

PREVENTION AND INTERVENTION MODEL ON STUDENT BULLYING AND HARASSMENT

Action model to prevent bullying and harassment and to support
intervention in problem situations



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INTRODUCTION

The University shall provide a safe learning environment where all students have the right to pursue their studies without being harassed, bullied and discriminated against (Universities Act, section 41). The University of Jyväskylä is a community in which bullying or harassment is not accepted. In accordance with the Ethical Principles of the University of Jyväskylä (2012), the University and the members of the University community are committed to treating each individual and group in a respectful and dignified fashion in terms of language use and other behaviour. The University promotes multiculturalism and does not tolerate discrimination and harassment.

The purpose of the prevention and intervention model on bullying and harassment is to provide information about preventive measures and to guide the university staff and students when intervening in bullying situations. In this action model, bullying and harassment refer to repetitive and systematic negative treatment, insults, humiliation and disparagement. It is also important to take into account that bullying and harassment are experienced individually and subjectively. The prevention and intervention model is applied to all undergraduate and/or post-graduate students as well as exchange students at the University of Jyväskylä. It also covers the University's independent institutes providing education for these students. This prevention and intervention model is to be used in cases where another student or a staff member finds a student's behaviour inappropriate. In cases where another staff member or a student finds a staff member's behaviour inappropriate, the University's action model for early intervention and support is to be applied.

The present action model aims to

- prevent bullying and harassment
- make it easier to intervene in a student's bullying and harassment
- make the proceedings more consistent
- enhance study ability
- promote students' health and well-being.

The action model is designed in collaboration with JYU experts, the local Student Union (JYY), and Finnish Student Health Service (FSHS/YTHS). It is based on various studies on higher education students. The action model is implemented in phases, and instead of sanctions, it seeks to emphasise prevention, recognition, guidance and early intervention. This calls for an active role and collaboration from all parties. In the prevention and controlling of bullying and harassment, it is important that the roles and responsibilities of different players are clear to everybody. The legal protection of the parties involved must always be preserved in view of due process.

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Within the University of Jyväskylä, Student and Academic Services is responsible for maintaining and developing this action model. The unit also has a coordinator appointed for the issues covered in the model. In addition, the Student Union has two coordinators for these issues.



1 BULLYING AND HARASSMENT IN HIGHER EDUCATION

In higher education, bullying is defined as an action where a person is the target of repeated verbal or physical abuse and/or exclusion/discrimination by one or several persons without being able to influence the situation (Kunttu, Pesonen & Saari 2017). Bullying constitutes a severe social conflict situation, which increases stress and undermines the well-being of the victim. Research has shown that bullying in higher education has negative effects on students' commitment to their learning community and on coping with their studies as well as on their satisfaction with the chosen field (Kunttu & Pesonen 2013; Saarinen 2016). Bullying is often regarded as a form of harassment. Harassment is forbidden by the Non-Discrimination Act and the Act on Equality between Women and Men. In line with a definition by Pyykönen (2017), harassment is concerned when a community member is subjected to continuous and deliberate negative, insulting or repressive behaviour and ends up in a defenceless position or the person is subjected to negative consequences that cause or can cause risks or harm to his or her health.

Domestic and international studies have shown that bullying in higher education is most often indirect, including behaviour such as talking behind one's back, gossiping or social exclusion. Most typically, bullying is manifested in excluding a student from a group, so that the student is not invited to joint events, for instance, or is ignored in group or project work. The bullies are often other students, but research has also identified unequal treatment by staff, groundless study-related criticism and disparagement of students (Giovazolias & Malikiosi-Loizos 2016, 139; Sinkkonen, Puhakka & Meriläinen 2014, 158–159; Kunttu, Pesonen & Saari 2017, 81).

Bullying among higher education students has been included in student health surveys since 2008. Nearly half (48%) of the respondents had been bullied in their school and study career. About twenty percent of the respondents had been bullied for several years (Kunttu & Pesonen 2013, 90). During their higher education, 7.5% had experienced bullying by other students and 5.8% by staff members (Kunttu, Pesonen & Saari 2017, 80–81).

A survey about attitudes and experiences regarding bullying was conducted among JYU students in 2016. Of the respondents, 27% had observed bullying at the University and in addition 16% had heard about bullying cases. More than 60% of the respondents considered that bullying should be discussed more widely and felt that there was not enough help available for intervening in bullying. The total number of respondents was fairly low: 286 students across all faculties. A clear majority (74%) were female. Slightly more than a half of the respondents were 19- to 23-year-olds and more than 90% were under 30.

