

Towards Inclusion through Awareness of Sexual Harassment Policies Case of Teacher Education Institution

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Abstract

Educational institutions are vested with the responsibility of offering a safe, secure, and inclusive teaching-learning environment. There are many instances showing that real inclusion in terms of gender, disability, sexuality, race, and ethnicity is always ignored at all levels of education. The paper aimed to explore the status of legal awareness on sexual harassment and raise the level of sensitivity towards inclusion among students of the teacher education institution of Odisha. The research found that 90 per cent of respondents are unaware of the Internal Complaint Committee (ICC) for handling sexual harassment cases, its composition, procedures for grievances, and its functions. 14 per cent of respondents have received awareness training programmes on gender equality and women's issues but not on sexual harassment. It is recommended to create and update policies related to sexual harassment and communicate it in various ways in the institution to raise the awareness level among students in teacher education institutions ensuring a safe learning environment.

INTRODUCTION

The Right to Education Act (2009) has brought a wave of change in creating an inclusive environment in Indian

education system. With an increase in the school-going population, safety and security in Indian schools need to be examined with close scrutiny.

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A sense of safety and security can be introduced in schools by taking action against bullying, corporal punishment, and abuse in any form such as physical, verbal, emotional, or sexual by teachers, students, other personnel, and parents. According to the report of Ministry of Women and Child Development (2007), the cases of emotional abuse (83%) and sexual abuse (53.22%) are more compared to physical abuse cases (50%). Inclusive education emphasises welcoming all and providing a safe environment for all in schools. Broadly, the boundaries in this outline are acute along the lines of disability, race, gender, class, sexuality, bilingualism, ethnicity, and geographic location (Rix, et al., 2005).

The Indian higher education system is subject to provide a safe and healthy environment to students but the reality is awful where the cases of students experiencing sexual harassment go unreported because of the ignorance of the victims (Kulshrestha and Pelemo, 2018). The umbrella term sexual harassment is composed of three categories of behaviour: (i) gender harassment (verbal and non-verbal behaviours that convey hostility, objectification, exclusion, of members of one gender), (ii) unwanted sexual attention (verbal or physical unwelcome sexual advances and assault), and (iii) sexual coercion (National Institutes of Health Workplace Climate and Harassment Survey, 2020). Thus, sexual harassment includes any

form of unwanted sexual touching, non-consensual sexual intercourse, sexual exploitation, or physical harassment which is experienced as a sexual intent and consists of visual, physical, or verbal aggression that can be perceived as unwanted sexual activity (University Grants Commission, 2015).

NEED AND SIGNIFICANCE

Several studies support Paludi and Barickman's (1991) finding that men rarely suffer from sexual harassment (Hurley and Fagenson-Eland, 1996; Kastl and Kleiner, 2001; Whaley and Tucker, 1998; and Kayuni, 2009). However, some men face sexual harassment from both men and women (Reena and Saheab, 2014). (Mailhot, et al., 2021) observed that specific groups are at greater risk of being the victims of sexual harassment (e.g., women, children, racial/ethnic minorities, sexual, and gender minorities). Studies reveal situational factors that encourage men to sexually harass women like organisational power, male-dominated work environment, cultural beliefs, and permissible workplace environment (Mackinnon, 1979). Bargh et al. (1995) reported a lack of awareness of harassers about the inappropriateness of their behaviour leading to sexual harassment and power misuse.

The Odisha Government reported that more than five girls in the age group of 12 to 16 in tribal residential schools became pregnant in the past

three years and 12 girls in residential schools were raped, faced sexual advances, and other harassment (*The Hindu*, 2015). This presents a strong reason for not sending daughters to schools as schools fail to provide a safe and secure environment for children to learn. Union Minister of State for Human Resource Development stated that 149 cases of sexual harassment were reported from universities and 39 cases from colleges and other institutions in 2017 (Sexual Harassment in Indian School and College Campuses Increases by 50 per cent where are we Headed, 2018) (Sharma, 2018). There are reports of students' lack of awareness on the grievance procedure of sexual harassment and which is consequent cause for on increase in such abuses leading to a belief that it is an inevitable life experience (Kulshrestha and Pelemo, 2018).

