

ULK POLYTECHNIC INSTITUTE

UPI



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HARASSMENT POLICY FOR STUDENTS AND STAFF

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CREATION, VISION, MISSION, PHILOSOPHY, MOTTO, VALUES, OBJECTIVES, RESPONSIBILITIES AND POWERS

Article 1: CREATION

ULK Polytechnic Institute (UPI) a private technical higher learning institution created in 2014 and now governed by the new law no 010/2021 of 16/2/2021 determining the organization of of Education and the Ministerial order No 001/MINEDUC/2021 of 20/10/2021 determining standards in Education, and the Ministerial order No 003/MINEDUC/2021 of 20/10/2021 determining Rwanda Qualification Framework.

Article 2: VISION

In line with the vision of the Government of Rwanda to promote practical skills, ULK Polytechnic Institute aims to stand out as a remarkable Institute for excellence with hands on skills and highly motivated students endowed with elevated ethical values.

Article 3: MISSION

The Mission of ULK Polytechnic Institute is to educate, teach, conduct technical projects and serve the community. The fundamental mission of ULK Polytechnic Institute is to provide the students with competitive, creative, innovative skills, which will contribute to find solutions on the labor market.

Article 4: PHILOSOPHY

The philosophy of ULK Polytechnic Institute is based on four fundamental principles:

- To have faith in God;
- To know one's mission on earth;
- To live ethical values;
- To have positive thoughts.

Article 5: MOTTO

The motto of ULK Polytechnic Institute is “**Science, Conscience and Skills**”.

Article 6: OBJECTIVES

ULK Polytechnic Institute has the following objectives:

- To contribute to capacity building hands on skills based;
- To promote projects innovation for serving the community;
- To provide middle technicians with technical trainings to meet the community needs;

- To provide service to the community;
- and self-employers;
- Etc...

Article 7. Responsibilities of ULK Polytechnic Institute

The main responsibilities of ULK Polytechnic Institute are the following:

1. To carry out and promote technological disciplines according to labor market demand at the national and regional level;
2. To collaborate with other institutions to ensure their dissemination in order to contribute to the promotion of development at the national, regional level and worldwide;
3. To provide the student with knowledge, hands on skills, technology and education for innovation and self-employment;
4. To promote the national culture with end-purpose of promoting technical education that meets Rwandan needs;
5. To contribute to resolution of issues related to national development;

Article 8: Powers of ULK Polytechnic Institute

ULK Polytechnic Institute has the following powers:

1. To award A1 Advanced Diplomas offered in accordance with the law;
2. To award Diploma and Certificates to candidates who successfully complete training courses;
3. To conclude cooperation agreements with different organs in charge of education, either national or foreign institutions of higher learning;
4. To organize trainings for lecturers in order to be competitive at the international level.
5. To promote lecturers to academic ranks;

Article 9: Founder and President's Office

The Founder and President's Office comprises:

- Founder and President of the ULK Polytechnic Institute;
- Advisors;
- The Committee of Auditors.

Article 10: Attributions

The attributions of the Founder and President are:

- To represent legally the Institution;
- To designate the Chancellor to be approved by the Governing Body;
- To appoint and cancel the appointment of any member of the Governing Body;
- To designate members of Executive Organ to be approved by the Governing Body;
- To appoint and dismiss ULK Polytechnic Institute authorities;
- To appoint and dismiss members of the auditors committee;
- To ratify activities programs and the ULK Polytechnic Institute budget;
- To decide about the ULK Polytechnic Institute investments and extension;
- To decide about equivalence between levels of studies.
- To decide about the strategic plan of the UPI.

Article 11: Advisors

The Advisors of the Founder and President Office are in charge of the day-to-day coordination of activities of the Founder and President's Office.

Article 12: Committee of Auditors

The Committee of financial Auditors carries out the financial control of financial statements, bank accounts, and the quality of service provided by the ULK Polytechnic Institute organs. Its members shall check all accounting documents without moving them from the place where they are kept.

The Committee of Academic Auditors carries out the academic control of the content of module syllabus and notes, the veracity of marking, students' marks, etc.

Article 13: Type of Institution

UPI is a private education institution, which complies with education standards in Rwanda and is subject to regular inspection by the National agency in charge of the inspection of education institutions for the category to which such an education institution belongs.

Article 14. Cycles in each category of education

UPI comprises one cycle, which is the Advanced Diploma award

Article 15. Establishment

UPI is an established private education institution undertaking the education development with a focus on courses (Construction Technology, Land surveying engineering, Electrical Technology, Electronics & Telecommunication Technology). These courses are needed in the country and on the labour market in Rwanda

Article 16. Management

UPI is managed by the owner in accordance with education law, ministerial orders, education policies and other relevant laws in managing private organisations without prejudice to the interests of Education.

Article 17: Management organs

UPI management organs are the following:

1. The Chancellery,
2. The Governing Body,
3. Executive organ,
4. Academic Senate,
5. Senior management committee.

The Principal of UPI is designated by the owner and approved by the Governing Body.