The Equality Committee gathers quantitative data on harassment cases from the health and safety representatives and their deputies as well as from the JYY coordinators of harassment issues on an annual basis and then reports the information to the University management. In addition, the Equality Committee and the Student Union collect information by means of equality surveys, which also inquire about experiences and observations of harassment and

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discrimination on different grounds. On the basis of the information collected, the number of the cases in relation to the size of the community is small, but the issue is taken seriously.

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2 PREVENTIVE MEASURES

The University plays an important role in preventing bullying and harassment and thereby creating a communal sense and atmosphere from the beginning of one's studies. Providing information about the impact of bullying and harassment on students' well-being can make it easier for students to seek help and deal with possible traumatic experiences. Although bullying is harmful to an individual's well-being, it can also have a negative impact on the whole community within which bullying or harassment occurs (Pörhölä 2011).

2.1 Role of the University

According to the Universities Act, section 41, a student has the right to a safe study environment. The University of Jyväskylä promotes a vibrant learning community and students' responsible attitudes to creating and maintaining a safe community. During the preliminary orientation sessions in every autumn term, new students are told about this action model for preventing and intervening in bullying and harassment. Where applicable, these issues are also discussed in teaching and in, for example, the HYVY001 course.

2.1.1 Organisation of activities

Within the University of Jyväskylä, Student and Academic Services is responsible for maintaining and developing this action model. As part of the related activities, the University has appointed a coordinator for the issues covered in the model. In addition, the local Student Union (JYY) handles training for subject associations and tutors as well as coordinator activities on these issues.

2.1.2 Teaching and guidance

Teaching and guidance staff prevent bullying and harassment by their own example, by developing their expertise for recognising bullying and harassment, and by declaring that no such behaviour is accepted at the University. It is important that the teaching and guidance staff familiarise students with the jointly agreed practices and intervene in any observed inappropriate behaviour. The staff's pedagogical expertise as well as the enhancement of students' group identity and interaction help create an atmosphere where everyone is respected, which also reduces bullying and harassment. The teaching and guidance staff promote community spirit and collaboration irrespective of the discipline.

2.2 Student tutor activities

At the beginning of studies, a student tutor is appointed for each student group. The student tutors guide, instruct and support the newcomers in this new stage of life. They are peer advisors selected by the departments and trained for these tasks by the Student Union. At the events

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organised by the student tutors it should be ensured that everyone is treated equally and that no one is bullied, harassed or discriminated against.

Tutor trainings, in the spring as well as autumn, also deal with tutors' role in preventing bullying and harassment especially by means of group guidance. These trainings should develop the tutors' interaction skills, provide them with tools for developing and maintaining well-functioning tutor groups and ensure that all students have equal chances to participate in group activities. Tutors play an important role in enhancing the group's interaction skills, recognising personal differences as well as in stopping any inappropriate joking and resolving misunderstandings.

2.3 The role of student organisations

As a body that prevents and intervenes in bullying and harassment, JYY serves as a good example to all students and other student organisations. JYY works, for instance, to increase awareness about bullying and harassment occurring at the University and to improve, through discussion, students' capability to prevent, recognise and intervene in bullying and harassment.

Subject associations set a good example for their members by including everybody in their activities on an equal basis and by promoting equal treatment of students in general. The associations play an important role especially in preventing bullying and harassment. The JYU and JYY coordinators for these issues discuss the importance of a safe learning environment with subject association representatives.

2.4 The role of Finnish Student Health Service (FSHS/YTHS)

Data on bullying and harassment experiences among higher education students are collected every four years by means of a national student health survey. FSHS gives the University and its faculties feedback on the results of the student survey. In addition, FSHS provides the University with faculty-specific feedback information on bullying and well-being experienced by first-year students, as indicated by the results of an online health survey (Sätky). Related meetings between a FSHS public health nurse and the faculties are arranged each term.

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3 RECOGNITION OF BULLYING AND HARASSMENT

The action model seeks to account for individual differences in bullying experiences. It is important that nobody's subjective experience of bullying is downplayed, but nor shall anyone be denounced as a bully on questionable evidence. The aim is to prevent misunderstandings and facilitate the sharing of personal experiences. The recognition of bullying may be hampered by the use of many different concepts denoting the same issue, such as mental violence, bullying, harassment and inappropriate treatment. In daily life, these terms usually refer to the same thing. It is important that awareness of higher education bullying is increased at the University in order to help recognise these incidents.

