

## DHVSU ANTI-HARASSMENT POLICY

### **I. Policy Statement**

The Don Honorio Ventura State University (DHVSU) is committed to fostering an environment that promotes peace and harmony among its administrators, faculty, non-teaching staff, students, and stakeholders. It is an academic institution that does not only hone globally competitive professionals but also respectful and morally upright individuals. It does not tolerate any form of harassment, discrimination, and intimidation be it verbal, physical, or visual among its stakeholders. Cognizance to R.A. 11313, also known as the Safe Spaces Act of 2018, DHVSU ensures to value the inherent dignity of every person. It shall continue to strive in creating mechanisms and provide protective measures and prescribe penalties corresponding to the act, at the same it shall promote transformative practices and supporting services that will address sexual and gender-based violence, thus creating a gender safe community. All stakeholders of the university are expected to refrain from giving derogatory comments, offensive jokes, unwelcome physical contact, and any conduct that creates an intimidating, hostile, or offensive work environment. They are expected to behave in a manner that reflects the core values of the university, which are professionalism, good governance, excellence, gender sensitivity and responsiveness, and disaster resiliency. They must conduct themselves according to moral values and established laws of the land. Any actions made by any stakeholder that are in contradiction to moral standards and implemented laws, rules, and regulations should be promptly reported to university officials and must be acted upon in the most efficient manner. Reports will be treated with the utmost confidentiality, and appropriate steps will be taken to investigate and resolve any concerns. Retaliation against individuals who report harassment or participate in an investigation is strictly prohibited. DHVSU is dedicated to ensuring safe spaces and a supportive environment where all stakeholders are treated with dignity and respect. It encourages open communication and continuous education to prevent and address any form of harassment.

### **II. Scope**

This policy shall apply to all the members of the DHVSU community, including the students, personnel, both teaching and non-teaching staff and all its stakeholders, regardless of gender, age, and economic status.

The DHVSU Anti-Harassment Policy covers discussions concerning the definition of harassment, the prohibited conducts, the complaint reporting process, the investigation process, legal compliance, and monitoring and evaluation. It shall outline the processes that should be taken for cases related to harassment among the administrators, faculty, non-teaching staff, students, and stakeholders of the university. It shall provide clear guidelines that will enable the officials to enforce efficiently the institutional rules and regulations governing student-to-student, employee-to-student, student-to-employee, and employee-to-employee harassment cases. It shall also identify the gravity of each form of offenses and their corresponding sanctions as well as the detailed due process that may take place.

### **III. Definition of Terms**

**Harassment.** This refers to any unwanted, disrespectful, or discriminating actions that make a person or group feel threatened, aggressive, or uneasy. Race, sex, gender, age, disability, religion,

sexual orientation, and other protected characteristics can all be the basis for harassment, which can take many different forms. It encompasses actions that hurt, denigrate, or mistreat someone and can significantly affect their physical, mental, and emotional health. The common forms of harassment are verbal, physical, sexual, emotional, visual, online, and discriminatory harassment.

**Low-Level Harassment.** This type of harassment involves behaviors that may be inappropriate but are less overtly harmful. These actions typically don't create a major disruption but can still make the target uncomfortable.

**Moderate Harassment.** This level involves more deliberate or frequent actions that create a more hostile environment. It can cause emotional distress and may begin to affect the individual's ability to work, study, or participate in social situations.

**Severe Harassment.** This type includes actions that cause significant emotional, psychological, or physical harm to the individual. This level of harassment involves serious, intentional misconduct that creates a significantly unsafe or threatening environment.

**Criminal Harassment.** This level is the most severe and involves behavior that violates laws, often leading to legal consequences. This type of harassment is illegal in many jurisdictions and typically involves physical violence or threats, stalking, or other forms of behavior that endanger the safety of the victim.

**Disciplinary Committee.** The Disciplinary Committee of the University holds jurisdiction over all complaints involving a student's grievance against another student or any member of the academic community, as defined in the Education Act of 1982, for actions falling within the grounds for disciplinary action outlined in this policy. It may extend to misconduct occurring outside the University premises, provided that it relates to a student's status or affects the University's regulations.

**Board on Student Discipline.** The Board on Student Discipline of the University reviews the records of the case forwarded to it by the Disciplinary Committee. It performs its appellate functions and as such, shall affirm or reverse the decision of the Disciplinary Committee. It may reduce or increase the penalty recommended by the Disciplinary Committee as it deems proper and just.

