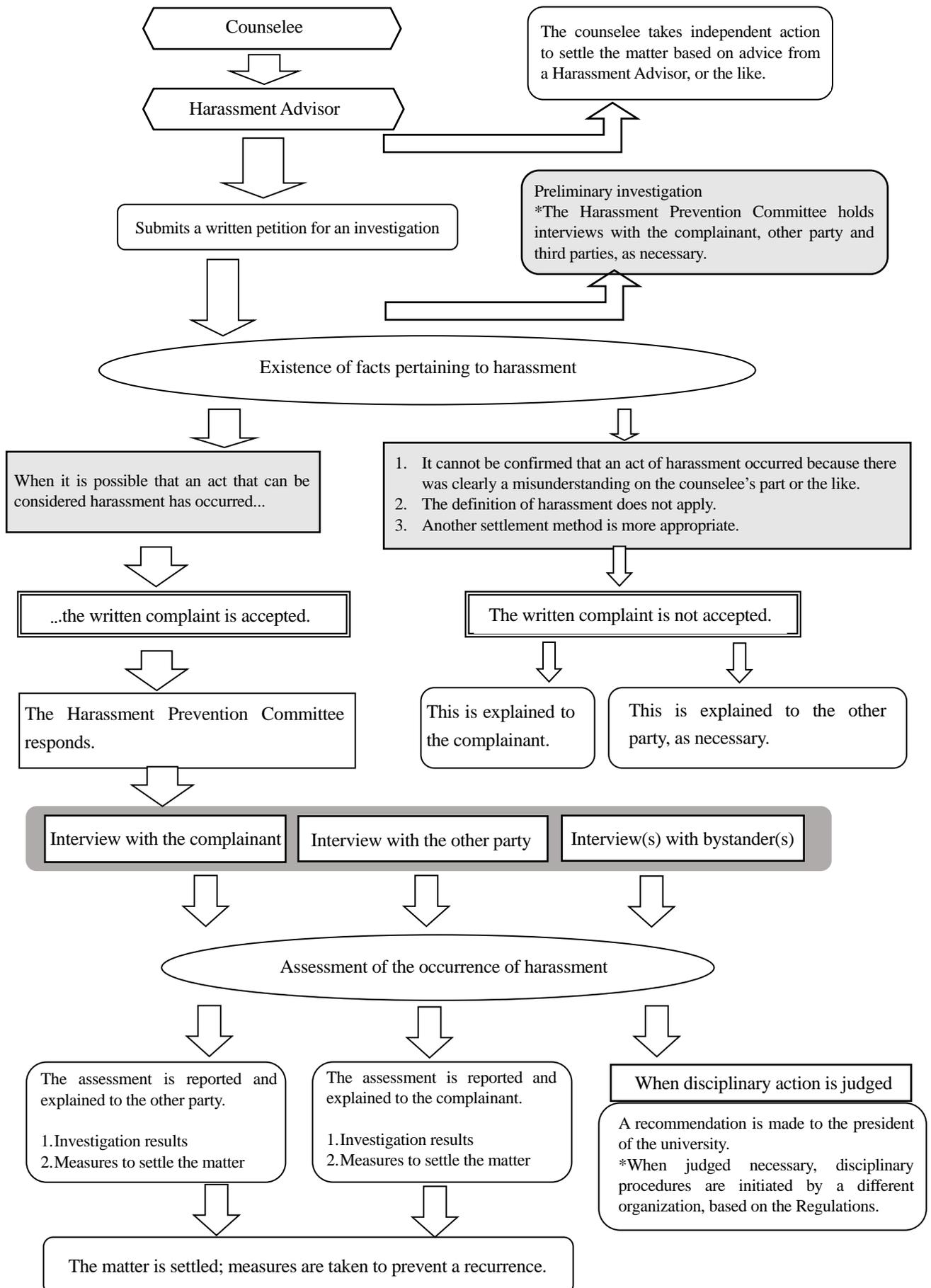
VII. Review and Revision of the Guidelines

The Guidelines went into effect on July 1, 2007 and will be revised as necessary in accordance with their implementation status.

Twelfth revision: October 13, 2017

This revision will go into effect on November 1, 2017. Counseling and complaints initiated as of October 31, 2017 will be handled based on the prior version of the Guidelines.

