



CARAGA
STATE UNIVERSITY

CSU SAFE SPACE CODE





CARAGA STATE UNIVERSITY (CSU) SAFE SPACES CODE

Rationale

Caraga State University (CSU) firmly believes in the inherent dignity and fundamental human rights of every individual within its community. This belief serves as the cornerstone of our commitment to fostering a respectful and inclusive environment across all facets of administrative and academic life.

Aligned with this unwavering commitment, CSU unequivocally condemns and prohibits all forms of gender-based violence and sexual harassment. Such behaviors directly contradict the core principles of respect, equality, and safety that the University strives to uphold, hindering the creation of a conducive atmosphere for learning and professional growth. Our dedication to eliminating gender-based violence directly supports the achievement of SDG 5: Gender Equality, which calls for the elimination of all forms of discrimination and violence against women and girls.

To realize our vision of a gender-fair, safe, and supportive campus environment, we are committed to proactive measures that ensure the physical and mental well-being of all community members. This dedication to fostering an inclusive and non-discriminatory space, free from harassment, intimidation, or any form of abuse, is essential for cultivating a thriving academic and professional community. By prioritizing gender equality, we are directly contributing to the targets of SDG 5, such as ensuring women's full and effective participation and equal opportunities for leadership.

Furthermore, these principles are deeply intertwined with the LIKHA Agenda, CSU's strategic framework for enhancing global competitiveness. By prioritizing the well-being and safety of our community, we are creating a Launchpad of Global Talents and Innovators where individuals can flourish. Our commitment to Internationalization and Partnerships is strengthened by our dedication to upholding human rights and fostering a welcoming environment for collaboration. Achieving SDG 5 requires global partnerships, and CSU is committed to aligning its international initiatives with this goal.

Moreover, our dedication to gender equality and the eradication of gender-based violence facilitates Knowledge Co-Creation and Commercialization by ensuring that all voices are heard and valued. Creating a Hub for Academic Excellence, Innovation, and Entrepreneurship requires a foundation built on respect and inclusivity. By promoting gender equality in research and innovation, we are advancing SDG 5's target of enhancing the use of enabling technology, in particular information and communications technology, to promote the empowerment of women. Finally, our commitment to Accelerated Administrative Systems and Digital Transformation will be used to streamline processes for reporting and addressing violations, ensuring swift and effective action.



Section 1. Declaration of Policy. – It shall be the policy of CSU to recognize the inherent dignity of every individual and ensure the full respect and protection of human rights for all members of the community. This commitment extends to all aspects of administrative and academic life within the University.

In line with this commitment, CSU strictly condemns and prohibits all forms of gender-based violence and sexual harassment, recognizing that such behaviors undermine the principles of respect, equality, and safety that the institution strives to uphold.

To promote a conducive atmosphere for learning and professional growth, CSU campuses shall maintain an enabling environment that is gender-fair, safe, and supportive of the physical and mental well-being of all community members. The University is dedicated to fostering an inclusive and non-discriminatory environment where all individuals are treated with respect and dignity, free from harassment, intimidation, or any form of abuse.

To fulfill this mandate, the University commits to implement proactive measures to ensure that any violations of this policy are addressed promptly and effectively, in accordance with applicable laws and regulations.

Section 2. Legal Bases and other Applicable Provisions. - The following policies, laws, and regulation serve as the foundation and reference for the entirety of this Code:

2.1 Civil Service Commission MC No. 11, series of 2021: Revised Administrative Disciplinary Rules on Sexual Harassment Cases (Amendment to the Sexual Harassment Provisions in the 2017 Revised Rules on Administrative Cases in the Civil Service).

2.2 Commission on higher Education CMO No. 3, Series of 2022: Gender-Based Sexual Harassment Cases in Higher Education Institutions and Other Related Sexual Offenses

2.3 Republic Act No. 7877 or also known as “Anti-Sexual Harassment Act of 1995” : an act declaring sexual harassment unlawful in the employment, education or training environment, and for other purposes.

2.4 Republic Act No. 11313 or also known as "Safe Spaces Act": An Act Defining Gender-Based Sexual Harassment in Streets, Public Spaces, Online, Workplaces, and Educational or Training Institutions, Providing Protective Measures and Prescribing Penalties Therefor.

2.5 Department of Labor and Employment (DOLE) Administrative Order No. 250: rules and regulations implementing republic act no. 7877 (anti-sexual harassment act of 1995) in the department of labor and employment.

2.6 Manual of Regulations for Private Higher Education of 2008: the manual applies to all private higher education institutions operating under the authority of the Commission on Higher Education (CHED).

Section 3. Definition. – As used in this code:



3.1 Academic Activity: Encompasses all activities related to academic pursuits, including, but not limited to, classes, tutorials, seminars, workshops, conferences, lectures, examinations, fieldwork, externships/internships, on-the-job training, and any other activities required for the fulfillment of academic requirements.

3.2 Academic Year: Refers to the period, as designated by the University, that constitutes the complete cycle of academic terms, as specified in the University's official academic calendar.

3.3 Admonition/Reprimand: Constitutes a formal, written or oral expression of censure or rebuke, issued to an individual in response to misconduct or undesirable actions, with the intent of correcting behavior.

3.4 Alternative Dispute Resolution (ADR): Denotes a process for resolving disputes outside of formal litigation, wherein parties engage in collaborative resolution facilitated by a neutral third party. ADR methodologies include, but are not limited to, mediation and conciliation, aimed at achieving amicable settlements.

3.5 Apology: Represents a formal written expression of contrition or remorse for harm or wrongdoing, which must be executed by the responsible individual and accepted by both the University and the private complainant.

