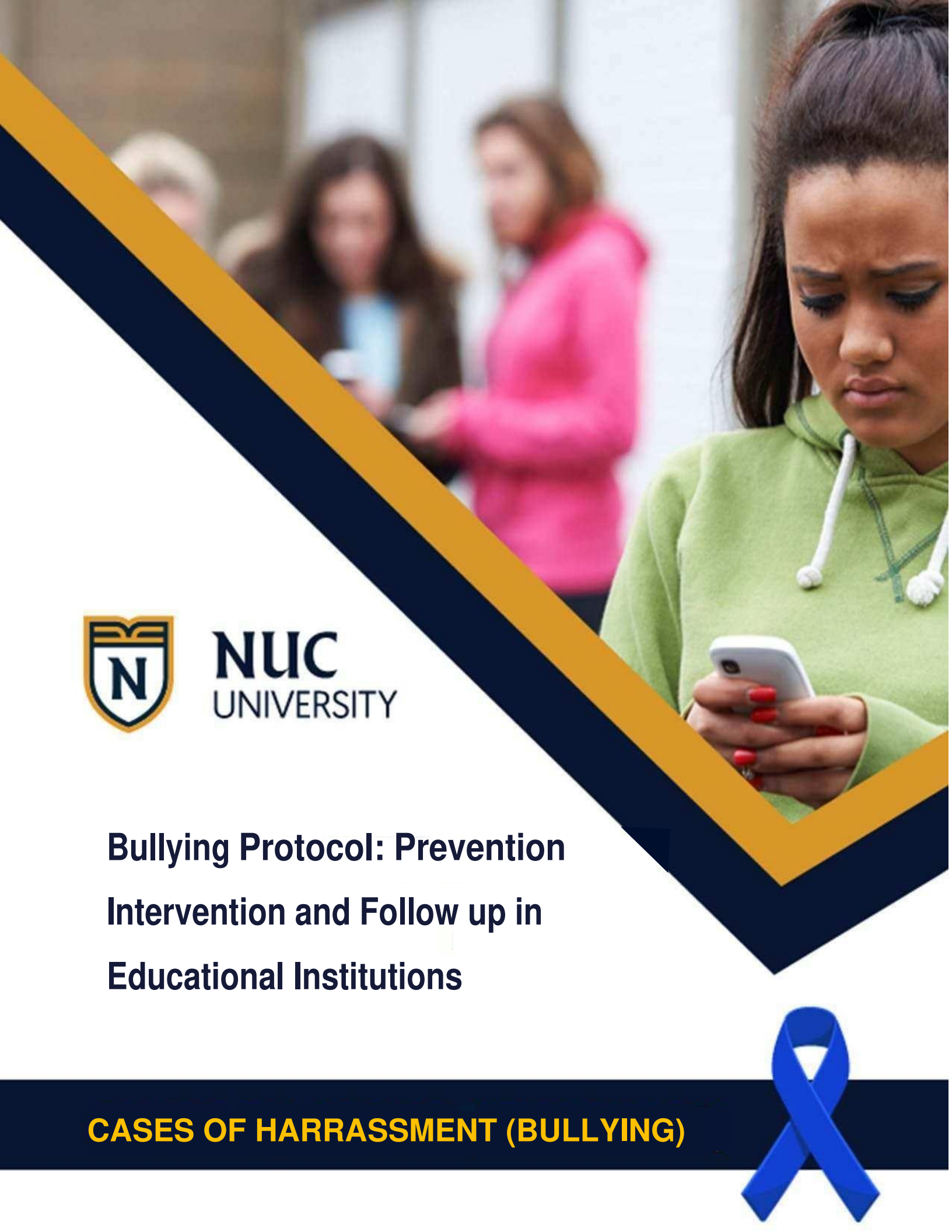




**NUC**  
UNIVERSITY

**Bullying Protocol: Prevention  
Intervention and Follow up in  
Educational Institutions**

**CASES OF HARRASSMENT (BULLYING)**





**NUC UNIVERSITY  
VICE PRESIDENCY OF STUDENT  
AFFAIRS AND EFFECTIVENESS**

# **Protocol for Prevention, Intervention, and Follow-up of Harassment (Bullying) Cases in Educational Institutions**

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## **I. Introduction:**

The act of harassment in Educational Institutions (*bullying*) is defined as any pattern of repetitive and intentional actions by one or more students aimed at causing harm or discomfort and where there is a real or perceived power imbalance by the victim. However, a single act could be considered harassment and intimidation (*bullying*) due to 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. Similarly, it establishes that our Constitution recognizes as a fundamental right, the right to life and provides that every person has the right to protection against abusive attacks on their honor. Law No. 104 of the year 2016 aims to legislate to safeguard the learning environment as one free from emotional and physical violence, with the mandate that students feel safe in schools and universities. This Law shall be applicable to public schools of the Department of Education, private educational institutions, and all higher education institutions, as defined in Reorganization Plan No. 1-2010, as amended.

