

THE CHINESE UNIVERSITY OF HONG KONG, SHENZHEN

Policy Against Sexual Harassment

General

1. The University is committed to equal opportunity in academic pursuit and employment, and will not tolerate any form of discrimination or harassment. Sexual harassment undermines gender equality and violates personal dignity. Sexual harassment, when it occurs, may adversely affect the work of staff members and the learning environment of students.
2. The *Constitution of the People's Republic of China* pledges that the state respects and safeguards human rights; the *Civil Code of the People's Republic of China* stipulates that entities such as government agencies, enterprises, and schools should take reasonable measures to prevent and stop sexual harassment; the *Law of the People's Republic of China on the Protection of Rights and Interests of Women* and *Shenzhen Special Economic Zone Ordinance on the Promotion of Gender Equality* further clarify the prohibition of sexual harassment and stipulate the responsibilities of involved parties.
3. The University's policy and procedure against sexual harassment (hereinafter "the Policy") sets out the mechanism for dealing with allegations or complaints of sexual harassment. The University is committed to fostering a safe, respectful, and inclusive learning and working environment, firmly opposing any form of sexual harassment. The Policy is designed to safeguard all students and staff members from sexual harassment and to ensure the victims receive the necessary support and protection.

Definition of Sexual Harassment

4. Sexual harassment refers to the act of violating another person's wishes by using speech, text, images, physical conduct, electronic

communication to make an unwelcome sexual advance to another person. This includes, but is not limited to, the following behaviors:

- i. a person making an unwelcome sexual advance, or an unwelcome requesting for sexual behavior toward another person; or
- ii. a person engaging in other unwelcome conduct of a sexual nature in relation to another person, in circumstances where a reasonable person would anticipate that the other person would feel offended, humiliated or intimidated; or
- iii. a person engaging in sexual conduct, individually or with others, that creates a hostile, humiliating or forced environment for another person.

Application

5. This Policy Against Sexual Harassment applies to all staff members and students of the University, including:
 - i. Full-time and part-time/fractional employees
 - ii. Temporary and contract workers
 - iii. Job applicants (when on campus)
 - iv. Full-time students, part-time students, exchange students, visiting students, auditing students, distance learning students, and any other individuals enrolled in academic programs at the University
 - v. Alumni (when on campus)
 - vi. Visiting scholars and other individuals who have a legal relationship with the University

The scope of application covers work-related premises and official extended scenarios (such as business trips and conferences). If the complaint involves both the complainant and the respondent being members of the University, even if the conduct occurred off-campus, the panel will review and determine on a case-by-case basis whether this policy is applicable.

6. As an educational establishment, the University will not tolerate any form of sexual harassment by an employee of the University to a student or other staff members. Also, it will not tolerate any form of sexual harassment by a student to a fellow student or any staff member of the University.

7. Any staff member or student who believes that he or she is a victim of sexual harassment should act promptly. Delay in making a complaint may also present difficulties for the University in conducting a thorough investigation and establishing the facts of the case.

Lodge of Complaint

8. Any staff member or student of the University who has allegedly been sexually harassed by another staff member or student may approach the Human Resources Office (for staff) or Office of Student Affairs (for student).
9. Upon receipt of a complaint, the Human Resources Office or Office of Student Affairs will refer the complaint to the Panel Convenor to handle the enquiries and complaints.

Panel Against Sexual Harassment

10. For the purpose of the Panel Against Sexual Harassment, a Team of Panelists consisting of 10 teaching and non-teaching staff members of both genders who are in good standing, preferably of different ranks, and are familiar with relevant regulations and procedures, together with a Panel Convenor, will be appointed by the President, each for a term of two years. Should a member's handling of incidents be deemed improper during their term, resulting in damage to the University's reputation or significant harm to personnel or property, the President shall determine whether the member or convenor shall remain in their role.
11. For each investigation, the Panel Convenor will select at least two members of both genders from the Team of Panelists. The two members, together with the following standing members appointed by the President, shall form the Investigation Panel to investigate the case.
12. For the purpose of Item 11 of this Policy, the following will be standing members of the Panel Against Sexual Harassment:

