Circular

Subject:- Regarding prevention of sexual harassment/rape and physical abuse targeting students studying in schools and colleges of the State.

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Various instances of students and women employees in Government and Private Institutions subjected to sexual harassment/rape and physical abuse has come to the notice of the Department and the State Government. Such issues have brought the Government and the society to shame and it is the call of the hour and the prime responsibility of the Government/Department to prevent such instances.

Sexual harassment, atrocities and rape cases against women, children and girl students happening in various places of the State are frequently being reported in the media. It is a cause for great concern for the society as it is instilling a sense of fear among the fairer sex of the society. In this background, such mishaps have been very seriously viewed and the Government/Department has decided to take stern measures or mentioned below to prevent and suppress sexual harassment of girl students and women by issuing a circular to all Educational institutions. The Taluk level supervisory officers are hereby directed to take timely action, by appropriately executing this order.

1. Every school shall furnish the name of their school and address to the police station in its jurisdiction.
2. Information of the School Management Committee Members along with their names and addresses will have to be furnished to the police station.
3. The names and addresses of teachers/staff working in the school will have to be registered in the police station and updated from time-to-time.
It is mandatory to constitute a "Child Protection Committee" at the school level in every school, to prevent instances of sexual harassment and other atrocities against school children.

The committee should consist of 4-5 members in which the Head of the institution will be the President and selected teachers, parents, students, security officer and an individual who has an interest in the development of children will constitute as the members of the committee.

**Responsibilities of Parents:**

- Parents while sending minors to schools should create awareness among minors by advising them not to talk/converse or develop friendship with strangers/persons not known to them while going to school. Children should be made aware that they should not be over friendly or give out personal information to even known persons without the knowledge of parents.
- Parents should always keep track of phone calls and messages being received by their wards on their mobiles and in case of instances where they receive instigating messages or dirty/obscene pictures through MMS or by any other mode, such instances should be immediately reported to the nearest Police Station. Parents should make sincere efforts to admit their wards to schools close to their homes.

**Responsibilities of Head of the institution and Private School Management Committees**

- The management of schools should take adequate /measures/steps to ensure that children leave school only with their parents or with relatives of the parents (who have authorized Identity Cards).
- In emergencies/precaution should be taken to never leave minor girl students alone with any male staff member of the school. Head of the institution should take care to detail lady teachers, who must be directed to handle the situation with care and responsibility until the parent of the girl child comes to take the child.
- Senior students should never be made to sit with their juniors in the same class. Arrangements for them to sit in separate classrooms should be made.
- School Management Committee should ensure separate toilets for boys & girls and take steps to build the toilets as far away as possible from each other.
- School Management should appoint workers for transport, security, housekeeping and canteen through prestigious recognized outsourcing agencies only.
- School Management Committees should also take necessary steps to get the workers appointed through agencies, and get them verified by the police department.
- School managements should appoint both female and male security personnel who will continuously monitor all entrances, exits and premises and if need be check visitors for security reasons.
- Phone numbers of Child Benefit Committee, District Child Protection Unit, Special Police units for Children in the school zone should all be displayed on the notice board of the school.
- School Management Committee should ensure that the Security Staff confirm that no student or any staff member is remaining in the premises after school and report to the Head of the institution /Senior Teacher of the school every day before leaving school.
- School Management Committee should issue a circular to the parents requesting them to give a report and certify the conduct of the driver/cleaner of any of the transports (bus, auto, two-wheeler, cab, etc..) used by their wards to reach school.
- Arrangements to check and inspect unauthorized persons in the school premises should be made.
- School Management should name a staff member as security officer on rotation to monitor and observe the movements of the students outside classrooms, in the ground, while coming to & going from school or while going to the toilets.
- School Management should ensure that punishment like locking up children in darkrooms, sending them out of the classrooms etc, are not practiced.
- School Management Committee should constitute an internal/vigilance committee concerning the security of the school & other matters with the staff of the school, parents and officials from the Department of Education, who will convene a meeting now and then, to discuss and find solutions to problems which have risen and are a threat to the security of students.
- The school management should name a parent as the coordinator, who will report to the Management in secrecy about day-to-day developments in the school.

- The School Management Committee should convene meetings of the school staff and teachers to discuss issues/problems related to school students and their security from time to time and find suitable solutions for the same.