### **A. Objective**

NUC University, as a higher education institution, in accordance with the enforcement of Law 104 of the year 2016, has established a Protocol for Prevention, Intervention, and Follow-up of Bullying Cases to protect 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 among students, repeatedly and over time. Bullying often takes place within the educational institution and its premises. This type of violence generally affects minor students, although it can extend to all ages and academic levels. When discussing bullying, it is important to establish that experts in the field have a clear understanding of the profiles of both the bully and the victim. At the national level, 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 extended to the victims' homes, in what is known as cyberbullying. Bullies take it upon themselves to harass through the Internet, with intimidating emails, the dissemination of altered photographs, defamation on social networks, and even the creation of websites with aggressive content. At the national level, a 15.5% was reported in the YRBSS, 2015.

Among the objectives of school bullying in university students are disturbances in integrity and ideology in the form of criticism, mockery (jokes and nicknames). Thus, this type of school bullying also has some similarities with workplace bullying or mobbing, as it is accompanied by hostile communication with a lack of ethics that pushes the victim to despair and helplessness (Rojas, 2013).

According to Palencia, R., Plata Santander, A, Vianey, J. (2015) School bullying in universities, despite the fact that it can become frequent and threatening aggression, is very different from what is experienced in basic school environments in that the victim is not exposed or evidenced, but rather hidden to wear them down, annoy them, or belittle them without the perpetrators considering that they are causing harm. Thus, it could be said that the existence of school bullying among university 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 percent (17%) of the girls said they had been bullied two to three times a month or more, as well as fourteen percent (14%) of the boys. The study also indicates that eleven percent (11%) of the boys confessed to having bullied others two to three times a month or more, while the girls reflected six percent (6%). In 2013, Puerto Rico participated in the YRBSS, and it was reported that 10.6% of high school students stated they had been bullied at school at least once during the 12 months prior to the interview. On the other hand, 6.7% of high school students stated

having been electronically bullied at least once during the 12 months prior to the interview.

In recent months, a series of assault cases in public and private schools on the Island have been reported in the national press, some of which are recorded and uploaded to social media, further aggravating the situation of intimidation and mockery of the victims, as they are exposed to a larger audience. Due to the increase and severity of harassment, intimidation, or “bullying” and “cyberbullying” issues, it is necessary to maintain a safe environment free from violence and acts that threaten the safety of students in educational institutions. In compliance with Law 1 04 of 2016 and with the values and mission of the institution, NUC establishes the Policy Against Harassment and Intimidation or “ **bullying** ” to protect the most vulnerable and reaffirm that the dignity of everyone is inviolable.

### **C. Definition and Description**

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

**Physical bullying:** Refers to physical contact with the intention of causing pain or harm. It can manifest as hits, wounds, kicks, spitting, slaps, pushes, hair pulling, bites. It also refers to the destruction of the victim's property (school materials, personal belongings, among others).

**Social bullying:** Refers to any consistent behavior 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 behavior that undermines the healthy self-concept and strengthening of the victim's self-esteem, such as threats, humiliations, mockery, blackmail, rejection, or ridicule, which can manifest in feelings of inadequacy, lack of belonging, anxiety, fear, insecurity, discrimination based on sexual orientation or gender identity, among others.

**Cyberbullying ( *Cyberbullying* ) :** Any type of harassment already identified or that may arise later, but for which technology is used. A single action is considered

cyberbullying, due to the replicable nature of the harassment. It is considered a federal crime.

#### **D. Expectations and Institutional Policy:**

NUC University expects the student community to behave in accordance with the institution's values, demonstrating at all times and in all university coexistence spaces, respect for classmates, empathy, and solidarity with others, promoting healthy learning environments both in face-to-face and online courses.

