

Anglo-American University

Policy on Relationships, Sexual Misconduct, Discrimination, and Harassment

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A. General Provisions

- i. This policy supplements the Anglo-American University (AAU) Academic Codex. All relevant provisions in the Academic Codex also apply to this policy. AAU strives to provide a place of work and study free of sexual misconduct, harassment, discrimination, intimidation, exploitation, and/or other forms of misconduct. Where misconduct has occurred, AAU policies describe steps that can and should be taken to address and stop the misconduct, prevent its recurrence, and take appropriate action against those responsible. AAU also strives to implement restorative justice principles where and when it is in the best interest of, and with consent by, all parties involved.
- ii. This policy applies to all students, faculty and staff of the University, as well as others who participate in the University’s programs and activities. Its application includes the University’s programs and activities both on and off-campus, including programs and activities abroad. It is expected that students, faculty, staff and other individuals covered by this policy will treat one another with respect and will abide by the policies herein.

B. Policy Definition of Sexual Misconduct and Prohibited Conduct

1. Sexual Misconduct in General

- i. Unwelcome sexual advances, requests for sexual favors, and other visual, verbal or physical conduct of a sexual nature constitute sexual misconduct when
 - (a) it is implicitly or explicitly suggested that submission to, or rejection of, the conduct will be a factor in academic or employment decisions or evaluations, or permission to participate in a University activity; and/or
 - (b) the conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance and/or creating an intimidating or hostile academic or work environment.
- ii. Determining what constitutes sexual misconduct depends on the specific facts and context in which the conduct occurs. Sexual misconduct may take many forms: subtle and indirect or blatant and overt. For example, it may be, but is not limited to, conduct toward an individual of the opposite sex or the same sex; it may occur between peers or between individuals in a hierarchical relationship; be aimed at coercing an individual to participate in an unwanted sexual relationship; have the effect of causing an individual to change behavior or work performance; consist of repeated actions or may even arise from a single incident if sufficiently egregious.

- iii. Consent is explicit permission for sexual activity and can only be given by one of legal age. Consent can be given by word or action, but nonverbal consent is more ambiguous than explicitly stating one's wants and limitations. Consent to one form of sexual activity should not, and cannot, be taken as consent to any other sexual activity. Individuals who consent to sex must be able to fully understand what they are doing. Under this policy, "No" always means "No" and "Yes" may not always mean "Yes." For example, when alcohol or other drugs are used, a person will be considered unable to give valid consent if the person cannot appreciate the who, what, where, when, why, or how of a sexual interaction. In addition, silence – without clear actions demonstrating permission – cannot be assumed to indicate consent. Finally, there is a difference between seduction and coercion; coercion is understood as unreasonably pressuring another person for any sexual activities. Coercing someone into engaging in sexual activity violates this policy in the same way as physically forcing someone into engaging in sexual activity.

2. Prohibited Conduct

AAU recognizes the following forms of Explicitly Prohibited Conduct:

- i. Discrimination. Discrimination occurs when an individual suffers an adverse employment, academic, or other decision based on an individual's race, color, ethnic origin, sex, gender, age, religion, creed, language, political or other convictions, national or social origin, means, disability, birth, status or other circumstances.
- ii. Discriminatory Harassment. Discriminatory harassment is defined as unwanted verbal, visual, or physical conduct that denigrates or shows hostility against an individual's race, color, ethnic origin, sex, gender, age, religion, creed, language, political or other convictions, national or social origin, means, disability, birth, status or other circumstances.
- iii. Bullying or Cyberbullying. Repeated, persistent and/or aggressive behavior intended to cause fear, distress, or harm to another person's body, emotions, self-esteem or reputation, either in person or via other forms of communication or media.
- iv. Sexual Harassment. Sexual harassment is any unwelcome sexual advance, request for sexual favors or other conduct of a sexual nature, whether verbal, graphic, physical, or otherwise. Sexual harassment includes, but is not limited to, situations where:
 - (a) Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of an individual's education, employment or participation in other AAU programs and/or activities or is used as the basis for AAU decisions affecting the individual (often known as "quid pro quo" harassment); or
 - (b) Such conduct creates a hostile environment. A "hostile environment" exists when the conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefiting from the University's education or employment programs and/or activities. Conduct must be deemed severe, persistent, or pervasive from both a subjective and an objective perspective. When evaluating whether a hostile environment exists, AAU will consider the totality of known circumstances, including but not limited to:
 - The frequency, nature and/or severity of the conduct;
 - Whether the conduct was physically threatening;
 - The effect of the conduct on the complainant's mental or emotional state;
 - Whether the conduct was directed at more than one person;
 - Whether the conduct arose in the context of other discriminatory conduct;
 - Whether the conduct unreasonably interfered with the complainant's educational or work performance and/or participation in or enjoyment of AAU programs and activities; and/or
 - Whether the conduct implicates concerns related to academic freedom or protected speech.

A hostile environment can be created by persistent or pervasive conduct or by a single or isolated incident, if sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the conduct is physical. A single incident of sexual assault, for example, may be sufficiently severe to constitute a hostile environment. In contrast, the perceived offensiveness of a single verbal or written expression, standing alone, is typically not sufficient to constitute a hostile environment.

- v. **Sexual Violence.** Sexual violence includes acts such as rape, dating and domestic violence, sexual assault, sexual exploitation, stalking, and other forms of nonconsensual sexual activity; or violence or harassment based on sexual orientation. Consent is defined as words or conduct indicating a freely given agreement to have sexual intercourse or to participate in sexual activities. Sexual contact will be considered “without consent” if no clear consent, verbal or nonverbal, is given; if inflicted through force, threat of force, or coercion; or if inflicted upon a person who is unconscious or who otherwise reasonably appears to be without the mental or physical capacity to consent. Sexual violence can also arise if consent is withdrawn in an otherwise consensual situation. Consent can be withdrawn at any time. However, withdrawal of consent should be made clear to the other person(s). Categories of sexual violence include, but are not limited to, the following:
- (a) **Dating Violence.** Dating violence is defined as violence or abusive behavior against an intimate partner (romantic, dating, or sexual partner) that seeks to control the partner or has caused harm to the partner (the harm may be physical, verbal, emotional, economic, or sexual in nature). The existence of such a relationship shall be determined based on consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of the interaction between the persons involved in the relationship.
 - (b) **Domestic Violence.** Domestic violence is defined as violence or abusive behavior committed by a current or former spouse, by an individual with whom the person shares a child in common, by an individual who is cohabitating with or has cohabitated with the person as a spouse or intimate partner, by an individual similarly situated to a spouse of the person under the domestic or family violence laws of the jurisdiction in which such conduct occurred, or by any other individual against the person who is protected from that individual’s acts under the domestic or family violence laws of the jurisdiction in which such conduct occurred.
 - (c) **Rape.** Rape is defined as any act of sexual intercourse or sexual penetration of any orifice of the body with a body part or other object that takes place against a person’s will or without consent, or that is accompanied by coercion or the threat of bodily harm.
 - (d) **Sexual Assault.** Sexual assault is defined as any intentional sexual touching with any object(s) or body part(s) that is against a person’s will or without consent or that is perpetrated through coercion or threat of bodily harm.
 - (e) **Sexual Exploitation.** Sexual exploitation is taking sexual advantage of another, for one’s own advantage or benefit, including acts of revenge, or to benefit or advantage anyone other than the one being exploited. Examples include, but are not limited to, recording, photographing or transmitting sexual photos, sounds, images or other information; voyeurism; indecent exposure; prostituting or soliciting another person; inducing incapacitation to commit acts of sexual misconduct; knowingly exposing another person to sexually transmitted infection (STI) or human immunodeficiency virus (HIV).
 - (f) **Stalking.** Stalking is defined as repeated, unwanted contact with any person, including contact by electronic means or by proxy, or the credible threat of repeated contact with the intent or effect of placing a reasonable person in fear for their safety or the safety of their family or close acquaintances or inflicting substantial emotion distress on the person.
- vi. Other Forms of Misconduct as Prohibited in the Academic Codex, which includes any behavior that is substantially incompatible with common standards of respect and adult responsibility.