3.1 Definition of bullying and harassment

Bullying refers to a situation where a person is the target of repeated verbal or physical abuse and/or exclusion/discrimination by one or several persons, without being able to influence this (Kunttu, Pesonen & Saari 2017). Domestic and international studies have shown that bullying in higher education is most often indirect and includes, for example, talking behind one's back, gossiping or social exclusion (Sinkkonen, Puhakka & Meriläinen 2014, 158–159). Baseless study-related criticism, disparagement and humiliation are the most usual forms. The second largest category comprises verbal assaults, that is, outright defamation, insults or name-calling, even threats. Next in this typology are derogations, discrimination and other socially malevolent actions based on a student's personal characteristics such as gender, looks or ethnic background. Direct physical bullying and bullying through social media or other digital platforms are rarer than at other educational levels (Pörhölä 2016; Kunttu, Pesonen & Saari 2017, 80–81).

In a student, bullying may manifest as

- anxiety
- unwillingness to participate in learning activities and thereby as delayed studies
- exhaustion
- feelings of insufficiency
- study-related stress
- nervousness
- lack of social support
- difficulties in creating interaction relationships
- exclusion from educational settings.

According to the Non-Discrimination Act (1325/2014, section 14), a behaviour that intentionally or in practice violates a person's human dignity is considered harassment if it is related to a personal background factor (age, origin, nationality, language, religion, conviction, opinion, political action, trade union activity, family relations, health, disability, sexual orientation) and the behaviour creates for such reason an atmosphere that is personally degrading, humiliating or threatening, hostile or offensive.

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According to the Act on Equality between Women and Men, sexual and gender-based harassment is considered discrimination. In such incidents, the targeted person will always personally judge whether it is harassment or not. Sexual harassment refers to verbal, non-verbal or physical, unwanted behaviour of a sexual nature, which intentionally or in practice violates a person's mental or physical integrity, especially by creating a threatening, hostile, degrading, humiliating or oppressive atmosphere. Sexual harassment can take place between persons of any gender.

Sexual harassment can manifest as follows, for example:

- sexually suggestive gestures or facial expressions
- obscene remarks, dirty jokes as well as remarks or questions concerning one's body, clothing or private life
- material, messages or phone calls with sexual overtones
- physical touching, grabbing, pressing against
- suggestions or requests for sexual intercourse or other sexual acts
- staring
- displaying pornographic images.

Gender-based harassment refers to unwanted behaviour related to a person's gender, sexual identity or gender expression. This behaviour is not sexual in nature but it intentionally or in practice violates the person's mental or physical integrity and creates a threatening, hostile, degrading, humiliating or oppressive atmosphere.

Gender-based harassment can be manifested as follows, for example:

- derogative talk about a gender, for instance: "It's typical that you men...", "Transgender people are always..." or "As far as women are concerned, you never know..."
- disparagement of a gender by, for instance, refusing to cooperate with someone because of the person's gender, sexual identity or gender expression
- bullying at school or the workplace when it concerns talk and actions focused on a person's gender, sexual identity or gender expression, and which the victim finds marginalises them from the community.

(Fibs & Ekvalita 2018)

3.2 Role of the University

Bullying and harassment can occur in various forms and individuals may subjectively experience different actions as such behaviour. For this reason, the recognition of bullying and harassment in educational settings may be difficult. If the staff observes that a student is possibly being

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bullied, the issue should be addressed as soon as possible with the parties involved (see section 4.1).

At the beginning of studies, each student is designated a study counsellor, who supports the student in matters related to the course of studies and gives guidance for making the personal study plan (HOPS). The issues of student well-being and bullying may come up in individual or group guidance. The University takes care of adequate training and support so that the counsellors can support and promote student well-being in such situations.

Each JYU unit has a student wellbeing advisor (a “goodie”). Students can seek support and conversational help from the advisor in their own unit on issues related to bullying and harassment.

3.3 The role of Finnish Student Health Service (YTHS)

The YTHS staff discuss bullying and harassment experiences reported at clinical appointments and health checks as well as their effects on student health and functional capacity. More generally, student health, life circumstances and experiences (including bullying) are surveyed by an online questionnaire for first-year students. If the survey reveals concerns, a public health nurse invites the student to a health meeting where the situation can be investigated more specifically. When necessary, the nurse refers the student to the JYU coordinator for bullying and harassment issues.