The Principal of UPI is responsible for presiding over the academic year opening ceremonies, graduation ceremonies and awarding of other merit titles and may also attend other events or meetings if necessary.

Article 18: Harassment Policy for Students and Staff

As an educational institution, UPI is committed to maintaining an environment, in which its students, administrators and staff members are safe, can be trusted and count on others to be trustworthy, receive and extend to others respect as human beings. Indeed, mutual respect among school members, students, staff persons and administrators is an essential ingredient in the educational process and the greatest care must be taken that it not in any way be eroded. This policy sets forth UPI procedures for addressing discrimination and harassment complaints based on a protected characteristic as defined herein involving departments, students, administrators, staff, and other stakeholders. Some conduct, which may not constitute such harassment, may still violate the standards of conduct set forth in the provisions of UPI Student Code of Conduct, HR policy, UPI Internal Regulations, or other UPI policies. To the extent the conduct in question does not constitute harassment as defined in this policy, the provisions of such other Handbooks, rules or policies are applicable. To the extent that the terms of a collective bargaining agreement contain procedures which differ from this policy, the collective bargaining agreement shall control.

Article 19: Policy Scope

This policy applies to all applicants, students, and employees and prohibits harassment whether engaged in by a fellow student or employee, a supervisor or manager, or persons conducting business with or visiting UPI, or any behaviour that takes place at a UPI sponsored event. This policy is inclusive of all members of UPI community. In this policy, the term "UPI community" is used to refer to faculty, staff, administrators, students and others affiliated with UPI because of employment or education.

Article 20: On-Campus and Off-Campus Behaviour

This policy applies to conduct that occurs on any part of UPI's campuses or property. It also applies to online speech, such as social networking sites, and when UPI community members travel off-campus as part of a UPI sponsored activity, team, organization or event. Additionally, UPI has the discretion to extend the reach of this policy to conduct prohibited behaviour under this policy that occurs off-campus, and/or during a time when UPI is not in session.

Article 21: Some of the forms of Harassment

An example of sexual harassment is well identified under this heading. However, sexual misconduct refers to all forms of irregular sexual advances made towards either UPI staff or students. The interpretation of sexual misconduct in the context of UPI therefore includes, but is not limited to activities such as:

- i) Inappropriate messaging of or amorous conversations of a sexual nature between staff, or between staff and students
- ii) staff exhibiting amorous behaviour with students or subordinates and exploiting relationships with subordinate staff or students for sexual ends
- iii) Staff using their position of power to elicit sexual or monetary gratification from students in order to confer marks or similar benefits to them
- iv) Staff conferring undue favours to influence subordinate staff or students to yield to sexual desires. Any such behaviour will be interpreted as sexual misconduct even in situations where the subordinate staff or student initiates the sexual advances.
- v) Sexual Assault of any form, whether in brick-and-mortar or digital/virtual spaces
- vi) Retaliatory and abusive behaviours directed towards either former relationship partners or individuals who have rejected the sexual advances of another

vii) Sexual intimidation.

Article 22: Prohibited behaviour

The UPI prohibits harassment and discrimination on the basis of race, creed, colour, religion, national origin, sex or gender identity, age, disability, sexual orientation, marital status, ethnicity, genetic predisposition or carrier status, pregnancy, veteran or military status, citizenship status or any other characteristic protected by law (collectively referred to hereafter as "harassment"). Harassment will not be sanctioned or tolerated by the University. As is described in more detail below, allegations of harassment should be brought to the attention of the Principal for appropriate measures.

Article 23: Harassment Policy provisions

This policy is designed to provide a fair and reliable procedure to determine whether the policy has been violated. If a violation is found, UPI will implement prompt and effective remedies designed to end the harassment, prevent its recurrence and address its effects.

Article 24: Policy violations

In cases of UPI employees' violations of this harassment policy, this act will be considered as misconduct on the part of the employees and will be subject to institutional sanctions, including possible termination of employment. The imposition of sanctions may be governed by the procedures and provisions specified in UPI internal Regulations and UPI HR management policy. Additionally, this policy explains the UPI's approach to investigating, adjudicating and imposing discipline for acts of harassment.

Article 25: Timeframe for Making a Complaint

While there is no time limit for bringing forward a complaint under this policy, the passage of time may make an incident difficult or even impossible to investigate fairly or fully and to adjudicate. Therefore, complainants are encouraged to make a complaint as soon as possible after the incident has occurred.

Article 26: Informal Resolution

An individual who feels that he or she has been the victim of harassment may choose to seek an informal resolution of the problem. However, certain allegations of harassment are not appropriately handled through informal mechanisms and UPI at all times retains the right to investigate any complaint in a formal manner or take whatever other action it deems appropriate, with or without the complainant's consent. More so, at any time during or following the conclusion of the informal resolution process, the complainant has the right to discontinue or bypass informal resolution and initiate a formal complaint. Similarly, at any time during or following the conclusion of the informal resolution process, UPI has the right to investigate and handle the complaint in a formal manner, with or without the complainant's consent.