3. Guidance on harassment, bullying and discrimination

- i. AAU is dedicated to creating a safe, welcoming, inclusive and diverse community, which allows staff and students to thrive without fear of any form of harassment or bullying. The Academic Codex reflects the core values that shape and influence the life of our institution and describes our zero-tolerance approach to all forms of behavior from faculty, staff, students or visitors that might violate the dignity of others.
- ii. If a student is unsure whether conduct or any incident could be defined as harassment or bullying, they are encouraged to act promptly and seek guidance from any of the following support services: Dean, Assistant Dean, Vice President, Faculty Member, Staff Member, the AAU Psychologist, and/or AAU Mediator.

4. Social Media and Other Forms of Communication

AAU recognizes that with advances in social media and other forms of communication outside of the AAU campus or networks, individuals may communicate in other channels. Therefore, communication that is deemed to constitute harassment, bullying, discrimination or is otherwise prohibited under this policy, and that relates to AAU, the AAU community or an identifiable member of the AAU community, in any forum, is strongly discouraged and can be reported to AAU. AAU will take appropriate steps in terms of applying its policies to this communication as well. AAU recognizes and values free speech and notes that views expressed outside of AAU are the independent views of the individual speaker. Such views are not adopted by AAU as representative of AAU's views and values. Furthermore, AAU cannot and does not desire to curtail protected free speech.

5. Cultural or Linguistic Ambiguity in Interpersonal Conduct in a Multicultural Environment

- i. Given the multicultural environment at AAU, a risk of cultural misunderstanding is omnipresent. For the sake of harmonic coexistence, members of AAU community are expected to exercise prudence, self-restraint, tolerance, and responsiveness in interpersonal conduct. Among others, it means that:
 - (a) Initiators of an interpersonal conduct are expected to keep in mind that others might hold to different standards of good manners (**prudence**) and adjust the conduct accordingly (**self-restraint**); repetition or persistent interpersonal conduct that has been explicitly indicated as unwelcome can form the basis of a violation of the Discipline Code.
 - (b) Addressees of interpersonal conduct are expected to keep in mind that others might hold to different standards of good manners (**tolerance**), and thus are expected to be explicit if the conduct is not welcome to them (**responsiveness**). If they do not feel comfortable expressing their discomfort directly to the initiator, they are encouraged to do so through a third person.
- ii. Some cases of non-instigated interpersonal conduct are strictly forbidden (e. g. physical threat) while others are protected even if causing discomfort (e. g. free speech within a legitimate pedagogical context). In many other cases, it is the combined perception and the explicit response of the one to whom the conduct is addressed that determines whether the conduct shall be interpreted as appropriate. (For example, the same compliment might be interpreted as charming, or offensive, depending on the addressee.)
- iii. However, this provision does not operate as a defense to communication that is considered sexual misconduct, harassment or bullying.

6. Czech Criminal Justice

Instances of sexual violence (sexual misconduct and sexual assault) are a severe form of sexual harassment, and, beyond the internal procedures outlined in this policy, will be submitted to the

investigation procedures of the Czech criminal justice system. Details on the criminal justice system contacts and procedures will be specified in the guidelines issued by the Dean of Students.

C. Support Resources

1. Psychological Counseling Center

- i. Counseling at the AAU Psychological Counseling Center is available free of charge. AAU employs a professionally certified and institutionally independent psychologist for the benefit of AAU students, faculty, and staff. The AAU Psychologist is available for confidential consultation, information, and advice regarding instances of sexual harassment, as well as regarding general well-being.
- ii. In regard to this policy, consultation is available for anyone who wants to discuss issues related to sexual harassment and other misconduct as well as to help determine whether or not “harassment” or “misconduct” actually has occurred. The person seeking information may be a complainant, a person who is concerned his/her own actions may be the subject of criticism (even if unwarranted), or a third party.
- iii. Information disclosed during consultation shall remain confidential unless:
 - (A) the complainant agrees to file an official complaint with the relevant authority;
 - (B) there is a suspicion that a criminal offense has been committed; and/or
 - (C) there is a reasonable concern that an individual may be in danger.

2. Mediation Support

- i. The AAU Mediation Service is a free, confidential and independent process that allows people to have their dispute heard and to be recognized. Mediation supports people in a “dispute” to attempt to find their own strategies and resolution to the problem.
- ii. The mediator is available to give general advice in terms of how to pursue a complaint and to find out what options are available within AAU policies and procedures.
- iii. The mediator is not an investigator, nor is mediation a formal investigation. The mediator cannot issue any formal decision or disciplinary measure.
- iv. The mediator provides advice and assistance for AAU students, staff and faculty with the resolution of complaints, involving other AAU students, staff or faculty members or services of AAU.
- v. Information disclosed during Mediation shall remain confidential unless:
 - (A) there is a suspicion that a criminal offense has been committed; and/or
 - (B) there is a reasonable concern that an individual may be in danger.

D. Confidentiality

- i. All information and disclosures made under this policy will be treated in confidence and in accordance with the university’s legal obligations to include the General Data Protection Regulation (GDPR).
- ii. While an official complaint must be signed by the complainant, in all Complaint Resolution Approaches, outlined below, the identity of the complainant and the person(s) involved will be known only to the necessary officials responsible for executing the investigative and disciplinary procedures to the extent reasonably possible.
- iii. Confidentiality includes, but is not limited to,
 - (A) the name of the individual(s), as well as identifying characteristics, descriptions, pseudonyms or other elements or factors that may enable third parties to identify the individual(s); and
 - (B) the details of the conduct in question so long as they are specific enough to identify the circumstances or parties involved.

1. Required reporting of identities and details

- i. Examples of situations where confidentiality cannot be maintained include:
 - (a) circumstances when the law requires disclosure of information; and/or
 - (b) when disclosure required by AAU outweighs protecting the right of confidentiality (e.g. allowing the accused to form a defense).
- ii. If the identity of the parties must be revealed, confidentiality will be expected and required among those who have a right to, and necessarily must, know the identity of the parties.

2. Breaches of Confidentiality

- i. Breaches of confidentiality may be a violation of Czech law and legal action may be taken against the breaching party.
- ii. Breaching the confidentiality of any individuals in this policy may result in disciplinary action at AAU.