3.6 Community Service: Refers to a rehabilitative activity prescribed by the University, designed to provide benefit to the public and align with community objectives. This activity is mutually agreed upon by the University and the respondent(s), provided it does not displace regular employees, undermine employment opportunities, or contravene existing service contracts.

3.7 Committee on Office Decorum and Investigation (CODI): Serves as an independent internal mechanism within the University, tasked with investigating and addressing complaints of sexual harassment. The CODI is responsible for conducting thorough, impartial investigations and providing recommendations for case resolution.

3.8 CSU Campuses: Refers to the Butuan City Campus and the Cabadbaran Campus of Caraga State University.

3.9 Disciplining Authority: The University President holds primary authority for the enforcement of disciplinary actions and decisions, including the final resolution of misconduct cases.

3.10 Expulsion: Signifies the permanent removal or disqualification of an individual from the University, rendering them ineligible for readmission under any circumstances.

3.11 Gender-Based Violence (GBV): Any harmful act directed against an individual based on their gender, including physical, sexual, psychological, or economic harm. Sexual



harassment is recognized as a specific form of GBV as it stems from gender-based power imbalances and discriminatory norms.

3.12 Hearing: Represents a formal opportunity for parties involved in a dispute or case to present their respective positions and evidence. A hearing is not a trial-type proceeding but rather a forum for dialogue and resolution.

3.13 Private Complainant: Designates the individual who has suffered an alleged grievance and files a complaint, or any authorized representative acting on their behalf. The private complainant is considered the complaining witness in related proceedings.

3.14 Referral Pathway: Denotes a mechanism providing appropriate intervention to complainants of gender-based and sexual harassment, which may include psychosocial counseling, Gender Sensitivity Training or Sessions, support from the GAD Focal Point System, transfer to another class, office, or partner institution, available legal support, and other interventions.

3.15 Respondent: Identifies the individual or entity against whom formal charges are filed and who is required to respond to the allegations or claims.

3.16 Sexual Harassment: Sexual harassment refers to any unwanted, unwelcome, or uninvited behavior of a sexual nature, including inappropriate sexual advances or offensive remarks related to an individual's sex, sexual orientation, or gender identity. It may manifest in physical, verbal, or visual forms, and may occur with or without the use of Information and Communication Technology (ICT). This includes, but is not limited to, unsolicited demands for sexual favors or treating individuals unfavorably based on their acceptance or rejection of such advances.

3.17 Semester: Refers to an academic term, as determined by the University, typically comprising a defined number of weeks as specified in the academic calendar.

3.18 Third-Party Entity: Refers to any public or private individual or organization, whether natural or juridical, that has established a formal partnership or agreement with the University for teaching, research, extension, or other related services.

3.19 University Premises: Encompasses all lands, buildings, or facilities owned, occupied, or managed by the University for academic, administrative, or institutional purposes.

3.20 University System: Refers to the collective units, departments, offices, and other entities under the administrative purview of the University, including the Office of the University President and the Offices of the Vice Presidents.

Section 4: Policy on Equal Access



This policy aims to ensure that all individuals, regardless of their socio-economic status, age, marital status, ethnicity, religion, disability, race, sex, and gender identity and expression, have equal access to educational opportunities, university facilities, and involvement in decision-making processes. The focus is on eliminating barriers and ensuring that everyone can participate fully in academic life and university activities, promoting a diverse and inclusive campus community. This commitment to equal access also extends to international students who are officially recognized by the government as refugees or asylum seekers, ensuring that they, too, are fully included in all institutional programs, services, and opportunities.

4.1 All students should have equal opportunities to access resources, participate in programs, and be part of key decisions, which is crucial for building a fair academic environment.

4.2 This ensures that employment opportunities at the university, whether teaching or non-teaching positions, are open to all qualified individuals without discrimination.

4.3 It promotes continuous learning by ensuring that all members of the academic community have the tools and opportunities to advance their knowledge and skills.

Section 5: Policy on Non-Discrimination Against Women and Members of the LGBTQIA+ Community

This policy specifically addresses discrimination against women and transgender individuals. It ensures that both groups are treated with equal respect and given the same opportunities as others within the academic and employment setting at CSU.

5.1 It ensures that women and students belonging to the LGBTQIA+ community are not excluded or marginalized from educational opportunities, programs, in planning and decision-makings or academic advancements.

5.2 It protects women and employees that belong to the LGBTQIA+ community from discrimination in hiring, promotions, and equal treatment within the workplace.

5.3 This policy supports an environment where women and members of the LGBTQIA+ community can participate freely in ongoing education and skill development without fear of exclusion or bias.

Section 6: Policy Standards and Guidelines on Sexual Harassment – Pursuant to the preceding section, the following standards and guidelines shall be strictly observed by all campuses of Caraga State University (CSU):

6.1 The CSU Safe Spaces Code shall be applicable to all teaching and non-teaching personnel, as well as students of the University, to ensure a consistent and comprehensive approach to maintaining a safe, respectful, and non-discriminatory environment across all campuses.

6.2 Gender-based violence and sexual harassment are reprehensible and unacceptable conducts that undermine the mission of the University and violate the inherent dignity of the members of the CSU community. The University shall take all necessary measures to prevent, address, and eliminate incidents of gender-based violence and sexual harassment, ensuring a safe and respectful environment for all individuals.

6.3 All reported incidents or cases of sexual harassment, including those involving members of the CSU community and partner entities, shall be promptly and



appropriately addressed by the CSU Committee on Office Decorum and Investigation (CODI). CODI shall follow established procedures for investigation, intervention, and resolution.

