



NUC
UNIVERSITY



**Protocol for Prevention, Intervention
and Monitoring of Bullying Cases in
Educational Institutions**

CASES OF HARASSMENT ("BULLYING")





**NUC UNIVERSITY
VICE PRESIDENT FOR STUDENT AFFAIRS
AND EFFECTIVENESS**

**Protocol for Prevention, Intervention
and Monitoring of Bullying Cases in
Educational Institutions.**

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I. Introduction:

One or more students aimed at causing harm or discomfort and where there is a real or perceived imbalance of power for the victim define bullying as any pattern of repetitive and intentional actions. However, a single act could be considered bullying because of its severity.

II. Legal Basis

Section I Article II of the Constitution of the Commonwealth of Puerto Rico establishes that the dignity of the human being is inviolable. Likewise, our Constitution recognizes the right to life as a fundamental right and provides that every person have the right to protection against abusive attacks on his or her honor. The purpose of Act No. 104 of 2016 is the legislation aimed at safeguarding the learning environment as one free of emotional and physical violence, with the purpose of making students feel safe in schools and universities. This Act shall be applicable to public schools of the Department of Education, private educational institutions, and all institutions of higher education, as defined in Reorganization Plan No. 1-2010, as amended.

A. Target

NUC University, as an institution of higher education, in accordance with the enforcement of Act 104 of 2016 has established a Bullying Prevention, Intervention and Monitoring Protocol to protect the victims of bullying in the university community.

B. Justification

The concept of bullying refers to harassment in educational institutions and all forms **of physical, verbal or psychological abuse that occurs between students, repeatedly and over time**. Bullying usually takes place in the educational institution and on its premises. This type of violence usually affects underage students, although it can extend to all ages and all academic levels. When talking about bullying, it is necessary to establish that professional experts in the field are very clear about the profiles of the bully and the bullied. Nationally, the Youth Risk Behavior

Surveillance (YRBSS), 2015 reported that 20% of students had been bullied in the year prior to the study.

With new technologies, bullying has spread to the victims' homes, in what is known as cyberbullying. Bullies are responsible for harassment through the Internet, with intimidating emails, the dissemination of retouched photographs, defamation on social networks and even the creation of web pages with aggressive content. Nationally, 15.5% was reported in the YRBSS, 2015.

Among the objectives of bullying in college, students are the disruption of integrity and ideology in the form of criticism, teasing (jokes and nicknames). Thus, this type of bullying also has some similarities with mobbing, as it is accompanied by hostile communication with lack of ethics that pushes the victim to hopelessness and helplessness (Rojas, 2013).

According to Palencia, R., Plata Santander, A, Vianey, J. (2015) Bullying in universities, although it can become a frequent and threatening aggression, is very different from the one experienced in basic school environments in that the victim is not exposed or evidenced, but is hidden to wear them down, annoy them or belittle them without the perpetrators considering that they are hurting them. Thus, it could be said that the existence of bullying in college students is characterized by a coexistence marked by the absence of respect, discrimination and prejudice, with psychological (personal and relational) and academic consequences.

Bullying in Puerto Rico: According to a Descriptive Study conducted by the firm Parenting Resource, out of a total of 1,261 students from public and private schools on the island, seventeen (17%) of girls said they had been bullied two to three times a month or more, as did fourteen (14%) of boys. The study also indicates that eleven percent (11%) of boys confessed to harassing others two to three times a month or more, while girls reflected six percent (6%). In 2013, Puerto Rico participated in the YRBSS, and it was reported that 10.6% of high school students reported having been bullied at school on at least one occasion during the 12 months prior to the interview. On the other hand, 6.7% of high school students reported that they had been bullied at school on at least one occasion in the 12 months prior to the interview.

In recent months, a series of cases of aggression in public and private schools on the island have been reported in the country's press, some of which are recorded and uploaded on social networks, further aggravating the situation of intimidation and mockery of the victims, as they are exposed to a greater number of people. Due to the increase and seriousness of the issues of harassment, bullying and cyberbullying, it is necessary to maintain a safe environment free of violence and acts that threaten the safety of students in educational institutions. In compliance with Law 104 of 2016 and with the values and mission of the institution, NUC establishes the policy Against Harassment and **Bullying** to protect the most vulnerable and reaffirm that the dignity of all is inviolable.

