

# **DR. HILLA LIMANN TECHNICAL UNIVERSITY**



## **SEXUAL HARASSMENT POLICY**

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## Table of Contents

CHAPTER ONE .....	3
BACKGROUND.....	3
1.1 Aims.....	3
1.2 Objectives .....	3
1.3 Definitions .....	3
1.4 Non-Consensual Sexual Intercourse.....	5
1.5 Application & Policy Scope .....	5
CHAPTER TWO .....	6
IMPLEMENTATION AND COMPLIANCE INSTITUTIONS .....	6
2.1 Role of University Council.....	6
2.2 Role of the Vice Chancellor .....	6
2.3 Role of the Guidance and Counselling Directorate .....	6
2.4 Anti-Sexual Harassment Committee .....	7
2.5 Conformity to Professional Dress Code .....	8
2.6 Victim Protection.....	8
2.7 Dissemination and Sensitisation of the Policy .....	8
CHAPTER THREE .....	10
3.0 REPORTING PROCEDURES OF SEXUAL HARASSMENT CASES .....	10
3.1 Informal Reporting .....	10
3.2 Formal Reporting.....	10
3.3 Response to Anti-Sexual Harassment Committee.....	10
3.4 Confidentiality .....	11
3.5 Documentation.....	11
3.6 Intentionally False Reports.....	11
3.7 Corroborative Evidence .....	11
3.8 Free Speech and Academic Freedom .....	11
CHAPTER FOUR.....	12
4.0 DISCIPLINARY PROCEDURES/ SANCTIONS .....	12
APPENDIX.....	13
1. Review of the Policy .....	13
2. Examples of Sexual Harassment .....	13
3. Guide lines for males and females dressing within the university .....	14
Draft Committee Members .....	15

## **CHAPTER ONE**

### **BACKGROUND**

Dr. Hilla Limann Technical University (DHLTU) is committed to creating and maintaining a community in which all persons who participate in the University's programmes and activities do so in an environment free from intimidation, exploitation and abuse. The University seeks to provide an atmosphere of work and study in which all individuals are treated with respect and dignity.

For the purpose of this policy, sexual harassment shall be defined to include acts or behaviour constituting sexual abuse and sexual assault which occur within the definitional scope of this University's policy in relation to members of the University community. Any act by the University's employees or students of revenge, interfering, or any other form of reprisal, whether direct or indirect, against a student or employee for raising concerns covered by this policy is also a violation of this policy. Sexual harassment will therefore not be tolerated in any part of the University's programmes and activities. Sanctions will be imposed on members of the University community who violate this policy.

#### **1.1 Aims**

Dr. Hilla Limann Technical University (DHLTU) frowns upon sexual harassment and sexual abuse in any form which may also ensure total elimination of such occurrences, from the University community.

#### **1.2 Objectives**

The University recognises, that sexual harassment can seriously undermine academic work and output of its workforce. For that matter the following objectives shall be pursued to realise the total elimination of sexual harassment and sexual abuse in the University's environment:

- (i) To ensure prompt and effective response to reports of sexual harassment and sexual abuse in the University community;
- (ii) To ensure that appropriate sanctions/punishments are meted out to offenders;
- (iii) Institute measures to prevent sexual harassment against both students and staff;
- (iv) Institute measures to protect victims of sexual harassment;
- (v) To conform to professional dress code for both staff and students, in the University community;
- (vi) To sensitise stakeholders on the existing Sexual Harassment Policy.

#### **1.3 Definitions**

##### *1.3.1 Sexual Intercourse*

According to Penal code (Amendment)(sexual offences) Act. 2016, "sexual intercourse" means any of the following:

- (a) the penetration, to any extent, of the genitalia of a person by any part of the body of another person, except if that penetration is carried out for a lawful medical purpose or is otherwise authorised by law;
- (b) the penetration, to any extent, of the genitalia of a person by an object manipulated by another person, except if that penetration is carried out for a lawful medical purpose or is otherwise authorised by law;
- (c) the introduction of any part of the penis of a person into the mouth of another person;

### *1.3.2 Sexual Harassment*

Sexual Harassment is the interaction between individuals of the opposite sex that is characterized by:

- (a) Unwelcome sexual advances;
- (b) Unwelcome requests for sexual favours; and
- (c) Other physical, verbal or non-verbal conduct or behaviour of a sexual nature, where:

#### *(i) Physical conduct*

Unwelcome sexual advances in the nature of physical contact including inappropriate touching, patting, pinching, stroking, kissing, hugging and fondling.