6.4 CSU shall provide appropriate support services to all parties involved in gender-based violence and sexual harassment cases through established Referral Pathways. These services will ensure that affected individuals receive the necessary assistance and guidance throughout the investigation and resolution process.

6.5 Retaliation, in any form, against any individual directly or indirectly involved in the reporting or investigation of a gender-based violence and sexual harassment case shall be considered a serious violation and grounds for disciplinary action. The University is committed to safeguard the rights of individuals who report incidents of gender-based violence and sexual harassment to protect them from any adverse consequences.

Section 7. Persons Liable. – Any member of the CSU community shall be held liable for sexual harassment if they:

- 7.1 Directly participate in the commission of any act of sexual harassment as defined by this Code;
- 7.2 Induce or instruct another individual or group to commit sexual harassment as defined by this Code;
- 7.3 Cooperate in the commission of sexual harassment by another person through an action or omission, without which the act of sexual harassment would not have occurred;
- 7.4 Assist or facilitate the commission of sexual harassment by another person through prior, simultaneous, or subsequent actions that contribute to the perpetration of the offense;
- 7.5 Receive or derive benefits from the commission of any act of sexual harassment;
- 7.6 Conceal, cover up, or shield the perpetration of any act of sexual harassment, or otherwise fail to report such acts when required;
- 7.7 Coerce, intimidate, or otherwise obstruct the victim or any witness from filing a formal complaint or pursuing appropriate actions related to the incident of sexual harassment.

Section 8. Coverage. – This Code applies to all members of the CSU community. For purposes of this Code, the term "CSU community" shall refer to all persons, whether natural or juridical, who are affiliated with Caraga State University (CSU), inclusive of its teaching and non-teaching personnel, students, and other designated members as defined herein:

8.1 Teaching Personnel – Any individual who serves as a member of the teaching staff of the University, regardless of academic rank or appointment status, including any person assigned with teaching responsibilities.

8.2 Non-Teaching Personnel – Any individual employed by the University in a non-teaching capacity, irrespective of the nature or status of their appointment, who does not fall under the category of teaching staff.



8.3 Student – Any individual who has been admitted to and is actively registered in any academic program at the University, whether on a regular or part-time basis, including those officially on a leave of absence, provided that they have not been formally separated from the University through official transfer, graduation, honorable or dishonorable dismissal, expulsion or expiration of the period allowed for maximum residence, at the time of the commission of the act of sexual harassment, regardless of whether or not he/she is enrolled in any unit of the University at the time of the filing of the charge or during the pendency of the disciplinary proceedings, including any person undertaking on-the-job training.

8.4 Other CSU Workers – Refers to non-CSU contractual or job order workers who are engaged in a contractual arrangement with the University in either teaching or non-teaching roles. This includes, but is not limited to, coaches, mentors, trainers, consultants, and other personnel fulfilling specific functions under temporary or contracted agreements.

8.5 CSU Organizations – Refers to student organizations, faculty groups, or any other formal associations that are registered, recognized, or otherwise affiliated with the University, including those recognized by various University offices or units.

Section 9. Places Where Gender-Based Sexual Harassment Is Committed. – maybe committed in the following:

9.1 Within the territorial jurisdiction of CSU Campuses;

9.2 Within or outside the host training institutions, local or foreign during or beyond the conduct of school-related activities so long as the complainant or the responsible in act is under their supervision, instruction or custody;

9.3 In public spaces and/ or online platforms which are used by stakeholders of the education and training institutions for their school-related activities; and/or

9.4 Within any of the above areas where the gender-based sexual harassment is committed by a faculty, employee or students of CSU even if the activity is not school-related and/ or sanctioned by the institution.

Section 10. Classification of Acts. – Gender-based violence and sexual harassment shall be classified as light, less grave and grave offenses.

10.1 Prohibited Acts in the Workplace

Grave Offenses:

- A. Unwanted touching of private parts of the body (inner thighs, genitalia, buttocks and breast);
- B. Sexual assault;
- C. Malicious touching;



- D. Requesting for sexual favor in exchange for employment, promotion, local or foreign travels, favorable working conditions or assignments, a passing grade, the granting of honors or scholarship, or the grant of benefits or payment of a stipend or allowance; and
- E. Other analogous cases.

Less Grave Offenses:

- A. Unwanted touching or brushing against a victim's body;
- B. Pinching not falling under grave offenses;
- C. Derogatory or degrading remarks or innuendoes directed toward the members of one sex, or one's sexual orientation or used to describe a person;
- D. Verbal abuse with sexual overtones; and
- E. Other analogous cases.

Light Offenses:

- A. Surreptitiously looking at a person's private part or worn undergarments;
- B. Making sexist statements and uttering smutty jokes or sending these through text, electronic mail including but not limited to social media platform, causing embarrassment or offense and carried out after the offender has been advised that they are offensive or embarrassing or, even without such advise, when they are by their nature clearly embarrassing, offensive or vulgar;
- C. Malicious leering or ogling;
- D. Display of sexually offensive pictures, materials or graffiti;
- E. Unwelcome inquiries or comments about a person's sex life;
- F. Unwelcome sexual flirtation, advances, propositions;
- G. Making offensive hand or body gestures at an employee;
- H. Persistent unwanted attention with sexual overtones; and
- I. Unwelcome phone calls with sexual overtones causing discomfort, embarrassment, offense or insult to the receiver; and other analogous cases.

10.2 Gender-based violence and Sexual Harassment in Streets and Public Places

Grave Offenses:

- A. Public masturbation or flashing of private parts,
 - B. Groping,
 - C. Or any advances, whether verbal or physical,
- That is unwanted and has threatened one's sense of personal space and physical safety, and committed in public spaces such as alleys, roads, sidewalks and parks.