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

- i) **Scope:** This policy applies to those students who directly participate in acts of *bullying* (harassment or intimidation), as well as to students who, indirectly, encourage, promote, or support acts of *bullying* (harassment or intimidation) carried out by another or other students.
- ii) **Effective Date:** This Policy and its protocol come into effect as of May 1, 2017, in compliance with Law No. 104 of the year 2016.
- iii) **Review:** This policy will be reviewed every two years.

#### **E. Responsibility of the members of the educational community**

**I. Director of Student Affairs of the Campus.** Ensure that the entire University community receives guidance regarding the policy and protocol established for compliance with Law No. 104 of the year 2016. Systematically collect evidence in a portfolio of all guidance and prevention activities during the academic year. Additionally, it must monitor compliance with the policy by establishing and designating the Research and Institutional Coexistence Committee at the beginning of the year; and keeping a record of cases in the current Student Information System digital platform.

**II. The Professional Counselor.** Assume the responsibility of adopting this public policy established by the Secretary of Education, related to bullying and intimidation in Private Institutions. Additionally, they must participate in activities related to the topics and offer the professional support required by both the victim and the bully.

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

- a) Will have the responsibility to assist the rector, dean, and director of student affairs in all phases of policy implementation.
- b) Will meet at the beginning of the academic year, during the month of August.
- c) Will develop a preliminary internal action plan focused on the prevention of school bullying.
- d) Will develop and administer a survey to the university community to understand the state of affairs regarding bullying among students.
- e) Will analyze the results of the anonymous survey to amend the internal action plan according to the results and the particular needs of the school. Will collaborate with the director of student affairs in the execution of the action plan.

**IV. Duties of the University Community**

- a) Parents, guardians, or caregivers: They must be aware of institutional policies in case their child is a minor or has any impediment. Additionally, they are responsible for participating in the intervention and follow-up process.
- b) Students: They must be aware of and comply with institutional policies related to bullying and follow-up, actively participate in activities and orientations, and report any bullying incident or suspicion of bullying.
- c) Faculty and managerial and administrative staff: Stay informed about what constitutes bullying among students and its effects, the legal consequences, and the disciplinary measures that result from engaging in

these behaviors, as well as effective methods of prevention and intervention of harassment in Educational Institutions *bullying* .

***PROTOCOL FOR THE PREVENTION, INTERVENTION, AND FOLLOW-UP OF HARASSMENT CASES IN EDUCATIONAL INSTITUTIONS (BULLYING) AMONG STUDENTS AT NUC UNIVERSITY***

**I. Procedure for handling *bullying* cases:**

The procedure for handling Harassment cases in Educational Institutions ( *bullying* ) complies with the provisions of Public Law 104-2016 known as the Law against harassment and intimidation or *bullying* of the Commonwealth of P.R. which amends Law No. 149 of 1 999, the Organic Law of the Department of Education. NUC University establishes that all internal complaints will be handled based on Public Law 104-2016, the Protocol for the Prevention, Intervention, and Follow-up of Harassment Cases in Educational Institutions (***BULLYING***) and the current Student Regulations, as applicable.

**A. Aspects to consider (Chain of responsibility by institution officials**

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- 1. Identification and communication of the situation:** Any member of the educational community, teacher, or staff who observes or has knowledge or suspicions of a bullying situation among students, has the obligation to report it to a teacher, tutor, the person responsible for guidance in the institution, or administrative staff as appropriate, and any member of the educational community who has knowledge of the situation.
- 2. Activation of the Protocol:** The activation of the Protocol occurs upon suspicion or detection of a *Bullying* situation and should:
  - a. Detection of the *Bullying* situation:** The internal complaint process is initiated with the Office of Student Affairs by the staff who suspects or has been notified about the situation, either by the bullied student or witnesses. From this point, it is verified whether it is a situation of *bullying* by considering if it meets the following characteristics or conditions



| It is intentional: from one\ or several\ as peers\ as towards another\ a to cause pain and suffering.

| Unequal relationship or power imbalance: the victim is perceived as vulnerable, unprotected, and without the resources of the aggressor.

|| Repeated and continuous: it is not an isolated episode.

| Among peers or equals: between students.

**b. Ensure Protection:** Take the necessary protection measures, the main objective is to stop the *bullying* and prevent it from reoccurring. After this communication, at least 3 members of the Research Committee, composed of: Rector/a, Academic Dean, Director of Operations, Professional Counseling staff (AD HOC member), and Director of Student Affairs, will meet with the affected parties (students) to gather information, analyze it, and assess the appropriate intervention. Guaranteeing the human rights of the student.