E. Addressing Misconduct

- i. Reports of misconduct are taken seriously and will be dealt with promptly. The specific action taken in any particular case depends on the nature and gravity of the conduct reported and may include intervention, restorative justice conferencing, investigation, and the initiation of grievance and disciplinary processes. All are outlined in detail below.
- ii. Reports of misconduct should be made as soon as possible. The earlier the report, the easier it is to investigate and take appropriate remedial action. When reports are delayed for a long period, AAU will act to the extent it is reasonable to do so, but it may be impossible to achieve a satisfactory result after much time has passed.
- iii. Upon reporting or communicating an act of misconduct, the complainant will be given an information package (available in the guidelines issued by the Dean of Students) about their rights, the resources available to them, the processes available to resolve the complaint, and other supporting information. The accused will receive this information when they are informed about the complaint.
- iv. All disciplinary proceedings are confidential and conducted in accordance with the General Data Protection Regulation. The outcome may be shared only with persons that have been directly involved (including the complainant) or that need the information for the purposes of performing their work (or other) duties.
- v. In order to make reporting more accessible and efficient, AAU has established the following roles and responsibilities and complaint resolution process to assist the University in ensuring an educational environment and workplace free from sexual misconduct of all forms, discrimination, harassment and other forms of misconduct.

1. Responsibility to Report

- i. It is incumbent upon all members of AAU to raise concerns or disclose information in the public interest (whistle-blowing) which may relate to improper conduct or unethical behavior.
 - (a) Duty to Report Complaints. AAU Community members employed by the university (including student employees such as receptionists, print center assistants, and teaching assistants) have a duty to report Prohibited Conduct to the appropriate Official (this will be specified in the guidelines issued by the Dean of Students), when they become aware of such conduct. AAU Community members who have a duty to report Prohibited Conduct may be subject to discipline or corrective action for failing to fulfill this obligation.
 - (b) Option to Report Complaints. AAU students who are not employed by the University are highly encouraged to report complaints that they are aware of to the appropriate Designated Official or seek support from a confidential resource (this will be specified in the guidelines

issued by the Dean of Students), but they do not have a duty to do so (unless compelled by law in the Czech Republic).

2. Complaint Resolution Cooperation

Incidents reported to Designated Officials will be resolved through informal procedures, restorative justice conferences (Section F below), or formal investigations (Section G). AAU Community members are expected to cooperate in the resolution or investigation of complaints. Restorative justice is encouraged, but always completely voluntary.

3. Complaint Reporting Approaches

- i. Addressing misconduct may be approached from individual direct communication, to third party intervention, to an official complaint. The outlined approaches are not a hierarchical escalation ladder, nor does employing one approach preclude the use of another. In each approach, the individual may utilize the AAU Psychologist or AAU Mediator for information and support. Confidentiality is outlined in Section D above. Before submitting a formal complaint, all parties are encouraged to consider informal means of resolving the behavior such as informal discussions with the help of the relevant supervisor.
- ii. Initial allegations of misconduct that are found to be false and maliciously motivated may themselves become the basis of a disciplinary action. No allegations made in good faith, however incorrect, will be the basis for discipline against a complainant, and efforts will be made to assure that no retaliatory actions occur over the good faith reporting of alleged misconduct.
- iii. **Individual Direct Communication:** An individual may act on concerns about misconduct directly by addressing the other party in person or in writing, describing the unwelcome behavior and its effect, and stating that the behavior must stop. The AAU Psychologist, AAU Mediator, a Designated Official, or other confidential resources (this will be specified in the guidelines issued by the Dean of Students) may help the individual plan what to say or write, and likewise can counsel persons who receive such communications. Reprisals against an individual who, in good faith, initiates such a communication are in violation of this policy.
- iv. **Informal Complaint:**
 - (a) An individual may make an informal complaint to a Designated Official (an administrative individual/s that has/have direct authority over one or both of the other parties. For example, this may be a Dean, staff supervisor, Vice President, President, etc. which will be specified in the guidelines issued by the Dean of Students).
 - (b) Anonymous and Confidential Reporting of Informal Complaints: Members of the AAU community, who would like the details of an incident to be kept confidential and would like to remain anonymous during the process, may speak with the AAU Psychological Counselor or the AAU Mediator. The name and identity of the person will be kept confidential to the extent permitted by Czech law. The AAU Psychologist or AAU Mediator will help the individual draft the informal complaint and will record the complaint with the Office of the President on behalf of the individual complainant. The AAU Psychological Counseling Center and AAU Mediator Service are available to help free of charge.
 - (c) If a person is uncomfortable reporting misconduct personally, they may do so confidentially by completing a web form on AAU website (this will be specified in the guidelines issued by the Dean of Students). However, in order to remain compliant with relevant laws, the person must provide his/her name on the form. The name and identity of the person will be kept confidential to the extent permitted by Czech law.
 - (d) The informal complaint must include the following:
 - Detailed account of the incident, including timeline,
 - the person(s) involved, and
 - statement that the complainant is **NOT** requesting a formal institutional procedure to investigate the incident in support of disciplinary action.

- (e) If an informal complaint is made, it will be recorded with the Office of the President. Informal complaints will be kept confidential and can only be accessed by the President and Vice Presidents, unless the subject of the complaint requires by law reporting to the Czech Criminal Authorities. Furthermore, only specific inquiries can be made into the informal complaint registry. General access by anyone outside of the Office of the President is prohibited.
- (f) **No further information can be shared with an individual making an Informal Complaint since no immediate action is taken against the individual who is the subject of the Informal Complaint.**
- v. **Third Party Intervention:** For the purposes of this policy, a third party is considered to be a Designated Official (an administrative individual/s that has/have direct authority over one or both of the other parties. For example, this may be a Dean, staff supervisor, Vice President, President, etc. which will be specified in the guidelines issued by the Dean of Students). When third party facilitated resolution is used, typically the third party meets privately with each person involved, tries to clarify their perceptions and attempts to develop a mutually acceptable understanding that can ensure the parties are comfortable with their future interactions. Other processes, such as a Restorative Justice conference described below in Section F or a mediated discussion among the parties or with a supervisor, may also be explored in appropriate cases. Possible outcomes of third-party intervention include explicit agreements about future conduct, changes in workplace assignments, changes to a class schedule, or other relief where appropriate.
- vi. **Official Complaint:**
 - (a) An official complaint is a written statement by the complainant. The complainant may be a recipient of unwanted words or conduct, a witness to the questionable event or other party aware of the questionable event, including being not directly involved. The official complaint should include the following:
 - Detailed account of the incident, including timeline,
 - the person(s) involved, and
 - the request for a formal institutional procedure to investigate the incident in support of disciplinary action.
 - (b) Anyone may submit a signed written complaint alleging a violation of this Policy to the attention of a Designated Official, which is mostly likely a supervisor of the person suspected of misconduct (for students: the relevant Dean. This will be specified in the guidelines issued by the Dean of Students). Before submitting a formal complaint, everyone is encouraged to consider informal means of resolving the behavior such as informal discussions with the help of the relevant supervisor or the AAU Mediator.
 - (c) Should the Designated Official have a conflict of interest, the complaint may be submitted directly to another administrative individual(s) that has/have direct authority over one or both of the other parties, who will become the new Designated Official for purposes of this policy. For example, this may be a Dean, staff supervisor, Vice President, President, etc.
 - (d) Upon receiving the Official Complaint, the Designated Official will determine whether there is the minimum evidence necessary to form an Investigation Committee and commence with the Investigation Process (see Section G below). If the Designated Official finds that there is not sufficient evidence necessary to form an Investigation Committee, the Complainant may request that the Designated Official convene an Enquiry Panel to further evaluate the evidence and make a determination as to whether an Investigation Committee should be convened.
 - (e) Initial allegations of misconduct that are found to be false and maliciously motivated may themselves become the basis of a disciplinary action. No allegations made in good faith, however incorrect, will be the basis for discipline against a complainant, and efforts will be made to assure that no retaliatory actions occur over the good faith reporting of alleged misconduct.