#### *(ii) Verbal conduct*

Is the request for sexual favours including persistent use of sexually degrading words or sounds to describe a person's appearance, age, private and use of stories or jokes with sexual backgrounds. Persistent unwanted social invitations for dates or physical intimacy. Insults based on the sex of someone and condescending or authoritarian remarks as well as sending sexually explicit messages by phone or by email.

#### *(iii) Non-verbal conduct*

Display of sexually explicit or suggestive material and sexually-suggestive gestures including but not limited to whistling and grinning.

In the interest of preventing sexual harassment, the University will respond to reports on any such conduct. Some behaviours which constitute sexual harassment and sexual abuse includes but not limited to:

- (i) direct or indirect promises of academic or work benefits, such as high grades, easy promotions, or favorable recommendation, in return for sexual favors;
- (ii) adverse decisions or evaluations, failure to hire or promote, or low grades, because conduct of a sexual nature has been rejected;
- (iii) unwelcome physical touching, patting, hugging or brushing against a person's clothing, body or genitalia;
- (iv) spreading rumors about a person's sexuality, or speculations about previous sexual experience;
- (v) pervasive display of pictures, calendars, cartoons or other materials with sexually explicit or graphic content;
- (vi) remarks, comments, insults, jokes, verbal sexual expressions or relationship questions and gestures of a sexual nature about a person's clothing, body or sexual experience;
- (vii) sexually suggestive sounds or gestures such as sucking noise, winks, or pelvic thrusts;

- (viii) unwanted and persistent propositions for dating or outing;
- (ix) unwanted sexual act done without one's consent that occurs under threat or coercion.

### *1.3.3 Hostile Environment*

Unwelcome sexual conduct that is sufficiently severe or pervasive that it alters the conditions of academic or work environment and creates an environment that a reasonable person would find intimidating, hostile, threat, or offensive. These circumstances could include the frequency of the conduct, its severity, and whether it is threatening or humiliating.

### *1.3.4 Consensual Sexual Intercourse*

Consensual sexual intercourse is a voluntary, sober, enthusiastic, informed, mutual and verbal agreement. It is an active agreement and cannot be coerced. Note that both parties must agree to have sex each and every time- for a sexual activity to be considered consensual. However, office romance is not allowed. You do so at your own risk.

- (i) Without consent, sexual activity including oral sex, genitalia touching, (vagina or penis) and vaginal or anal penetration with finger or penis, is sexual assault;
- (ii) No student shall give consent to have sexual intercourse with a staff of the University or vice versa;
- (iii) In order to avoid exploitation, no staff shall give consent to have sexual intercourse with another staff member of the University where one supervises the other;
- (iv) Exceptions are in marital relationships and;
- (v) Opposite sex relationships among students.

## **1.4 Non-Consensual Sexual Intercourse**

This is any form of sexual intercourse (oral, anal or vaginal), with an object, or genital (penis or vagina) without explicit consent. Without consent therefore, any sexual activity including oral sex, genitalia touching (penis or vagina) and anal or vagina penetration with finger or penis is considered sexual harassment.

- (i) Sexual intercourse without consent is considered rape, hence a sexual harassment offence;
- (ii) Rape is charged against a person who perpetrates non-consensual sexual act on a person who is sixteen (16) years and above;
- (iii) Anyone who commits a non-consensual sexual intercourse on a person below sixteen (16) years is charged with defilement (sexual harassment offence);
- (iv) Any staff/student who harasses another staff/students sexually without his/her consent shall be punished accordingly;
- (v) Non-consensual sexual intercourse is an offence punishable by the sanctions stipulated in this policy.

## **1.5 Application & Policy Scope**

This Policy is applicable to all members of the University community. These include incidents between any members of the University community, including faculty and other academic appointees, staff, students, and non-students or non-employee participants in the University programmes, such as vendors, contractors, visitors, and patients. The application of this policy shall cover all persons affiliated to the University community. These shall include senior members-teaching and non-teaching staff, senior staff and junior staff, students, national service persons and any other persons serving the interest of the University either for hire or out of volition. Sexual harassment may occur in hierarchical relationships or between peers, or between persons of the same sex or opposite sex.