Convenor

Director of Office of Student Affairs

Ms. Tina TIAN

Standing Members

Director of Human Resources Office

Ms. Catherine CHEN

Director of President's Office

Dr. Ning SUN

Professor, School of Humanities and Social Science

Prof. Lan LI

13. All cases of alleged sexual harassment should be referred to the Human Resources Office or Office of Student Affairs as appropriate to ensure consistency in dealing with the matter. The two Offices will each assign a designated officer with appropriate training, to be responsible for handling such matters. However, the University reserves the right to take disciplinary action against any staff member or student making a false or malicious complaint or intentionally providing false information in any complaint or conciliation process.
14. Where a complaint had been made but the complainant has declined to participate in the normal procedure or a complaint is brought anonymously or brought by third parties not directly involved in the case, the University shall review the case to determine whether a further inquiry into the underlying circumstances is justified. The review shall be conducted jointly by the Panel Convenor together with one standing Panel member who have full authority to determine whether to conduct a further inquiry.
15. For an allegation that potentially discloses the commission of a criminal offense, the University has the right to report the case to the police for handling.
16. A flowchart on handling sexual harassment complaints is attached for illustration.

Conciliation

17. The Panel Against Sexual Harassment will offer to facilitate conciliation of the dispute at the request of the complainant or the accused. Under normal circumstances, conciliation does not require filing a written complaint. Conciliation is a voluntary process, and will be conducted by the Panel only where both the complainant and the accused agree to conciliation. The complainant may elect to bypass conciliation and proceed directly with the filing of a written complaint.

18. The Panel Convenor shall appoint two members from the Team of Panelists to conduct any conciliation.

Investigation and Appeal

19. If the complainant wishes the University to initiate an investigation into an alleged act of sexual harassment, he/she should file a written complaint with the Panel Against Sexual Harassment. The written form should include the date, the complainant's signature, and a detailed complaint description. An officer designated by the Panel may assist in recording an oral complaint as a written one, which must be signed and confirmed by the complainant. Upon receipt of a written complaint, if the preliminary assessment determines that an investigation is necessary, the Panel should initiate a formal investigation procedure within 10 working days and form an Investigation Panel to conduct a full and impartial investigation.

20. In the course of the investigation, the complainant, the accused, witnesses and any other parties concerned will be interviewed in private by the Investigation Panel. A detailed record will be kept of all oral evidence provided to the Panel confidentially.

21. A fact-finding report of the investigation shall be compiled. The Panel Convenor shall notify the complainant and the defendant of the fact-finding report in writing.

22. If the Investigation Panel confirms that the allegation of sexual

harassment is established, the accused could have the right to submit a written appeal to the Panel Convenor.

23. If the finding by the Investigation Panel is that the allegation of sexual harassment is not established, the complainant could have the right to submit a written appeal to the Panel Convenor.

24. Upon receiving an appeal, the Panel Convenor will establish an Appeal Panel (consisting of three members of the Team of Panelists who have not had any prior involvement in the case). The Appeal Panel shall review the fact-finding report, taking into account the written appeal stated in the complainant or the accused written submission ("Grounds of Appeal").

25. The Appeal Panel may meet the complainant or the accused and hear his or her submission. The Appeal Panel's decision on the facts will be final, and will be reported to the Panel Convenor.

26. If there is a finding of "sexual harassment not established" by the Investigation Panel (and no appeal is submitted) or by the Appeal Panel on an appeal, the Panel Convenor shall report the matter to the President and submit a final report. The Panel's decision will be conveyed in writing to the complainant and the accused.

27. If there is a finding of "sexual harassment established" by the Investigation Panel (and no appeal is submitted) or by the Appeal Panel on an appeal, the Panel Convenor shall make recommendations to the President on disposal of the case, including recommendation of any disciplinary action, in accordance with the relevant provisions in the Staff Handbook or the Student General Regulations as appropriate. The decision of the President is final and will be conveyed in writing to the complainant and the accused.

28. In considering the recommendation of the Investigation Panel, where it is determined that an act of sexual harassment has been committed and the conduct of the staff member or student being accused warrants further possible disciplinary action, the President will refer the case to the

relevant board/committee to invoke the relevant disciplinary procedures and take appropriate disciplinary action against that staff member or student concerned in accordance with the provisions of the relevant established disciplinary procedures.

Time Limits

29. The filing of a written complaint should normally be made within (i) forty (40) working days from the time the complainant knew or should have known of an act(s) of alleged sexual harassment or (ii) twenty (20) working days after conciliation has been completed, whichever is later.
30. Conciliation if any should be conducted within 30 working days from receipt of a complaint.
31. The complainant or the respondent must submit a written appeal to the Convener of Panel within 5 working days from the date of receiving the investigation results. Failure to submit the appeal within the stipulated time shall be regarded as a waiver of the right to appeal. In exceptional circumstances (such as public holidays, epidemics, etc.), the aforementioned time limit may be appropriately extended, with the specific extension period to be determined by the Panel Against Sexual Harassment based on the actual situation.