The constitution and international obligations have worked as legislation against sexual harassment in India. The Convention on the Elimination of All Forms of Discrimination against Women (1979); Protection of Human Right Act (1993); Indian Penal Code (1860); Protection of Children from Sexual Offences Act (2012); National Council of Educational Research and Training Policy on Prevention, Prohibition and Redressal of Sexual Harassment of Women at Workplace (2013); University Grants Commission (Prevention, Prohibition and Redressal of Sexual

Harassment of Women Employees and Students in Higher Educational Institutions) Regulations, 2015; and many other laws and policies are falling short in protecting students at educational institutes in treating victims. Article 14 (fundamental right to equality before the law and equal protection of laws), Article 15 (right to non-discrimination on any grounds, including sex), Article 19 (fundamental freedoms), and Article 21 (right to life and liberty) of the Constitution are violated in the cases of sexual harassment. Article 42 in the constitution is entitled to provide for just and humane conditions of work and laid the foundation for future measures and legal remedies against sexual harassment at the workplace. The Vishaka judgment recognised that sexual harassment violated the constitutional guarantee of gender equality, women's fundamental right to live with dignity, to personal liberty, and to carry on any occupation (Vishaka v. State of Rajasthan, 1997). Pina and Gannon (2010) are right when they observed that the mere framing of a sexual harassment policy is not enough to safeguard or stop sexual harassment from occurring (Kulshrestha and Pelesmo, 2018).

This paper is an attempt to examine the awareness level of the legal aspects of sexual harassment among student teachers in teacher education institutions. The significance of this topic is due to the seriousness of consequences

suffered by students thinking that it is not a matter to complain. It is also important for employers, employees, students, and parents to acquire a conceptual understanding of sexual harassment and its prevention in teacher education institutions. The issue must be oriented and addressed at the grassroots level where the teacher plays a prime role to create awareness among students, parents, society, and the community. Perhaps the best way to prevent sexual harassment is offered by the teacher in the most educative way and the crime cannot spread out to other fields of work life. Therefore, educational institutions, especially teacher education institutions, have a central role in ensuring that everyone has an appropriate level of awareness, knowledge, and skill to cope up with situations that can help them to make critical decisions regarding gender harmony both in their professional and personal lives, and ultimately establishing an inclusive learning environment.

OBJECTIVE STATUS

To draw out and improve the level of awareness of student teachers of teacher education institutions on the legal aspect of sexual harassment.

RESEARCH METHODOLOGY

The present study is of descriptive research design. A survey method is applied for collecting data using a self-prepared questionnaire on awareness of Sexual Harassment

Committee and Policy. The population for the study was two hundred student teachers of one of the Teacher Education Institutions (TEIs) in Bhubaneswar, Odisha. Data was collected from 69 student teachers (males=27, females=42) selected through purposive, and convenience sampling procedures. The student teachers selected for the sample of the study were doing programmes like M.Ed., M.Phil., Ph.D. course work, and Junior Research Fellows with at least one year of experience in the TEI. The questionnaire contained 14 items on a three-point scale with two open-ended items to explore the awareness level of participants regarding the sexual harassment committee and policy. The data was quantitatively analysed using descriptive statistics like frequency and percentage. The open-ended items in the questionnaire were: the reasons for not complaining to ICC of the TEI if experienced any kind of related incidence, details about ICC, and other policies that safeguard students in TEIs. These responses are analysed and discussed thematically.

AWARENESS OF SEXUAL HARASSMENT COMMITTEE AND POLICY

The questionnaire elicited responses to assess the awareness of the Sexual Harassment Committee and its policy. Dimensions like: the Internal Complaint Committee (ICC), procedures for treating the complaints, anti-sexual harassment

policies, awareness programmes, and dissemination of anti-sexual harassment policy were covered in the questionnaire. Respondents were expected to choose among the three options given which are rated as—yes, no, and don't know. The tables below give a picture of its frequency (N) and percentage (%).

The high percentage of students not knowing about ICC clearly reflects a low level of awareness of ICC. Only 10 per cent of students are aware of the existence of ICC in the institution. Though 14 per cent of respondents affirm that the institutions conduct awareness programmes in institutions on women's rights and gender issues but they are never exposed how to address the issue

of sexual harassment. 29 per cent of the respondents stated that they do not know (not sure) whether any anti-sexual harassment policy related information is appropriately disseminated by the institution or not and 57 per cent opined that the institution does not publicise the anti-sexual harassment policy by displaying it at appropriate places in the institution so that everyone can read about and understand the prevention and prohibition of sexual harassment. A large number of students (80 per cent) responded they have not seen any copy of the anti-sexual harassment policy. Further exploration was done on the 10 per cent of the students who were aware of ICC in the institution as given as the table:

Table 1
Existence of ICC and Dissemination of Information on Sexual Harassment Policies in the Institution