## **CHAPTER TWO**

### **IMPLEMENTATION AND COMPLIANCE INSTITUTIONS**

Dr. Hilla Limann Technical University will ensure that this policy is widely disseminated to all relevant persons. It will be included in the staff handbook. All new employees must be trained on the content of this policy as part of their induction into the University. Every year DHLTU will require all employees to attend a refresher training course on the content of this policy. It is the responsibility of every management to ensure that all employees are aware of the policy.

#### **2.1 Role of University Council**

The University Council shall have the overall responsibility of ensuring that the University complies with the sexual harassment policy by making sure that:

- (i) The sexual harassment policy document is referenced in other essential university policy documents such as, the University Statutes, Strategic Plan, Scheme of Service, Code of Conduct, Students' Handbook and other regulatory documents;
- (ii) This policy is made available to students and staff, at orientation programmes and on University's websites;
- (iii) Measures are put in place to ensure conducive environment that is free of sexual harassment among staff and students;
- (iv) The objectives of the sexual harassment policy are integrated into the University's Strategic Plan;
- (v) Steps are taken to prevent sexual harassment and sexual abuse in the University;
- (vi) Prompt responses are given to reports of sexual harassment complaints;
- (vii) Appropriate disciplinary measures are promptly and justly given to offenders.

#### **2.2 Role of the Vice Chancellor**

- (i) The Vice Chancellor (VC) shall handle all complaints on sexual harassment;
- (ii) He/She shall refer all sexual harassment complaints to the Anti-Sexual Harassment Committee (ASHC);
- (iii) He/She shall constitute the ASHC as stipulated in this policy, and appoint its chair; much neutrality must be observed here to avoid conflict of interest. A senior officer of high moral standing shall be appointed the chair;
- (iv) He/She shall receive reports of the findings and recommendations of the ASHC and implement the committee's recommendations as far as applicable.

#### **2.3 Role of the Guidance and Counselling Directorate**

The Directorate shall have a complaints unit, created purposely to collate sexual harassment and other related information from staff and students.

- (i) Such complaints and offence in nature shall be relayed to the ASHC for redress.
- (ii) Providing psychosocial support to victims as well as alleged offenders of sexual harassment;
- (iii) Supervising training and educating ASHC members in the University community;

- (iv) Mounting complaints boxes at vantage points in order to collate information on sexual harassment and other related issues;
- (v) Reporting all sexual harassment complaints to the Vice Chancellor for advice.

## **2.4 Anti-Sexual Harassment Committee**

The VC shall constitute an ASHC which shall receive sexual harassment complaints, investigate such claims, arbitrate and submit reports or findings and recommendations to the Vice Chancellor.

### *2.4.1 Membership of the Committee*

The Committee shall be composed of thirteen (13) persons nominated from among members of the University community, comprising employees and students. There shall be gender parity in the composition of the Committee.

The chairman of the Committee shall be appointed from senior members of the University by the Vice Chancellor in consultation with the University Council. The membership of the ASHC shall comprise of a member each from:

- (i) Technical University Teachers' Association of Ghana (TUTAG);
- (ii) Technical University (Administrators' Senior Staff)
- (iii) Technical University (Administrators' Senior Members)
- (iv) Technical University Workers Association of Ghana (TUWAG);
- (v) Students' Representative Council (SRC);
- (vi) University's Legal Counsel;
- (vii) Graduate Students' Association of Ghana (GRASAG);
- (viii) Dean of Students
- (ix) Gender & Diversity Centre Rep.
- (x) Guidance & Counselling Rep.
- (xi) Two representatives from Academic Board

### *2.4.2 Role of the Committee*

The Anti-sexual harassment committee duly constituted shall address sexual harassment and sexual abuse issues relating to the University community:

- (i) Planning and managing the University's sexual harassment education and training programs;
- (ii) Investigate all sexual harassment and other sexual misconducts within the university community
- (iii) Submit report and recommendation on every sexual harassment case to the Vice Chancellor.
- (iv) Ensure that records on sexual harassment and sexual misconduct cases as well as actions taken and responses given are properly documented;
- (v) Preparing and submitting an annual report to the Vice Chancellor and/or the University Council on its work.
- (vi) Dealing with specific complaints of sexual harassment as an investigative body.
- (vii) Defining and designing appropriate sanctions or disciplinary measures to be applied to persons who violate this Policy.