**c. Intervene effectively, quickly, and not hastily :** The action should be smooth without stopping; when any authority or responsible person cannot respond, they must send a representative, always ensuring the protection and respect of the students' rights.

**d. Discretion and confidentiality:** Throughout the entire process, only the members of the Research Committee will have knowledge of the facts and actions.

**e. Communication to the Management:** In any case, the Director of Student Affairs or their representative must inform the Rector, who becomes responsible for the execution of the Protocol.

**f. Communication with the families:** The person in charge, via telephone or any possible means, establishes communication with the parents or guardians if they are minors under 18 years old. Parents or guardians of students involved are summoned and their presence is confirmed in writing through a notice, both for the victim and the person allegedly committing the *bullying*.

## **B. Procedure for Reporting Cases**

1. A case can be reported by the victim, an observer, or a witness. The witness of the events can be a student, teacher, or administrative staff.
2. The report must be made at the Office of Student Affairs, to the Director or a representative, and it must be documented in the complaint form.
3. To address the report, the Director of Student Affairs will implement intervention strategies.

### **1. Intervention Strategies**

#### **a. Interview with all parties:**

- | Student suffering from *bullying*: Listen and show interest in what is presented to understand their feelings about the situation they are experiencing.
- | Foster 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 the courage to report or denounce the situation.
- | Ensure they do not participate directly or indirectly in the bullying situation, show solidarity and defend the victim.
- | Refer to other Law and Order Agencies if required.

#### **c. Interview with the perpetrator(s):**

- | Maintain the confidentiality of all parties.
- | Encourage the responsibility to repair the harm.
- | Promote a commitment to stop the violence.
- | Seek their participation in finding solutions.
- | Do not involve or name the victim.
- | Conduct follow-up over several weeks.
- | Refer, when necessary, to the appropriate professional personnel.

**d. Interview with the parents or guardians of the victim, if applicable:** The

families or guardians of the minor student will be notified about the alleged violation by the implicated student through an interview.

The case will be brought to the attention of the families or legal guardians of the involved minor, providing information about the situation and the measures taken by the Institution. If deemed appropriate, the rest of the University staff will also be informed under strict confidentiality and protection of the minor's privacy.

The following aspects should be considered in this process:

- | Ensure the protection of minors.
- | Preserve their privacy and that of their families or legal guardians.
- | Create a climate of basic trust in the minors.
- | Collect all types of evidence and indicators.
- | Avoid duplicating interventions and unnecessary delays.
- | Convey calmness to them.
- | Support them (so they feel the university's accompaniment, avoiding feelings of helplessness or defenselessness).
- | Inform about the most appropriate measures for the situation.
- | Inform about the existence of institutional support resources.

**e. Define the measures to be taken with the different parties:**

Total time for the investigation and resolution of the case

<b>Steps of the investigation</b>	<b>Stipulated Time</b>
Response to the referral or complaint: Contact with the alleged victim. Activation of the Bullying/School Bullying Management Protocol.	2 days or 48 hours
Complete and provide the draft of the investigation to the involved parties, as requested.	12 days
Time to receive feedback from the parties.	8 days
Complete and issue the final report of the case.	8 days

#### **f. Urgent Measures**

- a. During the course of the investigation and as long as it is feasible, necessary measures will be taken to relocate the individuals involved in the classrooms and study modalities.
- 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 inappropriate conduct in this regard, the institution will take disciplinary action as established by the Student Regulations.
- d. Once the appropriate emergency measures have been adopted, the Research Committee will gather the necessary information about the incident from the various sources listed below:
  - | Collection of existing documentation on the affected student.
  - | Systematic observation of the indicated indicators: in common areas of the Institution, classrooms, distance education platform, or in complementary and extracurricular activities.
  - | The Rector/a will request the Counseling Office to complete the information. This will be done as appropriate, observing the affected student, contrasting opinions with other classmates, talking with 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 supplemented with other complementary sources, such as teaching and administrative staff.
  - | Once all the information has been gathered, the Rector of the Institution will validate the continuation or closure of the case.

#### **C. Intervention Strategies and Case Sanctions**

- a. Once all the information has been collected and verified, the Director of Student Affairs will refer the case to the Disciplinary Committee. This committee will evaluate the case and issue recommendations, as established by 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 bullying and intimidation in Educational Institutions.