Less Grave Offense:

- A. Unwanted invitations,
- B. Misogynistic, transphobic and sexists slurs,
- C. Persistent uninvited comments or gestures on a person's appearances,
- D. Relentless request for personal details e. Making statements comments and suggestions with sexual innuendos.

Light Offenses:



A. Engages in acts that include catcalling or wolf-whistling.

10.3 Online Sexual Harassment

Grave Offenses:

- A. Uploading and sharing without the consent of the victim, any form of media that contains photos, voice, or video with sexual content,
- B. Any unauthorized recording and sharing online of any of the victim's photos, videos, or any information of sexual content,
- C. Impersonating identities of victims online or posting lies of sexual nature about the victims to harm their reputation,
- D. Filing false abuse reports to online platforms to silence victims of sexual harassment.

Less Grave Offense:

- A. Use information and communication technology in terrorizing and;
- B. Intimidating victims through Physical, psychological, and emotional threats with sexual overtones.

Light Offenses:

- A. Unwanted sexual misogynistic, transphobic, homophobic and sexist remarks, and;
- B. Comments online whether publicly or through direct and private messages,
- C. Invasion of victim's privacy through cyberstalking and incessant messaging with sexual overtones.

Section 11. Committee on Office Decorum and Investigation (CODI). – In cases of sexual harassment, the complaint shall be formally submitted to the **Committee on Decorum and Investigation (CODI)**. CODI shall be established in all national and local government agencies and state and local (Revised Administrative Disciplinary Rules on Sexual Harassment Cases as provided in 2017 RACCS- CSC MC No. 11, 2021)

11.1 Independent Internal Mechanism, CODI shall function as an independent and impartial internal body tasked with addressing and investigating complaints of sexual harassment, ensuring a fair and thorough process.

11.2 The CODI shall be headed by a woman, and no less than half of its members shall be women, ensuring gender-balanced representation in the decision-making process.

11.3 For both campuses, two distinct sets of the Committee on Office Decorum and Investigation (CODI) will be established—one to address Administrative Complaints and the other to handle Academic Complaints. This separation ensures that complaints are managed by members with the relevant expertise, fostering fair and efficient resolutions.



11.4 The CODI for administrative concerns will include representatives from management, supervisory employees, rank-and-file employees, and, where applicable, the union or employees' association. To ensure a seamless investigation process, the head of the agency will designate alternate members who can step in when a CODI member recuses themselves or when additional expertise is needed to prevent delays.

11.5 The CODI for academic and student-related concerns will consist of representatives from the school administration, faculty, instructors, trainers, coaches, and students, as appropriate. Permanent alternates will be appointed for each regular CODI member, with the authority to make decisions in their absence. This ensures the continuity of investigations and timely resolutions.

11.6 The CODI University Special Order shall be reconstituted annually to update and refresh the list of members within the pool of CODI representatives, ensuring equitable representation across the administrative pillars.

11.7 If the complainant or the respondent is a member of the CODI, that member shall be disqualified from participation in the investigation. In such cases, the complaint may be filed directly with the Civil Service Commission or other relevant disciplinary authorities with jurisdiction over the matter.

11.8 Either the complainant or the respondent may request that a member of the CODI inhibit themselves from the investigation, or a member may voluntarily inhibit themselves based on conflict of interest, manifest partiality, or other reasonable grounds. Upon such a request or decision, the inhibited member shall be immediately replaced to prevent any delays in the proceedings.

11.9 The CODI shall ensure that complainants are protected from retaliation, ensuring that they do not suffer any disadvantage, loss of benefits, or displacement as a result of their complaint. Furthermore, the security of the complainant's tenure shall not be compromised. The CODI shall also ensure that all cases are handled in a gender-sensitive manner and that the identities of the parties and the details of the proceedings are kept confidential to the greatest extent possible.

11.10 The CODI shall observe due process throughout the investigation. Within ten (10) working days from the conclusion of the investigation, CODI shall submit a report of its findings and corresponding recommendations to the disciplining authority for final decision-making.

Section 12. Support Service Through Referral Pathways. – The Committee on Office Decorum and Investigation (CODI), through the Gender and Development Office (GAD Office), may facilitate a referral system at any stage of the process, whether formal or informal, to provide appropriate support services to both the aggrieved party (complainant) and the respondent (person complained of).



12.1 These support services may include, but are not limited to:

- A. temporary shelter,
- B. legal assistance,
- C. psychosocial counseling/ psychological first aid,
- D. transportation and communication,
- E. safety and security measures,
- F. referral to City Social Welfare and Development (CSWD), Philippine National Police (PNP) VAWC Desk and PNP Anti-Cybercrime Group (ACG) and Department of Health (DOH), Barangay Local Government Unit (BLGU) and/ or Civil Society Organizations (CSO) which offers professional help,
- G. medical assistance and other laboratory procedures, and
- H. spiritual and religious groups.

12.2 To ensure effective implementation of the referral system, the GAD Office will provide orientation and training for all individuals involved in providing support services to the parties in sexual harassment cases.

Section 13. Right to Representation. – The University as complainant shall be represented by the President or Campus Director, as the case may be, or his/her designate. The complaining witness and the respondent may be assisted by their respective counsels of choice, who are not connected with the University. The role of counsel shall be limited to advice to his/her client.

Section 14. Where to File. – All complaints or reports must be referred to and filed with the Gender and Development (GAD) Office, which serves as the secretariat of the Committee on Office Decorum and Investigation (CODI). The GAD Office is the sole office authorized to accept and manage complaints.