Complaint and Investigation Process: General Flow



* **The examples of speech and behavior that follow are merely examples. Other types of speech and behavior can also constitute harassment. Also, depending on the context, one type of speech and behavior may constitute other types of harassment as well.**

■ **Speech and Behavior That May Constitute Sexual Harassment**

1. Sexual speech

(1) Speech that is based on sexual interest or desire

- ① Asking someone their measurements or mentioning their physical characteristics. Examples: “You’ve gained a little weight, haven’t you?” Or, “You’ve lost a little weight, haven’t you?”
- ② Telling obscene jokes
- ③ Asking a woman who seems not to be feeling well if she has her period or if she is in menopause, etc.
- ④ Asking someone about their sexual experiences or sex life
- ⑤ Making someone an object of sexual gossip or sexual teasing

2. Sexual behavior

(1) Behavior that is based on sexual interest or desire

- ① Coercing someone into a sexual relationship
- ② Touching someone unnecessarily
- ③ Insistently asking someone out to eat or out on a date
- ④ Constantly looking at someone’s body
- ⑤ Making telephone calls of a sexual nature; sending letters or e-mails with sexual content or using SMS to do so
- ⑥ Intentionally showing someone obscene photographs or reading someone obscene articles from magazines or the like
- ⑦ Using obscene photos or the like for desktop backgrounds

(2) Behavior intended to discriminate on the basis of gender

- ① Forcing someone to sing a duet at karaoke
- ② At drinking parties, making someone sit next to the boss, serve sake, or slow dance

■ **Speech and Behavior Against Sexual Minorities (LGBT) That May Constitute Sexual Harassment**

- Teasing someone or making someone a target of bullying about sexual orientation or gender identity
- Harassing someone who has come out as LGBT
- Calling someone names that have no respect for individuality (“homo,” “queer,” etc.)
- Using speech or behavior that expresses disgust (“Don’t touch me, you homo.” “Lesbians give me the creeps.”)
- “So you’re one of THOSE?” [Said while placing the back of the hand against the face in a gesture used in Japan to connote homosexuality]
- “No one here is a gay or has a gender identity disorder, right?”
- Saying something like “I can’t tell if he’s a he or a she,” when referring to an LGBT person.

■ Speech and Behavior That May Constitute Maternity Harassment

1. Harassment of those making use of systems, etc.
 - When a female member consults her supervisor about taking time off from work for a prenatal checkup and her supervisor tells her to go to the hospital on her day off or something similar and does not help her out
 - Telling a female member that maternity leave and childcare leave will not be approved or that she does not need to come to work or school anymore and should just write her letter of resignation (from work or school)
 - Repeatedly saying things like “You’ve just started working here! You have a lot of nerve taking maternity and childcare leave”
 - When a coworker repeatedly says to a female member taking time off for childcare, “You’re causing trouble the way you go home early and make more work for everyone else.”
 2. Situational harassment
 - Telling a female member who has announced that she is pregnant things like “I won’t renew your contract next time,” “I’m going to hire someone else, so I want you to quit soon,” or “Just withdraw [or take a leave] from school.”
 - Telling a female member who has been hospitalized owing to the danger of miscarriage that she should no longer bother coming to work or school and should just write her letter of resignation
 - When an advisor tells a female researcher who has announced that she is pregnant, “You have to choose between having children or doing research.”
 - When an advisor tells a female student who has been absent from school due to severe morning sickness, “If you can’t focus on your education, you should just drop out.”
 - Saying things like “Don’t just hang around with that big belly of yours,” “You’re an eyesore,” or “You’re a nuisance.”
- Although it is not maternity harassment, directing speech and behavior like the following to a male member who has requested childcare leave may constitute harassment.
- When a supervisor says to a male member who has requested childcare leave, “I can’t believe a man would do that,” or the like
 - When a coworker repeatedly says to a male member who has requested childcare leave, “You’re causing trouble by taking leave and making more work for everyone.”

■ Speech and Behavior That May Constitute Racial Harassment

- Harassing people or subjecting them to unfair treatment because of one’s prejudices against people from a specific country or of a certain race or ethnicity or because they are of mixed parentage
- When a teacher, during class, uses unfair and discriminatory speech against a specific country, race or ethnicity, with no relation to the topic of the class
- Ignoring exchange students’ cultural backgrounds and forcing them to act according to the same standards as Japanese people
- Routinely telling jokes that make fun of a specific country, race, or ethnicity
- Using racial slurs in class, during extracurricular activities, and in the workplace as a form of bullying

■ Speech and Behavior That May Constitute Gender Harassment

- Saying things like “For a man, you have no guts,” “You can’t trust a woman with work,” or “It’s enough for a woman to be office eye candy.”
- Addressing people with the intention to discriminate on the basis of gender and with no respect for individuality by using terms such as boy, girl, *boku* (casual form of “I” used by Japanese men), *boya* (boy), *ojosan* (young lady) *ojisan* (uncle), and *obasan* (aunt)
- Forcing women in the office to serve tea, clean, and help with personal matters just because they are women