NJSC "ABAI KAZAKH NATIONAL PEDAGOGICAL UNIVERSITY"

APPROVED
by Vice-Rector for Social Development Zhakauov M.D.

"6" May 2024

ANTI-DISCRIMINATION AND ANTI-HARASSMENT POLICY

1. GENERAL PROVISIONS

1.1. NJSC "Abai Kazakh National Pedagogical University" (hereinafter - "University") is committed to the principles of freedom of thought and freedom of expression.

1.2 The University supports open discussions, comprehensive consideration and in-depth study of controversial issues, which is an important part of its educational mission.

1.3 The University's Anti-Discrimination and Anti-Harassment Policy (the "Policy") does not limit these principles. The University strongly condemns the use of this Policy for purposes that are contrary to its basic purposes. Behavior that violates this Policy, namely discrimination, harassment, and bullying, cannot be justified by academic freedom and is inconsistent with the values of the University.

1.4 Every employee and student of the University is committed to respecting the rights and dignity of others and to avoiding all forms of discrimination and harassment. All participants in the learning process are expected to foster a safe, inclusive and respectful environment free from bias and violence.

1.5 The University is committed to ensuring equal rights and opportunities for women in the learning process and in the workplace, excluding any form of discrimination on the basis of gender.

1.6 The University ensures that transgender employees and students are protected from discrimination and harassment and provides an inclusive environment that promotes their full participation in the educational process.

1.7 The University guarantees the protection of individuals who report discrimination or harassment from reprisals and negative consequences in terms of education or employment.

1.8 The University categorically condemns discrimination in the workplace, including discrimination based on religion, sexual orientation, gender, age and other characteristics, and takes measures to prevent and eliminate it.

1.9 The University ensures that employees' rights, including rights to protection from discrimination, are preserved when activities are outsourced to third parties.

1.10. The University admits students on the principles of equality and where a policy of positive discrimination in admissions applies, this information will be made available and explained in detail by being published in the public domain.

1.11. The University categorically condemns all forms of discrimination and harassment, creating an atmosphere free from such manifestations and providing appropriate mechanisms for their prevention and elimination.

2. BASIC TERMS

The following terms and definitions are used in this Policy:

1) University - Abai Kazakh National Pedagogical University.

2) Discrimination is unfair or prejudicial treatment of a person or group of people on the basis of certain characteristics such as gender, age, race, nationality, religion, social status, disability or other characteristics. It can manifest itself in various areas of life, including employment, education, health care, and access to resources.

3) Harassment is unwanted and intrusive behavior directed at a person that causes discomfort, humiliation or threat. It can manifest itself in a variety of forms, including:

Sexual harassment - lewd remarks, unwanted touching, intimate propositions.

Psychological harassment (mobbing) - bullying, intimidation, insults.

Harassment - intrusive attention, stalking, threats.

Harassment can occur in the work environment, educational institutions, public places and online. In many countries they are regulated by law and can result in administrative or criminal liability.

4) The Disciplinary Commission is a permanent collegial body formed at the University to review the results of performance audits and analyze the facts related to a disciplinary offense. Its purpose is to ensure a comprehensive, complete and objective establishment of the circumstances of the offense committed and to make recommendations to the first supervisor on the measure of disciplinary action. The Commission shall consist of an odd number of university employees, each with equal voting rights.

5) Incident means any situation or incident involving discrimination and harassment.

6) Complainant means a person who reports harassment or discrimination of any nature to the University.

7) Victim - a person who has been subjected to discrimination, harassment of any nature.

8) Whistleblower - a person who has reported an instance of discrimination or harassment of any nature.

9) Officials - Members of the Board of Directors, Members of the Management Board of the University.

3. POLICY GOALS AND OBJECTIVES

3.1 The purpose of this policy is to create a safe and inclusive environment at the University, free from discrimination and harassment. The desire is to ensure equality and respect for all participants in the educational process.

3.2 The main objectives are to prevent and detect discrimination and harassment and to provide effective support to those affected. It is important to ensure that all members of the University are aware of the rights and measures set out in the Policy.

4. SCOPE OF APPLICATION

4.1. This Policy applies to all employees and students of Abai Kazakh National Pedagogical University. It applies across the University, including its divisions, branches and other educational, scientific and cultural initiatives conducted on behalf of the University.

4.2. The Policy applies to all aspects of University life, including but not limited to the processes of enrollment, learning, employment, academic and research activities, and relationships with external organizations and partners.