- (f) Within one week of receiving an official complaint, the Designated Official will meet with the Complainant and discuss the options of restorative justice and/or a formal investigation.
- (g) Within 3 working days of this consultation, the Designated Official will either refer the situation to the Restorative Justice (RJ) facilitator and/or begin the disciplinary process by forming an Enquiry Panel (see Section G below).
- (h) Within 3 working days of receiving the determination of the Enquiry Panel (see Section G below) the Designated Official will:
 - Inform the accused person of the allegations in writing, including references to the time, place, others present, etc., when the alleged acts occurred;
 - Provide the person with documents supporting the allegation;
 - Provide the person with the determination and explanation of the Enquiry Panel;
 - Provide the person with a two-week period to make a response in writing regarding the allegations of misconduct;
 - Notify the Vice President for Academic Quality should the accused be an Employed Faculty member.
 - Inform the person about the follow-up Investigation and disciplinary procedure.

4. Three Strikes Rule

As some words and conduct might not be deemed serious in isolation, AAU recognizes that repeated “light” misconduct may be indicative of a pattern of inappropriate behavior. Therefore, AAU implements a “three strikes rule” that aims to identify misconduct in the form of repeated inappropriate behavior and take appropriate measures where necessary. If an individual is the subject of three or more allegations in the form(s) of Individual Direct Communication, Informal Complaint or Third-Party Intervention, then the appropriate VP will bring an Investigation into the allegations as if an official complaint were brought.

F. Restorative Justice Alternative to Investigation and Disciplinary Measures

1. Restorative Justice Background and Theory

- i. Restorative Justice (RJ) is a theory of justice that emphasizes reparation of harm or impact caused by behavior that is not aligned with the community expectations (such as in the AAU Academic Codex and this Policy).
- ii. RJ goes beyond the act of rule-breaking and focuses on identifying and addressing the impact of one’s actions. Such process is best accomplished through a collaborative discussion process that involves appropriate stakeholders (impacted parties and community members alike).
- iii. The underlying goal of RJ is to place the decision-making authority about how to best move forward from an incident or conflict into the hands of those involved and/or impacted.
- iv. Benefits of the Restorative Justice Process
 - (a) Empowers participants; allows for individuals to be heard
 - (b) Promotes focus on impact of actions, rather than the act of rule-breaking
 - (c) Supports sharing of information
 - (d) Encourages collaborative decision-making
 - (e) Increases participation satisfaction
 - (f) Remains confidential. The Confidentiality provisions in Section D apply in full to the Restorative Justice Process.

2. Restorative Justice Conferences

- i. AAU implements restorative justice principles through a specific case resolution format that aims to be educational, restorative, and empowering for all participants: Restorative Justice

- Conferences (RJs) (A simplified overview of the RJC process will be specified in the guidelines issued by the Dean of Students).
- ii. RJs are offered as a one-time opportunity to individuals accused of misconduct (Person(s) Who Offended) who actively take responsibility for their actions and are willing to learn about the impact caused by their actions.
 - iii. RJs do not replace a request for a Formal Investigation if the Affected Party/ies (the person/s making the complaint or report) or Person(s) Who Offended do not wish to engage in the Restorative Justice Process.
 - iv. RJs are distinctive from the traditional case resolution processes in that they focus on identifying and directly addressing the impact caused by the conduct violations, and they directly involve the student, staff member or faculty member who offended and the individual affected by the misconduct, as well as the involved/impacted parties, in the decision-making process about appropriate outcomes.
 - v. All acts of misconduct covered in this Policy can be the subject of a Restorative Justice Conference.
 - vi. Restorative Justice Conference (RJC): A facilitated dialogue among individual Person/s Who Offended, involved/impacted parties, including the Affected Party/ies and/or community members.
 - (a) Trained facilitators guide the process.
 - (b) Affected Party/ies may choose to engage in the process, but they are not required to in order for an RJC to occur. This is completely voluntary. However, a RJC can occur without the involvement of the complainant.
 - (c) Engagement of Person/s Who Offended in the RJC is completely voluntary. An RJC cannot occur without the willing participation of the Person/s Who Offended.
 - (d) Each RJC participant is invited to share their perspective and discuss the impact caused by the wrongdoer's actions.
 - (e) After discussion of impact, the RJC participants engage in a collaborative decision-making process to identify appropriate outcomes that the individual will need to complete in order to resolve the conduct case. The purpose of the agreed-upon outcomes is
 - (f) to help meet the needs of the community;
 - (g) to help the individual address the impact caused by their actions; and
 - (h) to raise the awareness and participation level of all participants.

3. Complaint Resolution through Restorative Justice

- i. Initiating the Restorative Justice Conference Process:
 - (a) Initiation by the Affected Party/ies
 - Upon providing an Official Complaint or initiating a Third-Party Intervention, the Affected Party/ies will be told in a one-on-one discussion with the responsible AAU administrative staff member about the Restorative Justice option, including being provided with written information.
 - Affected Party/ies are given the option to resolve their complaint through a Restorative Justice Conference. Affected Party/ies are informed that this option is also dependent on the willingness of the Person/s Who Offended to participate.
 - If the Affected Party/ies would like to proceed with the Restorative Justice process, he/she will be referred to an RJC facilitator, who is a RJ-trained member of the administrative staff, for one-on-one pre-conference preparation.
 - (b) Initiation by the Person/s Who Offended
 - Upon being informed of an Official Complaint, the initiation of a Third-Party Intervention, or being contacted by Individual Direct Communication, based on conduct committed by the Person/s Who Offended, they will be told in a one-on-one discussion

with the responsible AAU administrative staff member about the Restorative Justice option, including being provided with written information.