3.4 The role of students and subject associations

Individual students and student organisations play a pivotal role in the recognition of bullying and harassment. Each community member is responsible for creating a safe environment that promotes well-being for all. It is likely that fellow students notice and hear about bullying and harassment issues more easily and earlier than some other groups. In these issues a student organisation can serve as a primary contact point, communicator and preventive actor. Student organisations appoint one of their board members as a coordinator for equality issues, whom a student can contact when experiencing or suspecting bullying or harassment.

When observing or suspecting bullying or harassment, a student should immediately contact those in charge of welfare issues in the student community:

- JYU coordinator for student bullying and harassment issues
- JYY coordinator for harassment issues
- coordinator appointed by the student organisation (contact person for equality issues)

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3.5 The role of the university chaplain

Students can discuss their concerns with the university chaplain. Sometimes such concerns may stem from experiences of bullying or harassment, which can come up in the discussion. A chance to address these experiences can yield further insight, broader recognition and help tackle the vicious circle of victimisation. By representing values that oppose bullying and harassment, the university chaplain advocates the principles of human dignity and respect for other people.

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4 INTERVENING IN BULLYING AND HARASSMENT

The university will intervene in student misconduct in accordance with the Universities Act. Such misconduct includes, for example, disturbance of teaching, violent, threatening or dishonest behaviour, and bullying or harassment.

The Equality Act prohibits sexual and gender-based harassment in educational institutions. However, the educational institution or other community's responsibility only begins when a responsible representative of the institution has been informed of the harassment. The educational institution or community then has a duty to undertake measures to eliminate the harassment. The actions of the educational institution or community are considered prohibited discrimination if they do not take the steps available to prevent that the harassment continues (<https://www.tasa-arvo.fi/web/EN//harassment-at-the-educational-institutions>).

4.1 Taking up the issue as a means of intervention

Bullying and harassment must be addressed as early as possible in order to effectively prevent the escalation of problems and possible social exclusion. When bullying or harassment is observed, the issue must be taken up immediately with the parties involved. The University provides support and training for taking up these issues. In this way, JYU seeks to lower the community members' threshold for addressing such misbehaviours.

4.1.1 Teaching and guidance staff

If teaching or guidance staff observe possible bullying or harassment targeted at a student, the issue should be taken up immediately with the parties involved.

Taking up the issue means a discussion in an open atmosphere, where the sensitive aspects of bullying and harassment need to be taken into account. The discussion always starts with a one-to-one meeting with each party. The discussion in itself serves as an early intervention, but the situation should be reviewed again after a few months, for instance. Moreover, to help deal with these issues, there can be general group discussions about bullying or harassment among students, where common rules are considered in order to achieve a safe study environment for all. The purpose of these discussions is to express concern for any violations of the common rules and the negative impact of such on the victims' study performance and well-being. The JYU and JYY coordinators for these issues provide advice and support for early interventions.

The interventions aim at avoiding bullying and harassment as well as at supporting students in their learning careers. The legal protection of the parties involved is always ensured by due process. Discussions about a student's experiences of bullying and harassment are confidential.

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4.1.2 JYU coordinator for bullying and harassment issues

Teaching and guidance staff or a student can contact the JYU coordinator for bullying and harassment issues if they observe such behaviour and are seeking advice and support in how to address the issue with the parties involved.

The coordinator works as a contact person between different JYU units, YTHS and JYY. In addition, the coordinator handles the hearing of the students when notified about a possible incident of bullying or harassment. The coordinator also coordinates and, as the representative of JYU, participates in the reconciliation process of these cases, when considered necessary (see section 5.3).

4.1.3 JYY coordinators for harassment issues

The local Student Union JYY has two coordinators for harassment issues to whom students can turn when experiencing bullying, harassment or other misconduct in the university community. Discussions with the JYY coordinators are strictly confidential. These coordinators play a significant role in recognising as well as in intervening in bullying. It may be easier for a student to contact an impartial employee than to seek support from the local community. The coordinator seeks to investigate the situation on the basis of information received from the student, to contact relevant persons and, where necessary, to refer the matter to a reconciliation process. All these measures are taken only if the victim so wishes.

