

**PRIVATE JOINT-STOCK COMPANY
HIGHER EDUCATION INSTITUTION INTERREGIONAL ACADEMY
OF PERSONNEL MANAGEMENT**



**APPROVED by:
the ACADEMIC COUNCIL OF PJSC HEI IAPM
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**REGULATIONS
ON COUNTERING BULLYING (HARASSMENT) at PJSC HEI
INTERREGIONAL ACADEMY OF PERSONNEL MANAGEMENT**

Kyiv 2020

1. GENERAL PROVISIONS

1.1. These Regulations govern organization of work at the Academy aimed to prevent and counter bullying (harassment) and were developed in accordance with current legislation of Ukraine, in particular, the Laws of Ukraine “On Education,” “On Higher Education,” “On Preventing and Countering Domestic Violence,” “On Amending some Legislative Acts of Ukraine on Countering Bullying (Harassment)” and relevant regulative executive documents of the Ministry of Education and Science of Ukraine.

1.2. In conformity with Article 4 of the Law of Ukraine “On Higher Education,” everyone has the right to quality and affordable higher education. The right to higher education is guaranteed regardless of age, citizenship, place of residence, sex, color, social and property status, nationality, language, origin, health status, religion, prior conviction, as well as of other circumstances.

1.3. The main purpose of countering bullying is to psychologically, physically, and economically support and increase the efficiency of the educational process, to form a negative attitude to bullying, protect psychological health and social well-being of all its participants: tertiary students, research and teaching staff, other employees of the Academy.

1.4. **The tasks** to prevent and counter bullying **consist in:**

- acquainting tertiary students, research and teaching staff, employees of the Academy with the concept of bullying, its types and manifestations;
- teaching/learning constructive forms of communication, behavioral responses;
- establishing conditions for creative conflict resolution; and
- developing an adequate level of self-esteem and self-control in the participants in the educational process.

2. DEFINITION OF TERMS

2.1. Bullying (harassment) -- acts (actions or omissions) of participants in the educational process, which consist in psychological, physical, economic, sexual violence, including the use of electronic communications, performed against a person and (or) by such a person against other participants in the educational process in consequence of which harm could be or was done to mental or physical health of the victim.

2.2. The signs of bullying (harassment) are as follows:

- systematic (repetitive) action;
- the presence of parties -- an offender (bully), a victim (victim of bullying), observers (if any);
- actions or omission of an offender, which result in infliction of mental and/or physical harm, humiliation, fear, anxiety, subordination of the victim to the interests of the offender, and/or causing social isolation of the victim.

2.3 Offender -- a person who committed violence in any form.

2.4 A person who suffered from violence (hereinafter referred to as victim) is a person who experienced violence in any form.

2.5 Economic violence -- a form of violence that includes intentional deprivation of food, clothing, other property, funds or documents or the possibility to use them, prevention from obtaining necessary services, coercion to unpaid work, and other offenses of an economic nature.

2.6 Psychological violence -- a form of violence that includes verbal abuses, threats, including against third parties, humiliation, stalking, intimidation, other acts aimed at restricting the will of a person, if such actions or omission raised the victim's fear for his/her security or security of third parties, caused emotional insecurity, inability to protect himself/herself or caused harm to the person's mental health.

2.7 Sexual violence -- a form of violence that includes any acts of a sexual nature committed against an adult without his/her consent, coercion to an act of a sexual nature with a third party, and other offenses against sexual freedom or sexual integrity of such a person.

2.8 Physical violence - a form of violence that includes slapping, cuffing, pushing, pinching, whipping, biting, as well as illegal deprivation of freedom, beatings, tormenting, infliction of bodily injuries of various degrees of severity, leaving in danger, letting die, infliction of death, and committing other violent offenses.

2.9 Cyberbullying – a form of violence committed by means of electronic communication equipment.

2.10 Preventing violence -- a system of measures carried out by the management of a HEI, as well as other participants in the educational process, to develop a behavioral pattern, a biased attitude, eradicate discriminatory beliefs, as well as any customs and traditions.

2.11 Violence countering -- a system of measures carried out by the management of a HEI, as well as other participants in the educational process and aimed to end violence, provide assistance and protection to a victim, and properly investigate cases of violence.

3. AREAS OF COUNTERING BULLYING

3.1. Harassment of tertiary students, research and teaching staff, employees of the Academy on the part the surrounding social medium, so-called bullying, is today one of the most common issues of educational organizations, which significantly raises the risk of suicide among young people; leads to escalation of aggression and violence in the team, academic decline, emotional and neurotic problems.

