



**UNIVERSITY of INFORMATION
TECHNOLOGY and MANAGEMENT**
in Rzeszow, POLAND

THE PROCEDURE

Counteracting mobbing, discrimination, and violence
against students and postgraduate students

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I. INTRODUCTION

The University of Information Technology and Management based in Rzeszów, while respecting tolerance, openness, and diversity, condemns all forms of discrimination and violence against students and postgraduate students as highly reprehensible phenomena, any manifestations of which will not be tolerated.

Therefore, to fulfill the obligation to prevent discrimination and violence against students and postgraduate students, a policy for counteracting discrimination and violence against students and postgraduate students at the University of Information Technology and Management based in Rzeszów.

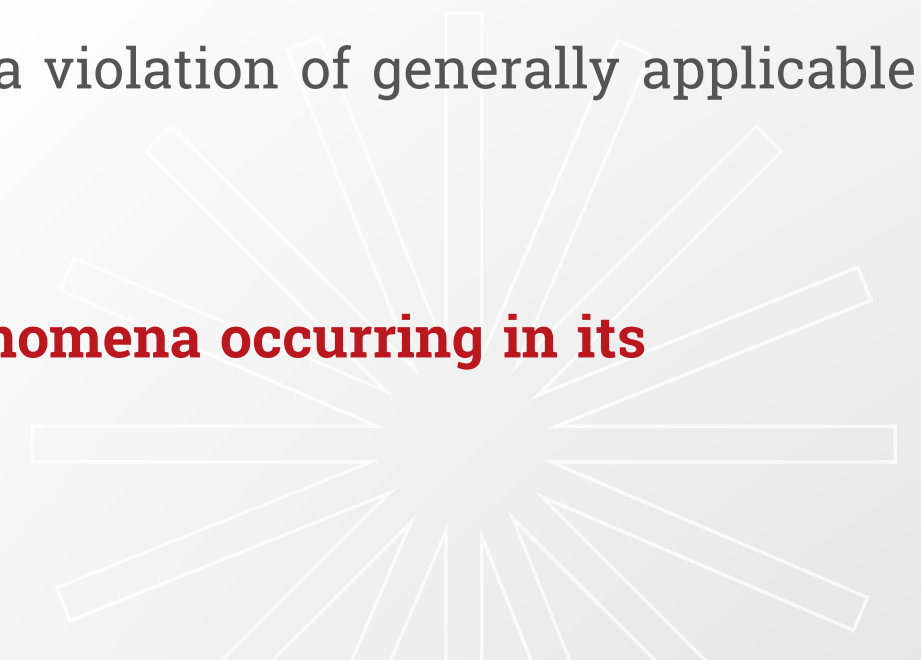
This policy specifies:

- principles of counteracting discrimination and violence against students and postgraduate students of the University,
- rules of conduct in the event of suspicion that a student or postgraduate student has been subjected to discrimination or violence by another student, postgraduate student, or employee of the University.

Acts of discrimination and violence against students and postgraduate students constitute a violation of generally applicable laws and internal regulations in force at the University.



The university is liable under separate legal provisions in the event of such phenomena occurring in its academic community.



II. DEFINITIONS

Direct discrimination – this means a situation in which a natural person is treated less favorably than another person due to gender, race, ethnic origin, nationality, religion, belief, disability, age, or sexual orientation. in a comparable situation (§ 2 point 1 of the Anti-Discrimination and Violence Policy).

Indirect discrimination – this means a situation in which, as a result of a neutral decision, applied criterion, or action taken, a natural person is or there could be unfavorable disproportions or a particularly unfavorable situation for it, unless the provision, criterion or action is objectively justified due to the legitimate aim to be achieved and the means to achieve this aim are appropriate and necessary (§ 2 point 2 Anti-Discrimination and Violence Policy).

Harassment – this is understood as any undesirable behavior whose purpose or effect is to violate the dignity of a natural person and to create an intimidating, hostile, degrading, humiliating, or offensive atmosphere (Article 3, point 3 of the Act of December 3, 2010, on the implementation of certain European Union regulations on equal treatment, i.e. Journal of Laws of 2023, item 970).



II. DEFINITIONS

Sexual harassment – this means any undesirable behavior of a sexual nature towards a natural person or relating to gender, the purpose or effect of which is to violate the dignity of that person, in particular by creating an intimidating, hostile, degrading, humiliating, or offensive atmosphere; this behavior may consist of physical, verbal or non-verbal elements (Article 3(4) of the Act of December 3, 2010 on the implementation of certain European Union provisions in the field of equal treatment, i.e. Journal of Laws of 2023, item 970).