Conflict of Interest

32. Any person who has an actual or potential conflict of interest in the complaint shall declare his/her interest and shall not take part in any other capacity as a decision-maker.

Confidentiality and Support

33. In the conciliation, complaint investigation and appeal processes, every reasonable effort shall be made to ensure confidentiality and to protect the privacy of all parties concerned.
34. The University will provide necessary support, including psychological

counseling services and professional advice, to assist victims in dealing with the impact of sexual harassment incidents.

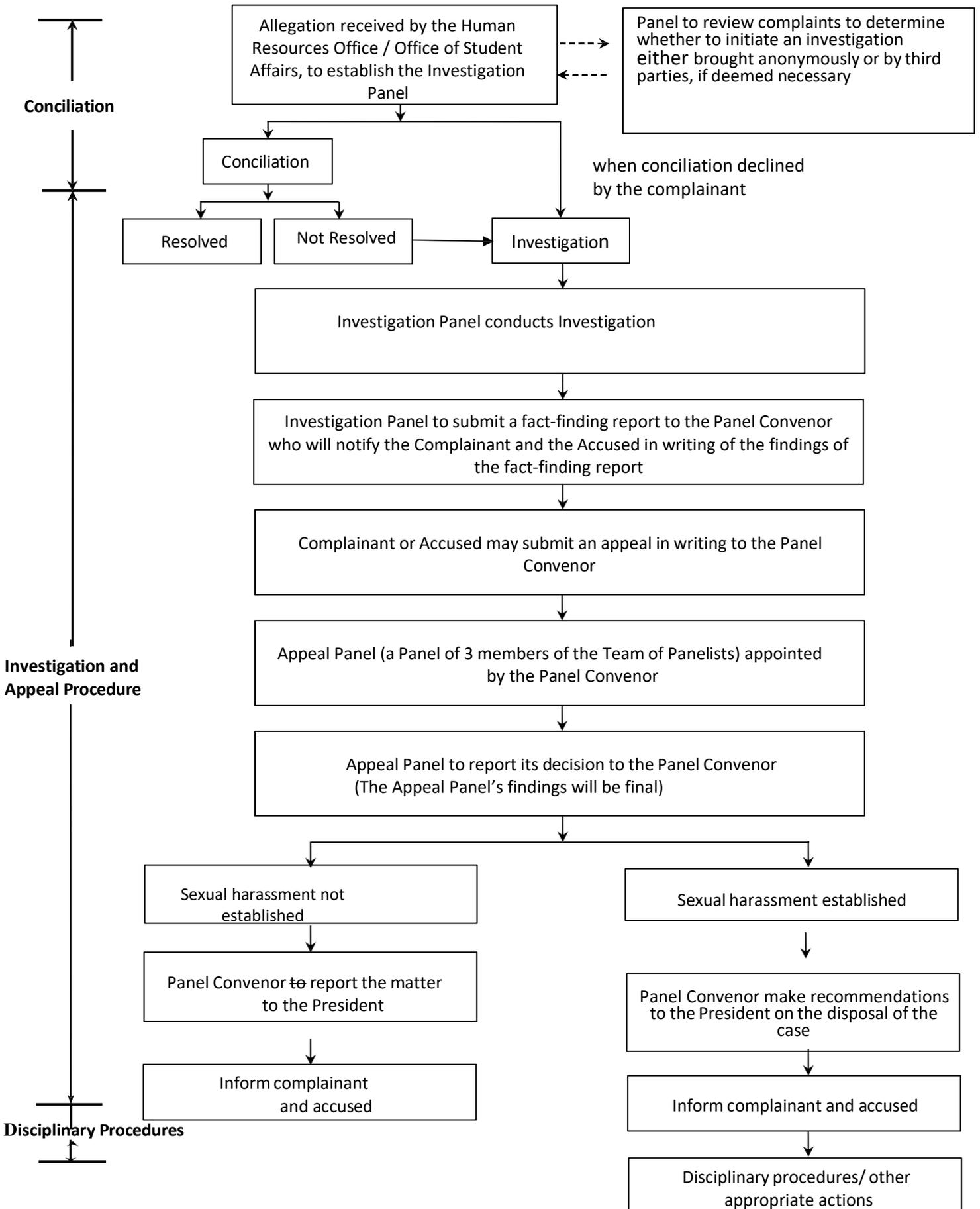
Education and Training

35. It is important to heighten the awareness of the University community against sexual harassment. The Panel Against Sexual Harassment is tasked with the responsibility for organizing appropriate education, training and promotion activities relating to sexual harassment prevention.