- The School Management Committee has to ensure that the attendance of students after lunch and at the end of the day’s session is taken without fail. In case any student who has come to school and is found absent at school hours, steps should be taken to report the matter to the concerned parent and the nearest Police Station jurisdiction immediately.

- School Managements should necessarily ensure that unauthorized persons or persons not concerned with the school do not enter or travel in the school transport vehicles.

- School Management should direct the driver and the staff to drop the students off at the exact point where the students had been picked up.

- District Administration should publicize and create awareness among students and parents to lodge a complaint with the school management committee if the conduct of any known or unknown person is found suspicious.

- The management of residential schools and other schools should conduct parent-teacher meeting every month to discuss about the complaints.

- The schools which are situated in poorly habituated/remote/outskirt areas should appoint security staffs who have a government permit as per stipulated regulations.

- The schools should create awareness from prohibiting the students from taking drugs and becoming drug addicts.

- The schools should ensure enough light (electricity) facility in every part of the school premises.
- CCTV should be installed in every classroom, school premises/school areas which captures the goings on in the school and should appoint two vigilant staff members to report the information on the CCTV.

- Care should be taken to drop off girl students and the woman staff first at their place of residence on preference in the evenings after school.

- it is mandatory for two female and two male staff members of the school to take part in every educational trip.

- Students should be advised to go in groups rather than going alone while going home after the school hours.

- Children’s helpline toll free No 1098 available 24X7 should be displayed in every classroom and the said number should also be entered in every student’s dairy.

- It should be ensured that all visitors should make an entry of their names and addresses in the visitor’s log books in all the schools, hostels and residential schools.

- Schools should follow the school timings as per the Department’s stipulations.

- Awareness trainings should be made compulsory to educate all the managements, teachers and non-teaching staff on the POCSO Rules 2012.

- Complaint and suggestion boxes to be installed at the easy reach of students, which should be checked, discussed and addressed weekly by the child safety committee.

- Schools should provide identity cards to all the staff members, drivers, and helpers, cooks, cleaning staff and security staff and photos to be displayed on the notice board.

- All students have to be counseled as per their ages and taught about personal security and trained to protect themselves against atrocities by making them aware of safe and unsafe touch.

- Teachers and school managements should not communicate or transact with students after school hours or on holidays individually for any purpose other than the school curriculum or co-curricular activities.
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- It is important to identify and mark unsafe and dangerous places in the school premises (Building, halls, 'in'doors and 'out'doors, store rooms, fire ways, water sumps, motor/generator room, library, lab, kitchen, balcony, parapet walls, open drains etc.).
- Contact the nearest police station in case of any mishaps/accidents.

**Child Safety/Protection and Action Plan**

- "Child safety/protection Action Plan" should be prepared by every primary and secondary educational institution (All primary and secondary schools, play homes, montessori's, Government schools/residential schools, private schools, hostels, NGOs, religious institutions, aided institutions)
- The Protection Plan should hold a vision of providing the best security to children.
- Every institution should specify clearly the parameters/criteria/norms to measure the expected qualifications for any temporary or permanent appointments of staff.
- Every school has to constitute a parent -teacher committee without fail (as in the last para of the first page)
- The child protection plan has to lay down and explain the measures to be followed and executed in emergencies.
- State rules and regulations to be followed by the staff and the managements of schools.
- The protection plan has to specify the rules and responsibilities of parents and students and should frequently discuss the same in parent- teacher meetings.
- In case an incidence of sexual harassment happens or is likely to happen, the child protection officer of the school or the counselor should immediately make a report and submit the same to the District Child Protection Officer, Deputy Director of Public Instruction, nearest police station and the Child Benefit Officer in the concerned police station.
Immediate action to be taken in incidents as given below,

1. If a Child complains about physical/sexual abuse by any person concerned with the school or otherwise.
2. If a change is observed in the behavior or development of the child or if wound marks are seen on the child’s body.
3. If the child has been teased or ragged inside or outside the school.

The constitution and implementation of the Child Protection Plan will be inspected as per the regulations, by a team of experts named by the appointing authority. This team is enforced with the responsibility of interacting with the students, teachers and school authorities; understand the problems faced by students and render proper guidance.

Actions to be taken by the Police Department.