14.1 If a complaint is mistakenly lodged with another office, it must be forwarded to the GAD Office within 24 hours of receipt to ensure proper handling and timely action by CODI. Deans, Directors, or Heads of units who receive such a report are required to promptly communicate the report to the Gender and Development Office as the CODI Secretariat.

14.2 After the complaint is received by the CODI, an acknowledgment letter will be sent to the complainant within 24 hours of receipt. The letter will include the schedule for a preliminary interview and a list of required documents needed to proceed with the case.

Section 15. Standard Procedural Requirements and Compliance with Due Process. –

15.1 How the Complaint is Commenced – Any act of sexual harassment may be reported either orally or in writing, in English or Filipino, to the **Committee on Office Decorum and**



Investigation (CODI) by the aggrieved party, or by any person acting on behalf of the aggrieved party. The report may be submitted using the **Complaint Form** provided by the **Gender and Development (GAD) Office**, or in a freestyle format, provided that it is written, signed by the aggrieved party or their representative, and notarized.

15.2 The complaint form or the written report from the aggrieved party must provide the following information:

- A. Full Name and Contact Details of the complainant.
- B. Full Name, Contact Details and/ or Position of the Respondent, if known to the Complainant.
- C. Statement of Relevant Facts.
- D. Evidence to Support the Allegation, provided that the non-submission of the evidence shall not cause the dismissal of the complaint, and
- E. Certification or Statement of Non-Forum Shopping.

15.3 If the complaint is not under the oath, the Complainant shall be summoned by the CODI to swear to the truth of the allegations in the complaint or require the Complainant to submit a sworn complaint 24 hours from receipt of notice of compliance.

15.4 In cases where the report is made orally, via text message, or through other non-written means, the GAD personnel in charge shall reduce the statement to writing using the prescribed case intake form, which must then be signed by the aggrieved party or their representative. All supporting documents, statements, and written materials submitted must be attached to the report.

15.5 Reports filed by any member of the CSU community against a non-member of the CSU community shall be handled in the same manner, with the exception that such reports shall proceed in accordance with the terms of engagement between the non-member and the University.

15.6 In accordance with the Data Privacy Act, both the complainant and the individual being complained of have the right to remain anonymous to other parties involved in the investigation. However, it is imperative that both parties are fully informed about the details of the complaint to ensure transparency and fairness in the process. This ensures that each party is aware of the allegations and can respond accordingly, while maintaining confidentiality throughout the investigation.

15.7 If the CODI determines that the complaint does not constitute sexual harassment in any form, the complaint shall be forwarded to the University Grievance Committee for further action as deemed appropriate.

15.8 Preliminary Interview. – the Director of the GAD shall act as the case interviewer and shall gather detailed information about the reported incident(s) by asking specific and relevant questions. The interviewer will document the responses accurately in the intake forms and ensure that the aggrieved party or person attests to the recorded information by signing the complaint form.



15.9 Notices. – Within two (2) working days from receipt of the complaint the complaint, the CODI shall issue a notice to the person complained of. If the individual is a student below 18 years of age, the notice shall also be served to their parent or guardian. The notice shall include copies of all pertinent documents related to the report.

15.10 Response to Report. – Within three (3) working days from receiving the notice of the report, the person(s) complained of shall submit a written and notarized response to the CODI (Committee on Decorum and Investigation). A copy of this response shall also be provided to the aggrieved party.

15.11 *Prima Facie* Determination of Sexual Harassment. – Upon receipt of the response to the report, or upon the expiration of the period allotted for its submission, whichever comes first, all pertinent documents shall be forwarded to the CODI. The CODI shall evaluate the case and determine whether a prima facie case for sexual harassment exists and whether there is a basis for issuing a preventive suspension.

15.12 Sexual harassment is deemed to exist based on the complaint when any of the following circumstances are alleged:

- A. A sexual favor is demanded or requested as a condition for hiring, employment, reemployment, favorable compensation, promotion, or any other term, condition, or privilege of employment. Refusal to grant the favor results in actions such as limiting, segregating, or classifying the individual, thereby discriminating against them, diminishing their employment opportunities, or otherwise adversely affecting their status.
- B. The act impairs the rights or privileges of students, teaching staff, or non-teaching personnel under applicable laws, rules, or regulations.
- C. The act creates an intimidating, hostile, or offensive environment in the workplace or learning setting, forcing the offended party to endure unwanted, unwelcome, or uninvited behavior.
- D. The act is committed against a student, trainee, or an individual under the care, custody, supervision, or advisorship of the offender. This includes situations where the individual's education, training, apprenticeship, or tutorship is entrusted to the offender.
- E. A sexual favor is made a condition for obtaining a passing grade, receiving academic honors or scholarships, or accessing stipends, allowances, benefits, privileges, or other considerations.

15.13 At any stage during the evaluation process, the CODI may request the attendance of the parties involved to address questions, inform them about the opportunity to resolve the complaint through an informal procedure, and implement any other measures it deems relevant for the evaluation of the complaint. The CODI shall ensure that any decision to proceed with either the informal or formal procedure is made voluntarily and with the full readiness of all parties involved.



15.14 Regardless of any withdrawal of the report by the aggrieved party, the CODI shall submit its report and recommendations to the University President, as applicable, within thirty (30) days from the receipt of the response to the report or complaint.

15.15 Action on the Complaint. After evaluating the complaint, the CODI shall:

- a. For complaints against an employee, faculty or student of CSU: proceed with the investigation of the complaint is sufficient in form and substance. A complaint is sufficient in form and substance if all the elements provided for under the immediately preceding provisions are present.
- b. For complaints against personnel of third-party service provided or partner institutions or guests or visitors of the CSU campuses: recommend the referral of the complaint to the service provider, partner institutions or the proper government authorities for proper investigations and action.