4.1.4 Students and student organisations

These issues can be taken up by another student as well. If bullying or harassment is observed, the issue should be taken up as soon as possible with everybody involved. The essential point to be communicated in this connection is that bullying and harassment in any form are not accepted or tolerated in JYU, and that appropriate measures will be taken on these issues. Indifference or participation without realising the severity of the situation will only keep up these undesirable phenomena. The JYU and JYY coordinators for these issues provide advice and support for related peer interventions. Moreover, if a student is uncertain about how to handle the case, the whole thing can be referred to the above-mentioned coordinators for investigation.

Any bullying or harassment observed in the activities of a student organisation should be taken up by a board representative of this organisation (primarily the person in charge of social policy issues) in a confidential one-to-one discussion. If the bullies continue their problematic behaviour, the board can issue them a warning or ban them from the organisation's events. Furthermore, the social policy coordinator of a subject association can refer the case to the JYU and JYY coordinators for these issues. These coordinators can also be contacted directly in cases where the alleged bully is the board or a board member of the subject association.

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4.1.5 The role of the security manager

The security manager is in charge of planning, development, steering, operative management, and reporting concerning the University's overall security. The security manager can help and instruct students and consult the staff especially in severe problem situations that are turning into or already are incidents involving criminal characteristics. The primary goal of the University's security activities is to prevent accidents and dangerous situations. Hence, if a student has information about any safety or security risks for the University, the security manager can be contacted confidentially. If the contact involves processing of confidential information, it is best to arrange a personal meeting. It should be kept in mind that in complainant offences the University cannot report the offence to the police on behalf of the victim but it is always the victim's own decision. Complainant offences include, for example, petty assaults, unlawful threats, and privacy and defamation offences.

4.1.6 Action model for early intervention and support (staff)

If a staff member or student is mistreated by the staff, appropriate measures will be taken in accordance with the JYU action model for early intervention and support. Further information is available through unit supervisors, the health and safety representative and the occupational safety manager as well as from assigned HR contact persons.

(https://uno.jyu.fi/fi/ohjekeskus/tyoterveys-ja-hyvinvointi/varhainen-tuki/varhaisen_tuen_toimintamalli#autotoc-item-autotoc-3).

4.2 Removal from an educational setting as a means of intervention

According to the Universities Act, section 41, a student has the right to a safe study environment. Under the same Act, section 45, a student who is disturbing teaching, behaving in a violent or threatening manner, or endangering another person's life or health can be ordered to leave the site or an event organised by the university. If a removal is due to bullying, it is recommended that the issue be addressed immediately or as soon as possible. Removals from educational settings are recorded (Appendix 1) and notified to the JYU coordinator for bullying and harassment issues.

If the student feels that there was no proper cause for removal from the educational setting, the student can ask for rectification. The student's own account and request for rectification are submitted to the person who ordered the removal.

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5 PROCEDURES TO INVESTIGATE AND RESOLVE BULLYING AND HARASSMENT CASES

5.1 Instructions for a student experiencing mistreatment

1. **SAY NO:** If students experience misbehaviour, they can tell the bully or harasser at once that they do not accept such behaviour and request that it be stopped. It is possible that the bully/harasser does not realise that the behaviour in question is offensive.
2. **CONTACT:** If misbehaviour or conflicts continue, students can contact their unit's student well-being advisor to resolve the situation. When necessary, the advisor can ask for help from the JYU coordinator for bullying and harassment issues. Alternatively, students can contact a JYY coordinator for these issues. It is advisable that the students take notes on what happened and when as well as who was present. In addition, any possible emails or other messages should be saved because relevant documentation helps sort out matters.
3. **HEARING:** If students experience misbehaviour by a teacher or other staff member, they can contact their unit's student well-being advisor to resolve the situation. When necessary, the advisor can ask for help from the JYU coordinator for bullying and harassment issues. Alternatively, students can contact a JYY coordinator about these issues. If a teacher or other staff member is suspected of mistreatment or harassment, the JYU coordinator for bullying and harassment issues agrees on a related investigation with the HR staff (action model for early intervention and support).
4. **RECONCILIATION:** The JYU coordinator for bullying and harassment issues hears the parties as necessary and informs them about the process and the results of investigation. Where necessary, the coordinator can also arrange reconciliation between the parties (see section 5.3.).
5. **Taking care of one's well-being:** It is important to have the possibility to discuss the incident and related feelings and emotions with somebody you trust, such as friends and family, student well-being advisors, YTHS staff, the university chaplain, JYY coordinators for harassment issues, Crisis Center Mobile's helpline, or in cases of sexual harassment the helpline of the Rape Crisis Centre Tukinainen.