- Person/s Who Offended are given the option to resolve the situation through a Restorative Justice Conference. Person/s Who Offended must admit their misconduct and be willing to take responsibility for their actions in order for Restorative Justice to be an option. Person/s Who Offended are informed that this option does not depend on the willingness of the Affected Party/ies to participate. If the Affected Party/ies do not agree to the RJ process, a formal investigation may run concurrently to the RJ process.
 - If the Person/s Who Offended would like to proceed with the Restorative Justice process, they will be referred to an RJC facilitator, who is a RJ-trained member of the administrative staff, for one-on-one pre-conference preparation.
- ii. Eligibility for Participation in a RJC:
- (a) For a Person/s Who Offended to be eligible to participate in the RJC process, they must:
 - take active responsibility for their actions;
 - exhibit a desire to learn about and address the impact of their actions; and
 - want to move forward positively from the incident by addressing an AAU community need.
 - (b) For the RJC process to be successful, it is important that eligible Person/s Who Offended come prepared to accept responsibility for their actions and to listen to those impacted by their actions.
- iii. Implementing a Restorative Justice Conference (RJC): There are three phases to the RJC process: a pre-conference one-on-one consultation, the RJC process, and the implementation follow-up of agreed-upon outcomes.
- iv. **PHASE 1 – Pre-Conference Preparation**
- (a) Once the case is referred to a RJC for resolution, the Restorative Justice Facilitator will initiate contact with individuals involved to schedule one-on-one consultations.
 - (b) Within this consultation, the individual Person/s Who Offended is expected to share their perspective of the incident or conflict, their take on what impact might have occurred, and ways in which they believe they can address the impact.
 - (c) The one-on-one consultations also provide an opportunity for the individuals to gain more clarity about the process and decide if it is the way they'd like to resolve their misconduct case.
 - (d) This Phase should be completed within two weeks of the relevant parties agreeing to participate in the RJ process.
- v. **PHASE 2 – Restorative Justice Conference**
- (a) Once the parties decide to move forward with a RJC in order to resolve their misconduct case, the RJ Facilitator will work to bring the appropriate stakeholders together for an RJC.
 - (b) The RJC should be held within two weeks of completing the Phase 1. The actual RJC may last from 2-4 hours. If more time is needed, an extension can be agreed upon by all parties.
 - (c) The RJC is a structured discussion with distinct stages:
 - Each RJC participant tells their story, describing the incident and the impact it may have had on them. The individual Person/s Who Offended gets to speak first in this stage.
 - After everyone has shared their perspective, participants are asked to identify the impact of the incident (e.g., any harms that may have occurred).
 - After the impact is identified, the facilitator engages the RJC participants in a collaborative decision-making process whereby participants:
 - offer suggestions of possible ways for the individual respondent to address the impact caused by their actions;
 - assess the merits of each suggestion; and
 - agree upon a set of specific actions that the individual Person/s Who Offended will take in order to best address the impact (*Note: The outcomes, as agreed upon within any RJC, are unique to that particular group, and should be chosen because they help the individual*

Person/s Who Offended repair the specific harms identified, meet an identified community need, rebuild the community's trust in them, and gain more understanding of the ripple effects of their actions.)

vi. **PHASE 3 – Outcome Implementation Follow-Up**

- (a) Once the RJC participants have decided upon a number of active outcomes for the individual respondent to complete, the RJ Facilitator will help with follow-up to provide support and ensure completion of the outcomes. The active outcomes will be reported to the VP(s) who are responsible for the individuals involved. All participants in the RJC will be informed of the report of the active outcomes and be given an opportunity to comment.
- (b) The timeframe for completing Phase 3 will depend on the agreed-upon set of specific actions that the individual Person(s) Who Offended will take. However, ideally, they should be completed by the end of the semester (unless there is insufficient time to complete these, i.e., if the process occurred at the end of the semester).

G. Investigation Procedure Stemming from an Official Complaint

1. Decision of the Designated Official or Enquiry Panel

- i. Upon receipt of an Official Complaint, within 3 working days, the Designated Official will evaluate the evidence and will make a determination as to whether the evidence provided warrants an Investigation Committee. If the Designated Official finds that there is not sufficient evidence and declines the need for an Investigation, the Complainant can request that an Enquiry Panel is formed to evaluate the evidence. Upon request for an Enquiry Panel, the Designated Official will immediately form an Enquiry Panel (within 2 working days). The Enquiry Panel will be made up of three members of the AAU Administration, Staff or Management who do not have direct supervision over or a direct working relationship with the accused party. The purpose of the Enquiry Panel is to help determine if there is enough evidence to support an investigation. If the Enquiry Panel determines that there is sufficient evidence to support the complaint, then an Investigation Committee will be immediately formed. The purpose of the Enquiry Panel is not to evaluate the merits of the claim, but only to determine that there is sufficient evidence to support the complaint.
- ii. Timeframe for Enquiry
 - (a) Within 3 working days of its formation, the Enquiry Panel will request all available evidence from the Complainant.
 - (b) The Complainant will be asked to provide all available evidence within 5 working days of receiving the request for evidence.
 - (c) Within 5 working days of receiving the evidence from the Complainant, the Enquiry Panel will make a determination as to whether there is sufficient evidence to establish an Investigation Committee.
 - (d) The decision will be communicated to the Complainant by the Designated Official with explanation, by the 5th day working day after the Enquiry Panel receives the evidence.
- iii. Evidence
 - (a) Evidence can include, but is not limited to: a written statement by the Complainant (as documented in the Official Complaint), email records, phone records, text messages, photographs, screen shots, testimony (in written form) of witnesses, etc.
 - (b) Note: it is understood that other evidence may come to light at a later date. Therefore, the evidence presented to the Enquiry Panel does not have to include all available evidence. It must, however, include the minimal evidence to demonstrate that an Investigation Committee must be formed.
- iv. Additional Evidence and New Enquiry Panel: If the Enquiry Panel determines that there is insufficient evidence to establish an Investigative Committee, they may defer the case. The Complainant may certainly submit more evidence at a later date and a new Enquiry Panel (made

of different Administrative, Management or Staff Officials) will be convened. However, additional evidence must be submitted in order for a new Enquiry Panel to be formed.

2. Investigative Committee Formation

- i. This investigation of the incident reported in the official complaint, unless both individuals agree to a RJC in Section F. If the Affected Person/s do not agree to an RJC, but the Person(s) Who Offended requests a RJC, then the RJC process may run concurrently with the investigation. The investigation will be conducted in a way that respects, to the reasonable extent possible bearing in mind the safety of the campus community and requirements under Czech law, the privacy and rights of all of the persons involved. In appropriate cases, professional investigators may be asked to assist in the investigation. Confidentiality according to Section D will be strictly maintained. (A simplified overview of the RJC process will be specified in the guidelines issued by the Dean of Students).
- ii. The Designated Official, to whom the official complaint was submitted, will form an investigative committee within 5 working days of either making an affirmative decision or receiving the decision from the Enquiry Panel that there is sufficient evidence to form the Investigation Committee. The Complainant will be notified when an investigative committee has been convened.
- iii. Investigative Committee Composition: The composition of the committee must be 2-5 members of the University community, in good standing, who are independent of undue bias or influence regarding the persons involved. If a person involved believes that there may be bias or a conflict of interest, they should report this concern directly to the Designated Official who established the committee. At this point, the Designated Official will replace the concerned member/s of the committee if there is sufficient evidence that a bias or conflict exists.
 - (a) At least one member of the investigative committee must be from outside the relevant area of the accused (meaning at least one staff member or student in cases where a faculty member is accused, one faculty member or staff member where a student is accused, one faculty member or student where a staff member is accused.).
 - (b) The members of the investigative committee should not be from the same School or department as the accused, if at all possible.
 - (c) All members of the investigative committee must be able and willing to dedicate the necessary time and effort to quickly, thoroughly, fairly, and effectively execute their responsibilities.
- iv. Confidentiality: The members of the investigative committee may not discuss their work with anyone outside of the investigative procedure, unless authorized to do so by the relevant VP. The VP who received the official complaint and formed the investigative committee is not a member of the investigative committee but may request information from the investigative committee concerning the investigation and its progress.
- v. Confidentiality as outlined in Section D applies in full.