15.16 The CODI shall likewise recommend to the University President and/or Campus Director to provisionally disallow the personnel of third-party service provider, or the partner institutions complained of, or guests or visitors from entering the premises of the CSU Campuses or from transacting with CSU while investigation is on-going or pending before the service provider, partner institution or the proper government authorities.

15.17 Investigation of Cases Before the CODI. – The CODI shall at all times, observe due process and investigate and decide said complaint within ten (10) working days or less upon receipt thereof, following the procedures:

- A. Within 24 hours of receipt of the written complaint, the CODI shall commence the investigation by sending the Complainant the acknowledgement letter indicating an invitation for a preliminary interview and of the requisites they need to comply to advance the complaint.
- B. Within 3 working days after the receipt of the complaint, the preliminary interview should have been conducted, and the respondent should also be notified of the complaint filed against him/her with the directives to submit his/her Counter-Affidavit/ Comment under oath and submit evidence in his/her defense. Otherwise, the Counter-Affidavit / Comment will not be considered filed.
- C. Upon the receipt of the Counter-Affidavit/ Comment under oath and evidence submitted by the Respondent, the CODI shall conduct an *ex-parte* examination of the documents submitted by the parties, including available records of the case.

Section 16. Issuance of Formal Charge. – After determining the existence of a prima facie case, the CODI Chairperson shall issue a Formal Charge against any or all of the respondents within five (5) days from receiving the CODI report and recommendations.

The Formal Charge shall include the following details:

- The name, age, civil status, and relationship with the University of the person complained of;



- The specific acts or omissions constituting sexual harassment;
- The name, age, civil status, citizenship, and relationship with the University of the offended person(s);
- The approximate date, time, place, and circumstances constituting the elements of the report or complaint.

16.1 The Formal Charge may also include provisions for preventive suspension, specifying its scope, as well as the issuance of a protection order, if necessary.

16.2 Complaints may be filed digitally, provided that all requirements outlined in this section are duly complied with.

Section 17. Preventive Suspension. – Upon the recommendation of the CODI, the University President, as applicable, may suspend any student, teaching, or non-teaching personnel for a non-extendible period not exceeding ninety (90) days from the issuance of the Formal Charge; provided, however, that no suspension shall exceed the maximum imposable penalty.

17.1 An order of preventive suspension may be issued to temporarily remove the respondent from the site of the reported incident and to prevent the possibility of exerting undue influence or pressure on witnesses, or destroying, tampering with, hiding, or suppressing evidence.

17.2 A respondent under preventive suspension may be restricted from any or all of the following:

- A. Attending classes and academic activities or rendering work;
- B. Entering CSU academic, office, or service buildings and their premises;
- C. Using CSU campus facilities, including but not limited to athletic facilities, libraries, and computer laboratories, except for dormitories (if the respondent is a dormitory resident), health services, houses of worship, police stations, resource generation areas, residences, and other areas as may be recommended by the CODI;
- D. Participating in CSU activities within university premises; and
- E. Holding student or office jobs

17.3 The preventive suspension may also include additional conditions set by the concerned Dean, or the University President, as deemed necessary.

Section 18. Alternative Dispute Resolution (ADR). – is limited to conciliation and mediation processes.

18.1 It may only be utilized in cases of sexual harassment under the following conditions:

- A. It is the first complaint filed against the person being complained of;
- B. The complaint is considered a light offense;
- C. The case involves a peer-to-peer relationship.



Additionally, it is understood that the complainant must voluntarily agree to the ADR process, and both parties must be willing to engage in the resolution process in good faith.

18.2 For student-related complaints under this section, the Office of Student Welfare and Engagement (OSWE) will serve as the designated mediator. For complaints involving faculty and personnel, the Human Resource and Management Services Office (HRMSO) will serve as the designated mediator.

Section 19. CODI and Hearing Procedures. – The parties and their witnesses, if any, shall submit affidavits subject to clarificatory questions prior to the facilitation of case hearing/s.

19.1 Preliminary Hearing – the CODI shall set a mandatory meeting after 24 hours that the counterstatement of the Respondent has been received. During the meeting it will not be necessary that the respondent and the complainant be present, however, the CODI members must be in quorum to create a recommendation to the CODI Chairperson. This will also serve as a meeting for the CODI members to evaluate evidence and determine possible resolution.

Matters taken and agreed upon during the preliminary meeting shall be reduced in writing and attested to by the CODI members and/or the private complainant, and the respondent. The preliminary meeting report shall be binding on the parties. The parties may also agree to submit the case for resolution during the preliminary meeting.

19.2 Quorum. – Hearings and other meetings of the CODI shall proceed when a majority of the members are present. These meetings may be conducted either physically or virtually.

19.3 Investigation Report. – Within two (2) days from the conclusion of the preliminary hearing, the CODI Secretariat shall submit the Investigation Report to the CODI Chairperson. The report must include affidavits and documentary evidence, if any.

19.4 Clarificatory Meeting. – At any time after the submission of the Investigation Report from the preliminary hearing, the CODI Chairperson or other CODI members may call for clarificatory meetings as deemed necessary.

19.5 Report and Recommendation. – Within five (5) days from the receipt of the Investigation Report or of the last clarificatory meeting, the CODI shall submit its report and recommendation/s to the University President, acting as the Disciplining Authority.