Amendment

36. The University may amend this Policy from time to time.

Flowchart on Handling Sexual Harassment Complaints



Conciliation Addendum: Even if the parties reach a settlement, if there are any violations of laws and regulations or actions that damage the reputation or interests of CUHK-Shenzhen or CUHK, corresponding penalties will be imposed in accordance with the General Regulations or the Employee Code of Conduct.

香港中文大学(深圳)

防治性骚扰政策¹

概述

1. 大学致力于为教职员和学生在教学、科研、管理及就业方面提供平等机会，不容许任何形式的歧视或骚扰。性骚扰破坏了性别平等与个人尊严，且会对教职员的工作以及学生的学习环境造成负面影响。
2. 《中华人民共和国宪法》明确规定国家尊重和保障人权。《中华人民共和国民法典》要求机关、企业、学校等单位应当采取合理措施，预防和制止性骚扰；《中华人民共和国妇女权益保障法》及《深圳经济特区性别平等促进条例》进一步明确禁止性骚扰并规定主体责任。
3. 大学防治性骚扰的政策及程序列明了处理性骚扰指控或投诉的机制。大学致力于营造一个安全、尊重和包容的学习与工作环境，坚决反对任何形式的性骚扰行为。本政策旨在保护所有学生和教职工免受性骚扰的侵害，并确保受害者得到必要的支持和保护。

性骚扰定义

4. 性骚扰是指违背他人意愿，以言语、文字、图像、肢体行为、电子邮件、社交媒体消息、电话通话、视频通话或其他可传达至他人等方式对他人实施具有性本质内容的、不受欢迎的侵权行为，通常包括以下行为：
 - (1) 向他人提出不受欢迎的性要求，或提出不受欢迎的获得性方面好处的不当要求；或
 - (2) 在特定情况下，实施不受欢迎，具有性性质的行为，且基于一般理性人

¹ The Chinese version is translated from the 2025 revised edition.

的判断，在综合考虑所有相关情况后，可合理预期该行为会使他人感到被冒犯，羞辱或恐吓；或

- (3) 单独或与他人共同实施具有性性质的行为，致使他人处于具有敌对性、羞辱性或胁迫性的环境中。

适用范围

5. 本政策适用于本校全体教职员和学生，包括

- (1) 全职和兼职员工
 - (2) 临时工和合同工
 - (3) 求职者（仅限在校期间关联行为）
 - (4) 全日制学生、非全日制学生、交换生、交流生、旁听生、远程教育学生以及任何在本校注册学习的学生
 - (5) 校友（仅限在校期间关联行为）
 - (6) 本校访问学者及其他与大学存在法律关系的人员
- 适用范围涵盖工作相关场所及因公延伸场景（如差旅、会议）(若涉及本校成员之间的投诉，即使行为发生在校外，委员会将根据具体情况审查决定是否适用本政策)。

6. 大学明确禁止任何教职员对本校学生或其他教职员进行任何形式的性骚扰。大学同样禁止任何学生对其他学生或大学教职员实施任何形式的性骚扰。

7. 教职员或学生如认为遭遇性骚扰，应尽快提出投诉。延迟提出投诉将对大学的调查工作及举证造成困难。

性骚扰投诉处理程序

8. 本大学任何教职员或学生可通过联系人力资源处（面向员工）或学生事务处（面向学生）提出性骚扰投诉。
9. 人力资源处或学生事务处应将收到的投诉转至性骚扰处理专项委员会召集人。

性骚扰处理专项委员会

10. 性骚扰处理专项委员会由十位成员组成：该等成员是有良好声誉、属不同职级、不同性别、熟悉相关规则及处置流程的教职员，委任期为两年。该等成员连同一位委员会召集人将由校长委任。成员如委任期内因对事件处理失当损害校誉或造成学校人员伤害、财产重大损失，由校长决定是否继续委任为成员或召集人。
11. 在处理每项指控或投诉时，召集人应委任不少于两名成员，且应尽量安排不同性别成员。这两名成员将与由校长任命的常任成员一起，共同组成性骚扰调查小组，负责调查和调停投诉。
12. 性骚扰处理专项委员会召集人与常任成员如下：