**Committee on Decorum and Investigation.** The Committee on Decorum and Investigation shall act on all received complaints against an employee of the academic institution. It shall likewise serve as a fact-finding committee who shall report all proceedings of the case to the administration for immediate action regarding a case.

**Reprimand.** This is a formal sanction that involves a written or verbal warning issued to an individual for their inappropriate behavior or misconduct. It serves as a corrective action intended to communicate that the behavior is unacceptable and must stop.

**Probation.** It is a disciplinary action in which an individual is placed under a period of observation and monitoring to assess their behavior and performance. During probation, the individual is expected to demonstrate improvement and adherence to the rules or policies that were violated. It is

typically used for more serious offenses or repeated misconduct, but not severe enough to warrant suspension or termination. Probation provides an opportunity for the individual to correct their behavior and avoid further disciplinary action.

**Suspension.** This sanction is a disciplinary action that temporarily removes an individual from their duties or responsibilities, usually for a defined period. Suspension is typically used for more serious offenses or violations, especially when the behavior is disruptive, harmful, or in violation of organizational policies. It serves as a strong message that the behavior is unacceptable while also providing the individual time to reflect on their actions.

**Termination.** This is the most severe form of disciplinary action an organization can take, resulting in the permanent removal of an individual, specifically an employee from their position or role within the organization. It is typically applied when other sanctions have failed to produce the desired behavior, or when the individual's actions are deemed too severe or disruptive to allow continued employment, study, or participation. Termination is often the final step in a progressive disciplinary process, although in cases of extreme misconduct, it may be immediate.

**Exclusion.** This is a disciplinary measure that permanently removes a student from the school environment due to serious breaches of behavior or violations of school policies. Exclusion is typically reserved for severe or repeated offenses that disrupt the school community or pose a risk to the safety and well-being of others. It can be seen as the final step in the progressive disciplinary process, though in some cases, it may be imposed immediately for extreme incidents.

**Summary Proceedings.** - In summary proceedings, no formal investigation is necessary and the respondent may be immediately penalized if certain elements, as outlined in this policy, are immediately present.

#### **IV. Roles and Responsibilities**

**Teacher.** The faculty member has the sole responsibility to discipline any student judged guilty of the offenses conforming to harassment. Should the offensive behavior merit a penalty, a recommendation for disciplinary action is made by the teacher concerned in coordination with the Department Head/Discipline Coordinator to the College Dean/Campus Director/Principal.

**Department Head/Prefect of Discipline.** The Department Head/Prefect of Discipline may conduct his/her investigation of the case and recommend re-trial, as the case may be, to the College Dean/Campus Director/Principal. If the submitted case by the concerned teacher needs no further investigation or re-trial, the Department Head/Prefect of Discipline shall submit the final resolution of the case to the College Dean/Campus Director/Principal.

**College Dean/Campus Director/Principal.** The College Dean/Campus Director/Principal is the next higher body who decides on the gravity or seriousness of the offense as reported by the teacher and as determined, through the due process of investigating the case by the Department Head/Prefect of Discipline. Offenses classified as academic in nature fall within the jurisdiction of the College

Dean/Campus Director/Principal. In cases wherein the student has committed an offense other than those that are academic in nature, the College Dean/Campus Director/Principal, in coordination with the Director of Student Affairs, shall determine the gravity or seriousness of the offense as indicated in the updated and approved Student Manual and may resolve the matter within his/her jurisdiction and provide a copy of the resolved case to the Office of Student Affairs within a set period after the resolution of the case.

**Director of Student Affairs.** The Director of Student Affairs determines the violation committed by any student or organized group of students based on the updated and approved Student Manual, in connection with activities conducted outside the classroom but within the University. Likewise, University offenses that are investigated and acted upon by the Director of Student Affairs are those cases not resolved at the level of the College Dean/Campus Director/Principal.

**Student Disciplinary Committee.** The Student Disciplinary Committee of the University holds jurisdiction over all complaints involving a student's grievance against another student or any member of the academic community, as defined in the Education Act of 1982, for actions falling within the grounds for disciplinary action outlined in this policy. It may extend to misconduct occurring outside the University premises, provided that it relates to a student's status or affects the University's regulations. The Committee is chaired by the Director of Student Affairs, responsible for presiding over case hearings and deliberations. The President of the University Student Council serves as a member. If applicable, the President of the club or organization to which the erring student belongs also acts as a member. The Dean of the College/Campus Director or Principal of the erring student also sits as a member. The designated Discipline Coordinator from the relevant College or Department serves as a member and also takes on the role of the Committee's secretary. A representative from the Guidance and Counseling Office participates as a non-voting member. A Faculty Adviser may be invited to join as a member when necessary. A Faculty member with sufficient legal background is appointed as the Legal Adviser to the Committee.