### *2.4.3 Qualities of ASHC Membership*

All members of the Committee shall have high moral standing, credibility, gender sensitivity and the desired competencies in handling issues of such sensitive nature and technical

competency to handle grievance procedures. To form a quorum, we would 2/3 of its membership to hold a meeting.

#### *2.4.4 Term/ Tenure of Office*

Members of the Committee shall serve for a term of three years, after which they can be nominated to serve for a further three-year term. Members appointed to serve on the ASHC shall be of high moral standing and credible. Members shall uphold matters of committee discussions in strict confidence.

#### *2.4.5 Role of the University Staff and Students*

Every member of the University shall resolve to prevent the occurrence of sexual harassment.

Staff and students shall conduct themselves in a manner that shall not be suggestive of sexual harassment. In this regard, staff and students shall:

- (i) Be familiar with all relevant portions of the Sexual Harassment Policy;
- (ii) Be mindful of other peoples' feelings, attitudes and behaviors in order to avoid being harassed by others;
- (iii) Be aware of subtle forms of sexual harassment;
- (iv) Be on the lookout for and try to discourage sexual behaviors and overtures, that may plunge one into sexual harassment offenses;
- (v) Employ assertive skills in questioning and answering subordinates and superiors;
- (vi) Confront the sexual harasser immediately and register your displeasure against his/her actions. He/She must know that such action is inappropriate;
- (vii) Lodge complain to the appropriate quarters when there is sexual harassment, for redress.

### **2.5 Conformity to Professional Dress Code**

Even though various schools of thought are of the view that one's mode of dress cannot alone be construed as an "unwelcome sexual advance", students and staff in Dr. Hilla Limann Technical University are advised to dress in a manner to reflect dignity and professionalism; 'you dress the way you wish to be addressed, for proper dressing is the moral health of a nation'.

### **2.6 Victim Protection**

Any person who reports a sexual harassment conduct, or assists someone to report a sexual harassment conduct or participates in any manner of investigation or resolution of a sexual harassment report, shall be protected. Retaliation includes threats, intimidation, dismissals, denial of promotion, referral in examination reprisals, and/or adverse actions related to employment or education.

### **2.7 Dissemination and Sensitisation of the Policy**

As part of the University's commitment to providing a sexual harassment-free working and learning environment, this policy shall be disseminated widely to the University community through publications, websites, new employee orientations, students' orientations, students and staff fora and other appropriate channels of communication. There would be locations that shall make educational materials available to all members of the University community to promote compliance with this policy and familiarity with local reporting procedures. Each location shall post a copy of this policy in a prominent place or library. From time to time, the



Anti-Sexual Harassment Committee shall carry out awareness campaigns on issues of sexual harassment for members of the University community.

Such locations shall include:

- (i) Faculties and Departments;
- (ii) Administration;
- (iii) Guidance & Counselling Directorate;
- (iv) Dean of Students' office;
- (v) SRC secretariat;
- (vi) Halls of residence.

## **CHAPTER THREE**

### **3.0 REPORTING PROCEDURES OF SEXUAL HARASSMENT CASES**

#### **3.1 Informal Reporting**

Any member of the University community (staff or student) who is a victim of sexual harassment shall first:

- (i) Make complaint to the one harassing him/her, by registering his/her displeasure at the sexual harassment act meted out to him/her and tell him/her to stop;
- (ii) If the sexual harassment offence already took place, tell the harasser, you will report the case for redress;
- (iii) Discuss it with someone you confide in and seek advice for necessary action to be taken.

Students and staff may also seek support from the following persons to have issues of formal reporting procedures, clarified to them:

- (a) Professional Counsellors of the University;
- (b) Vice Chancellor, Registrar or Dean of Students;
- (c) Hall Tutors;
- (d) Deans, Heads of Departments (HoDs) and immediate Supervisors;
- (e) Union leaders.

#### **3.2 Formal Reporting**

Reports of sexual harassment or sexual abuse shall be brought as soon as possible after the alleged conduct occurs, optimally within the stay in the University. Prompt reporting will enable the Committee to investigate the facts, determine the issues, and provide an appropriate remedy or disciplinary action.

