

# **Harassment Prevention Regulations for Ritsumeikan University and Primary Schools, Junior High Schools and Senior High Schools Operated by the Ritsumeikan Trust**

June 20, 2007

Regulation No. 731

## Article 1: Purpose

The purpose of these regulations is to specify the necessary matters concerning measures to prevent harassment at Ritsumeikan University and the primary schools, junior high schools, and senior high schools operated by the Ritsumeikan Trust (hereinafter referred to as “Ritsumeikan Affiliated Schools”) and to properly respond to issues arising from harassment, thereby ensuring the fairness of education, research, study, and work at Ritsumeikan University and Ritsumeikan Affiliated Schools and protecting the interests of all university students, school-age students, and young children as well as faculty and staff.

## Article 2-1: Definitions

1. For the purpose of these regulations, the term “harassment” refers to any of the acts corresponding to the requirements established in each of the following items according to the categories set forth in those items.

- (1) “Sexual Harassment”

Sexual harassment is speech or behavior of a sexual nature occurring in connection with the operations of Ritsumeikan University or Ritsumeikan Affiliated Schools that leads to disadvantageous treatment of another person, or negatively impacts the immediate environment of another person, except where considered to be an appropriate exercise of authority.

- (2) “Academic Harassment”

Academic harassment is speech or behavior by a person who enjoys a position of superiority within the context of teaching or research work at Ritsumeikan University (excluding speech or behavior of a sexual nature) that leads to disadvantageous treatment of another person in their teaching or research work, or negatively impacts the learning or research environment of another person, except where deemed both necessary and reasonable for teaching or research purposes.

- (3) “Power Harassment”

“Power harassment” refers to conduct that falls under either of the following cases:

- (a) Speech or behavior (excluding speech or behavior of a sexual nature) from a person who enjoys a position of superiority within the course of operations of Ritsumeikan University or a Ritsumeikan Affiliated School that leads to disadvantageous treatment of another person in their workplace, or negatively impacts the immediate workplace environment of another

person, except where deemed both necessary and reasonable in the workplace context.

(b) Speech or behavior (excluding speech or behavior of a sexual nature) from a person who enjoys a position of superiority within a student setting at Ritsumeikan University that leads to disadvantageous treatment of another person in their student setting, or negatively impacts the immediate environment of another person, except where deemed both necessary and reasonable in the context of student activities.

(4) “Other Harassment”

Separate from the three forms of harassment defined above, other harassment is defined as inappropriate speech or language occurring in connection with the operations of Ritsumeikan University or Ritsumeikan Affiliated Schools that leads to disadvantageous treatment of another person, or negatively impacts the immediate environment of another person.

2. The term “negatively impacts the immediate environment” employed above refers to distress or discomfort inflicted on a person through the speech or behavior outlined above as well as any noticeable or obvious impediment to a person’s ability to continue with their work, studies or other activity.
3. For the purpose of these regulations, the term “faculty and staff” refers to faculty members and administrative staff members at Ritsumeikan University and Ritsumeikan Affiliated Schools as well as administrative staff at the Ritsumeikan Trust.
4. For the purpose of these regulations, the term “students” refers to all university students, school-age students, or young children who are enrolled at Ritsumeikan University and Ritsumeikan Affiliated Schools.
5. For the purpose of these regulations, the term “guardians” refers to persons specified in the following items:
  - (1) Those with parental authority over students, or guardians of minor students; or
  - (2) Those who pay the tuition for students to attend school, or a person who is responsible for the student and their financial situation.
6. For the purpose of these regulations, the term “relevant parties” refers to people who have a significant level of direct operational or other involvement with Ritsumeikan University and/or Ritsumeikan Affiliated Schools but are not considered to be faculty and staff, students or guardians as defined in Paragraphs 3 through 5 above.
7. For the purpose of these regulations, the term “supervisor” refers to all deans (college), deans (graduate school), senior executive directors, acting senior executive directors, principals, managing directors (including both those of teaching staff and those of non-teaching staff), deputy managing directors and administrative managers, except for managing directors, deputy managing directors and administrative managers who supervise a specific duty.

Article 2-2: Scope

These regulations shall apply to cases where both parties or either party involved in an issue arising from harassment are students or faculty and staff; except that the provisions of Articles 12 through 13-2 and Article 17-2 shall not apply to cases where a person who is accused of harassment is a guardian or relevant party.

