

# ISTINYE UNIVERSITY

## DIRECTIVE OF THE SUPPORT UNIT AGAINST PSYCHOLOGICAL HARASSMENT, MOBBING, SEXUAL HARASSMENT AND SEXUAL ASSAULT

### CHAPTER 1

#### Purpose, Scope, Basis and Definitions

##### Purpose

**ARTICLE 1** - (1) This Directive aims to regulate the structure, duties, and implementation principles of the Istinye University Support Unit Against Psychological Harassment, Mobbing, Sexual Harassment, and Sexual Assault, which is assigned to prevent psychological harassment, mobbing, sexual harassment, and sexual assault incidents that negatively affect the health and well-being of Istinye University academic and administrative staff and students, and to refer them for administrative, legal, and psychological support.

##### Scope

**ARTICLE 2** - (1) This Directive covers the working principles and procedures, and the principles and procedures to be followed in notifications, complaints, support and in-service training related to Istinye University Support Unit Against Psychological Harassment, Mobbing, Sexual Harassment, and Sexual Assault.

(2) This Directive applies to all situations where Istinye University's full and part-time academic (including hourly-paid) and administrative staff and students come together within the scope of University activities, regardless of time or location.

(3) It covers actions that occur inside and outside the University but are carried into the University environment or have an impact on the University's academic life and working environment.

##### Basis

**ARTICLE 3** – This Directive complies with the Constitution of the Republic of Turkey and the Universal Declaration of Human Rights regarding the principle of equality, prohibition of discrimination, the right to education and the right to work, and all international treaties signed by the Republic of Turkey, especially the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) of 1979, and the Law No. 6284 dated 20 March 2012 on the Protection of the Family and the Prevention of Violence Against Women, Higher Education Law No. 2547, the principles of the Higher Education Institutions, Academic Staff and Civil Servants Disciplinary Regulation No. 17789 dated August 21, 1982, Article 14 of the Higher Education Law No. 2547, and the Prime Ministry Circular No. 2011/2 published in the Official Gazette dated 19/03/2011 and numbered 27879.

##### Definitions

**ARTICLE 4** – (1) The terms in this Directive are defined as follows:

- a) Chairman: Chairman of Istinye University Support Unit Against Psychological Harassment, Mobbing, Sexual Harassment and Sexual Assault,
- b) Unit: Istinye University Support Unit against Psychological Harassment, Mobbing, Sexual Harassment and Sexual Assault,
- c) Sexual Assault: Any sexual or sexualized behavior that causes a person to feel uncomfortable, intimidated, or fearful,

- d) Sexual Harassment: Unwelcome or unwanted sexual advances, sexual demands, or other verbal or physical contact of a sexual nature that creates a hostile or offensive environment,
- e) Board: Istinye University Support Board Against Psychological Harassment, Mobbing, Sexual Harassment and Sexual Assault,
- f) Student: Students studying in the Associate, Undergraduate and Graduate programs at Istinye University,
- g) Mobbing: A set of malicious, deliberate, negative attitudes and behaviors carried out by one or more people in the workplace against other person or persons, continuing systematically for a given period, aiming to intimidate, pacify or remove them from work, harming the personal values, professional status, social relations or health of the victim or victims,
- h) Psychological Harassment: Humiliating, threatening, manipulating, separating, isolating verbal and non-verbal actions carried out by one person or more than one person towards another person or people, damaging the psychological integrity of the person,
- i) Rector: Rector of Istinye University,
- j) Senate: Istinye University Senate,
- k) University: Istinye University,
- l) University units: All academic, administrative, consultancy and social activity units within Istinye University,
- m) Staff: Academic and administrative staff and other employees at Istinye University.

## **CHAPTER 2**

### **Formation, Duties and Working Procedures of the Unit**

#### **Formation of the unit**

**ARTICLE 5** – (1) The governing bodies of the Support Unit against Psychological Harassment, Mobbing, Sexual Harassment and Sexual Assault are the Unit Chairman and the Support Board against Psychological Harassment, Mobbing, Sexual Harassment and Sexual Assault.

(2) Sufficient number of staff are to be assigned to carry out the secretarial operations of the unit.

#### **Working procedures and principles of the unit**

**ARTICLE 6** – (1) The provisions of the directive apply to all University components. The directive established the measures necessary to ensure that all private individuals and businesses working on a contractual basis in the open and closed areas of Istinye University comply with the principles in this Directive and report it to the Rectorate.