Unequal treatment – this means treating natural persons in a way that is one or more of the following behaviors: direct discrimination, indirect discrimination, harassment, sexual harassment, as well as less favorable treatment of a natural person resulting from rejection of harassment or sexual harassment or submission to harassment or sexual harassment, as well as encouraging and ordering such behavior (Article 3(5) of the Act of December 3, 2010 on the implementation of certain European Union provisions in the field of equal treatment, i.e. Journal of Laws of 2023, item 970).

Violence – acts of physical, verbal, mental, and sexual violence, cyberviolence (online violence), harassment, blackmail, and other forms of violence (§ 2 point 8 of the Anti-Discrimination and Violence Policy).



III. PARTICIPANTS

in anti-discrimination and anti-violence proceedings

- 1) **Commission** – Explanatory Commission for counteracting mobbing, discrimination, and violence referred to in § 2 point 7 of Order No. 72/2020 of the Rector of the University of Information Technology and Management based in Rzeszów.
- 2) **Disciplinary Committee for UITM Students** – Disciplinary Committee and Disciplinary Appeal Committee referred to in Art. 310 section 1 of the Act of July 20, 2018, Law on Higher Education and Science (consolidated text: Journal of Laws of 2023, item 742).
- 3) **Disciplinary Committee for Academic Teachers of UITM** – Disciplinary Committee referred to in Art. 278 section 1 of the Act of July 20, 2018, Law on Higher Education and Science (consolidated text: Journal of Laws of 2023, item 742).
- 4) **Vice-Rector for Teaching** – a person performing the function of Vice-Rector for Teaching in accordance with the Statute of the University of Information Technology and Management based in Rzeszów.
- 5) **Employee** – a person employed under a contract at the University of Information Technology and Management based in Rzeszów, regardless of the type of contract concluded at the time of submitting the complaint.

III. PARTICIPANTS

in anti-discrimination and anti-violence proceedings

6) Plenipotentiary – Rector's Plenipotentiary for counteracting mobbing, discrimination, and violence referred to in § 2 point 4 of Ordinance No. 72/2020 of the Rector of the University of Information Technology and Management in Rzeszów. The representative is appointed by the Rector from among academic teachers holding at least a doctoral degree.

Plenipotentiary's duties include:

- **receiving complaints** from students and postgraduate students who believe that they have become victims of discrimination or violence on the part of the student/students, postgraduate student/students, or an employee/employees of the University,
- **examining complaints in formal terms** and then forwarding them to the Rector who convenes the committee or initiates explanatory proceedings by the Disciplinary Ombudsman for Students of UITM,
- **monitoring the phenomena of discrimination and violence** against students and postgraduate students at the University and submitting reports in this regard along with recommendations to the Rector,
- **conducting educational activities** for students and postgraduate students in the field of counteracting discrimination and violence.

III. PARTICIPANTS

in anti-discrimination and anti-violence proceedings

7) Rector – a person holding the position of Rector at the University of Information Technology and Management based in Rzeszów in accordance with the Act of July 20, 2018, Law on Higher Education and Science (consolidated text: Journal of Laws of 2023, item 742).

8) Disciplinary Ombudsman for Students of UITM – Disciplinary Ombudsman referred to in Art. 309 section 1 of the Act of July 20, 2018, Law on Higher Education and Science (consolidated text: Journal of Laws of 2023, item 742).

9) Disciplinary Ombudsman for Academic Teachers of UITM – Disciplinary Ombudsman referred to in Art. 277 section 1 of the Act of July 20, 2018, Law on Higher Education and Science (consolidated text: Journal of Laws of 2023, item 742).

10) Postgraduate student – a person with the status of a student of the Center for Postgraduate Studies of the University of Information Technology and Management based in Rzeszów at the time of submitting the complaint.

11) Student – a person who has the status of a student of the University of Information Technology and Management based in Rzeszów at the time of submitting the complaint.

IV. STUDENTS' OBLIGATIONS

regarding counteracting discrimination and violence

In the field of counteracting discrimination and violence against other students, postgraduate students and University employees, **students and postgraduate students** are obliged in particular to:

- **respecting the dignity and personal rights** of all students, postgraduate students, and University employees as members of the academic community,
- **to be guided in mutual relations by tolerance, politeness, and kindness** as well as the principles of social coexistence,
- **comply with the rules** of conduct specified in the Regulations of Studies of the University of Information Technology and Management based in Rzeszów and in the Policy for counteracting discrimination and violence towards students and postgraduate students at the University of Information Technology and Management based in Rzeszów,
- **inform the Plenipotentiary for counteracting mobbing, discrimination, and violence** about all manifestations of discrimination and violence against students and postgraduate students that take place in its academic community.