召集人

学生事务处处长 田方

常任成员

人力资源处处长 陈竹君

校长办公室主任 孙 宁

人文社科学院教授 李 兰

13. 所有涉嫌性骚扰的案件都应根据情况转交给人力资源处或学生事务处。两个部门各指派一名受过适当培训的职员，负责处理此类事务。然而，大学保留对任何提出虚假或恶意投诉或在投诉或调解过程中故意提供虚假信息的教职员或学生实施纪律惩处的权利。
14. 如投诉人拒绝参与正常程序，或投诉为匿名投诉，或由不直接涉及事件的第三者提出，大学须对相关个案进行审查，以决定是否有充分的理由就潜在的情况开展进一步调查。该审查决定将由召集人与一位常任成员共同作出，且为最终决定。
15. 当指控可能涉及刑事犯罪，大学有权把案件交由警方处理。
16. 附有关性骚扰投诉处理流程图载于附件以供参考。

调停

17. 性骚扰处理专项委员会可根据投诉人或被投诉人的要求，以调停方式解决争端。一般情况下，尝试进行调停无须提出书面投诉。调停是双方自愿参与的过程，委员会只会在投诉人及被投诉人双方同意下才进行调停。投诉人可选择跳过调停，直接提交书面投诉。
18. 委员会召集人将从前述10名成员中委任两名成员对争端进行调停。

投诉调查及上诉程序

19. 如投诉人希望大学开展对性骚扰事件的调查，应以书面形式向性骚扰处理专项委员会提出投诉。书面形式应包括投诉人的签名、日期，以及详细

的投诉内容。获委员会指派的职员可以协助记录口头投诉，且该记录须得到投诉人的签署确认。收到投诉后，初步评估认为需调查的，委员会应在10个工作日内启动正式调查程序，成立调查小组展开全面且公正的调查。

20. 在调查过程中，调查小组将视情况与投诉人、被投诉人、证人及任何其他与事件相关的人士私下面谈。所有向调查小组口头陈述的证据将会同时记录在案。

21. 调查小组将向召集人提交书面调查报告。召集人须审核调查报告，并将调查报告以书面形式通知投诉人及被投诉人。

22. 如调查小组的调查结果为性骚扰指控成立，被投诉人有权向召集人提出上诉。

23. 如调查小组的调查结果为性骚扰投诉不成立，投诉人有权向召集人提出上诉。

24. 召集人接到上诉后，将成立上诉小组（由前述10名成员中的三位从未参与处理有关个案的成员组成）。上诉小组须检视调查报告，并考虑投诉人或被投诉人提交的书面上诉（上诉理据）。

25. 上诉小组可与投诉人或被投诉人面谈以听取他/她的意见。上诉小组的裁定是最终的，并将以书面形式将该裁定报告给召集人。

26. 如调查小组或上诉小组的调查结果为性骚扰投诉不成立（并且未有收到对调查结果的上诉），召集人将向校长报告事件，并呈交最后报告。委员会的裁定将以书面形式通知投诉人及被投诉人。

27. 如调查小组的调查结果为性骚扰投诉成立（并且未有收到对调查结果的上诉），或上诉小组的调查结果为性骚扰投诉成立。召集人将根据员工手册或学生守则，向校长提出对个案裁决的建议。校长的裁定是最终的，该裁定将以书面形式通知投诉人及被投诉人。

28. 在考虑调查小组的建议时，如果确定已经发生了性骚扰行为，并且被指控的教职员或学生的行为需要进一步可能的纪律处分，校长将把案件提交给相关委员会，启动相关的纪律程序，并根据相关既定纪律程序的规定，对该教职员或学生采取适当的纪律行动。

时限

29. 在一般情况下，书面投诉须于下列时限之内（以较晚时间为准）提出：

- (1) 从投诉人知悉或理应知悉性骚扰行为之日起40个工作日内；或
- (2) 于调停工作完成或中止之日起20个工作日内。

30. 调停应在收到投诉之日起30个工作日内启动。

31. 投诉人或被投诉人如果对调查结果有异议，须在收到调查结果之日起5个工作日内，向召集人提交书面上诉，逾期视为放弃权利。在特殊情况下（如公共假期、疫情等），上述时间限制可适当延长，具体延长时间由性骚扰处理专项委员会根据实际情况决定。

利益冲突

32. 任何与该项投诉有实际或潜在利益冲突的人士，均须声明其利益，亦不得以任何作为决策人的身份参与有关事件的工作。

保密及支持

33. 在进行调停、调查投诉及上诉的过程中，大学及性骚扰处理专项委员会必须尽一切合理的努力，确保过程机密，及保障有关人士的隐私。
34. 学校将提供必要支持，包括心理咨询服务、专业建议等，以帮助受害者处理性骚扰事件带来的影响。