#### Article 2-3: Respect for Diversity of Sexual Orientation and Gender Identity

The provisions of Article 2-1, Paragraphs 1 and 2 must be interpreted in the context of diversity of sexual orientation and gender identity.

#### Article 3: Responsibilities of Faculty, Staff and Students

Faculty, staff and students must not engage in any act of harassment as outlined in these regulations and the guidelines established by the Harassment Prevention Committee in accordance with Article 6 of these regulations.

#### Article 4: Responsibilities of the Chairperson of the Board of Trustees, President and Principals

1. The Chairperson of the Board of Trustees must endeavor to prevent any harassment from occurring by continuously providing faculty and staff with training regarding the prevention of harassment in accordance with these regulations and the guidelines pursuant to the preceding article.
2. The President and principals must endeavor to prevent any harassment from occurring by continuously providing students with training regarding the prevention of harassment in accordance with these regulations and the guidelines pursuant to the preceding article. In such case, if the students are minors, the President and principals must give necessary consideration to education in accordance with their degree of mental and physical development.

#### Article 5: Responsibilities of Supervisors

Supervisors, as a role model for faculty and staff, shall endeavor to prevent any harassment from occurring and, if any issue arises from harassment, must take prompt and appropriate actions.

#### Article 6: Establishment of the Harassment Prevention Committee

The Ritsumeikan University and Ritsumeikan Affiliated Schools Harassment Prevention Committee (hereinafter referred to as “the Committee”) works to prevent harassment and to respond appropriately to problems and issues associated with harassment. The Committee reports to Ritsumeikan University and the Ritsumeikan Affiliated Schools.

#### Article 7: Duties of the Committee

1. The Committee shall be responsible for matters specified in the following items to achieve the aim expressed in the preceding article:
  - (1) Dissemination of knowledge, awareness-raising, training, and training support regarding preventing harassment;
  - (2) Investigations into cases of harassment;
  - (3) Matters concerning settlement of issues arising from harassment and recommendations for measures;
  - (4) Guidance for preventing the recurrence of harassment;
  - (5) Completion of reports on Ritsumeikan University and Ritsumeikan Affiliated Schools' efforts for harassment prevention and the publication of such reports;
  - (6) Establishment of guidelines;
  - (7) Matters concerning advisors pursuant to Article 14; and
  - (8) Any other matters deemed necessary for the prevention of harassment other than those set forth in the preceding seven items.
2. The Committee may set up an Investigative Committee if it is necessary to investigate the facts concerning any issue arising from harassment.
3. The Investigative Committee set forth in the preceding paragraph must be composed of those outside the reporting line of, or those having no interest in, the parties involved in such harassment in order to ensure the credibility, fairness and appropriateness of its investigations.

#### Article 8: Composition and Operation of the Committee

1. The Committee shall be composed of the number of members provided for in the following items according to the categories set forth in the items:
  - (1) Chairperson: 1
  - (2) Vice Chairpersons: 5
  - (3) Other Committee members: Several
  - (4) Chief Administrative Officer: 1
2. The Chairperson shall represent the Committee and control its operations.
3. The Vice Chairpersons shall assist the Chairperson. In case the Chairperson has difficulty fulfilling their duties, the Vice Chairperson designated by the Chairperson shall act for the Chairperson.
4. Notwithstanding Paragraph 1, the Chairperson may request the expert members specified in Article 9, Paragraph 6 to attend a meeting of the Committee.
5. The Committee may hold a meeting with the attendance of a majority of those specified in the items of Paragraph 1 hereof.

#### Article 9: Selection of Committee Members

1. The Chairperson shall be appointed by the Chancellor.
2. The Chairperson shall be able to appoint an acting Chairperson (hereinafter referred to as “Acting Chairperson”) when the Chairperson considers it necessary.
3. One of the Vice Chairperson positions shall be assumed by the Executive Trustee of General Affairs. The remaining four positions shall be appointed by the Chairperson. In this case, each of the Vice Chairpersons appointed by the Chairperson shall be posted at the following locations: Kinugasa Campus, Biwako-Kusatsu Campus, Osaka Ibaraki Campus, and Ritsumeikan Affiliated Schools.
4. The other Committee members and Chief Administrative Officer shall be appointed by the Chairperson.
5. The Chairperson, Acting Chairperson, Vice Chairpersons, other Committee members, and Chief Administrative Officer shall hold their office for one year and may be reappointed.
6. The Chairperson may appoint internal or external professionals as expert members of the Committee as necessary.