S.No.	Items	Yes		No		Don't know	
		No.	%	No.	%	No.	%
1.	Existence of ICC to report sexual harassment	No.	%	No.	%	No.	%
		7	10	27	40	35	50
2.	Awareness programmes on sexual harassment in the institution	No.	%	No.	%	No.	%
		10	14	20	29	39	57
3.	Anti-sexual harassment policy displayed in any language at appropriate places in institution for everyone to understand	No.	%	No.	%	No.	%
		10	14	39	57	20	29
4.	Copy of the anti-sexual harassment policy	No.	%	No.	%	No.	%
		4	6	55	80	10	14

Table 2
Detailed Exploration on Awareness of ICC

S.No.	Items	Yes		No		Don't know	
		No.	%	No.	%	No.	%
1.	Sexual harassment cases handled by ICC	No.	%	No.	%	No.	%
		5	72			2	28
2.	Is ICC headed by a woman?	No.	%	No.	%	No.	%
		1	14			6	86
3.	Are half the members of ICC women?	No.	%	No.	%	No.	%
		3	43	1	14	3	43
4.	Does ICC ensure time-bound treatment of complaints?	No.	%	No.	%	No.	%
		3	43	1	14	3	43
5.	Does ICC maintain confidentiality with regard to the complaint provided by the victim?	No.	%	No.	%	No.	%
		3	43	2	29	2	28
6.	Does ICC provide support to the victim?	No.	%	No.	%	No.	%
		3	43	1	14	3	43
7.	Does the victim approaching, and filing complaints in ICC face undesirable academic consequences?	No.	%	No.	%	No.	%
		3	43	3	43	1	14
8.	Does ICC ensure the protection of the victim and the witnesses?	No.	%	No.	%	No.	%
		3	43	1	14	3	43
9.	Do the members of ICC maintain a patient hearing in a non-biased manner?	No.	%	No.	%	No.	%
		2	28	3	43	2	29
10.	Was there any kind of action taken by ICC against the perpetrator?	No.	%	No.	%	No.	%
		2	29	22	28	3	43

It is clear that there were complaints in the ICC, but a small number of students are aware of the composition, management, function, procedure and channel for treating the complaints. The students opined in their open-ended responses that a few of them complained to the higher authority, not to any specific committee where as some of them only know that there is a committee dealing with these cases. Thus, they

had a very confusing and vague idea regarding ICC. They affirm the existence of ICC in the institution because they have heard it from somewhere and someone else.

The participants responded to the open-ended item on policies regarding sexual harassment. They stated that the Protection of Children from Sexual Offences (POCSO) Act, 2012, is mentioned in their syllabus but a detailed discussion is not done

with them regarding the act. The respondents offered their feedback on improving the functions of ICC. Many participants suggested that only policy framing is not enough rather strict implementation, severe punishment, and action can prevent sexual harassment. Respondents also considered sexual harassment as an omnipresent crime experienced by teachers, students, female colleagues, and higher authorities. They proposed that the institutions must have anti-harassment cells that should work independently without any bias. It is the responsibility of the educational institutions and teachers to conduct a training programme on various policies and orient

students to protect themselves. Providing adolescent education at an early stage, comfortable talks, and discussion can work towards creating awareness.

A few students shared their experience of sexual harassment that they faced in the comment box of the questionnaire, about which they did not complain formally in the institution. Their reasons for not complaining are presented thematically in Table 3 with possible explanations for their reasons.

It is noticed that student teachers did not complain because of their mistrust of the system, fear of blame, shame, social isolation, self-esteem, security, the dominance of power,

Table 3
Reasons for not complaining to ICC with possible explanations

Reasons	Possible Explanations
I thought of leaving the person (perpetrator) thinking that the person may realise their own fault.	Karma Theory
I was afraid as he was my teacher, the practical marks also were to be given by him and it could have spoiled my career.	Role of Power Play
I would have insecure to join the class after complaining. Everyone's behaviour and attitude will suddenly change after this. I was afraid of the situation and did not have the courage.	Fear and Disgrace
It's a common experience for all girls so it is not a matter to complain. I did not want to lose my mental peace. The tools used must be different for both genders as boys don't face sexual harassment.	Faulty socialisation
I personally find it difficult to distinguish between love, lust, friendship, and harassment. Physical abuse is only sexual harassment.	Lack of awareness
It was handled personally. The committee may have a negative attitude if I fail to produce sufficient evidence and I am afraid of the consequences after reporting.	Mistrust in the system

position, the role of gender, strong patriarchy in the socialisation process and misconceptions regarding sexual harassment leading to low awareness on it. Thus, the student teachers perceived sexual harassment as a normalised behaviour, a part and parcel of life, and learned to live with it.