The committee's primary role is to accept complaints from students or any member of the academic community against students who have committed acts falling within the grounds for disciplinary action outlined in the updated and approved Student Manual. The committee is responsible for conducting a thorough and formal investigation of complaints filed to the Office of Student Affairs. Whenever the need arises, the committee is authorized to conduct expedited reviews of complaints, or even a summary proceeding whenever applicable. The goal is to arrive at a fair and impartial decision regarding the allegations. The committee is tasked with maintaining comprehensive records of all cases while ensuring the confidentiality of the parties involved. Additionally, they are responsible for submitting reports of their actions and achievements as mandated by the Board on Student Discipline.

**Board on Student Discipline.** The Board on Student Discipline of the University reviews the records of the case forwarded to it by the Disciplinary Committee. It performs its appellate functions and as such, shall affirm or reverse the decision of the Disciplinary Committee. It may reduce or increase the penalty recommended by the Disciplinary Committee as it deems proper and just. The Board on Student Discipline shall be composed by the Executive Vice President as the chairperson, the Vice President for Student Affairs and Services as the co-chairperson, the Director for Student Affairs as a member, the College Dean/Campus Director/Principal as a member, a Guidance Counselor as a

non-voting member, the President of the University Student Council as a Member, Governor of the erring student as a member, and the Class Adviser of the student as an optional voting member.

**Committee on Decorum and Investigation.** The Committee on Decorum and Investigation is the counterpart of the Committee and Board on Student Discipline and shall act on cases filed against any employee of the university. In an educational or training institution, the Committee shall be composed of at least one (1) representative from the administration, teaching and non-teaching staff and students or trainees, as the case may be, duly selected by the level concerned.

## **V. Policy Details and Procedures**

When a **student harasses another student (or an employee)**, the following procedures shall be implemented:

Steps	Person/s in Charge	Description
Filing of Complaint	The student (or Employee) Faculty Adviser	The harassed student (or employee) shall file a formal complaint to the faculty adviser bearing all pertinent details of the incident such as the identity of the student being complained, the date and time of the incident, details of the incident, and supporting evidence if there is available.
Preliminary Investigation	Faculty Adviser Department Head/Prefect of Discipline	The faculty adviser and the department head/prefect of discipline shall immediately conduct a preliminary investigation considering all the merits of the complaint filed by the student (or employee) and shall send a corresponding report to the College Dean/Campus Director/Principal. If a <i>prima facie</i> case does not exist with regard to the complaint, the College Dean/Campus Director/Principal may dismiss the case.
Investigative Meeting	College Dean/Campus Director/Principal	If the case pursues, the College Dean/Campus Director/Principal may call a meeting with all the students and personnel involved, including the parents of the involved students to

		conduct a thorough investigation and correspondence of the case.
Resolution of the Case	College Dean/Campus Director/Principal Director for Student Affairs	If it is proven that the erring student really has committed the actions he/she is being complained of, the College Dean/Campus Director/Principal, in coordination and consultation to the Director for Student Affairs shall decide on the penalty/sanction that must be imposed to the erring student.
<b>For offenses that may merit the penalty of probation, suspension, or exclusion, the College Dean/Campus Director/Principal may transfer the jurisdiction of the case to the Director of Student Affairs and shall implement these additional procedures:</b>		
Assembly of the Student Disciplinary Committee	Members of the Student Disciplinary Committee	The Director of Student Affairs as chairperson of the Student Disciplinary Committee must discuss with the members of the committee the merits of the case and may invite the involved students (and/or employee) if the need arises. The committee then shall decide on the penalty that may be imposed to the student in conformity with all the approved mechanisms and guidelines outlined in this policy.
Approval of the Sanction	Director of Student Affairs Board on Student Discipline	The Director of Student Affairs as chairperson of the Student Disciplinary Committee must report the proceedings of all meetings and investigations conducted in connection to the case and must seek the recommendation of the Board on Student Discipline for any sanction that may be imposed to the erring student to the University President.
Serving of the Approved Sanction	The Erring Students and Parents/Guardian College Dean/Campus Director/Principal Director for Student Affairs	The Director of Student Affairs as chairperson of the Student Disciplinary Committee must personally serve the parents/guardian of the erring student the approved

		resolution determining the sanction that will be imposed to their child/ward and explain the details of the said sanction.
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A **Summary Proceeding** where no formal investigation is necessary and the respondent may be immediately penalized may be implemented if any of the following elements is present:

- When the violator/offender is caught in the act by any person in authority;
- When the evidence of guilt is strong;
- When the violator/offender is a habitual offender, that he/she has been punished for three (3) times, as shown by his/her records for the same or different offenses, and;
- When the respondent freely admits his guilt in writing during a preliminary inquiry thereby rendering the formal investigation unnecessary.