Bullying prevention provides for work in the **following areas**:

- acquaintance of research and teaching staff with the specifics of the spread of mass negative phenomena among tertiary students and the world's generally accepted concepts of "bullying," "mobbing," "harassment" in view of understanding of the problem of violence against tertiary students, research and teaching staff, employees of the Academy and its types (coverage of materials at meetings of the subdepartment, during curator's hours);

- awareness-raising work of specialists of the socio-psychological service among young people as to prevention of violence using the main forms of awareness-raising work, namely: lectures, mini-lectures, roundtables, discussions, debates, direct opinions hours, verbal journals, visual aid rooms, organization of contests and competitions, festivals, campaigns/rallies, creation of legal literacy clubs, organization of consultancy offices at an educational institution where all participants in the educational process can receive counseling of a practicing psychologist, social care teacher, where it is possible to hold meetings with law enforcement officers;
- building legal awareness and shaping legal behavior of tertiary students, research and teaching staff, employees of the Academy, developing responsibility for their lives, activity, independence, creativity of tertiary students, creating conditions for personal self-fulfillment;
- building in teachers skills to identify violence both in their own behavior, and in behavior of tertiary students, other teachers, employees of the Academy in order to develop abilities to single out an existing problem;
- creating at the Academy conditions to thwart bullying and an appropriate environment for preventing and combating negative socio-educational consequences of this phenomenon;
- strengthening defensive forces of personality and body defenses in order to resist bullying in both conditionally healthy students, and those who already have somatic or mental pathology;
- holding discussions with tertiary students in order to prevent bullying, speeches and statements by leading experts in the system of preventive work to overcome various forms of aggressive behavior.

3.2. Countering bullying functions are as follows:

- diagnostics -- socially and psychologically studying tertiary students, teachers and employees, monitoring social processes and mental development of individual students, identifying causes that complicate personality development, learning and relationships in the team;
- intervention -- implementing psychoeducational measures to eliminate abnormalities in mental and personal development and behavior, overcome various forms of deviant behavior (in case of inadequacy of psychoprophylactic work and a need for, timeliness and effectiveness of psychocorrection and general psychotherapy);
- rehabilitation -- providing psychoeducational and social assistance to tertiary students who are in a crisis real-life situation, in order to adapt them to the learning and social environments;
- prevention -- timely averting deviations in mental and personality development, interpersonal relationships, prevention of conflict situations in the educational process, prevention of drug addiction, alcoholism, suicides, racial and social intolerance, dissolute lifestyle, etc.; and
- psychological education -- raising psychological culture of tertiary students, research and teaching staff and employees of the Academy.

3.3. Education of tertiary students is carried out in accordance with the principles of scientificity, systemacity, continuity, natural conformity and real-life connection.

4. RIGHTS AND DUTIES OF PARTICIPANTS IN THE EDUCATIONAL PROCESS AS REGARDS COUNTERING VIOLENCE

4.1. In accordance with Articles 25, 26, 53, 54, 55 of the Law of Ukraine “On Education” and Article 62 of the Law of Ukraine “On Higher Education.”

4.1.1. Rights and duties of the founder of the Academy are as follows:

- exercising control over averting privileges or restrictions (discrimination) on the grounds of race, color, political, religious and other beliefs, sex, age, disability, ethnic and social origin, marital and property status, place of residence, language or other grounds;

- exercising control over implementation of the action plan aimed to prevent and counter bullying (harassment) at the Academy; considering complaints about refusal to respond to cases of bullying (harassment) on the applications of tertiary students, their parents, legal representatives, and other persons and making decisions based on the results of consideration of such complaints; promoting creation of a safe educational environment at the Academy and taking measures to provide social and psychoeducational services to tertiary students who committed bullying (harassment), witnessed it or suffered from bullying;

4.1.2. Rights and duties of the head of the Academy are as follows:

- ensuring creation of a safe educational environment at the Academy, free from violence and bullying (harassment), including:

- taking into account proposals of territorial bodies (units) of the National Police of Ukraine, the central executive body that ensures creation and implementation of national policy in the area of health care, the main body in the system of central executive bodies that ensures creation and implementation of national legal policy, offices of children’s affairs and centers for social services for family, children and youth, develops, approves and publishes a plan of measures aimed to prevent and counter bullying (harassment) at the Academy;

- considering statements of cases of bullying (harassment) of tertiary students, their parents, legal representatives, and other persons and issuing decisions to conduct investigations; convening a meeting of the committee for considering cases of bullying (harassment) in order to make a decision based on the results of an investigation and taking appropriate response measures;

- ensuring implementation of measures to provide social and psychoeducational services to tertiary students who committed bullying, witnessed it or suffered from bullying (harassment); and

- informing competent units of the National Police of Ukraine and the Office of Children’s Affairs of cases of bullying (harassment) at the Academy.

4.1.3. Rights and duties of tertiary students:

- respect for human dignity;

- during the educational process, protection against disparagement of honor and dignity, any forms of violence and exploitation, bullying (harassment), discrimination on any grounds, propaganda and campaigning that cause harm to the health of tertiary students;

- receiving social and psychoeducational services as a person who suffered from bullying (harassment), witnessed it or committed bullying (harassment); and

- to inform the management of the Academy of the facts of bullying (harassment) concerning tertiary students, research and teaching staff, academic researchers, and other persons involved in the educational process, which they witnessed personally or of which they received reliable information from other persons.