C. Definition and Description

Harassment in Educational Institutions manifests itself in four main modalities, as cited in the Department of Education Circular Letter No. 10-2015-2016:

- **Physical harassment:** Refers to physical contact with intent to cause pain or harm. It can manifest itself as hitting, hurting, kicking, spitting, slapping, shoving, hair pulling, biting. It also refers to destruction of the victim's property (school materials, personal objects, among others).
- **Social harassment:** Refers to any consistent conduct aimed at excluding, marginalizing, discriminating or isolating an individual, through actions such as, but not limited to, rumors, defamation or gossip, among others.
- **Psychological or emotional harassment:** Any action or conduct that undermines the healthy self-concept and strengthens the self-esteem of the victim, such as threats, humiliation, mockery, blackmail, rejection or ridicule, which can be evidenced in feelings of inadequacy, lack of belonging, anxiety, fear, insecurity, discrimination based on sexual orientation or gender identity, among others.
- **Cyberbullying:** Any type of bullying already identified or that arises later, but for which technology is used. A single action is considered cyberbullying, due to the ability to replicate the bullying. It is considered a federal crime.

D. Expectations and Institutional Policy:

NUC University expects the student community to behave in accordance with the values of the institution, demonstrating at all times and spaces of university coexistence, respect for

classmates, empathy and solidarity with others, promoting healthy learning environments both in the face-to-face and online courses.

Policy: NUC University establishes that any act of harassment or bullying, framed in any type of violence, by a student or a group of students towards another or others, is strictly forbidden in the physical spaces, premises, official activities programmed outside the campuses and in the distance education platform of the institution.

- i) **Scope:** This policy applies to those students who directly engage in acts of bullying, as well as students who indirectly encourage, promote, or support acts of bullying by another student or students.
- ii) **Effective:** This Policy and its protocol are effective as of May 1, 2017, in compliance with Act No. 104 of 2016.
- iii) **Review:** This policy will be reviewed every two years.

E. Responsibility of the members of the educational community

I. **Student Affairs Director of the Campus.** Ensure that the entire University community receives orientation regarding the policy and protocol established for compliance with Law No. 104 of 2016. Compile evidence in a portfolio, in a systematic manner, of all orientation and prevention activities **during the academic year**. In addition, it must monitor compliance with the policy by establishing and designating the **Investigation and Institutional Coexistence Committee at the beginning of the year; and keeping** track of the cases in the digital platform of the Student Information System in force.

II. The Professional Counselor. Assume responsibility for adopting this public policy established by the Secretary of Education, related to bullying and harassment in Private Institutions. In addition, it must participate in activities related to the issues and offer professional support as required by both the victim and the bully.

III. Institutional Research and Coexistence Committee. It will be composed of the Professional Advisor, regular faculty members, Psychologist, if necessary. The Committee:

- a) It shall be responsible for assisting the Provost, Dean, and Student Affairs Director in all phases of policy implementation.
- b) It will meet at the beginning of the academic year, during the month of August.
- c) Develop a preliminary internal plan of action around bullying prevention.
- d) Develop and administer a survey to the campus community to ascertain the status of student-to-student bullying.
- e) Analyze the results of the anonymous survey to amend the internal action plan according to the results and the particular needs of the school. Collaborate with the director of student affairs in the implementation of the action plan.

IV. Duties of the University Community

- a) Parents, guardians or caregivers: They should be aware of institutional policies in case their child is a minor or has a disability. They are also responsible for participating in the intervention and follow-up process.
- b) Students: Shall know and comply with institutional policies related to bullying harassment and follow-up, and actively participate in activities, orientations, and report all harassment incidents or suspected harassment and bullying.
- c) Faculty, staff, and administrators: Be oriented as to what constitutes student-to-student bullying and harassment and its effects, the legal consequences, and the disciplinary measures involved in engaging in bullying and harassment.