5.2 Instructions for staff if a student is mistreated

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1. If staff members notice or hear that a student is being mistreated, they can tell the bully or harasser at once that they do not accept such behaviour and request that it be stopped. It is possible that the bully/harasser does not realise that the behaviour in question is offensive.
2. If misbehaviour or conflicts continue, a staff member can encourage the student to contact the JYU coordinator for bullying and harassment issues. The student should also be told to document the incident as thoroughly as possible. Staff members should also ensure that students know whom to contact if the issue persists. Such instances include, for example, student well-being advisors, YTHS staff, the university chaplain, JYY coordinators for harassment issues, Crisis Center Mobile's helpline, or in cases of sexual harassment the helpline of the Rape Crisis Centre Tukinainen.
3. If staff members find out that a student is being mistreated by a teacher or another staff member, they can contact the JYU coordinator for early support at HR Services.

5.3 Reconciliation

The University of Jyväskylä applies restorative reconciliation to resolve cases of bullying and harassment concerning students. This approach offers an alternative way to solve students' mutual conflicts as well as those between staff and students. Reconciliation is a clear procedure in which trained mediators from JYU and JYY help the parties themselves find a solution for the conflict. The parties may share their own views on the incident, describe their feelings, and consider different options for solutions. By this formula the mediator and the conflict parties reach an agreement, the implementation of which will be monitored, or alternatively draft a memo for further proceedings if such an agreement is not reached. However, reconciliation does not exclude possible disciplinary procedures and cannot be applied in cases of suspected sexual harassment, violence or threats of violence.

As regards the action model for preventing and intervening in the bullying and harassment of students at the University of Jyväskylä, the unit responsible for organising the activities is Student and Academic Services, while Human Resources Services accounts for the related training of mediators.

Reconciliation is applied to (1) conflicts between students and (2) between staff and students (a student is misbehaving), when the conflicts have to do with studies or study-related support services. This reconciliation does not cover conflicts that occur during students' free time. The participants in the reconciliation process include (1) the parties involved, (2) mediators, (3) JYU and/or JYY coordinators, and when necessary, (4) support person(s) of the student(s). The event is chaired by a mediator.

The reconciliation proceeds as follows:

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- 1) Before the process, the parties have a one-to-one discussion with the JYU coordinator for bullying and harassment issues during which the situation is charted. The content of these meetings is confidential, and none of the matters discussed will be handled without the parties' consent in the reconciliation. If the situation is not solved by these discussions, the coordinator can recommend reconciliation to the parties of the bullying incident. Reconciliation is a voluntary method for conflict management.
- 2) Commencement: The JYU coordinator contacts mediators. The process will be started if it is considered relevant and the parties wish it. The participants are then listed, an impartial pair of mediators appointed, and the process is launched.
- 3) Info: In the information session, the mediators introduce the reconciliation practices and backgrounds, their own assisting role, and the aim that the parties themselves should try to find a solution for the problem.
- 4) Interview: The mediators interview the parties in order to clarify the views and to build trust.
- 5) Reconciliation: In the actual reconciliation meeting, the mediators steer the discussion in an impartial manner so that the parties can find a solution for the situation. The experiences of the parties are heard and a common view is sought, aiming at a written agreement or a mediator's memo for further proceedings.
- 6) Follow up: Follow-up reviews are carried out as necessary and decisions are made on further actions.

5.4 Reconciliation agreement

The purpose is to make a written agreement based on the reconciliation (Appendix 1), which states, for example, further plans and a follow-up meeting to review the situation. The realisation of the agreement will be reviewed in the follow-up meeting. If the agreement is violated, a separate discussion will be arranged to consider possible consequences thereof.

If a reconciliation agreement cannot be reached, a memo of the process will be drafted instead (Appendix 2).

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6 SANCTIONS ON STUDENTS FOR BULLYING AND HARASSMENT

According to the Universities Act, section 45, a university can take the following disciplinary measures: remove a student from the educational setting, suspend the study rights for three days, issue a written warning, or dismiss the student for a fixed period.

6.1 Removal from the educational setting

If a student has to be removed from an educational setting because of bullying or harassment, the issue shall be taken up with the student as soon as possible. The incident is reported to the JYU coordinator for bullying and harassment issues, who will arrange, when necessary, a hearing of the parties involved and refer the issue to reconciliation.