4.1.4. Tertiary students are bound to:

- respect the dignity, rights, freedoms and legitimate interests of all participants in the educational process, adhere to standards of ethics;

- adopt a responsible and careful attitude towards their own health, health of others, and the environment;

- adhere to the constituent documents, internal regulations of the Academy, as well as the terms of the agreement on provision of educational services (if any); and

- protection against all forms of exploitation, physical and mental violence.

4.2. Rights and duties of educational personnel, research and teaching staff and academic researchers, and other persons involved in the educational process:

4.2.1. Research and teaching staff members and academic researchers have the right to protection during the educational process from any forms of violence and exploitation, including bullying (harassment), discrimination on any grounds, from propaganda and campaigning that cause harm to their health.

4.2.2. Research and teaching staff members and academic researchers are bound to:

- adhere to educational ethics;

- respect dignity, rights, freedoms and legitimate interests of all participants in the educational process;

- promote respect for public morals and social values, in particular, truth, justice, patriotism, humanism, tolerance, and industry, through appropriate guidance and by personal example;

- build in tertiary students awareness of the need to comply with the Constitution and laws of Ukraine, to protect the sovereignty and territorial integrity of Ukraine;

- instill in tertiary students respect for the state language and state symbols of Ukraine, national, historical, cultural values of Ukraine, engraft careful attitude to the historical and cultural heritage of Ukraine and the natural environment;

- develop in tertiary students the desire for mutual understanding, peace, harmony among all peoples, ethnic, national, and religious groups;

- protect tertiary students during the educational process against any forms of physical and mental violence, disparagement of honor and dignity, discrimination on any grounds, propaganda and campaigning that cause harm to the health of tertiary

students, prevent their and other persons' use of alcoholic beverages, drugs, other bad habits in the territory of educational institutions;

- comply with the constituent documents and internal regulations of the Academy, perform their employment duties; and
- inform the management of the Academy of the facts of bullying (harassment) with respect to tertiary students, research and teaching staff members academic researchers, and other persons involved in the educational process, which they witnessed personally or information of which they received from others, take immediate measures to end bullying (harassment).

4.3. Rights and duties of parents of tertiary students:

- receive information on activities of the educational institution, including on provision of social and psychoeducational services to persons who suffered from bullying (harassment), witnessed it or committed bullying (harassment), on the results of education of their children (children whose legal representatives they are) and the results of assessing quality of education at the educational institution and its educational activities;
- submit to the management or founder of a higher education institution a statement of cases of bullying (harassment) with respect to any participant in the educational process; and
- demand a full and impartial investigation of cases of bullying (harassment) with respect to any participant in the educational process.

4.4. Parents of tertiary students are bound to:

- assist the management of the higher education institution in conducting investigations into cases of bullying (harassment); and
- implement the decisions and recommendations of the committee for considering cases of bullying (harassment) at the higher education institution.

5. RESPONDING TO DISCOVERED OR ESTABLISHED FACTS OF BULLYING

5.1. If a tertiary student, research and teaching staff member, employee of the Academy witnessed bullying, he must inform the Rector of the Academy thereof regardless of whether the victim of bullying complained to him/her or not.

5.2. Upon receipt of a request of a tertiary student, research and teaching staff member, employee of the Academy, an appropriate person or body informs the Rector of the Academy in writing of the case of bullying.

5.3. The Rector of the Academy considers the request and appoints a committee due to the fact of bullying to find out all the circumstances of the incident.

5.4. The committee may include psychologists, the victim's parents and the "bully," the head of the higher education institution and other persons concerned.

5.5. If the committee recognizes that it was bullying rather than a one-time conflict, the Rector of the Academy is bound to notify the authorized units of the National Police of Ukraine and the Office of Children's Affairs if the child concerned is a minor.

5.6. If the committee has not established the fact of bullying, and the injured party does not agree with such a decision, the victim may apply directly to the National Police of Ukraine.

5.7. Persons guilty of perpetration of violence at the Academy bear disciplinary, civil, administrative, and criminal liability under legislation of Ukraine.

6. RESPONSIBILITY FOR BULLYING (HARASSMENT) OF PARTICIPANTS IN THE EDUCATIONAL PROCESS

6.1. According to Article 173-4. Of the Code of Ukraine “On Administrative Offenses” 80731-X, liability entails imposition of a fine of fifty to one hundred tax-free minimum incomes of an individual or community service for a period of twenty to forty hours.

6.2. An act committed by a group of persons or repeatedly within a year after imposition of an administrative penalty entails imposition of a fine of one hundred to two hundred tax-free minimum incomes of an individual or community service for a period of forty to sixty hours.

6.3. Failure of the head of a higher education institution to advise authorized units of the National Police of Ukraine of cases of bullying (harassment) of a participant in the educational process entails a fine of fifty to one hundred tax-free minimum incomes of an individual or correctional work for up to one month with the deduction of up to twenty percent of the pay.