These behaviors, as well as effective methods of prevention and intervention of bullying in educational institutions bullying.

PROTOCOL FOR PREVENTION, INTERVENTION AND MONITORING OF CASES OF BULLYING IN EDUCATIONAL INSTITUTIONS BETWEEN STUDENTS AT NUC UNIVERSITY

I. Procedure in handling cases of *bullying*:

The procedure for handling cases of Harassment in Educational Institutions (bullying), responds to the provisions of Public Law 104 -2016 known as Law against harassment and intimidation or bullying of the Commonwealth of Puerto Rico, which amends Law No. 149 of 1999, Organic Law of the Department of Education. NUC University establishes that internal complaints will be processed based on Public Law 104-2016, the Protocol for the Prevention, Intervention and Follow-up of Cases of Harassment in Educational Institutions (**BULLYING**) and the Student Regulations in force, as applicable.

A. Aspects to be considered (Responsibility for officials of the Institution)

1. **Identification and communication of the situation:** Any member of the educational community, teacher, or official who observes or has knowledge or suspicions of a situation of harassment between students, has the obligation to communicate it to a teacher, the tutor, the person responsible for guidance in the institution or administrative staff as appropriate and member of the educational community who has knowledge of the situation.
2. **Activation of the Protocol:** The activation of the Protocol is given upon suspicion or detection of a situation of Bullying and shall:
 - a. **Detection of the situation of bullying:** The process of internal complaint to the Office of Student Affairs in charge of the staff who suspects or has been notified about the situation, by the violated student or witnesses is initiated. From here, it is verified whether it is a bullying situation taking into consideration whether it responds to the following characteristics or conditions:

- ✓ It is intentional: from one or more partners to another to cause pain and suffering.
 - ✓ Unequal relationship or imbalance of power: the victim perceives him or herself as vulnerable, unprotected and without the resources of the aggressor or aggressor.
 - ✓ Repeatedly and continuously: it is not an isolated episode.
 - ✓ In peer relationships: between students.
- b. **Ensure Protection:** Take the necessary protective measures, the main objective is that the bullying stops and does not resurface. Following this communication, at least three members of the Investigation Committee will meet, consisting of: Chancellor, Academic Dean, Director of Operations, Professional Counseling staff (AD HOC member) and Student Affairs Director, with the affected parties (students) for the purpose of gathering information, analyzing it and assessing intervention as appropriate. Ensuring the human rights of the student.
- c. **Intervene effectively, quickly and not hastily:** Smooth action without holding back, when any authority or responsible person is unable to respond should send representation and always verifying the protection and respect for the rights of students.
- d. **Discretion and confidentiality:** during the whole process only the members of the Investigation Committee will have knowledge of the facts and proceedings.
- e. **Communication to the Directorate:** In any case, the Student Affairs Director or his/her representative shall inform the Chancellor who becomes in charge of the execution of the Protocol.
- f. **Communication with families:** The person in charge, by telephone or by any possible means, establishes communication with the parents or guardians; if they are under 18 years of age. Parents or guardians of students involved are summoned and their presence is confirmed in writing using a statement, both from the person who was bullied and from the person who allegedly perpetrated the bullying.

B. Case Reporting Procedure

1. The victim, an observer or a witness may make a report of a case. The witness to the facts may be a student, teacher or administrator.
2. The complaint must be made to the Office of Student Affairs, to the Director or a designee, and documented on the complaint form.
3. To address the complaint, the Student Affairs Director will implement case intervention strategies.

1. Case Intervention Strategies

a. Interview with all parties:

- ✓ Student who suffers bullying: Listen and show interest in what is presented in order to know his feelings about the situation he suffers.
- ✓ Encourage feelings of hope about the situation and assure them of help and confidentiality.

b. Interview with observers or witnesses:

- ✓ Assure them of confidentiality and acknowledge their courage in reporting or whistleblowing.
- ✓ To ensure that it does not directly or indirectly participate in the situation of bullying, show solidarity and stand up for the victim.
- ✓ Refer to other Law Enforcement Agencies if required.

c. Interview with the violator(s):