FINDINGS AND DISCUSSION

The research results show that nearly 90 per cent of student teachers of the institution are unaware of the sexual harassment committee, its composition, and its procedural and functional aspects. Though a few complained to the higher authority, and some wanted to complain about sexual harassment but most of them were unaware about whom to complain, and where and how to complain. A similar situation was seen in the study by Das and Rath (2015), where they discovered their participants are unaware of the various 'Indian Acts' that protect them from sexual harassment in their college. As per the findings of Apaak and Sarpong (2015), though the level of knowledge of female university athletes in Ghana on sexual harassment was significantly high, a majority of them were ignorant about the committee provided to address the issue. This postulation is congruent with that of Priyadarshini, et al. (2016), where 250 out of 407 respondents were unaware of the provision of the grievances committee referring to sexual harassment in

their colleges. Nonetheless, Thomas (2015), in his study, found that 85 per cent of the Indian educational institutions have not framed a policy to deal with sexual harassment complaints knowing that it is a legal mandate. The lower level of reporting may be due to the non-functional and irregular periodic check-ups by Internal Complaints Committee (ICC) in the institution.

Thomas (2015) indentified a number of additional factors for not complaining of ICC such as the harasser's power and position, Victims lack of confidence in procedural justice, victims' lack of courage, fear of social isolation and sexual harassment resolution being skewed in favour of males. Thus, unequal gender and power relation-based violence impacts negatively and stands as an antecedent for committing sexual harassment (WHO, 2009). However, insufficient evidence, people blaming the victim, lack of seriousness towards the issue, and gender bias attitude in committee may be the reasons for victims not complaining to ICC. Psychological unacceptance of the happening of sexual harassment incidents with males among the majority of male respondents is a serious issue that needs further exploration.

90 per cent of respondents of the institution opined that no anti-sexual harassment policy was displayed in any language at appropriate places in the institution resulting in a lack of awareness of the policy. Norman

et al. (2013) supported the above finding, where they explored medical schools in Ghana that appeared to have sexual harassment policies, but they were not widely publicised, and the students were not aware of the protections offered to them. Thus, only framing policies is not enough (Sable et al., 2006) in the absence of its dissemination for the benefit of the public.

Approximately, 80 per cent of respondents did not have any sexual harassment policies and guidelines to refer to in any form from any source. This finding has similarity to that of Joubert, et al. (2011), where only a few respondents of their study had training on the policy contributing to a low level of knowledge of the policy. Hence, they suggested sexual harassment education be offered when students join institutions, followed up with regular seminars, workshops, guidance and training.

These findings present the lack of awareness regarding sexual harassment policy and committee depicting the concern for a conducive teaching-learning environment, where accessibility to the existing provisions to protect a victim of sexual harassment is yet to reach. As a result, the opportunity to create a gender-inclusive environment is threatened. As future teacher educators and teachers, the empowerment to support and stand as bystanders for the education system is hampered. Therefore, it is suggested that awareness of educational intervention

strategies and prevention policies can work well to create awareness and remove the cultural gender barrier in perceiving and handling sexual harassment issues (Sable, et al., 2006). As a result, the meaning of inclusion will prevail in teacher education institutions.

RECOMMENDATIONS

Based on the findings, the following recommendations are made. Similar suggestions are offered by Kulshrestha and Palem (2018):

- All the government educational institutions including teacher education institutions are required to have access to ICC, a complaint box and students must be encouraged to submit complaints, if they have any.
- The composition and constitution and contact details of ICC and its members should be declared and updated from time to time and work independently without any bias.
- UGC should have a periodic check on Higher Educational Institutions to assess their level of abidance with the guidelines provided on the subject matter.
- The educational institutions must give education on sexual harassment during an orientation day and continue educating on it by including it in the curriculum.
- Institutions should organise interactive seminars, workshops, and training on curbing sexual harassment.

EDUCATIONAL IMPLICATIONS

The severity of sexual harassment may affect student-teachers physiologically, psychologically, and financially. The students continue to be in a state of harassment for a long time resulting in dropping from the programmes or irregularity in attendance. As a result, the quality of students' education will deteriorate. It is a threat to the system and its ability to follow an inclusive approach.

CONCLUSION

The paper concludes that sexual harassment is a serious issue that

needs to be taken seriously in educational institutions to ensure safety and security. Responsibility doubles when it is about future teachers. This research reveals the low level of awareness of sexual harassment prevalent at teacher education institutions, the key issue for not reporting. Therefore, an issue of such high magnitude needs to be addressed in educational institutions. If the Teacher Education Institutions fail in this responsibility, the students are more likely to be targeted as victims of sexual harassment and the policies will remain ineffective.

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