#### Article 10: Counseling

Students, faculty and staff, guardians and relevant parties may seek counseling from advisors as provided in Article 14 regarding issues arising from harassment.

#### Article 11-1: Making a Complaint

1. A harassment complaint (hereinafter referred to as “complaint”) shall be filed with the Committee by selecting an action from those provided for in the following items according to the categories set forth in the items:
  - (1) “Notification”

Facilitates the settlement of an issue through the Committee notifying the other party that is the subject of the complaint (hereinafter referred to as the “other party”) of the existence and description of the complaint, either revealing the name of a person filing the complaint (hereinafter referred to as the “Complainant”) or ensuring anonymity, and encouraging the other party to stop the speech or behavior related to the complaint
  - (2) “Conciliation”

Facilitates the settlement of an issue through the Committee interviewing the Complainant and/or the other party on relevant facts, holding a discussion with the other party or the individual’s supervisor as necessary, and developing measures to settle the issue in question arising from such harassment along with encouraging the other party or the individual’s

supervisor to take such measures

(3) "Investigation"

Facilitates the settlement of an issue through the Committee conducting an impartial and proper investigation to find out the relevant facts, determining whether the other party's speech or behavior constitutes harassment or not, and then notifying the Complainant and the other party of the result of the investigation along with requesting the other party or the individual's supervisor to take measures to settle the issue in question arising from such harassment as necessary

2. A complaint may not be filed after three years have elapsed since the day on which the relevant act took place (or the day on which it started for an act lasting two days or longer).
3. Notwithstanding the preceding paragraph, a complaint may be filed after the period specified in the preceding paragraph has elapsed if there are extenuating circumstances.
4. The Chairperson may require the Complainant to change actions if the action that the Complainant has selected is deemed inappropriate as a method to settle the issue in question. In such a case, the action replaced by the Complainant shall be deemed to have been selected at the time of filing the complaint with the Committee.

Article 11-2: Requirement for Cooperation with the Duties of the Committee

Students, faculty, staff, guardians and relevant parties must cooperate with the duties of the Committee in good faith, including interviews therewith that the Committee may conduct in order to decide how to deal with a complaint received.

Article 11-3: Non-Acceptance of Complaints

The Committee may decide not to accept a complaint filed in any of the cases described in the following items:

- (1) If such complaint is filed on the basis of the same facts as those concerning a previously filed complaint (excluding those withdrawn pursuant to the provision of Article 11-4, Paragraph 1);
- (2) If there is deemed to be a more appropriate method to settle the issue in question arising from harassment in relation to the complaint other than the actions set forth in the items of Article 11, Paragraph 1;
- (3) If the intended purpose of the complaint is beyond the scope of the Committee's duties; or
- (4) If the Committee deems it appropriate not to accept the complaint for any reason, in addition to the cases set forth in the preceding three items.

Article 11-4: Withdrawal of Complaints

1. The Complainant may withdraw a complaint filed with the Committee; except after the Committee has notified the other party when selecting notification as an action, after the Committee has encouraged the other party or the individual's supervisor to take measures when selecting conciliation as an action, or after the Committee has determined whether the issue in question constitutes harassment or not when selecting investigation as an action.
2. If the Committee has requested the Complainant for any necessary matters to settle the issue arising from harassment, including an interview on facts concerning the complaint, but the Complainant has not responded thereto with no justifiable reason, the Committee may treat such complaint as having been withdrawn by the Complainant.

#### Article 11-5: Investigation Period

When conducting an investigation by the Committee, the investigation period shall be up to six months; except that this period may be extended by the Chairperson when there is a justifiable reason.

#### Article 11-6: Request for Urgent Measures

If the Chairperson finds it necessary to take urgent measures in relation to counseling or a complaint, the Chairperson may, with the consent from either the person who received counseling or the Complainant, require a supervisor to take appropriate measures.

#### Article 12: Recommendation of Disciplinary Actions

When a complaint is identified as constituting harassment as a result of an investigation and the Committee finds it serious enough to warrant disciplinary actions in light of the "Guidelines for Disciplinary Actions (October 17, 2012, Executive Board of Trustees)," the regulations regarding disciplinary actions against students of Ritsumeikan University or the standards for disciplinary actions stipulated by each of Ritsumeikan Affiliated Schools, the Committee shall make a recommendation to persons with the authority to take disciplinary actions against the other party that procedures for disciplinary actions should be considered (hereinafter referred to as "recommendation of disciplinary actions").