6.2 Suspension from studies

According to the Universities Act, section 45, a student's right to participate in education can be suspended for three working days at maximum if the student's violent or threatening behaviour may endanger the safety of another student or person working at the university or in other educational settings, or if teaching or related activities could be unreasonably hindered because of the student's disturbing behaviour.

6.3 Written warning and temporary dismissal

A student can be issued a written warning if the student disturbs teaching, behaves violently or in a threatening manner, acts dishonestly or otherwise breaks the university's rules, refuses a drug test, or has used narcotics (Universities Act, section 45). Decisions on written warnings are made by the Rector. If the student's offence is serious or the misbehaviour continues after a written warning, the student can be dismissed from the University for a fixed period of one year at maximum. These decisions are made by the University Board.

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7 PROCESSING AND CONFIDENTIALITY OF SENSITIVE INFORMATION

University employees are obliged to confidentiality in compliance with the Act on the Openness of Government Activities (621/1999). Personal data must be handled carefully. Sensitive issues are informed only to those authorised to deal with these issues or who may be able to shed light on the issue. Students' privacy is protected so that their identity is not disclosed unnecessarily. Students reporting an offence may be required to reveal their identity to the persons participating in the process. Also in order to guarantee other persons' legal protection and to investigate the case, it may be required that the identity of the person reporting the alleged misbehaviour is revealed to the named parties. If the reporting student requests to remain anonymous to a particular person, the student will be informed if this disclosure is nevertheless a prerequisite for resolving the case. Anonymous contacts cannot necessarily be handled.

All investigations, discussions and negotiations related to the bullying and harassment of a student are confidential, and their content must not be disclosed to any outside parties. The investigator of the incident will keep any relevant correspondence and other documents until the case is, in that person's opinion, solved and closed. If no documents are created for archiving, the investigator will, after closing the case, store related information to the extent that is necessary for the investigator's job and for possible further handling of the issue.

Health service staff have an occupational obligation of confidentiality regarding their clients' health and other information. The Universities Act, section 90a, stipulates some exceptions to the rules of confidentiality. There the disclosure of data is restricted to the information on a student's state of health and functional capacity that is necessary for a university to carry out its duties. The information can be given to the following personnel and for the following purposes:

1. to the rector and another person in charge of safety and security at the university in order to ensure safe studying;
2. to staff in charge of study counselling in order to refer the student to other studies and support services;
3. to staff in charge of student health services to maintain the student's health and safety and to refer him/her to necessary support services;
4. to staff in charge of practical training in order to ensure the safety of the student as well as of the workplace personnel and customers; and
5. to the police and the university representative with the primary responsibility for dealing with safety and security risks, in order to assess an immediate risk or when a student is found in a medical review to pose a risk to other people's safety.

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APPENDICES

Appendix 1: Reconciliation agreement

<p>1. Parties of this agreement</p> <p>Name: _____ Name: _____</p>
<p>2. Other persons present</p> <p>Name: _____ Name: _Name</p> <p>Name: _____ Name: _____</p>
<p>3. Background</p>
<p>4. Contents</p> <p>The parties have given their consent and participate voluntarily in this reconciliation. They also understand the meaning of the reconciliation process and of the decisions made therein.</p>
<p>5. Follow-up of this agreement</p> <p>Time:</p> <p>Place:</p>

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6. Signatures

Place and date:

Signature and printed name:

Signature and printed name:

Mediator's signature and printed name:

Date and place

Teacher's signature, printed name and contact details

This form is submitted to the JYU coordinator for bullying and harassment issues

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Appendix 2: Reconciliation memo

Memo [date]

Place of reconciliation:

Persons present: names and titles where necessary

Subject: Description of the topic

Description of the incident from the viewpoint of all parties:

Record as thoroughly as possible what has happened, where and when.

Include possible witnesses, evidence, written materials etc.

Conclusion:

Record what the parties jointly agreed regarding further actions to remedy the situation. Note if no agreement was reached.

Schedule:

Record the schedule within which possible agreed actions will be taken.

Follow-up:

Record the ways in which the implementation of the possibly agreed actions will be monitored and who will be responsible for it.

Include the communication practices agreed with the person in case the problems continue.

Include where the parties were encouraged to contact if the issue persists (e.g. YTHS, JYU and JYY coordinators for these issues, helpline services etc.).