These measures and actions will refer to those applicable within the University, as well as those applicable to the student or aggressor, including specific awareness actions for the rest of the students as well as for the observing student. All this, without prejudice to the corrective measures applied to the bullying student as per the student regulations.

#### **E. Prevention Strategies:**

- | Actions with the bullied person: support and explicit and indirect protection actions, emotional health activities and strategies for social attention and support, professional therapy by Professional Counseling or Psychology, aimed at developing communication, self-esteem, and assertiveness social skills, and referral, if necessary, to protection services in the case of minors.
- | Actions with the aggressive student: application of the corresponding corrections stipulated in the student regulations, educational actions at the university, if applicable, or specific behavior modification programs and personal assistance.
- | Actions with peers\passive observers: actions to develop social, communication, emotional, and empathy skills, awareness campaigns, as well as mediation and peer support activities.
- | Actions with faculty and administrative and service staff: guidelines on how to intervene positively in the situation and how to follow up, guidelines on detection indicators, as well as specific training activities.
  
- | Campaign with external agencies.

#### **F. Follow-up strategies**

1. Informative and prevention campaigns: The Office of Student Affairs will coordinate and develop activities aimed at complying with institutional and federal policies, with the objective of promoting healthy lifestyles within

the university community, emphasizing the prevention of all types of violence.

Some of these activities may include:

- a. Talks and training workshops aimed at the university community.
  - b. Institutional pamphlet containing relevant information on definitions and prevention strategies for *Bullying* on campus. It will also briefly explain how to seek help both internally within the institution and externally.
  - c. Quarterly promotion of the pamphlet among new incoming students
  - d. Mass media campaign providing guidance to potential victims
  - e. An annual student survey on campus safety and the effectiveness of informational and prevention campaigns will be administered.
  - f. Annual dissemination of the Security policy to the entire university community
2. Quarterly reporting of cases presented at each campus: The Office of Student Affairs will document and report the cases presented each quarter to the VP of Effectiveness and Student Affairs.

#### **G. Guide for referring to health professionals**

1. Professors and administrative staff are important resources for identifying and alerting about possible cases of bullying in the university and should refer the student, whether victim or perpetrator, to the campus' Office of Student Affairs.
2. Referral channeling: All cases must be referred to the Office of Student Affairs, specifically to the counseling area.
3. The counselor will carry out an initial intervention and, according to their professional judgment, will proceed to refer the student, whether victim or perpetrator, to the campus psychological services.
4. The psychologist, based on the situation observed in the student, will proceed with the referral to a health specialist outside the campus.

#### **H. Support from the Office of Security:**

The campus security personnel play an important role in ensuring safety and fostering a healthy coexistence within the university. The Office of Security has the

responsibility to act preventively and to quickly and effectively notify the relevant agencies of any situation that poses a threat to the integrity, health, and safety of the University Community and its visitors. There is continuous communication and cooperation between Security, the Management of National University College, and the Municipal and State Police, in the jurisdictions where all the Campuses are located.

The Office of Security may offer escort services (parking), preventive surveillance (hallways, Library), and assign a parking space that guarantees the highest possible security. The continuous training of Security Officers is mandatory. An external resource directory is provided to refer students, both victims and perpetrators.

### **I. Procedure for documentation**

At NUC, strict confidentiality will be maintained for cases handled due to *bullying*, with the following exceptions:

1. Suspicion of imminent danger or threat of harm against the person affected by the situation, against the person or persons intervening in the situation, or against third parties.
2. Suspicion of abuse or mistreatment indicator towards a minor or adult
3. By court order.

#### **Case documentation:**

In fulfilling the commitment to safeguard everyone's safety, NUC has hired a private company of security officers. Every NUC student or employee, in a situation of danger affecting their life, the lives of others, or property, must 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 Rector or Night Coordinator, Director of Student Affairs of the Campus** as the case may be, or their designated representatives, who will in turn refer the situation for the corresponding investigation and processing.

**The officials who receive the referral will carry out the necessary procedures, and the security officer will take the appropriate action, as the case may be** (call the state or municipal police, assist the complainant with phone calls, call ambulances, etc.)

The Counseling staff and security officers will gather information and maintain statistics related to *Bullying*, especially in cases involving physical or verbal violence, within and on the premises of the institution.

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

#### **J. Notification to regulatory agencies**

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



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