3. Investigative Process

- i. The investigative committee will meet within 5 working days of its formation, along with the VP that formed it. The role and presence of the VP will be to brief the investigative committee on the issue and to explain the role and procedures of the investigative committee. The VP will notify the Complainant that the investigative committee has begun its work. Unless approached by the investigative committee, this is the end of the active role of the VP in the investigation until the final report of the investigative committee is filed.
- ii. Evidence Gathering: The investigative committee must impartially seek as much evidence as is reasonably possible concerning the incident. This includes requesting all documentary evidence from any/all involved individuals or potential witnesses, as well as conducting interviews of

any/all involved individuals or potential witnesses. The investigative committee will ensure that any interviews of the complainant and the accused occur on different days.

iii. Equality of Parties:

(a) Equality and Non-Discrimination

The investigative committee shall respect the principles of equality of arms between the parties. All parties before the investigative committee will be considered and treated equally without any distinction whatsoever as regards race, color, ethnic origin, sex, gender, age, religion, creed, language, political or other convictions, national or social origin, means, disability, birth, status or other circumstances. In all circumstances, respect for the inherent dignity of the individuals will be maintained.

(b) Opportunity to Engage with the Process

All parties and individuals involved will be given adequate opportunity to prepare a case, present arguments and evidence, and to challenge or respond to opposing arguments or evidence.

(c) Fairness of the Findings and Appeal

All parties involved in the investigation procedure will be entitled to

- have their rights and obligations affected only by a decision based solely on evidence;
- a determination of the outcome without undue delay; and
- adequate notice of and reasons for the decisions including an entitlement to an appeal to the University President.

iv. Respect for Individuals in a Vulnerable Position:

(a) The investigative committee will be caring though impartial, and will base their decisions solely on evidence.

(b) All parties to the investigation can seek confidential and neutral consultation with the AAU Psychologist throughout the process.

(c) All parties are welcome to bring individuals that are necessary for their support to any of the investigation proceedings. The committee must be notified in advance if additional individuals will be attending. Any individuals accompanying parties to the proceedings are bound by the Confidentiality provisions in Section D in full.

(d) The investigative committee will treat the complainant with the care and respect due to a person proven to be a victim.

(e) The investigative committee will treat the accused with the care and respect due to a person proven innocent.

v. Record-Keeping:

The investigative committee must maintain minutes of all meetings, and, together with official minutes, must turn over all electronic communications concerning the investigation as an appendix to the official final report.

vi. Communication of the Investigative Process:

(A) With the Complainant:

The investigative committee will be in regular contact with the complainant from the founding of the investigative committee. By regular contact, it is meant that a designated individual of the investigative committee will be charged with providing the complainant with a brief written statement of the progress of the committee at least once every two weeks (e.g., every other Wednesday), even if only to let the complainant know that there has been no change since the last communication and the reason for that lack of progress.

(B) With the Accused:

After the investigative committee is satisfied that they have gathered the full statement and evidence from the complainant outlining the incident and the actions of the accused, the investigative committee will contact the accused.

The accused will be informed about the following:

- what exact policy infractions they are being charged with;
- about the process to form a defense; and

- the request to provide evidence in their defense.

Beginning with this initial contact, a designated individual of the investigative committee will be charged with providing the accused with a brief written statement of the progress of the committee at least once every two weeks (e.g. every other Wednesday), even if only to let the complainant know that there has been no change since the last communication and the reason for that lack of progress.

- (a) With other Involved Persons:

The investigative committee will communicate with other involved persons only to the extent necessary to conduct a thorough and impartial investigation.

vii. Conclusion of the Investigation and Final Report:

After the investigative committee has gathered all the evidence reasonably possible, including having given the accused a full account of the charges against them and a chance to make a prepared defense, the investigative committee will compile a final report with all of their findings and submit it to the relevant VP for their decision. The final report should contain

- (a) the exact policy infractions the investigative committee were concerned with and which were communicated to the accused;
- (b) an executive summary that covers the history of the work of the investigative committee, the evidence gathered, and the position of the investigative committee regarding each policy infraction;
- (c) all of the documentary evidence as well as minutes from all of the interviews conducted;
- (d) an appendix that contains the minutes of each meeting of the investigative committee as well as all electronic communication among its members concerning the work of the committee.

viii. Decision and Punishment:

The final decision of the Designated Official will be communicated in writing to the complainant and the accused within 5 working days of receiving the final report from the investigative committee. The Designated Official must decide

- (a) whether or not a policy infraction did occur;
- (b) what was the severity of the infraction; and
- (c) what the punishment will be for each infraction.

Depending on the gravity of the matter, the sanctions may range from a formal warning to expulsion/dismissal from AAU.

ix. Appeal:

Any involved party may appeal against the decision of the Designated Official to the President of the University.

H. Policy on Relationships between Staff, Faculty and Students

1. Scope and Purpose of the Section

- i. This policy outlines the university's position on relationships between members of staff (including administrators and faculty, which will henceforth be referred to collectively as "staff") and students at AAU. It is intended to ensure that the staff-student relationship is one that is founded on mutual trust, confidence and respect.
- ii. Definition of terms:
 - (a) Personal Relationships. In the context of this document, a personal relationship is defined as:
 - a family relationship; or
 - a business/commercial/financial relationship; or
 - a sexual/romantic relationship.
 - (b) Professional Relationship is defined as:
 - an assessing, supervising, tutoring, mentoring, teaching role; or
 - a pastoral role; or
 - a collaboration on a project for the university; or

- an administrative or technical support role.
- (c) “Direct supervision” includes the following activities (on or off campus):
 - course teaching, examining, grading, advising for a formal project such as a thesis or research, supervising required research or other academic activities, and recommending in an institutional capacity for admissions, employment, fellowships or awards.
- (d) “Instructors” or “faculty members” includes, but is not limited to,
 - all faculty of AAU, as well as visiting instructors regardless of the length of their visit or teaching, and instructors teaching professional, short or other special courses. It also includes graduate and professional students only when they are serving as part-time acting instructors, teaching fellows or in similar institutional roles, with respect to the students they are currently teaching or supervising.
 - Additionally, this policy applies to members of the AAU community who are not instructors as defined above, but have authority over or mentoring relationships with students, including supervisors of student employees, advisors and directors of student organizations, as well as others who advise, mentor, or evaluate students.
- (e) “Students” refers to those enrolled in any and all educational and training programs of AAU.
- iii. AAU believes the professional relationship between a student and a member of staff is a central part of the student’s educational experience at the university. Furthermore, AAU values and fosters the beneficial and important interaction between students, faculty, alumni, and staff during the wide variety of AAU events, such as conferences, debates, round tables, and faculty-led discussions. These events provide unique and engaging opportunities for members of the AAU community to interact in a casual and often light-hearted manner, while creating a healthy learning environment and fostering intellectual debate and discussion in the community. This is an important aspect of AAU’s sense of community and this policy is not meant to interfere with or hinder those activities. However, this policy will still apply to all AAU-promoted activities.
- iv. The integrity of the teacher-student relationship is the foundation of AAU’s educational mission. This relationship vests considerable trust in the teacher, who, in turn, bears authority and accountability as a mentor, educator, and evaluator.
- v. The unequal institutional power, i.e., the difference in “power” between a teacher and student, or a supervisor and student, makes these relationships potentially vulnerable to exploitation or coercion. They also generate real or perceived inequalities, not only involving the persons concerned, but also affecting other members of the university, whether students or staff.
- vi. It is vital that the staff-student relationship is one of trust, confidence and respect in order that all students can benefit from the learning experience. It is also vital that students benefit from equality of treatment, and so it is important that a personal relationship between a member of staff and a student does not in any way prejudice that equality, in reality or perception.
- vii. The pedagogical relationship between teacher and student must be protected from influences or activities that can interfere with learning and personal development. At a university, the role of the teacher is multifaceted, including serving as intellectual guide, counselor, mentor and advisor. The teacher’s influence and authority extend far beyond the classroom.
- viii. Similarly, certain staff roles may have potentially broad influence on and/or authority over a student and his or her experience at the University. For this reason, sexual or romantic relationships between a staff member and a student are to be avoided.
- ix. Instructors or students with questions about this policy are advised to consult with the department chair, the appropriate dean, assistant dean, supervisor or a Vice President.
- x. Any members of the AAU community may lodge an individual direct communication, third party intervention, formal or informal complaint regarding an alleged violation of this policy.