- The police station should have information on all the Managements of schools, addresses of all the staff members with Telephone numbers, of schools in their zone.
- When the students are subjected to mental and physical torture or sexual harassment, the police should visit the concerned school, inspect and take immediate and appropriate measures.
- The police stations should receive/ accept complaints from students/parents and from female staff of schools and address the issues immediately.
- If the police find school children and women being harassed /teased / sexually instigated in their schools, work places or in public areas, action should be taken on the spot itself.
- The police should take immediate action on the complaint of children without letting out any information or considering it as personal.

Maintenance of the school vehicles

- School vehicles should be in yellow colour only.
- If the school has hired buses for drop and pick-up of students, then it is a must to display the “On school duty” board in the front and back of the vehicle.
- School vehicle should possess a specified quality speed governor.
- School vehicles should possess a fire extinguisher to put off flames, in case of fire.
- Name of the school and telephone number should be written on the school vehicles.
- The doors of vehicles used by schools should have a reliable locking system.
- There should be an attendant in the school vehicles to look after the children.
- Students, parents, guardian and school teachers can travel in the school vehicles to check the safety (measures) precautions taken in the vehicles by the schools.

Under the Right to free and compulsory Education Act-2009, rule 16 and 17 (1) and (2) ,insists that children are not to be blamed. But we should impose severe punishment to those who have abused the children physically/mentally and subjected them to sexual harassment. In case of serious sexual crimes against children, severe punishment will be imposed as per the POCSO Act 2012.

If a child is subjected to sexual crimes in educational and religious institutions by the management committee or the staff, then such crimes will be considered for severe punishment, which will be imposed as given below as per the II chapter of POCSO Act-2012.

<table>
<thead>
<tr>
<th>Actual Rape (Section 5, F)</th>
<th>As per Section 6, severe punishment for not less than 10 years or could be extended to life imprisonment with penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sexual Attack (Section 9)</td>
<td>As per Section 10, severe punishment for not less than 05 years or could be extended to 07 years of imprisonment with penalty</td>
</tr>
<tr>
<td>Sexual harassment (Section 11)</td>
<td>As per Section 12, 03 years of imprisonment with penalty</td>
</tr>
<tr>
<td>Making use of children to create dirty pictures (Section 13)</td>
<td>As per Section 14, 05 years of extendable imprisonment with penalty or 07 years extendable imprisonment with penalty</td>
</tr>
<tr>
<td></td>
<td>In this act provision is made to punishes those who provoke non-registration of such cases (Section 21)</td>
</tr>
</tbody>
</table>
All the private school managements are hereby directed to implement all the above aspects in the schools under their purview and take stern measures for its execution. The school authorities are once again instructed to strictly take appropriate steps to avoid the occurrence of such mishaps.

To:

1. Deputy Commissioners of all Districts in the state for information and further action.
2. Superintendent of Police of all Districts in the state for information and further action.
3. Chief executive Officers of all Districts in the state for further action.
4. Deputy Directors of Public Instruction (Admin) of all Districts in the state for further action.
5. Deputy Directors of Public Instruction (Development) of all Districts in the state for further action.
6. Deputy Directors for Women and Child welfare Department of all Districts in the state for further action.
7. Block Education Officers Department of Public Instruction (Admin) of all Taluks in the state, through Deputy Directors (Admin) for further action.

Copy to:

1. Additional Commissioners for Public Instruction Gulbarga and Dharwad Divisions are directed to take necessary action.
2. Joint Directors of Bangalore and Mysore Division are directed to look into the matter and take appropriate action in their concerned districts.
3. Office Copy.
Annexure-1

Children Protection Committees are to be constituted at the District level as mentioned below. Action plan for Children Protection Programmes is to be implemented in each and every school compulsorily.

1. Deputy Director Public Instruction of Districts.
2. Deputy Directors for Women and Child welfare Department of District.
3. District Health Officer.
4. Deputy Superintendent of Police.
5. District Child Protection Officer.
6. Education Officer/Subject Inspectors (DDPI Office).
7. Block Education Officer.
8. Taluk Child Development Officer.
9. Taluk Level Police Officer.
11. Members of Child Development committee.
12. Members of Juvenile Board.
13. Members of NGO (Taluk Level).

The Committee should consist of 4-5 members and they should visit the schools and inspect accordingly.