After the summary proceedings, the Student Disciplinary Committee shall submit a report on the case to the Board on Student Discipline, which in turn will make its recommendation to the University President within five (5) working days on the penalty. The University President shall issue the order of execution of the penalty. This procedure shall also be applied to regular cases which did not undergo a summary proceeding. Any decision rendered, whether as a result of a formal investigation or summary proceedings, shall be in writing stating the grounds for which the disciplinary penalty is imposed. When not appealed within the prescribed period, the penalty shall become final and executory.

Meanwhile, when **an employee harasses another employee (or a student)**, the following procedures shall be implemented:

Steps	Persons in Charge	Description
Filing of Complaint	The Employee (or Student) Committee on Decorum and Investigation	The harassed employee (or student) shall file a formal sworn complaint directly to the Committee on Decorum and Investigation bearing all pertinent details of the incident such as the identity of the employee being complained, the date and time of the incident, details of the incident, and supporting evidence if there is available.
Preliminary Investigation	Committee on Decorum and Investigation	The Committee on Decorum and Investigation shall immediately conduct a preliminary investigation

		considering all the merits of the complaint filed by the employee (or student). A preliminary investigation shall commence within a non-extendible period of five (5) days upon receipt of the complaint by the disciplining authority and shall be terminated within twenty (20) days thereafter. However, the disciplining authority may extend such periods in meritorious cases.
Investigation Report	Committee on Decorum and Investigation	Within five (5) days from the termination of the preliminary investigation, the investigating officer/body shall submit the Investigation Report with recommendation and the complete records of the case to the disciplining authority, in this case the administrative council. If a <i>prima facie</i> case is established after preliminary investigation, the disciplining authority may issue either a formal charge or a notice of charge pursuant to existing rules of the institution. In the absence of a <i>prima facie</i> case, the complaint shall be dismissed.
Notice of Formal Charge	Committee on Decorum and Investigation	After a finding of a <i>prima facie</i> case, the disciplining authority shall formally charge the person complained of, who shall now be called as respondent. The formal charge shall contain a specification of charge, a brief statement of material or

		relevant facts, which may be accompanied by certified true copies of the documentary evidence, sworn statements covering the testimony of witnesses, a directive to answer the charge in writing, under oath in not less than three (3) days but not more than ten (10) days from receipt thereof, an advice for the respondent to indicate in the answer whether or not a formal investigation is demanded, and a notice that respondent may opt to be assisted by a counsel.
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The disciplining authority shall not entertain requests for clarification, bills of particulars, motions to dismiss, motions to quash, motions for reconsideration and motion for extension of time to file answers. The same shall be noted without action and attached to the records of the case.

The answer, which is in writing and under oath, shall be specific and shall contain material facts and applicable laws, if any, including original or certified copies of documentary evidence, sworn statements covering testimonies of witnesses, if there be any, in support of one's case. When the disciplining authority determines that the answer is satisfactory, the case shall be dismissed. Otherwise, the investigation shall proceed. If respondent fails or refuses to file an answer to the formal charge or notice of charge within the given period, he/she shall be considered to have waived his/her right to submit the same and the case shall be decided based on available records.

Conduct of Formal Investigation	Committee on Decorum and Investigation	A formal investigation shall be conducted where the merits of the case cannot be decided judiciously without conducting such investigation or when the respondent elects to have one, in which the investigation shall be held not earlier than five (5) days nor later than ten (10) days receipt of the respondent's answer or upon the expiration of the period to answer. Said
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		investigation shall be finished within thirty (30) days from the issuance of the Formal Charge unless the period is extended by the disciplining authority or its representative.
Serving Finality of Decision	Committee on Decorum and Investigation  Disciplining Authority (Administrative Council)	<p>The disciplining authority shall decide the case within thirty (30) days from receipt of the Formal Investigation Report. A decision rendered by the disciplining authority whereby a penalty of reprimand, or suspension for not more than thirty (30) days or a fine in an amount not exceeding thirty (30) days' salary is imposed, shall not be appealable. It shall be final and executory unless a motion for reconsideration is seasonably filed. However, the respondent may file an appeal or petition for review when the issue raised is a violation of due process.</p> <p>If the penalty imposed is suspension exceeding thirty (30) days, or fine in an amount exceeding thirty (30) days' salary, or termination/dismissal from service, the decision shall be final and executory after the lapse of the reglementary period for filing a motion for reconsideration or an appeal and no such pleading has been filed.</p>