- ✓ Maintain the confidentiality of all parties.
- ✓ Encourage accountability for repairing harm.
- ✓ Promote a commitment to stop violence.
- ✓ Seek their participation in the search for solutions.
- ✓ Do not implicate and avoid naming the assaulted person.
- ✓ Follow them for several weeks.
- ✓ Refer, when necessary, to the appropriate professional staff.

d. Interview with the parents or legal guardians of the violated person, if

applicable: The student involved will notify the family or guardian of the minor student of the alleged violation. Through an interview, the case will be brought to the attention of the families or legal guardians of the minor involved, providing information about the situation and the measures adopted by the Institution. If deemed appropriate, he/she will also inform the rest of the University staff under strict confidentiality and protection of the minor's privacy.

The following aspects should be considered in this process:

- ✓ Ensure the protection of minors.
- ✓ To preserve their privacy and that of their families or legal guardians.
- ✓ Generate a climate of basic trust in children.
- ✓ Collect all types of evidence and indicators.
- ✓ Do not duplicate interventions and avoid unnecessary delays.
- ✓ Convey peace of mind.
- ✓ To support them (so that they perceive the support of the university, preventing them from feeling helpless or defenseless).
- ✓ Inform about the most appropriate measures for the situation.
- ✓ Report on the existence of institutional support resources.

e. Define the actions to be taken with the different parties:

Total investigation and case resolution time

| Steps of the investigation | Weather Stipulated |
|---|---------------------------|
| Reply to the referral or complaint: <ul style="list-style-type: none"> • Contact the alleged victim. • Activation of the <i>Bullying</i> Management Protocol. | 2 days or 48 hours |
| <ul style="list-style-type: none"> • Complete and provide the draft investigation to the parties involved, as requested. | 12 days |
| <ul style="list-style-type: none"> • Time to receive feedback from the parties. | 8 days |
| <ul style="list-style-type: none"> • Complete and issue the final case report. | 8 days |

f. Emergency Measures

- a. During the course of the investigation and as long as it is feasible, the necessary measures will be taken to relocate the people involved in the classrooms and in the mode of study.
- b. The committee will meet as often as necessary to follow up on the case and issue recommendations according to the course of the investigation.
- c. If it is determined that any NUC student has engaged in any misconduct in this regard, the institution will take disciplinary action as set forth in the Student Regulations.
- d. Once the appropriate emergency measures have been taken, the Investigation Committee will gather the necessary information from the various sources listed below:
 - ✓ Compilation of existing documentation on the student concerned.
 - ✓ Systematic observation of the indicated indicators: in common spaces of the Institution, classrooms, and distance education platform or in complementary and extracurricular activities.
 - ✓ The Principal will ask the Counseling Office to complete the information. This will be done according to the case, observing the affected student, contrasting opinions with other classmates, talking to the affected student or interviewing the family member or legal guardian of the student, if the student is a minor. If deemed appropriate, the information will be completed with other complementary sources, such as teaching and administrative staff.
 - ✓ Once all the information has been gathered, the Chancellor of the Institution will validate the continuity of the case or the closure of the case.

C. Intervention Strategies and Case Sanctions

- a. Once all the information has been collected and contrasted, the Student Affairs Director will refer the case to the Disciplinary Committee. This committee will evaluate the case and issue recommendations, as established in the Student Regulations.

D. Measures and actions to be defined

The Disciplinary Committee will define a set of measures and actions for each specific case of harassment and bullying in Educational Institutions.

These measures and actions will refer to both those applicable to the University and those applicable to the student or aggressor, including specific actions to raise awareness among the rest of the students as well as the student observer. All this, without prejudice to the application to the harassing student of the corrective measures in the student regulations.

E. Prevention Strategies:

- ✓ Actions with the person being harassed: express and indirect support and protection actions, emotional health activities and care and social support strategies, professional therapy by Professional Counselling or Psychology, aimed at the development of social communication skills, self-esteem and assertiveness and referral, if appropriate, to protection services in the case of minors.
- ✓ Action with the offending student: application of the corresponding corrections stipulated in the student regulations, educational actions at the university, if applicable, or specific programs and strategies for behavior modification and personal assistance.
- ✓ Actions with passive peer observers: development of social, communication, emotional and empathy skills, awareness-raising campaign, as well as mediation and peer support activities.
- ✓ Actions with faculty and administrative and service staff: guidance on how to intervene positively in the situation and how to follow up, guidance on detection indicators, as well as specific training activities.
- ✓ Campaign with external agencies.