#### **3.3 Response to Anti-Sexual Harassment Committee**

The locations for collating of sexual harassment complaints shall provide a prompt and effective response to reports of sexual harassment which includes:

- (i) Early referral of complaints to Anti-Sexual Harassment Committee;
- (ii) Formal investigations, mediation, resolution, and/or targeted training or educational programmes;
- (iii) Upon findings of sexual harassment complaint, the University may offer remedies to the individual or individuals harmed by the harassment, consistent with applicable complaint resolution and grievance procedures;
- (iv) Such remedies may include counseling, an opportunity to repeat course work without penalty, changes to student housing assignments, or other appropriate interventions;
- (v) Any member of the University community who is found to have engaged in sexual harassment is subject to disciplinary action up to and including dismissal and other sanctions stipulated in this policy;
- (vi) Generally, disciplinary action will be recommended when the harassing conduct is sufficiently severe, persistent, or pervasive that it alters the conditions of employment or limits the opportunity to participate in or benefit from educational programmes;

- (vii) Any Dean, HoD, Lecturer, Manager, Supervisor, or designated employee responsible for reporting or responding to sexual harassment who knew about the harassment and took no action to stop it or failed to report the prohibited harassment, also may be subject to disciplinary action;
- (viii) Conduct by employee that is sexual harassment or retaliation in violation of this policy is considered to be outside the normal course and scope of employment, hence punishable as per sanctions of this policy.

### **3.4 Confidentiality**

Information disclosed to the ASHC or any other person deemed trustworthy, shall remain strictly confidential to extents permitted by law. Anyone being party to custodian of such information, and divulges and peddles such in public domain, shall be punishable by regulations of this policy. Such a member shall be removed from the committee.

### **3.5 Documentation**

Both formal and informal sexual harassment complaints received and actions taken on them shall be properly documented. They must all be in written form and kept under lock and key for proper retrieval and referencing.

### **3.6 Intentionally False Reports**

No employee or student shall trade false information about anyone having sexually harassed him or her. Anyone found culpable of such offence is punishable by sanctions of a dismissal, demotion, etc. However, full scale investigations are therefore necessary to ascertain the veracity of each complaint received.

### **3.7 Corroborative Evidence**

In addition to reports/ complaints made, one may also add the following:

- (i) Written incident report on alleged sexual harassment;
- (ii) Audio visual recordings, voice recording, e-mails, text messages, WhatsApp messages, pictures, and the like;
- (iii) Medical reports and deoxyribonucleic acid test (DNA) from a government hospital. The University shall support victims financially in obtaining such reports;
- (iv) Report from persons whom one sought advice and support from after the incident.

Because sexual harassment frequently involves interactions between persons, which are not witnessed by others, reports of sexual harassment may not always be substantiated by additional evidence. Lack of corroborating evidence or “proof” should not discourage individuals from reporting sexual harassment under this policy. However, individuals are cautioned to render sexual harassment reports in utmost good faith; free from malicious intents.

### **3.8 Free Speech and Academic Freedom**

As participants in a Public University, Faculty and other Academic appointees, staff, and students of the University enjoy significant free speech protections guaranteed by the laws of Ghana. This policy is intended to protect members of the University community from discrimination, not to regulate protected speech. This policy shall be implemented in a manner that recognizes the importance of rights to freedom of speech and expression.

## **CHAPTER FOUR**

### **4.0 DISCIPLINARY PROCEDURES/ SANCTIONS**

The Committee shall apply appropriate sanctions or punishments where a respondent has been found guilty to have engaged in the sexual harassment behaviour. These sanctions shall include but not limited to:

- (i) A written apology expressing remorse, or sorrow for having sexually harassed the complainant and copied to the VC and the Anti- Sexual Harassment Committee;
- (ii) Formal reprimand in a formal notice that, respondent has violated the University policy on sexual harassment and those future violations may be dealt with more severely;
- (iii) When necessary, the offender will be relocated to another Department/Faculty. He/She may also be removed from any university housing facility; he/she occupies, or placement in another room;
- (iv) He/She shall also be restricted from entering specific university areas such as halls of residence, laboratories, hospital and other locations in order to avoid contact with the victim;
- (v) He/She shall be suspended from the university for specified period of time;
- (vi) He/She may be demoted or have promotion withheld;
- (vii) He /She may be dismissed/rusticated or results withheld;
- (viii) Salary of the harasser may be embargoed/go without pay or denied for a period of time;
- (ix) He/She shall be expelled from the university when all avenues of redress fails;
- (x) He/She shall be referred to the law enforcement agency, e.g. DOVSU, CHRAJ.
- (xi) He/She might face legal action if found guilty.

