

**İSTİNYE UNIVERSITY
CONGREGATION**

DATE OF CONGREGATION	TIME OF CONGREGATION	SESSION NO
16/12/2020	10.30	15

APPROVING AUTHORITY	Board of Trustees
DATE OF APPROVAL	03.12.2020
DECISION NUMBER	2020/74

**İSTİNYE UNIVERSITY
SUPPORT UNIT DIRECTIVE AGAINST PSYCHOLOGICAL HARASSMENT
(MOBBING), SEXUAL HARASSMENT AND SEXUAL ATTACK**

**FIRST PART
Purpose, Scope, Basis and Definitions**

Purpose

ARTICLE 1 - (1) This Directive aims to identify and define psychological harassment, sexual harassment and sexual assault that negatively affect the personality, honor, family and social life, psychological and physical health of İstinye University academic and administrative staff and students, and to raise awareness of these incidents. It also aims to regulate the structure, duties and principles of practice of the İstinye University Support Unit Against Mobbing, Sexual Harassment and Sexual Assault, which has been assigned to evaluate the applications made regarding the issues and direct them for administrative, legal and psychological support.

Scope

ARTICLE 2 - (1) This Directive will be observed in the formation, duties, working procedures and principles of the İstinye University Psychological Harassment, Sexual Harassment and Sexual Assault Support Unit, as well as notification, complaint, support process and in-service training. It covers the principles and procedures.

(2) This Directive is applied to all situations in which İstinye University's full and part-time academic and administrative staff (including those with lesson time) and students are together within the scope of the University studies, without time, place and place limitation.

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

Basis

ARTICLE 3 - (1) This directive principle of equality, non-discrimination, right to education and the Constitution of the Republic of Turkey in relation to the right to work and Human Rights has been prepared according to all international treaties signed by the Republic of Turkey, especially the regulations in the Universal Declaration and according to the Istanbul Convention, which entered into force after being published in the Official Gazette dated 8 March 2012 and reiterated number 28227, Article 14 of the Law numbered 2547 and the Prime Ministry Circular numbered 2011/2 published in the Official Gazette dated 19/03/2011 and numbered 27879.

Definitions

ARTICLE 4 – (1) In this Directive;

a) Chairman: It refers to the Head of İstinye University Support Unit Against Mobbing, Sexual Harassment and Sexual Assault.

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- a) Unit: refers to Istinye University Support Unit Against Mobbing, Sexual Harassment and Sexual Assault,
b) Sexual Assault: refers to any sexual or sexualized behavior that causes a person to feel uncomfortable, intimidated or scared,
c) Sexual Harassment: refers to unwelcome or unwanted sexual attempts, sexual demands or other verbal or physical contact with a sexual content that would create a hostile or disturbing environment,
d) Board: refers to the Support Board of Istinye University Against Mobbing, Sexual Harassment and Sexual Assault,
e) Student: refers student / students; students studying in Istinye University Associate Degree, Undergraduate and Postgraduate programs,
(f) Psychological Harassment (Mobbing): It is carried out by one or more people in the workplaces against other person or persons, continues systematically for a certain period of time, aims to intimidate, pacify or dismiss; harm the victim or victims' personality values, professional status, social relations or health; the whole of malicious, deliberate, negative attitudes and behaviors,
g) Rector: Istinye University Rector,
ğ) Senate: Istinye University Senate,
h) University: Istinye University,
ı) University units: refers to all academic, administrative, consultancy and social activity units within Istinye University.
i) Staff: refers to the academic and administrative staff and other employees of Istinye University.

**SECOND PART
Unit Formation, Duties and Working Procedure**

Unit formation

ARTICLE 5 - (1) The main bodies of the Support Unit against Mobbing, Sexual Harassment and Sexual Assault are the Head of the Unit and the Support Board Against Psychological Harassment (Mobbing), Sexual Harassment and Sexual Assault.

(2) A sufficient number of staff is assigned to carry out the secretariat operations of the unit.

Working procedures and principles of the unit

ARTICLE 6 - (1) The provisions in the Directive are applied to all University components. In addition, Istinye University determines the necessary measures and informs the Rectorate to ensure that all private individuals and businesses working on a contractual basis in the open and closed areas of Istinye University act in accordance with the principles in this Directive.