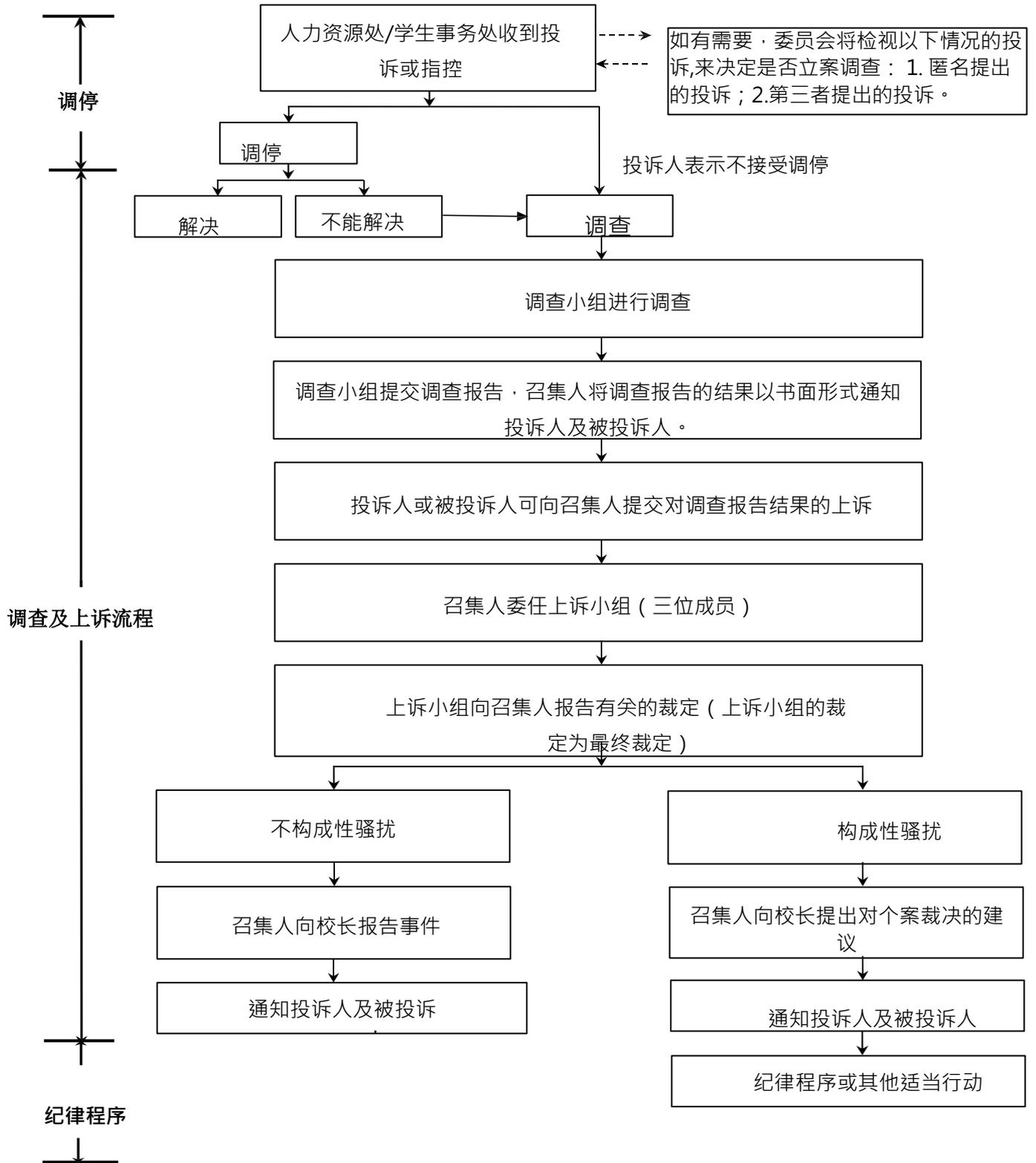
教育及培训

35. 提高大学全体成员对防治性骚扰的认识至关重要。性骚扰处理专项委员会负责组织与防治性骚扰相关的教育、培训和宣传活动。

修订

36. 大学会依据实际情况不时修订本政策。

性骚扰投诉处理流程



调解环节附加说明：即使双方达成和解，如存在违法违规、行为有损中大（深圳）或中大的校誉或利益，将依据总学则或员工守则进行相应处罚。