4.3. The policy covers any form of interaction and communication at the University, including personal and virtual spaces, as well as activities related to social, cultural and educational events organized by the University.

4.4. The policy also covers all forms of formal and informal interactions taking place in study and working groups, departments, during academic conferences, lectures, seminars,

research, as well as during extracurricular activities such as clubs, sporting events and student organizations.

4.5 It covers all forms of communication, including email, social media, and other online and offline platforms used in the process of learning and working at the University.

5. BASIC PRINCIPLES

5.1. All staff, students and other participants in the University's educational process have equal rights and opportunities regardless of their gender, race, ethnicity, religious and political beliefs, sexual orientation, age, health, social and economic situation or other personal characteristics. The University is committed to equality and non-discrimination in all aspects of its activities.

5.2. The University is committed to creating an inclusive environment where everyone involved in the learning process feels valued and important, regardless of their individual characteristics. This includes actively promoting cultural, social and academic diversity and removing any barriers to full participation.

5.3. The University recognizes and respects the dignity of every individual, fostering an atmosphere of mutual respect, trust and openness. All participants in the educational process must respect the rights and personal boundaries of others, avoiding any form of violence, harassment and insults.

5.4. The University is committed to providing a safe environment in which any form of harassment, violence and bullying is excluded. Where such actions are identified, the University is committed to taking action to protect victims and prevent further incidents of misconduct.

5.5 The Department of Social and Youth Policy conducts outreach activities aimed at raising awareness and creating understanding among various social groups about the inadmissibility of discriminatory practices and acts of harassment.

6. APPEAL PROCEDURE

6.1. All employees, students and other participants in the educational process of the University may submit an official appeal to the University to the Member of the Board - Vice-Rector for Social Development. The appeal must contain:

6.1.1. The name, structural unit and position of the person or persons allegedly committing acts prohibited herein;

6.1.2. A description of the appeal, which includes the date, place and names of witnesses (if any);

6.1. 3. The names of other persons who may have been subject to the same or similar harassment;

6.1.4. Any other information that the Complainant\Informant considers relevant to the appeal.

6.2. It is recommended to initiate an appeal within three calendar days from the date of the incident.

7. PROCEDURE FOR CONSIDERATION OF APPEALS AND INVESTIGATION

7.1. Appeals about discrimination and (or) harassment are considered by the structural unit on behalf of the Member of the Board - Vice-Rector for Social Development.

7.2. The University official reviewing the appeal shall:

7.2.1. Ensure that this Policy and the investigation procedure are explained to all parties involved;

7.2.2. Provide for the possibility of informal ways of reviewing an appeal on discrimination and harassment with a low degree (conversation, consultation);

7.2.3. Decide whether an internal performance review will be conducted, whether a third party will be involved to complete the review.

7.2.4 If a criminal or administrative offense is suspected, advise the victim to file a report with law enforcement authorities.

7.3. Disciplinary Commission (hereinafter referred to as the Commission) shall review the results of performance audits and investigate the facts concerning the disciplinary offense on the grounds of discrimination and harassment in accordance with applicable law.

7.4 The Commission makes the following decisions in compliance with the norms of the legislation of the Republic of Kazakhstan:

7.4.1. recommends the Violator to apologize to the Victim/Complainant during the conversation with the Complainant;

7.4.2. recommends the relevant unit of the University to work on the prevention and prophylaxis of discrimination and harassment;

7.4.3. in accordance with the circumstances of discrimination and harassment, a decision is made based on the results of an internal audit.

7.5. When making decisions on appeals, the Commission shall take into account:

Degree of actions confirmed during the review;

– moral and material damage caused to the victim;

– existence of other similar appeals against the offender, including anonymous ones;

– evidence (e.g. reliable confirmation by witnesses, audio/video/photo materials, correspondence, etc.)

7.6. At the conclusion of the meeting, the Commission shall submit its decision to the University administration.

7.7. If one of the parties does not agree with the decision of the Commission, they are explained the right to appeal to the court.

7.8. In case of a false appeal, confirmed by the results of an official check and the decision of the Commission, the Informant\ Complainant shall be liable in accordance with the legislation of the Republic of Kazakhstan.

8. CONFIDENTIALITY

8.1. Appeals, reports and performance of service inspection are carried out with full confidentiality. Information is disclosed solely on the basis of official necessity and in accordance with the requirements of internal regulations of the University.