19.6 Decision by the Disciplining Authority. – Within ten (10) days from the receipt of the CODI's report and recommendation/s, the University President shall render a decision. The decision of the University President shall become final and executory ten (10) days after the parties receive a copy. However, if the corrective measure imposed is



expulsion or dismissal, the decision shall be automatically appealed to the Office of the University President. No motion for reconsideration is allowed in this instance.

19.7 Finality of Decisions. –

- A. decision rendered by the Disciplining Authority imposing a penalty of reprimand, suspension not exceeding thirty (30) days, or a fine equivalent to not more than thirty (30) days' salary shall be final, executory, and not appealable, unless the Respondent raises a violation of due process. The Respondent may file an appeal on this ground within fifteen (15) days of the decision.
- B. For penalties involving exclusion, dismissal, suspension exceeding thirty (30) days, or a fine exceeding thirty (30) days' salary, the decision shall become final and executory after the expiration of the period for filing a motion for reconsideration or an appeal, provided no such pleading has been filed.
- C. motion for reconsideration may be filed with the Disciplining Authority by the Respondent within fifteen (15) days of receiving the decision. The Disciplining Authority must act on or resolve the motion within thirty (30) days of its receipt.

Section 20. Motion for Reconsideration or Appeal. – The filing of a motion for reconsideration and appeal, and subsequent proceedings and other matters not covered by these Guidelines shall be governed by:

- A. the existing Civil Service Rules for the CSU personnel
- B. the Manual of Regulations for Private Higher Education (MORPHE)
- C. Commission on higher Education CMO No. 3, Series of 2022: Gender-Based Sexual Harassment Cases in Higher Education Institutions and Other Related Sexual Offenses

20.1 Grounds – the motion for reconsideration based on any of the following:

- A. New evidence has been discovered which materially affects the decision rendered; or
- B. The decision is not supported by the evidence on record; or
- C. Errors of law or irregularities have been committed prejudicial to the interest of the movant.

20.2 Limitation. One motion for reconsideration shall be entertained. If a second motion for reconsideration is filed notwithstanding its proscription under this Code, the finality of action shall be reckoned from the denial of the first motion for reconsideration.

20.3 Effect of Filing. The filing of a motion for reconsideration within the reglementary period of fifteen (15) days shall stay the execution of the decision sought to be reconsidered.

Section 21. Corrective Measures. – The corrective measures for light, less grave, and grave offenses are as follows:

21.1 For teaching or non-teaching personnel

1. For light offenses



- 1st offense – Reprimand or suspension for 1 month and 1 day to 6 months
- 2nd offense – Fine or suspension for 6 months and 1 day to one year
- 3rd offense – Dismissal

2. For less grave offenses

- 1st offense – Suspension for 6 months and 1 day to one year
- 2nd offense – Dismissal

3. For grave offenses

- 1st offense – Dismissal

21.2 For students

1. For light offenses

- 1st offense – Reprimand or community service of not exceeding 30 hours
- 2nd offense – Suspension not exceeding 1 semester

3rd offense – Expulsion

2. For less grave offenses

- 1st offense – Community service of 60 hours
- 2nd offense – Suspension for 1 semester to 1 year
- 3rd offense – Expulsion

3. For grave offenses

- 1st offense – Suspension for more than 1 academic year to expulsion

(c) For other CSU workers

They shall be proceeded against in accordance with the provisions of their contract with the University.

21.3 For CSU organizations

Corrective measures may range from a minimum of suspension of privileges and recognition for one semester to a maximum of non-recognition, depending on the gravity of the circumstances.

Aligned with the transformative values of student discipline, a suspension of one semester or less may be converted into an equivalent period of community service. Such community service shall include a reasonable duration for clinical counseling and rehabilitative measures to promote personal growth and accountability.

Section 22. Additional Corrective Measure. – In addition to the imposable corrective measures, regardless of the number of times the offense is committed, the following corrective measures may be imposed within the period of service of the corrective measure.

22.1 These include the following, but are not limited to:

- A. written or oral apology;
- B. counseling; and,
- C. attendance in appropriate or relevant trainings, seminars, and lectures, such as gender sensitivity trainings, or other such similar activities.



22.2 In determining whether corrective measures are appropriate or necessary, the following factors may be taken into consideration:

nature and circumstances of the act committed;

- A. frequency and severity of the act;
- B. personal circumstances of the person complained of/ respondent (e.g., age, maturity, position, or rank)
- C. safety of the parties or community; and,
- D. such other relevant factors. These corrective measures may also be adopted in complaints submitted for disposition under the informal procedure.

Section 23. Prescriptive Period. All complaints for sexual harassment shall be filed with the CODI within **two (2) years** from the commission of the act complained of.

Section 24. Institution of Separate Actions. – Nothing in this Code shall preclude the complainant from instituting a separate criminal or civil action.

Section 25. Confidentiality Clause. All proceedings and records related to the case shall remain strictly confidential. For purposes of disseminating decisions to pertinent University offices, only the dispositive portion of the decision shall be released.

25.1 All parties to the case, as well as University personnel, students, and other individuals entrusted with duties and functions related to the implementation or enforcement of this Code, are enjoined to maintain strict confidentiality and respect the privacy of all parties involved throughout the duration of the case.

25.2 To ensure confidentiality, all members of the CODI (Committee on Decorum and Investigation), CSU personnel, and other concerned individuals participating in the proceedings shall be required to sign a non-disclosure agreement prior to their involvement.

25.3 It is the duty of any receiving officer within the Office of the President, the Office of the University and Board Secretary (OUBS), the Records Office, the Human Resource Management Services (HRMS) Office, or any other University office, to uphold the utmost confidentiality of all information contained within complaints or communications received. These officers shall also be required to sign a Non-Disclosure Agreement (NDA).