Consequently, the following classifications of offenses and their corresponding sanctions shall be adopted and executed upon the resolution of the case or the approval of the sanction by the Board:

Offense	1st Offense	2nd Offense	3rd Offense
Low-Level Harassment <ul style="list-style-type: none"> <li>• Inappropriate jokes or comments</li> <li>• Stalking, unwanted attention</li> <li>• Teasing, name calling</li> <li>• Foul comments or remarks</li> <li>• Unnecessary physical contact</li> <li>• Annoying communication</li> </ul>	Reprimand (for students and employees)	Probation (for students and employees)	Suspension (for students and employees)
Moderate Harassment <ul style="list-style-type: none"> <li>• Physical intrusion</li> <li>• Persistent inappropriate comments or jokes</li> <li>• Malicious staring or leering</li> <li>• Spreading vicious gossips or rumors</li> <li>• Unwanted flirtation</li> <li>• Excessive staking/surveillance</li> </ul>	Probation (for students and employees)	Suspension (for students and employees)	Exclusion (for students) and Termination (for employees)
Severe Harassment <ul style="list-style-type: none"> <li>• Threats of violence/death</li> <li>• Severe cyberbullying</li> <li>• Defamation/character assassination</li> <li>• Severe verbal abuse</li> <li>• Severe bullying</li> <li>• Exploitation or blackmail</li> <li>• Sexual Harassment</li> </ul>	Suspension (for students and employees)	Exclusion (for students) and Termination (for employees)	
Criminal Harassment <ul style="list-style-type: none"> <li>• Trespassing</li> <li>• Rape</li> <li>• Revenge porn</li> <li>• Exhibition</li> <li>• Sex for favor</li> <li>• Touching of private parts</li> <li>• Unauthorized recording of an individual</li> <li>• Unauthorized release of private and sensitive information</li> <li>• Physical assault</li> <li>• Destruction of facilities and properties</li> <li>• False accusation/reporting to authorities</li> </ul>	Exclusion (for students) and Termination (for employees)		
<p>For third-party service providers, contractors, personnel of partner institutions, guests, and visitors who have committed any offense against a student or an employee of the university, the following penalties shall be imposed:</p> <p><b>1st Offense (Low-Level and Moderate Harassment) - Reprimand by the HEI Officials</b>  <b>2nd Offense (Low-Level and Moderate Harassment) - Permanent Ban in the HEI</b>  <b>1st Offense (Severe and Criminal Harassment) - Permanent Ban in the HEI</b></p>			

## VI. Monitoring and Review

The Office of Student Affairs, the Student Disciplinary Committee, the Board on Student Discipline, the Committee on Decorum and Investigation, and the Administrative Council will work hand in hand in ensuring that the provisions of this policy will be promptly enforced. All reports concerning

cases that have been filed to and received by authorized committees will be submitted to the top management for their ready reference and regular review. This policy will be regularly reviewed to conform with latest and updated issuances from competent agencies of the government.

## **VII. Consequences of Non-Compliance**

All personnel involved in the enforcement of the provisions outlined herein are responsible for ensuring compliance with this policy. Orientation on updated processes must be carried out by committee heads to ensure that all processes are performed consistent to the approved policy. Individuals who will perform in violation of this policy will face disciplinary measures as outlined in relevant manuals implemented in the University.

## **VIII. References**

*Commission on Higher Education Memorandum Order No. 3, series of 2022. Guidelines on Gender-based Sexual Harassment in Higher Education Institutions.*

*Don Honorio Ventura State University Administrative Manual of Operations (2024). Part VI: Personnel Discipline. (p) 138-155*

*Don Honorio Ventura State University Code (2021). Book V, Chapter 1: Rights, Duties, and Responsibilities of Students. Sections 4-9, (p) 124-130*

*Don Honorio Ventura State University Student Manual (2019). Part VI, Article I: Policies Relating to Standards of Conduct on Campus. Sections 74-82, (p) 97-119*

*R.A. 7877: The Anti-Sexual Harassment Act of 1995*

*R.A. 11313: The Safe Spaces Act of 2018*