#### Article 13-1: Acceptance of Opinions Prior to Recommendation of Disciplinary Actions

1. When making a recommendation of disciplinary actions, the Committee shall give the other party subject to such recommendation of disciplinary actions (hereinafter referred to as "the other party subject to disciplinary actions") an opportunity to express the individual's opinion in writing in advance within a reasonable time limit set by the Committee.
2. A recommendation of disciplinary actions shall be accompanied by a written opinion thereon submitted by the other party subject to disciplinary actions; except that this shall not apply to

cases where the other party subject to disciplinary actions fails to submit a written opinion within the time limit specified in the preceding paragraph or waives the opportunity to express an opinion.

#### Article 13-2: Recommendation of Measures

The Committee may recommend to the Chancellor necessary measures to settle or prevent issues arising from harassment.

#### Article 14: Advisors

1. The Committee shall have advisors in place thereunder to respond to counseling and complaints about issues arising from harassment.
2. Advisors shall be appointed by the Chairperson.
3. Advisors shall perform their duties in accordance with these regulations and the guidelines specified in Article 3.
4. When counseling is sought about an issue arising from harassment, advisors shall promptly notify the Chairperson thereof.

#### Article 15: deleted

#### Article 16-1: Confidentiality

1. Those specified in the items of Article 8, Paragraph 1 and advisors (hereinafter referred to as the “Committee Members”) shall not divulge any confidential information that may have come to their knowledge in the course of their duties to anyone other than the Committee Members. The same shall apply after they have left the position.
2. Notwithstanding the preceding paragraph, the Committee Members may disclose the confidential information specified in the preceding paragraph to a party other than the Committee Members in the cases listed in the following items:
  - (1) If it is deemed necessary to perform their duties; or
  - (2) If it is impossible to handle school administrative work relating to the request from the party unless the secret specified in the preceding paragraph is disclosed.

#### Article 16-2: Respect for Privacy

1. The complainant, the other party and any third parties involved in the response to the complaint as per Article 11, Paragraph 1 (hereinafter referred to as “third parties”) must not divulge any information obtained in the course of the complaint being processed, including the fact of a complaint being investigated, to any other person.



2. The provision of the preceding paragraph shall not prevent the Complainant or the other party from using the information specified in the preceding paragraph for the purpose of exercising the individual's rights under law.

#### Article 16-3: Prohibition of Retaliatory Action

No student, faculty or staff member, guardian, or relevant party may take retaliatory action against or harass another person for having sought advice or counseling in relation to harassment as per Article 10, or having made a complaint, or having been involved in a response as per Article 11, Paragraph 1.

#### Article 17-1: Prohibition of Disadvantageous Treatment

1. Supervisors shall not disadvantageously treat or harass a person who has sought counseling pursuant to Article 10 on account of the individual seeking counseling.
2. Supervisors shall not disadvantageously treat or harass the Complainant on account of the individual filing a complaint.
3. Supervisors shall not disadvantageously treat or harass the other party on account of the individual being the subject of a complaint
4. Supervisors shall not subject any third party to disadvantageous treatment or harassment for having been involved in a response as per Article 11, Paragraph 1.

#### Article 17-2: Recommendation of Disciplinary Actions Related to Disadvantageous Treatment

1. If any supervisor conducts an act in violation of the provisions of the preceding article, the Committee shall make a recommendation to Chairperson of the Board of Trustees that procedures for disciplinary actions should be considered (hereinafter referred to as "recommendation of disciplinary actions related to disadvantageous treatment").
2. The provisions of Article 13 shall apply, mutatis mutandis, to a recommendation of disciplinary actions related to disadvantageous treatment. In such case, the terms "recommendation of disciplinary actions" and the "other party" in that article shall be replaced with the terms "recommendation of disciplinary actions related to disadvantageous treatment" and "supervisor," respectively.

#### Article 18: Application Mutatis Mutandis

These regulations shall apply, mutatis mutandis, to the executives at the Ritsumeikan Trust. In this case, the term "faculty and staff" shall be replaced with the term "executives at the Ritsumeikan Trust."

Article 19: Revision and Abolition

The Executive Board of Trustees shall be responsible for the revision or abolition of these regulations.

Supplementary Provisions

Partially amended on March 3, 2021 with revisions regarding the appointment of vice chairpersons.

These regulations shall come into force on April 1, 2021.