25.4 In the final decision released by the University, the complainant's identity shall, upon request, be replaced with an assumed name. Provided, however, that if the respondent is found not liable for the offense charged, their name shall also be replaced with an assumed name.



25.5 Any person who violates the confidentiality of such records or proceedings shall be subject to appropriate disciplinary action.

25.6 For research or other scholarly studies requiring data from the CODI or GAD Office regarding cases of sexual harassment, researchers must craft a Memorandum of Agreement (MOA) or sign a Non-Disclosure Agreement (NDA) prior to accessing any data. Only aggregated figures or statistics will be disclosed, and the names of all parties involved shall remain strictly concealed to protect their identities.

Section 26. Responsible Officials. The University President and the CODI Chairperson shall be directly responsible for the effective implementation of this Code.

26.1 In addition to being held liable for committing acts of Gender-Based Violence and Sexual Harassment, the University President, faculty, instructors, professors, coaches, trainers, or any other individual in a position of authority, influence, or moral ascendancy may also be held accountable for failing to act on or report such acts.

26.2 Any individual who, either intentionally or through inaction, obstructs the reporting process or impedes the advancement of a complaint may be found administratively liable for Gross Misconduct or Gross Negligence, without prejudice to any criminal liability under RA 11313 (Safe Spaces Act).

Section 27. Protocols for the Prevention of Sexual Harassment.– The Gender and Development Office, in collaboration with the GAD Focal Point System (GFPS) and the Committee on Decorum and Investigation (CODI), shall formulate, disseminate, and publish protocols for the prevention of sexual harassment. This process will involve consultation with the Legal Office and the Board of Regents (BOR). Academic units may develop implementing guidelines tailored to their specific situations, subject to review and approval by the GFPS and CODI.

27.1 Mandatory Anti-Sexual Harassment and Gender Sensitivity Training. All members of the Caraga State University (CSU) community, including students, faculty, staff, and administrators, shall undergo mandatory anti-sexual harassment and gender sensitivity training every three (3) years. This comprehensive training program is designed to ensure universal awareness and understanding of the university's policies, procedures, and the critical importance of fostering a respectful and safe environment. Participants will gain a clear understanding of the definition and manifestations of sexual harassment, strategies for prevention, and the established protocols for reporting and addressing incidents. This training reinforces CSU's unwavering commitment to maintaining a harassment-free campus and upholding the dignity of all its members.

27.2 Safe Spaces Code Onboarding Session for New Personnel. As an integral part of the onboarding process, the Gender and Development (GAD) Office shall conduct mandatory orientation sessions for all newly hired personnel at both the Butuan and



Cabadbaran campuses. These sessions will provide a thorough introduction to the CSU Safe Spaces Code, elucidating its principles and ensuring that all employees are equipped to uphold the university's core values of inclusivity, respect, and safety. This orientation is essential for establishing a consistent and proactive approach across the university in preventing discrimination and cultivating a positive, safe, and equitable working environment.

27.3 Pre-Deployment Orientation for Interns. Prior to their deployment to any internship site, all Caraga State University (CSU) interns shall undergo mandatory pre-deployment orientation conducted by the Gender and Development (GAD) Office in collaboration with relevant academic departments. This orientation will specifically address the Safe Spaces Code and gender sensitivity, ensuring that interns are well-prepared to navigate professional environments with awareness and respect.

27.4 Gender-Sensitive Comfort Rooms. To foster a more inclusive environment, the university will equip its comfort rooms with designated stalls for Persons with Disabilities (PWD) and gender-neutral stalls. This initiative ensures that all individuals, regardless of gender identity or physical ability, have access to private and respectful restroom facilities. By offering these gender-sensitive and accessible options, the university demonstrates its commitment to supporting the diverse needs of its community members and providing a safe, respectful space for everyone.

27.5 Mandatory Anti-Sexual Harassment Orientation and Clearance for Personnel and Students. Anti-sexual harassment orientation and clearance will now be an integral part of all student and personnel documentation. This will apply to key personnel actions, including hiring, tenure decisions, promotions, and the accreditation of service contractors and partner entities. By embedding anti-sexual harassment training into these critical processes, the university ensures that all individuals within the community are aware of their rights and responsibilities, fostering a culture of accountability and mutual respect at all levels.

27.5 Incorporation of Code in University Memoranda of Agreement (MOA) and Memoranda of Understanding (MOU). The university will ensure that all MOAs and MOUs, particularly those related to On-the-Job Training (OJT) programs, include provisions aligned with the Safe Spaces Code. This inclusion will ensure transparency and clarity with partner institutions regarding the university's policies on harassment and discrimination. By doing so, CSU sets clear expectations with external partners, reinforcing the importance of a respectful, inclusive environment both on-campus and within off-campus collaborations.

27.6 Incorporation of Code in Official University Documents. The university will ensure that the Safe Spaces Code is fully incorporated into all relevant official documents, including the student and employee handbooks. Should there be any revisions or updates to the provisions of this Code, corresponding modifications will be made to the handbooks to ensure that they reflect the most current policies and guidelines. This proactive approach guarantees that all members of the CSU community have up-to-date



information regarding their rights and responsibilities under the university's commitment to creating a safe, inclusive space.

Section 28. Repealing Clause. – All CSU issuances inconsistent with these guidelines are deemed repealed accordingly upon the effectivity of this code.

Section 29. Separability Clause. If any provision or part of this policy is declared invalid or unconstitutional, the remaining provisions or parts thereof shall not be affected and shall remain in full force and effect.

Section 30. Effectivity. – This code shall take effect ____ days from publication in the CSU Handbook, Official Publication and website.

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