Article 27: UPI Legal Representatives

UPI legal representatives exist on the campus to assist anyone who believes they may have been a victim of harassment and wishes to seek an informal resolution. Complainants may contact any of the Campus Legal representative to initiate the informal complaint process. "UPI legal Representatives" are universities employees who have been selected based upon their skill in resolving issues, knowledge of harassment, training, and willingness to dedicate the time and resources necessary for completion of their responsibilities as assigned. Legal representatives are instructed on how to respond to allegations of harassment and are kept up-to-date on UPI current policies. They stand prepared to provide information on the avenues of recourse available to resolve the complaint. The individuals serving as Legal Representatives may change at any time.

Article 28: Roles of UPI Legal Representatives in this policy

Legal Representatives can assume the following roles: meet with individuals who allege that they have been victims of harassment; clarify the definitions of harassment and discuss how these definitions may or may not pertain in the circumstances described by the complainant; discuss with the complainant whether counselling should be considered based upon the circumstances; assist the complainant in filing a written complaint regarding the harassment where appropriate; facilitate the filing of a complaint with the Assistant Principal; participate in on-going education for the campus community regarding matters of harassment to include the creation and dissemination of appropriate educational materials about harassment, and conduct or host seminars or training sessions for all members of UPI community.

Article 29: Advisors

Each party has the right to choose and consult with an advisor. The advisor may be any person who is not otherwise a party or witness involved in the investigation. The choice of whether or not to invite an advisor is solely that of the complainant and respondent. The parties may be accompanied by their respective advisors at any meeting or proceeding related to the investigation of a complaint under this policy. Advisors cannot actively participate or speak on behalf of the complainant or respondent. If any advisor's conduct is not consistent with these guidelines, he or she may be excluded from the process.

Article 30: Formal Reporting Procedures

Complainants have the right to, and can expect to have, incidents of harassment taken seriously and to have those incidents investigated and properly resolved through administrative procedures. Witnesses are expected to cooperate fully with an investigation and share their knowledge of any incident in a truthful and honest manner. Formal reporting means that only people who need to know will be told and information will be shared only as necessary with investigators, witnesses, and the respondent.

Article 31: Retaliation

Victims have the right to report harassment in good faith without fear of retaliation. Retaliation includes threats, intimidation, or reprisals. Retaliation occurs when an adverse action is taken against an individual because the individual has engaged in an activity protected by law or this policy. For example, it would be retaliatory to intimidate a witness or to shun a person from a student organization in retribution for the person's having made a complaint of harassment. UPI strictly prohibits retaliation by anyone against a person who makes a report of harassment or assists someone with a report, or participates in any aspect of the investigation or resolution of a report. Acts of retaliation are subject to the disciplinary procedures.

Article 32: Sanction

In assessing a disciplinary penalty, the seriousness of the harassment incident will be evaluated. Although relatively minor incidents usually result in lesser forms of disciplinary action, UPI reserves the right to impose discipline upon any staff person or administrator who has been found to have violated this policy, including reprimand, suspension for a stated period with or without pay, termination of employment or such other responsive actions

deemed appropriate for any act of discrimination or harassment, based on the facts and circumstances of the particular case. The sanction will depend on the position of school member as follows:

- ❖ Any employee who has been found to be in violation of this policy will be subject to disciplinary action. The appropriate line manager in relation to that person's position within UPI imposes sanctions on an employee found in violation of this Policy according to internal regulations.
- ❖ Any student who has been found to be in violation of this policy will be subject to disciplinary action as determined by the Director of Students services, which may range from a warning to expulsion, depending upon the severity of the violation.

Article 33: Appeal

All appeals will be conducted in a fair, impartial, and equitable manner. The disciplinary decision may be appealed by a written notice within ten (10) working days of receiving the written decision for a review of the judgment or the sanctions imposed.

The ONLY grounds for appeal are as follows:

1. A procedural or substantive error occurred that significantly impacted the outcome of the investigation (e.g. substantiated bias, material deviation from established procedures, etc.).
2. To consider new evidence, unavailable during the original investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included.
3. The sanctions imposed are substantially disproportionate to the severity of the violation.

Any party who files an appeal must do so in writing to the appropriate line manager in relation to that person's position within UPI, who will share the appeal with the non-appealing party. The non-appealing party is given an opportunity to review the appealing party's submissions and submit a written response.

All appeals and responses are then reviewed by a panel composed of three staff nominated by the Principal (the "Appeal Panel") to determine if the appeals meet the grounds for appeal and is timely. The Appeal Panel shall not include any staff who was involved at the investigation or sanctioning phase described herein. The Appeal Panel will review the written appeal and evidence and will then determine if the original sanction either stands or if it is

reduced or removed altogether. Except for appeals brought under (2) above, the Appeal Panel's entire review process will be based on the party's appeal, the non-appealing party's response to the appeal, if any, and the Appeal Panel's record of the case. Otherwise, no additional evidence is allowed and no witnesses may be heard. The Appeal Panel will make a final determination on the appeal and issue a final determination letter to the respondent and the complainant. The decision of the Appeal Panel is final.

Dr. MBEREYAHU Leopard

Chairperson of UPI Governing Body