(2) The Rectorate exchanges views with the Unit on disciplinary investigations regarding psychological harassment (mobbing), sexual harassment and sexual assault. It receives support from the Unit to determine the investigators to be appointed in relation to the allegations of sexual harassment and sexual assault among those who are experts in their fields, in accordance with the Istanbul Convention.

(3) The unit conducts the correspondence to be made with other persons, institutions and organizations during the examination and evaluation phase through the Rectorate. Opinions requested from experts or institutions on matters deemed necessary should be given within a week.

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(4) Confidentiality is essential in all transactions made by the Unit. In addition, the Unit takes the necessary measures within the framework of the Personal Data Protection Law No. 6698.

(5) It keeps the records and makes statistics regarding the harassment cases at the University.

THIRD PART

Formation, Duties and Working Procedure of the Board

Formation of the Board

ARTICLE 7 - (1) The Support Board Against Mobbing, Sexual Harassment and Sexual Assault consists of three academic members and three administrative members. Academic members are determined by the Rector. Administrative members are determined by the Rector with the proposal of the Secretary General. The members' term of office is two years. Members whose term has expired can be reinstated. The number of female members in the Board cannot be less than the number of male members, and one member must be a lawyer.

(2) A new member is elected by the Rector for vacancies for any reason. The newly elected member completes the remaining term of office of the member he was elected to.

(3) Board members elect a president/chairman among themselves. The President/Chairman also chooses one of the members as the Vice President and appoints a member as the reporter. When issues related to students are discussed, the President/Chairman of the Student Council also attends the Board meeting and votes.

(4) The Board gathers with one more than half of the number of members upon the call of the President/Chairman and takes decisions with more than half of the participants. In cases where the President/Chairman cannot attend, the Unit meetings are chaired by the Vice President. Abstaining votes cannot be used in voting and in case of equality of votes, a decision is made in favor of the President/Chairman.

(5) The Chairman calls the Board for a meeting in case of harassment applications and / or when there are issues that need to be discussed as a board. Board meetings are confidential. Members and Unit employees are obliged to keep the matters discussed, examined and evaluated at the Board meetings and all relevant information and documents confidential.

(6) Conversations and correspondence with relevant parties during the support process are kept confidential. These transactions are carried out and concluded in the most effective manner, taking into account the principles of urgency and care. Authorities are obliged to keep a record of every transaction they make.

Circumstances terminating board membership

ARTICLE 8 - (1) Board membership ends in the following cases:

- The death of the member, a written resignation statement or his departure from the University,
- Understanding that the member cannot attend the Board meetings for a period of six months or longer, even with a valid excuse,
- The member does not attend three consecutive Board meetings without permission and without excuse within a calendar year,
- After the member takes a final judicial and / or administrative punishment that is incompatible with the Board membership.

(2) The decline of the Board membership comes into effect upon the notification of the Rector's approval to the relevant person.

Duties of the chairman of the board

ARTICLE 9 - (1) It ensures the distribution of tasks to the members on the issues on the agenda of the Board and the execution of their work.

(2) If necessary, calls the Board for a meeting. It ensures that the meeting agenda is formed and announced to the members.

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(3) It ensures cooperation with the relevant units of the University in order to provide psychological support to those who apply for harassment.

(4) It observes and ensures that the subjects and problems that are evaluated, decided, consulted are worked in confidentiality and all relevant information and documents are kept confidential in accordance with the Personal Data Protection Law No.

(5) It ensures that other works that fall within the scope of duty of the Board are performed. It distributes the duties of the staff working in the unit.

Duties and powers of the board

ARTICLE 10 - (1) The Board fulfills the following duties and exercises powers:

a) To provide a reasoned opinion by evaluating the issues submitted by the Rectorate or other units of the University on the allegation of psychological harassment or any harassment incident within the University.

b) Evaluating the complaints or retaliation allegations of the University members who claim to be victims or witnesses of psychological harassment or any harassment incident within the University, and to submit a reasoned opinion to the department / units to which the complainant and (if any) other concerned are affiliated, and to the Rectorate for information.

c) Organizing educational programs, seminars, symposiums, workshops, informative meetings, publicity and similar activities and publishing on the subject in order to raise awareness and sensitivity against all kinds of harassment, including psychological harassment, in the university units, to learn the legal ways to apply. To cooperate with authorized bodies in case of urgent measures to be taken within this scope.