V. FILING A COMPLAINT

An employee who believes that he has been a victim of mobbing, discrimination or violence by another student or University employee may submit a complaint to the representative in writing or electronically.

Contact to the plenipotentiary: pelnomocnikmdp@wsiz.edu.pl

The complaint should contain:

- the date,
- description of the facts of the case,
- indication of exactly which actions or behaviors of another student or university employee are (in the opinion of the student submitting the complaint) a manifestation of discrimination or violence,
- indication of the name and surname of the person or persons who, in the student's opinion, are the perpetrators of discrimination or violence,
- justification and indication of evidence that the discrimination or violence has occurred or is still taking place,
- signature of the student submitting the complain.

Anonymous complaints will not be considered by the Plenipotentiary for counteracting mobbing, discrimination, and violence.



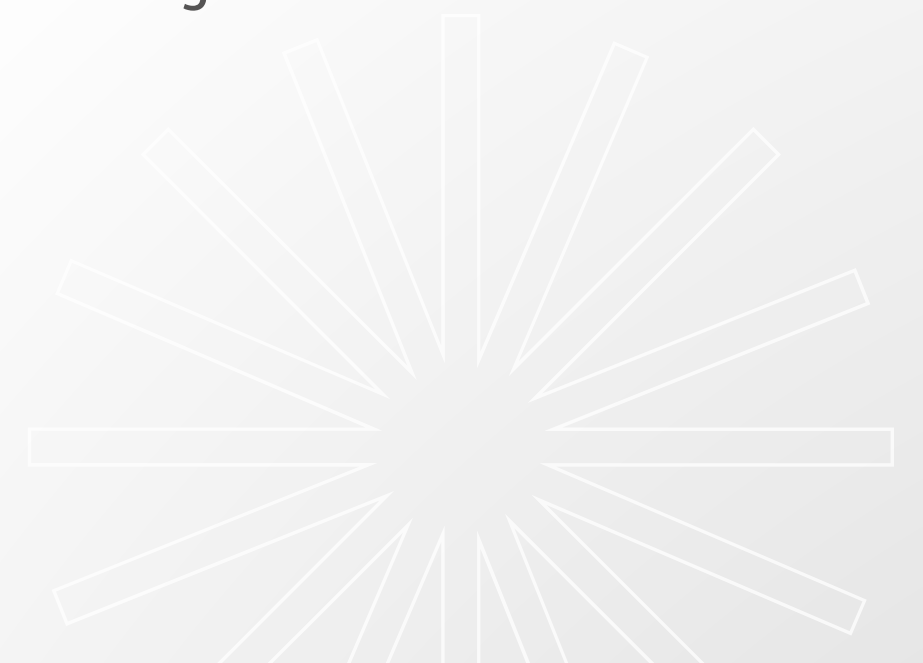
V. FILING A COMPLAINT



The burden of proving that the accusations are false rests with the person identified as the perpetrator of discrimination or violence.

Documents may be attached to the complaint that may provide evidence that discrimination or violence has occurred or is continuing to occur.

A student or postgraduate student who believes that he or she may be a victim of discrimination or violence should record all manifestations of discrimination or violence as well as the details of witnesses of such events for the purposes of any proceedings initiated by the Rector or for the purposes of any court proceedings.



VI. FORMAL COMPLAINT REVIEW

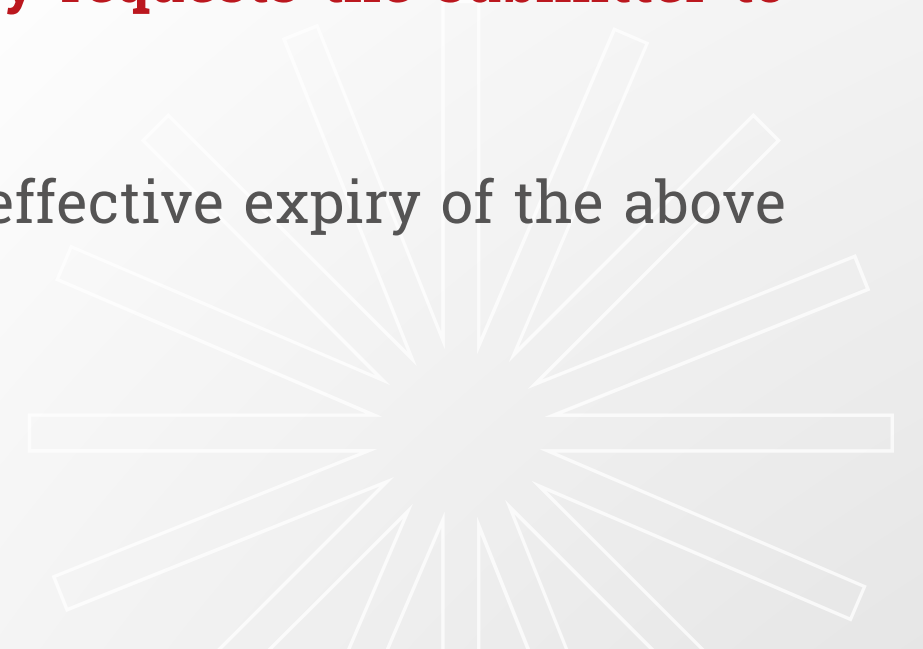
The Plenipotentiary for counteracting mobbing, discrimination and violence, after formally checking whether the complaint of the student or postgraduate student contains the required elements, forwards it to the Rector with a request for:

- **appointing a Committee** if the perpetrator of discrimination or violence against a student or postgraduate student is an employee of the University or a postgraduate student, or
- **an order to initiate explanatory proceedings** by the Disciplinary Ombudsman for Students of UITM if the perpetrator of discrimination or violence against a student or postgraduate student is another student of the University.



If the complaint does not contain the required elements, the Plenipotentiary requests the submitter to complete them within 7 days from the date of the request.

The Plenipotentiary leaves the complaint without consideration after the ineffective expiry of the above deadline and informs the person submitting it.



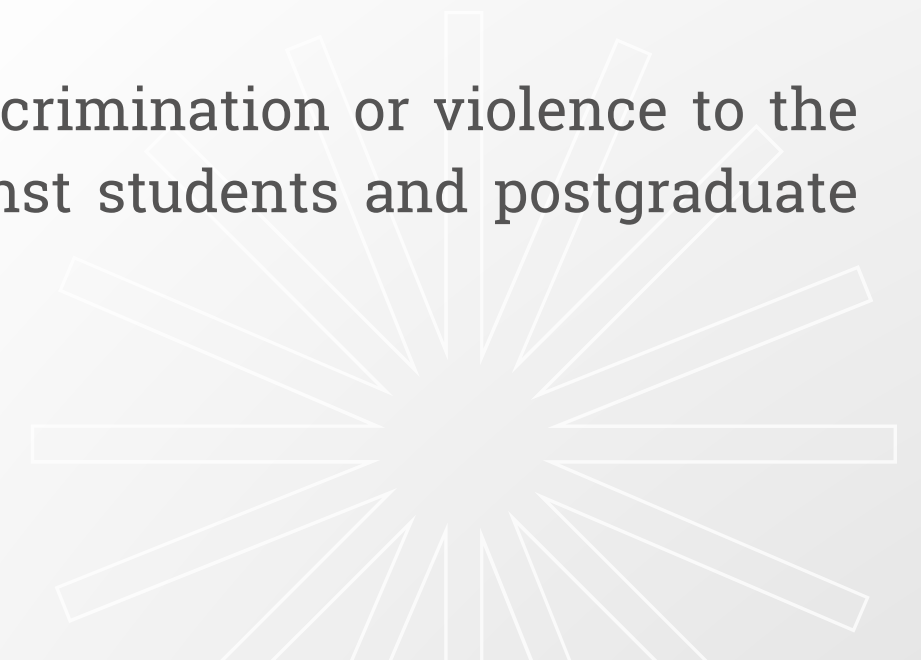
VII. CONSIDERATION OF THE COMPLAINT

After receiving a complaint from a student or postgraduate student from the Plenipotentiary for counteracting mobbing, discrimination and violence, the Rector will immediately:

- **appoints a Committee** if the perpetrator of discrimination or violence against a student or a postgraduate student is an employee of the University or a postgraduate student, or
- **recommends the initiation of explanatory proceedings** by the Disciplinary Ombudsman for Students of UITM if the perpetrator of discrimination or violence against a student or postgraduate student is another student of the University and forwards the complaint of the student or postgraduate student with attachments.

If a complaint of discrimination or violence against a student or postgraduate student concerns the Rector, then his rights described in this Policy are exercised by the Vice-Rector for Teaching.

The Rector's forwarding of a complaint by a student or postgraduate student about discrimination or violence to the authorities indicated in the Policy for counteracting discrimination and violence against students and postgraduate students **does not exclude the possibility of taking the case to court.**



VIII. HELPING VICTIMS

of discrimination and violence

The University provides psychological assistance to victims of discrimination and violence as part of the Academic Center for Personal Development and Psychotherapy of the University of Information Technology and Management based in Rzeszów.

<https://en.uitm.edu.eu/student-services/psychological-support/>





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