

RULES OF CONDUCT IN CASE OF SEXUAL AND MORAL HARASSMENT

Approved by the Board of Directors on 14 September 2018 and amended on 25 January 2021

The Pontifical Gregorian University aims at the integral formation of people capable of carrying out ecclesial ministries and other services, intellectual and human formation acquired and matured during various curricula of studies.

The University therefore expects from its teaching staff, non-teaching staff, and from its students, a marked human maturity and a conduct in accordance with good morals, the Gospel and the rules of academic life.

For its part, the Pontifical Gregorian University intends to guarantee all those who work and study at the University, or attend it, a serene environment, in which interpersonal relationships are based on fairness, equality and mutual respect for the freedom and dignity of all persons.

The bases and points of reference of these Rules are made up of: art. 49, §§1–4; art. 66, §§4–5 the General Statutes of the Pontifical Gregorian University; art. 62, §§1–3, and art. 85 of the General Regulation of the University; art. 1, no. 1; art. 2, no. 1; art. 3, §2, nos. 2 and 5, and §5 of the Norms of University Ethics of the Pontifical Gregorian University.

Art. 1 – DEFINITIONS

1. For the purposes of this Policy, sexual harassment means any unwanted act or behavior with a sexual connotation, expressed in physical, verbal, or non-verbal form, even in digital form, causing offense to the dignity and freedom of the person who suffers it, or that has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment.
2. Sexual harassment is considered to be of greater gravity if it is due to decisions relating to the hiring, performance or termination of the employment relationship.
3. Sexual harassment carried out by teaching staff, or non-teaching staff, is also considered to be of greater gravity towards students.
4. For the purposes of these Norms, moral harassment means repeatedly hostile attitudes manifested directly or indirectly against an individual or a group of individuals, with a persecutory intent, physically or psychologically, protracted and systematic, and likely to create an environment that is disrespectful, humiliating or detrimental to the psychophysical integrity of the person or their dignity.
5. The following behaviors are examples of moral harassment: damage to image — such as offenses, intimidation, slander, insults, dissemination of confidential information, insinuations regarding psychological or physical problems of the person — or any other action to discredit the person, bullying, as well as reprimands if carried out in the manner indicated in no. 4.
6. Any form of retaliation against anyone who reports harassing behavior, including witnesses, is also to be considered moral harassment.

Art. 2 – SCOPE OF APPLICATION

These Norms apply to all those who enter into relations with the Pontifical Gregorian University for work, study or other forms of relationship in any capacity (students, teachers, managers and non-

teaching staff, authorized visitors or guests, outsourced staff, collaborators, consultants, visitors, etc.).

Art. 3 – TRUSTED COUNCILORS

1. The Board of Trustees provides advice and assistance to those who report being a victim of sexual or moral harassment.
2. The Board of Trustees is appointed by the Rector for a three-year period from external or internal persons to the University who have personal and professional experience suitable for carrying out the task envisaged (see Appendix 1 - Trusted advisors).
3. In carrying out their duties, the Board of Trustees acts in full autonomy and can make use of internal or external consultants (lawyers, psychologists, social workers, etc.).
4. As part of the relationship of trust between the Board of Trustees and the Authorities, if the Directors inform the Authorities about a case of which they are aware, the Authorities in turn will have to provide the Directors with feedback on the specific measures that have been taken.
5. The Board of Trustees can propose information, training actions and initiatives aimed at promoting an organizational environment suitable for ensuring the equal dignity and freedom of all persons within the University.

Art. 4 – INTERNAL PROCEDURE FOR THE PROTECTION OF THE HARASSED PERSON

1. Anyone who has been subjected to harassment — as defined in art. 1 — can ask for assistance to the Board of Trustees and submit a formal complaint to the internal Authorities of the University, done in any case with the right to appeal to the judicial Authorities, as defined in art. 5.
2. Complaints are evaluated by the *Disciplinary Commission*, composed of the Academic Vice Rector and by the Administrative Vice Rector.
3. The formal report of a student or teacher is presented to the Vice Academic Rector, who proceeds pursuant to art. 1, no. 1; 3, §2, nos. 2 and 5; 4, nos. 1 and 5, of the Norms of University Ethics.
4. In the event of a formal complaint against a teacher, the following apply: 1) the provisions of Articles 3, §4 and §5; 4, nos. 1 and 5; 5, §2 of the Rules of University Ethics; 2) the provisions of art. 5 §1 of the Regulations for the determination of the normative and economic treatment of the teaching staff of the Pontifical Gregorian University.
5. The complaint of a non-teaching staff member is presented to the Administrative Vice Rector. Correspondingly a person who is inside the University for non-academic reasons (e.g., suppliers, visitors, etc.) should contact the Administrative Vice Rector.
6. In the event of a formal complaint for non-teaching staff, the provisions of art. 43, no. 7, point C) of the *National Collective Agreement* of the Pontifical Gregorian University are applied.
7. Should the Disciplinary Commission during the disciplinary proceedings deem the facts reported to be well founded, it will take the measures it considers necessary to protect the victim from further harassment and allow them to continue their activities with serenity.
8. In the event that the accused is a cleric or a religious and the alleged victim is a minor or a person who habitually has an imperfect use of reason, the obligation arises to inform the Ordinary or the respective religious superior of the accused, in view of a criminal procedure

according to Canon Law. The same is true for other sexual acts that in Canon Law are defined as crimes.

Art. 5 – EXTERNAL FORMAL PROCEDURE

The harassed person can in any case, and regardless of the initiation of an internal proceeding informal or formal, report the harassing event to the competent civil authorities, in order to initiate a judicial proceeding.

In cases where Italian law does not provide for the obligation to report to the competent civil authorities, the Disciplinary Commission will decide on behalf of the Pontifical Gregorian University on the advisability of filing a complaint.

Art. 6 – CONFIDENTIALITY

During the investigations and the carrying out of the procedures to protect the person harassed, the absolute confidentiality of the person involved is ensured. The dissemination of information will be considered a violation of professional ethics. The person who has suffered harassment has the right to request the omission of all their data from any document subject to publication.

Art. 7 – APPLICATION AND APPEAL

1. In applying the sanctions, the competent authority must take into account the dignity of the person and act in such a way that their good reputation is always protected, as far as possible.
2. The accused person has the right to defend themselves before the competent authority and, therefore, before the case is decided, must be heard, together with any other persons possibly involved.
3. The accused person has the right to appeal to the higher instance against the decision that seems unfair to them.
4. The appeal is from the Vice Rectors or from the *Disciplinary Commission* to the Rector, from the Rector to the Grand Chancellor, and from the Vice-Grand Chancellor to the Grand Chancellor.

Art. 8 – UNFOUNDED COMPLAINT

Where the complaint proves to be unfounded, the Authority, within its own competences, takes all the necessary steps to rehabilitate the accused person, with the initiation of adequate disciplinary and possibly criminal measures against the accuser, in cases where the falsity of the complaint is clear.