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

(3) The Board reviews the applications beforehand and rejects the applications that do not meet the conditions specified in this Directive without taking them into the agenda.

FORTH PART

Reporting and Complaint Regarding Harassment, Support Process, In-Service Training Programs

Notification and complaint regarding alleged harassment

ARTICLE 11 - (1) Students or staff who claim to be a victim or witness of psychological harassment or any harassment incident within the University can apply to the Unit or the management of the University unit they are affiliated with in person for notification or complaint.

(2) Application is made with a petition containing the passport number for foreigners, the applicant's name and surname, signature, address, if staff at University-title and duty, if students at university- faculty, department and number, national identification number for Turkey citizens

These petitions are sent directly to the Unit via the University's Electronic Document Management System.

a) From the applications made;

b) Those who do not include a certain subject,

c) Those who do not meet the conditions specified in the second paragraph,

Those whose reasons, subject and parties are the same,

ç) Those previously concluded are returned without examination.

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(3) As a rule, university units take the opinion of the Unit before deciding on such applications. Opinion requests of the university units are answered immediately by the Unit, taking into account the periods in the relevant disciplinary legislation; As a rule, this period cannot exceed ten days.

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

(5) Information about the incident, the subject of the complaint and the persons who made the complaint and filed, are kept confidential at every stage by all units of the University, except the Unit, and all transactions carried out are recorded.

(6) Except for legal obligations, no legal action is initiated without the request of the complainant.

Support process

ARTICLE 12 - (1) Unit officials, physicians at the University hospitals and all academic and administrative unit officials of the University support individuals who state that they have been subjected to or witnessed psychological harassment, sexual harassment or sexual assault without any other condition.

(2) To those who apply with the allegation that they are victims or witnesses of psychological harassment or any harassment incident within the university

a) Applying to a psychologist within the University for support may be suggested by the decision of the Unit.

b) In the unit support process, the person who made the complaint or notification is told about the legal and actual solution options he can apply, the processes followed in these options, the risks that each of these options can create and the measures to be taken.

c) The ways they can apply in accordance with the relevant legislation are announced by the member (s) of the Unit to be determined by the Unit decision. Such meetings are recorded and kept by the Unit after being signed by the relevant Unit member (s) and the applicant.

In-service training programs

ARTICLE 13 - (1) The unit will be prepared for the academic and administrative staff of the University in order to gain awareness and sensitivity against psychological harassment or all kinds of harassment, to learn about the rights of individuals in the context of preventing harassment and behaviors that prepare grounds for harassment and to create awareness in this regard. invites its staff and managers to participate.

**FIFTH PART
Several provisions**

Staff need

ARTICLE 14 - (1) The personnel/staff requirement of the unit is met by the staff to be assigned by the Rector according to the 13th article of the Law numbered 2547 upon the request and proposal of the President..

Force

ARTICLE 15 - (1) This Directive enters into force on the date it is approved by the Istinye University Board of Trustees.

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Enforcement

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

ANNEX

Annex 1- Application form

ANNEX-1

**ISTINYE UNIVERSITY
APPLICATION FORM FOR PSYCHOLOGICAL HARASSMENT (MOBBING), SEXUAL
HARASSMENT AND SEXUAL ATTACK**

Complaint number:	(This section will be filled in by the Anti-Harassment Support Unit.)
Date of application:	.../.. /20..
Name-Surname:	
Anonymous Status:	Keep my name confidential. <input type="checkbox"/> My name does not need to be kept secret. <input type="checkbox"/>
Registration number of institution:	
Unit:	(Please write clearly.)
Phone number:	
E-Mail address:	
Subject of the claim:	
Context of the complaint:	
People You Think Should Be Heard to / Consulted:	
How Long The Complaint Has Been Ongoing:	
Evaluation result:	
Number of complaint:	
Evaluation date:	.../.../20...
Explanation:	