2. Relationships between staff and students

- i. There are special risks in any personal, including sexual or romantic, relationship between individuals in inherently unequal positions, and parties in such a relationship assume those risks.

- In the university context, such positions include, but are not limited to, teacher and student, supervisor and employee, senior faculty and junior faculty, mentor and trainee, adviser and advisee, teaching assistant and student. Because of the potential for conflict of interest, exploitation, favoritism, and/or bias, such relationships may undermine the real or perceived integrity of the supervision and evaluation provided and the trust inherent particularly in the teacher-student context. They may be less consensual than the individual whose position confers power or authority believes. The relationship is likely to be perceived in different ways by each of the parties, especially in retrospect.
- ii. Moreover, such relationships may harm or injure others in the academic or work environment. Relationships in which one party is in a position to review the work or influence the career of the other may provide grounds for complaint by third parties when that relationship gives undue access or advantage, restricts opportunities, or creates a perception of these problems. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic involvement, this past consent does not remove grounds for a charge based upon subsequent unwelcome conduct.
 - iii. Students are, in general, the most vulnerable members of the university community. Undergraduate students are particularly vulnerable to the unequal institutional power inherent in the teacher-student relationship and the potential for coercion. Graduate students are vulnerable too, not least because they are at a point in their academic careers when the good opinion of their supervisors and instructors may be vital.
 - iv. In addition to creating the potential for coercion, any personal relationship between undergraduate or graduate students and staff or faculty jeopardizes the integrity of the educational process by creating a conflict of interest and may impair the learning environment for other students.
 - v. Finally, such situations may expose AAU and the teacher to liability for violation of laws against, including but not limited to, sexual harassment and discrimination.
 - vi. Accordingly:
 - (a) Sexual or romantic relationships between faculty/staff and students or between individuals in a hierarchical situation, including operational, administrative and academic, are discouraged.
 - (b) Personal relationships, whether pre-existing or developed, between academic/teaching members or staff and students or between individuals in a hierarchical situation, including operational, administrative and academic, should be declared according to Section 3 below to the relevant Dean, Supervisor, or VP.
 - (c) When the relevant Dean, Supervisor or VP is informed or learns about the relationship, they must make accommodations to avoid direct supervision of one of the individuals over the other. The affected individuals must endure the accommodations.

3. Procedure for declaring a personal relationship

- i. Although the university regards it as unprofessional and against AAU policies and rules for any staff or faculty member to actively initiate a personal relationship or to pursue such a relationship with a student without regard to the problems which may ensue, it also recognizes that such relationships may nonetheless develop.
- ii. Declaration. With respect to any personal relationships between staff or faculty and students:
 - (a) Where a member of staff or faculty has a professional role in relation to a student with whom they have a personal relationship, pre-existing or arising, as defined above, it is the responsibility of the member of staff or faculty to **inform the relevant Dean, Supervisor or VP in writing** in order that teaching, tutoring, assessment, administrative or any other arrangements can be adjusted and monitored appropriately.
 - (b) Where a student has a professional role in relation to a member of staff or faculty with whom they have a personal relationship, pre-existing or arising, as defined above, it is the

responsibility of the student to **inform the relevant Dean, Supervisor or VP in writing** in order that teaching, tutoring, assessment, administrative or any other arrangements can be adjusted and monitored appropriately. Deans, Supervisors or VPs will ensure that the professional relationship between the parties is ended, modified or reduced in order to ensure there is no threat to the integrity to either party.

- (c) In any case, the member of staff or faculty in question should as soon as possible inform the relevant Dean, Supervisor or VP in writing, and withdraw from all teaching, assessment and other supervision of the relevant student.
 - (d) The member of staff or faculty in question should withdraw and refrain from writing references and recommendations for the student in question.
- iii. **Failure to Declare:**
- (a) This provision and the previous provision are designed to protect the academic integrity at AAU and to ensure that teaching, learning, grading and supervising are maintained equally and fairly for all. For these reasons, it is essential that any personal relationships are declared, so that the supervisor can ensure that academic integrity is maintained.
 - (b) Reporting such a relationship will NOT subject the individual(s) to any discipline or retaliation under this provision. If one party (i.e., faculty, staff or student) declares the relationship, the other party (faculty, staff or student) that does not declare will NOT be subject to any disciplinary action under this provision since the one declaration is sufficient to protect the academic integrity of the situation.
 - (c) Only if a relationship is otherwise discovered, and academic integrity is at risk, can disciplinary action be considered according to Sections F and G above. In that circumstance, the parties in the relationship might be considered to have been subverting this policy and putting AAU's academic integrity at risk, which is the only reason for the possibility of disciplinary action to be considered under this provision.
- iv. **Familial Relationships:** In respect of a familial relationships, it should be noted that this may be coincidental and, as such, acceptable in certain situations. They should nonetheless be declared to the Dean, Supervisor or VP so that fairness and academic integrity are maintained.
- v. **Declaration during Hiring:** Also, while not a bar to employment with AAU, applicants for employment will be asked to declare any personal relationship, as defined in this policy, with existing colleagues, students, or members of the AAU community.
- vi. **Courses of Action Upon Declaration:** Regarding any personal relationships, details of the course of action to be adopted will be agreed in writing between the Dean, Supervisor, and/or Vice President, and the individual(s) concerned.
- (a) All information and disclosures made under this policy will be treated in confidence and in accordance with the university's legal obligations to include the General Data Protection Regulation (GDPR).
 - (b) Should a Dean, Supervisor or Vice President be made aware of a relationship likely to be covered by this policy, it is their responsibility to initiate the appropriate measures; taking account of any responsibilities the individual has outside of their home School or Department.

4. Further support

- i. Students who are concerned about a relationship with a member of staff or faculty member are urged at the earliest opportunity to consult a Dean, Supervisor or a Vice President.
- ii. Staff who are uncertain about whether they should take action regarding a personal relationship should seek guidance from a Dean, Supervisor or Vice President.
- iii. The AAU Psychologist is available for confidential, private, free consultations during which students, faculty and staff are welcome to discuss concerns related to, but certainly not limited to, this policy.

