



By ALBERTINA ALMEIDA


## Redressing Sexual Harassment in Schools: Educating the Education Directorate

While educating parents, teachers, about issues around sexual harassment and creating preparedness for dealing with sexual harassment are indeed laudable moves, getting drenched with talk about awareness on sexual harassment within a disabling environment at the helm remains a concern.

Having conducted awareness sessions in schools both individually and with a group, one knows that awareness breeds a certain consciousness and that leads in some cases to complaints in situations where sexual harassment of a school child is noticed or felt. But apart from the general routes available to anybody anywhere who is a victim of sexual harassment, there needs to be clarity as to whom in the school can a student complain and what is the procedure that follows? The Directorate of Education chooses to remain duplicitous or indifferent and generally lethargic.

It has either not reconstituted its own Committee for prevention and redressal of grievances of sexual harassment, under the Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal Act), 2013, or has rendered it dysfunctional by not calling meetings. This itself speaks of the attitude of the Department. That too on an issue which impedes the child's very right to education. It runs contrary to the very grain of the Right to Education Act, 2005.

It was already noted that if a teacher sexually harassed a student at school, it was too far-fetched to expect somebody from another location in Goa, to come all the way to the Education Department at Porvorim to redress their problem. And why should they? It was in order to make access to redressal systems easier and real, that it was demanded that at all levels, including the school level, there should be committees set up to prevent and redress complaints of sexual harassment. A persistent follow up by concerned citizens and the then Goa State Commission for Women resulted in the Education Department issuing a circular in 2013, to Government schools, to set up committees.

 Came the present law and it was mandatory not only for Government schools, but for *all* schools to constitute these committees. Why is constitution of the committees not a precondition for continuing recognition of these schools? Will the Chief Secretary, who also heads the task force of the Beti Bachao Abhiyan, note that the Education Department is not even taking the elementary step of ensuring that every school puts in place a prevention and redressal mechanism? On this point, it shouldn't matter whether the schools are aided, unaided, Government, private, recognized, unrecognized, or which Board they send their students to write exams to. It is a requirement of the new law and non-compliance means penalty.

What is worse, the Education Directorate does not even recognize the gravity of sexual harassment and its consequences. Children have left school after their complaints of sexual harassment have been unaddressed or after they have been intimidated following their complaints and the teacher is seen walking free. In one known case, a child was reported to have committed suicide on account of the harassment with no resolution in sight. Because it reached such an extreme, there was public uproar. That outrage was sought to be placated by constituting yet another Committee to look into the issue as a whole. This High level Committee submitted a report with a series of recommendations, which again came to bite the dust. The Report was not even made public. The pretext was that the Report had names. Any names and identity revealing details could have been anonymised. But in a patriarchal society establishments know how to (mis)appropriate provisions meant in the best interests of children to their advantage!

Furthermore, the Directorate appears to be itself unaware that sexual harassment, when inflicted by a teacher who has so much power over a student, can be construed as a major misconduct under service rules applicable to school teachers in Government schools and in schools which it aids. The Directorate empowers erring teachers with the idea that sexual harassment is not such a grave act after all. It falsely assumes that if a child does not promptly complain, that the complaint is necessarily fabricated. It does not recognize the unbalanced scales of a society that is tilted to sympathise, for instance, with charged teachers, who are shortly due to retire, even as the complaint of sexual harassment is viewed with extreme suspicion. It does not recognize that while due process is the right of every accused, this due process must also be circumscribed by sensitivities in how a child may be asked questions. It also falsely assumes that a teacher has to be convicted by the Children's Court for his services to be terminated. One has only to turn to the Directorate's own

documentation on the subject for verification of the contentions in this article.



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The Goa State Commission for Protection of Child Rights which is mandated to hold all concerned authorities accountable in the matter of child rights, has made a good beginning in calling for a report in this case, but it must go beyond to get the Augean stables of the Directorate of Education cleaned, so no perpetrators bolt each time and roam and intimidate students. Otherwise the awareness will be akin to planting a couple of trees while others are destroying entire forests.

(First published in *O Heraldo*, dt: 10 September, 2015)



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