(2) The Rectorate consults with the Unit in reference to disciplinary investigations regarding psychological harassment, mobbing, sexual harassment and sexual assault.

(3) In reference to disciplinary investigations the unit conducts through the Rectorate necessary correspondence with other persons, institutions and organizations during the examination and evaluation phase. Opinions requested from experts or institutions must be obtained within one week.

(4) When an application is made to the unit, the applicant is invited for an interview through the official communication channels. If there is no response to the interview invitation within 5 business days, the application will be void.

(5) Confidentiality is to be maintained in all the unit's transactions. In addition, the Unit takes the necessary measures within the framework of the Personal Data Protection Law No. 6698.

(6) The unit keeps records regarding harassment cases at the University.

## **CHAPTER 3**

### **Formation, Duties and Working Procedures of the Board**

#### **Formation of the board**

**ARTICLE 7** – (1) The Support Board against Psychological Harassment, Mobbing, Sexual Harassment and Sexual Assault consists of at least three academic members and three administrative members. Academic members are appointed by the Rector. Administrative members are appointed by the Rector at the recommendation of the Secretary General. The term of office of the members is two years. A member whose term has expired may be reappointed. The Board's number of female members cannot be less than the number of male members. At least one Board member must have studied law and at least one must have studied gender.

(2) New members are appointed by the Rector for membership vacancies. New members complete the remaining term of office of the member he/she is replacing.

(3) Board members elect a chairman from among themselves. The Chairman selects one member as the Vice Chairman and one member the rapporteur. When necessary, the Chairman of the Student Council may be invited to attend the Board meeting.

(4) The Board meets at the call of the Chairman. More than half of the number of members must be in attendance. The Board makes decisions with one more than half the attendees. When the Chairman cannot attend, the Vice Chairman presides over the Board meetings. Abstaining votes are not permitted and in case of equal votes, the Chairman's is the deciding vote.

(5) The Chairman calls the Board to a meeting when there is a harassment application and/or when there are issues to be discussed as a board. Board meetings are confidential. Members and Unit employees are obliged to keep confidential the issues discussed, examined and evaluated at the Board meetings and all related information and documents.

(6) Discussions and correspondence with relevant parties during the support process are kept confidential. These transactions are carried out and concluded in the most effective way, observing the principles of urgency and care. Authorities must keep records of every transaction.

#### **Circumstances terminating board membership**

**ARTICLE 8** – (1) Board membership terminates:

- a) Upon the death of the member, written resignation or leave of employment from the University,
- b) When it is understood that the member cannot attend Board meetings for six months or more, even with a valid excuse,
- c) When the member fails to attend three consecutive Board meetings within a calendar year without permission or excuse,
- d) When the member receives a finalized judicial and/or administrative penalty that is incompatible with continued Board membership.

(2) Loss of Board membership comes is effective upon the Rector's notification to the relevant person.

#### **Duties of the Chairman of the Board**

**ARTICLE 9** – (1) The Chairman of the Board distributes tasks to the board members and oversees the execution of the agenda and work of the board.

(2) The Chairman calls the meetings of the Board and ensures that meeting agendas are created and announced.

(3) The Chairman coordinates the pertinent units of the University to provide psychological support to those claiming harassment.

(4) The Chairman supervises the evaluation of the issues and problems under investigation and maintains the confidentiality of the decisions and the opinions rendered in accordance with the Personal Data Protection Law No. 6698.

(5) The Chairman oversees the Board's duties and distributes duties among the staff working in the unit.

### **Board powers and duties**

#### **ARTICLE 10 – (1) The Board**

- a) Evaluates and submits reasoned opinions on allegations of psychological harassment or any other harassment incidents within the University sent by the Rectorate or other units of the University.
- b) Evaluates complaints or allegations of retaliation against University members who claim to be victims or witnesses of psychological or any other harassment within the University, and submits a reasoned opinion to the relevant unit(s) and to the Rectorate.
- c) Organizes training programs, seminars, symposiums, workshops, informational meetings, promotions and other activities to raise awareness and sensitivity surrounding all kinds of harassment, including psychological harassment in university units and to learn and make public the legal remedies.
- d) Cooperates with authorized bodies when urgent measures are indicated.

(2) In its reasoned opinions, the Unit evaluates all allegations of harassment based on sufficient, credible and lawful evidence and bases its conclusions in the relevant legislation.

(3) The Board screens applications and rejects those that do not meet the conditions specified in this Directive.