F. Follow-up strategies

1. Information and prevention campaigns: The Office of Student Affairs will coordinate and develop activities aimed at compliance with institutional and federal policies, its objective will be to promote healthy lifestyles in the

University community, among which the prevention of all types of violence will be emphasized. Some of them may be:

- ✓ Talks and training workshops for the university community
 - ✓ Institutional booklet that will contain information relevant to definitions and prevention strategies of Bullying in the school. It will also briefly explain how to seek help both internally and externally.
 - ✓ Quarterly promotion of booklet to incoming freshman population
 - ✓ Mass media campaign on counselling for potential victims
 - ✓ A student survey on campus safety and the effectiveness of information and prevention campaigns will be administered annually.
 - ✓ Annual dissemination of the security policy to the entire university community.
2. Issuance of quarterly reports of cases filed at each campus: The Office of Student Affairs will document and report cases filed each quarter to the VP of Effectiveness and Student Affairs.

G. Guidelines for Referring Health Care Professionals

1. Faculty and staff are important resources for identifying and alerting students to possible harassment in the campus environment and should refer the student, victim or perpetrator, to the campus Office of Student Affairs.
2. Referrals: All cases must be referred to the Office of Student Affairs, specifically to the counseling area.
3. The counselor will conduct an initial intervention and, according to his/her professional judgment, will proceed to refer the student, victim or perpetrator, to the campus psychological services.
4. The psychologist, according to the situation observed in the student, will proceed with the referral to a health specialist, off campus.

H. Support from the Security Office:

Campus security personnel play an important role in the safety and healthy coexistence in the university environment. The Security Office has the responsibility to act in a preventive manner and to promptly and effectively notify the corresponding agencies of any situation that represents a threat to the integrity, health and safety of the University Community and its visitors. There is continuous communication and

cooperation between Security, the National University College Management and the Municipal and State Police, in the jurisdictions where all the campuses are located.

The Security Office may provide escort services (parking lot), preventative surveillance, (hallways, Library), assigned parking space to ensure the highest possible security. Ongoing training of Security Officers is mandatory. A directory of outside resources is provided for referral of students, both victims and perpetrators.

I. Procedure for documenting

NUC will maintain strict confidentiality of cases handled for bullying situations, with the following exceptions:

1. Suspicion of imminent danger or threat of harm to the person affected by the situation, to the person(s) involved in the situation, or to third parties
2. Suspected Indicator of Child or Adult Abuse or Maltreatment
3. By order of the court.

Case documentation:

In keeping with its commitment to safeguarding the safety of all, NUC has contracted with a private company of security officers. Any student or employee of NUC, in the event of a dangerous situation affecting his or her life, the lives of others, and property, should immediately notify the security officers or a member of the Alert Committee.

After taking the pertinent actions, the security officer will submit a **report to the Campus Chancellor or Night Coordinator, Campus Student Affairs Director**, as the case may be, or their designated representatives, who in turn will refer the situation for the corresponding investigation and processing.

The officers receiving the referral will take the necessary steps and the security officer will take the appropriate action, as appropriate (call the state or municipal police, assist the respondent with phone calls, call an ambulance, etc.).

Counseling staff and security officers will collect information and keep statistics regarding bullying events, especially in those cases where physical or verbal violence is incurred, within and on the institution's premises.

In situations that warrant it, security officers, together with the Campus Chancellor, will mobilize public or private emergency medical services and specialized personnel available at the time.

J. Notification to regulatory agencies

The VP of Effectiveness and Student Affairs will keep the quarterly statistical reports of all the campuses and technical division of NUC, which document the cases, attended by Bullying complaints; and will issue an annual report on or before July 1 of each year to the Puerto Rico Council of Education, by the means requested by this agency.

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