## **APPENDIX**

### **1. Review of the Policy**

The policy shall go through a review after every five (5) years.

### **2. Examples of Sexual Harassment**

The following examples are descriptive of conduct or behaviour that, if proven, would be considered under this policy to establish sexual harassment in either an employment or an academic setting:

- Unwelcome, uninvited advances, and/or propositions of a sexual nature;
- Unwelcome sexual advances whether they involve physical touching or not;
- Unwelcome and inappropriate affectionate gestures;
- Unwanted and persistent propositions for dates;
- Unnecessary and inappropriate touching, such as palling, pinching, hugging, or brushing against an individual's body; grabbing of parts of the body, kisses;
- Excessive and unwanted attention in the form of love letters, telephone calls or gifts stalking;
- Sexual nicknames, jokes, written or oral references to sexual conduct, gossip about an individual's sexual activity, deficiencies or prowess, sexual innuendos;
- Unwelcome leering, whistling, heckling, hooting at an individual, including name-calling;
- Passing on pornographic material in print or electronic form or passing written offensive messages of a sexual nature (including e-mails and text messages);
- Insults, jokes, or anecdotes that belittle or demean an individual or a group's sexuality or gender;
- Unwelcome sexually-oriented gestures, verbal expressions, or comments of a sexual nature about an individual's body, clothing, or sexual experience;
- Unwelcomed sexting;
- Unwelcome references to one's appearance or body where they cause psychological harassment especially if such expressions are persistent;
- Inappropriate displays of sexually suggestive objects or pictures, cartoons, calendars, books, magazines;
- Sexual assault, which is an unwanted sexual act done without the consent one party, and/or that occurs under threat or coercion;
- Sexual assault includes, but is not limited to, attempted rape, indecent assault, forcible anal sex, forcible oral copulation, sexual assault with an object, sexual battery, forcible fondling (e.g. unwanted touching or kissing for purposes of sexual gratification), and threat of sexual assault;
- Suggestions, submission, or rejection of sexual advances will affect decisions regarding such matters as an individual's employment, work assignments, or status, salary, academic standing, grades, receipt of financial aid, or letters of recommendation;
- Disciplining or firing a subordinate who ends a romantic relationship;
- Retaliation from a person in authority due to refusal of sexual favours which may include limiting opportunities for the complainant and generating gossip against the employee or other acts that limit access or change performance expectations after a subordinate refuse repeated requests for a date.

### **3. Guide lines for males and females dressing within the university**

#### **a. Females**

- During ceremonies (Matriculation, congregation etc) all female staff and students must be formally dressed. This connotes a smart skirt suit, trouser suit, skirt and blouse with covered shoe or sandals.
- Skirts or dresses should be at least knee length
- The wearing of tight or strapless dresses or blouses or tops with spaghetti straps without a jacket is prohibited.
- Over clinging clothing, including hip-stand trousers is not allowed.
- Revealing blouses or dresses, especially the types that do not cover the navel or bust is not allowed within the university premises.
- Transparent dresses must be worn with inner wears a lining.
- The use of bathroom slippers is not allowed
- Trouser suits with jackets to match and smart traditional dresses are encouraged.
- Hairstyles and accessories should be decent and moderate.
- Pierced parts of the body, except the ears should not be adorned with ornaments
- Wearing of chains or bangles around the ankle is strictly prohibited

#### **b. Male**

- All male staff and students are expected to dress formally during ceremonies (Matriculation, congregation etc) this connotes shirt tucked neatly into trousers, with a tie to match and with or without a jacket and a pair of covered shoes.
- Face cap or any other cap, scarves, braided bushy hair or earrings are not allowed.
- Fastening of trousers below the waist line or putting it down the hip line is not allowed.
- Wearing of long-sleeved shirt without buttoning the sleeves well or folding as desired is not allowed.
- Shirts must be properly tucked into the trousers
- Shirt collars should not be left flying
- French suits and smart traditional dresses are encouraged
- Wearing of singlet and 'ready-to-fight-T-shirts' are prohibited for male students

**Draft Committee Members**

1. Ing. Dr. Hamidatu S. Darimani - Chairperson
2. Dr. Ibrahim Denka Kariyama - Member
3. Ms. Niibman Jinjong Kombian - Member/Secretary
4. Mr. Musah Karim - Member
5. Ms. Helen Continua - Member
6. Ms. Paulina Ngmennasong - Member

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