## **CHAPTER 4**

### **Harassment Complaint Notification, Support Process, In-Service Training Programs**

#### **Notification and complaint regarding alleged harassment**

**ARTICLE 11 – (1)** Students or staff who claim to be victims or witnesses of psychological or any other harassment within the University may register their complaint in person or online with their Unit or its management.

(2) The application is made via a form that requires the applicant's name and surname, contact information and the reason for the complaint. The Unit follows by contacting the applicant for a meeting. The completed Psychological Harassment (Mobbing), Sexual Harassment and Sexual Assault Reporting Form finishes the application which is then sent to the commission members.

(3) The following applications are declined without review:

- a) Those lacking a specific subject,
- b) Those not meeting the conditions specified in paragraph 2,
- c) Those whose reasons, subject and parties are the same,
- d) Those no longer pending.

(4) The opinion of the Unit are sought before deciding on applications. Requests for university unit opinions from are answered within the relevant deadlines. As a rule, this does not exceed ten days.

(5) In cases where the first application is made to the Unit, if deemed necessary by the Unit, the incident subject to the application is reported to the University Unit authorized to take action in accordance with the relevant disciplinary legislation.

(6) Information surrounding the incident subject to the complaint, the complainant and the accused are kept confidential by all University units other than the Unit, and all actions taken are recorded.

(7) Except for legal obligations, no judicial proceedings are initiated except at the request of the complainant.

### **Support**

**ARTICLE 12** – (1) Unit officials, physicians at University hospitals and all academic and administrative unit officials of the University support without exception individuals who state that they have been exposed to or witnessed behavior involving psychological harassment, mobbing, sexual harassment or sexual assault.

(2) The following steps are taken for those claiming to be victims of or witnesses to psychological harassment, mobbing, sexual harassment and sexual assault within the university:

- a) They may be referred to a psychologist within the University for support, upon the decision of the Unit.
- b) During the unit support process, the person making the complaint or notification is advised of the legal and other available solution options, the processes followed in these, the attendant risks of these options and the necessary precautions.
- c) Remedies applicable in accordance with the relevant legislation are explained by Unit member(s) determined by the Unit. The conversations are recorded in meeting minutes, signed by the relevant Unit member(s) and the applicant, and retained by the Unit.

### **In-service training programs**

**ARTICLE 13** – (1) The Unit invites the academic and administrative staff and administrators of the University to participate in training to raise awareness of and sensitivity toward psychological harassment, mobbing, sexual harassment and sexual assault; and to learn the rights of individuals in preventing harassment and behaviors that pave the way for harassment.

## **CHAPTER 5**

### **Miscellaneous Provisions**

#### **Staff needs**

**ARTICLE 14** – (1) The staff needs of the unit are met by personnel appointed by the Rector in accordance with Article 13 of Law No. 2547, at the request of the President.

#### **Force**

**ARTICLE 15** – (1) This Directive is effective upon approval by the Istinye University Board of Trustees.

#### **Executive**

**ARTICLE 16** – (1) This Directive is executed by the Rector of Istinye University.

### **APPENDICES**

**Annex 1-** Report Form

**ANNEX 1**

**ISTINYE UNIVERSITY**

**PSYCHOLOGICAL HARASSMENT (MOBBING), SEXUAL HARASSMENT AND SEXUAL ASSAULT REPORT FORM**

**PSYCHOLOGICAL HARASSMENT, MOBBING, SEXUAL HARASSMENT AND SEXUAL ASSAULT REPORT FORM**

Name and Surname	
Unit/Department:	
Republic of Türkiye ID Number:	
Phone number:	
E-Mail adresi:	
Reason for Application:	
Witness information, if any:	
People you think should be listened to:	
How Long the Complaint Has Been Continuing:	
Explanation:	

Request for legal guidance ( ) Yes ( ) No

Request for Psychological Guidance ( ) Yes ( ) No

Member of the Support Unit Against Psychological and Sexual Harassment .....  
the information I provided is included in the form accurately and completely.

I received information about the process from the Support Unit member .....

Name / Surname

Signature/Date

This Section will be filled out by Support Unit Against Harassment.

Interviewer:	
Application date:	
Meeting Date:	
Document number:	
Explanation:	

I listened to the relevant person. The form was filled out. The person was provided with information about the process.

Signature /Date

If there is a request for psychological guidance;

Referral date

Referrer

If there is a request for legal guidance:

Referral date

Referred person

The psychological and/or legal support I requested was given to me.

Name/Surname

Signature/Date