- iv. The AAU Mediator is available for confidential, private, free consultations during which students, faculty and staff are welcome to discuss concerns related to, but certainly not limited to, this policy. The AAU Mediator is available to provide guidance regarding this policy and options regarding resolving conflicts or disputes, filing complaints and initiating and proceeding through investigations.

I. Indemnification, Retaliation, External Reporting, and Record-Keeping

1. Indemnification

The issue of indemnification depends on the facts and circumstances of each situation and is subject to the applicable laws of the Czech Republic. Individuals who violate this policy, however, should be aware that they may be required to pay or contribute to any judgments, costs and expenses incurred as a result of behavior that is wrongful and/or contrary to the discharge of the employee's duties.

2. Protection against Retaliation

Retaliation and/or reprisals against an individual who in good faith reports or provides information about behavior that may violate this policy are against the law and will not be tolerated.

Intentionally making a false report or providing false information is grounds for discipline and shall be subjected to the disciplinary procedure under the Academic Codex.

Retaliation and false reporting may also be violations of the laws of the Czech Republic.

3. External Reporting

Sexual harassment and other misconduct in this policy may be prohibited by the laws of the Czech Republic. In addition to the internal resources just described, individuals may pursue complaints directly with the government agency that deals with unlawful harassment, discrimination or criminal claims, namely with the Police of the Czech Republic. A violation of this policy may exist even where the conduct in question does not violate the law.

4. Record Keeping

- i. The Office of the President will track reports of sexual harassment and misconduct, as well as all disciplinary action and complaints for statistical purposes and report at least annually concerning their number, nature and disposition to the University Board of Trustees.
- ii. The Office of the President and the AAU Psychologist may keep confidential records of reports of sexual harassment and misconduct and the actions taken in response to those reports and use them for purposes such as to identify individuals or departments likely to benefit from training so that training priorities can be established. No identifying information will be retained in cases where the individual accused was not informed that there was a complaint or if confidentiality and anonymity was assured under this policy.

J. Training, Freedom of Expression and Policy Review

1. Required Training

In compliance with this policy, all supervisors employed by AAU are required to participate in sexual misconduct, discrimination and harassment training at least every two years. Further, AAU may require such training of non-supervisory employees in appropriate circumstances. This applies to both existing and new employees.

2. Relationship to Freedom of Speech and Expression

The University is committed to the principles of free inquiry and free expression, as espoused in the Academic Codex. Vigorous discussion and debate are fundamental to the University, and this policy is not intended to stifle teaching methods or freedom of expression generally, nor will it be permitted to do so. However, sexual harassment and discrimination is neither legally protected expression nor the proper exercise of academic freedom. It compromises the integrity of AAU, its tradition of intellectual freedom and the trust placed in its members.

3. Policy Review and Evaluation

This policy went into effect on XXXXX YY, ZZZZ. It is subject to periodic review, and any comments or suggestions should be forwarded to the Office of the President.

IV THE FOLLOWING DOCUMENTS WILL BE SPECIFIED IN THE GUIDELINES ISSUED BY THE DEAN OF STUDENTS, AS WELL AS ANY OTHER THE DEAN OF STUDENTS DEEMS NECESSARY, AND MADE AVAILABLE ON THE APPROPRIATE AAU WEBSITE

WHOM TO CONTACT

DESIGNATED OFFICIALS

If possible, the primary Designated Official should be the member of the AAU Administration who has direct supervision over the individual who is accused of wrongdoing.

For Complaints against Faculty Members or Students, the Designated Official should be the Dean of the primary School where the individual is based.

School	Dean	Email
School of Business Administration	Jan Vasenda	Jan.vasenda@aauni.edu
School of International Relations	Alexei Anisin	Alexei.anisin@aauni.edu
School of Humanities and Social Sciences	Karen Grunow-Harsta	Karen.grunow@aauni.edu
School of Journalism, Media and Visual Arts	Tony Ozuna	Tony.ozuna@aauni.edu
School of Law	Jan Vasenda	Jan.vasenda@aauni.edu

If the complainant feels that it is not appropriate (due to bias, conflict of interest or other reasons) to report directly to the Dean, then the Designated Official should be the next AAU Administrator above the Dean.

Office	Vice President	Email
Student Affairs	Jeta Sahatqija	jeta.sahatqija@aauni.edu
Academic Affairs	Miroslav Svoboda	miroslav.svoboda@aauni.edu
Institutional Advancement	Eva Rivera	era.rivera@aauni.edu
Research	Peter Bolcha	peter.bolcha@aauni.edu

For Complaints against Staff Members, the Designated Official should be the Head of the Department in which the individual is based.

Department	Head	Email
Library	Zuzana Volmuthova	zuzana.volmuthova@aauni.edu
Student Services	Ana Hernandez Blackstad	Ana.blackstad@aauni.edu
Admissions and Recruitment	Clea Boban	clea.boban@aauni.edu
Operations and Finance	Zdenek Johanovsky	zdenek.johanovsky@aauni.edu
Marketing	Jeta Sahatqija	jeta.sahatqija@aauni.edu

If the complainant feels that it is not appropriate to report to a Vice President or Head of Department, reports may be made directly to the AAU President.

Office	President	Email
AAU President	Jaroslav Miller	jaroslav.miller@aauni.edu

AAU SUPPORT SERVICES

EXAMPLE – THIS SHOULD BE FILLED OUT FURTHER

AAU seeks to provide support for all students, faculty, staff and alumni. These services are provided free of charge and are confidential.

- i. AAU Psychologist: Desiree Gonzalo, desiree.gonzalo@aauni.edu
- ii. AAU Mediator: Carolann Braum, carollann.braum@aauni.edu
- iii. Dean of Students: Ana Hernandez Blackstad, ana.blackstad@aauni.edu

NON-ADMINISTRATIVE BODIES

- i. Faculty Senate
- ii. Student Council
- iii. Alumni Council
- iv. AAU Founders

CZECH AUTHORITIES AND SERVICES

- i. Police: The general EU emergency number is 112 and guarantees English-speaking operators. This number can be called for free from any phone.
- ii. Ambulance: dial 115
- iii. Various Services for Domestic Violence Prevention and Support
 - (a) Intervention centre - help to victims of domestic violence
<https://www.csspraha.cz/en/24943-intervention-centre-help-to-victims-of-domestic-violence>
 - (b) Rosa centrum offers online chat, crisis prevention, and internet counseling.
 - (c) Acorus provides a secret shelter and social counseling for victims of domestic violence.
 - (d) ProFem offers legal help, intervention, and online counseling.
 - (e) Bílý Kruh Bezpečí offers a free, non-stop helpline for victims.
 - (f) Bright Sky CZ mobile app by Vodafone detects domestic abuse and offers numerous support tools.
- iv. Support for victims of crime
 - (a) Bílý kruh bezpečí <https://www.bkb.cz/en/>

RESTORATIVE JUSTICE CONFERENCE
ONE PAGE OUTLINING THE PROCESS IN SIMPLE TERMS

OFFICIAL INVESTIGATION PROCESS

ONE PAGE OUTLINING THE PROCESS IN SIMPLE TERMS

**PACKAGE FOR INDIVIDUALS MAKING A COMPLAINT OVERVIEWING THE
PROCESS, SUPPORT RESOURCES, RELEVANT INFORMATION**