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MENTAL HEALTH CHALLENGES IN THE EDUCATIONAL LANDSCAPE OF SERBIA: EXPLORING ACADEMIC AND LEGAL PERSPECTIVES

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Abstract This research paper investigates the mental health challenges faced by teachers in Serbia, emphasizing both educational and legal perspectives in the post-pandemic and AI-driven era. Recognizing teachers as vital contributors to human capital and societal progress, the study aims to shed light on the pressing concerns impacting their well-being. By exploring evidence-based practices, the research seeks to contribute to policy recommendations that foster a supportive work environment, acknowledging the integral role of teacher mental health in shaping a successful education system and positively influencing student well-being as they enter the workforce.

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1   Introduction and Theoretical Background

Teachers are the cornerstone of the education system, dedicating their time, energy, and expertise to facilitate students' learning and growth. However, the demanding nature of the profession often takes a toll on teachers' mental well-being, as they encounter numerous challenges and stressors. Research has consistently highlighted the significant association between workload demands and teachers' psychological well-being. Findings from a global research study indicate that teachers perceive their profession as highly stressful when compared to many other occupations (Jepson & Forrest, 2006). According to the study conducted by Bermejo-Toro and Prieto-Ursua (2006), 60 to 70 percent of teachers manifest symptoms of stress. The growing interest in examining teacher stress is driven by several factors. Firstly, prolonged stress in the workplace has been linked to mental and physical health issues, including conditions like depression; additionally, there is increased concern for teachers' overall quality of life and work, recognizing that their stress levels can impact the quality of teaching and the relationship between teachers and students (Bermejo-Toro & Prieto-Ursua, 2006).

Prolonged and intense work stress can contribute to the development of burnout syndrome, a state of physical, emotional, and mental exhaustion characterized by feelings of cynicism, detachment from work, and a sense of reduced personal accomplishment. Maslach et al. (2001) assume that burnout develops in response to a chronic impossibility of coping with workplace adversities, and Shirom and Melamed (2006) argue that burnout comprising emotional exhaustion, physical fatigue, and cognitive weariness, grows out of chronic exposure to workplace stressors. While Maslach et al. (2001) argue that burnout is rooted in the occupational context and should be differentiated from depression, a recent literature review conducted by Schonfeld et al. (2017, p. 67) highlighted the "overlap of burnout and depression, whether both are considered dimensionally or diagnostically." This perspective highlights the need to consider additional individual, interpersonal, and contextual factors when understanding and addressing burnout, rather than solely focusing on job-related aspects.

The prevalence of stress and burnout among teachers poses a significant challenge to the stability and continuity of the education system, as it contributes to increased absenteeism, turnover, and attrition rates (Ingersoll & Strong, 2011, p. 92). Teaching

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is characterized by some of the highest turnover rates among occupations that require a college degree, surpassing even those of professions such as nursing. The high turnover rates in teaching result from the challenging working conditions that many teachers encounter, which contribute to significant levels of stress (Ingersoll & May, 2012).

Workplace stressors largely affect teachers' mental health, which is manifested in various psychological symptoms (i.e. depressive mood) and mental disorders (depression). The study conducted in Denmark by Wieclaw et al. (2005) indicated that female teachers were at above-average risk for hospitalization for affective illness. Also, a study conducted by Stansfeld, et al. (2011) examined the prevalence of mental disorders among British workers, including teachers. The findings revealed that the point prevalence of commonly occurring mental disorders, such as depressive disorder and generalized anxiety disorder, was higher among teachers (combined with research professionals) at 15 percent compared to the average prevalence of 13 percent. Research conducted in Finland by Kokkinen et al. (2014) showed that a group comprising teachers, social workers, and healthcare workers experienced significantly elevated rates of hospitalization for severe mental health problems.

Additional research has highlighted several factors contributing to teacher stress, such as the perceived lack of societal recognition and fair compensation (Jarvis, 2002; Jepson & Forrest, 2006), challenges in maintaining a work-life balance (Suzić & Graonić, 2009), lack of support from colleagues, and difficulties in communication with parents (Prakke et al., 2007; Živčić-Bećirević & Smojver-Ažić, 2005). Furthermore, the perception of teaching circumstances and the level of control teachers have over those circumstances are consistently mentioned in causes of teacher stress (Krnjajić, 2003).

Based on the research findings regarding the relationship between job stressors and mental health (depressive symptoms, burnout, and mental disorders such as depression), Schonfeld et al. (2017, p. 69) advanced two approaches to help improve teachers' mental health: (1) school districts should prioritize teachers' safety by ensuring that crimes and threats against them are accurately reported, and (2) school administrators must do more to reduce teachers' exposures to other depressogenic

aspects of the school environment such as endemically disrespectful behavior initiated by students.

In more recent studies (Tappura & Pulkkinen, 2019), researchers examined occupational health and safety models (OHS) within schools, focusing specifically on psychosocial risks faced by vocational education and training providers in Finland. Applying qualitative methods in a survey conducted between 2015 and 2017, the authors identified shortcomings in OHS school models within the educational sector. These inadequacies were found to contribute to serious mental health issues for educators, particularly due to the absence of specific preventive measures for managing psychosocial risks. The study highlighted the need for improved measures, including risk assessment, training for educators in handling psychosocial threats, and community-wide engagement to promote a culture of enhancing mental health. However, it is important to note that the research findings and approaches mentioned above were based on pre-COVID-19 circumstances.

In the introduction and first part of the study, we present an overview of the state of the art regarding mental health issues in the educational sector before the Covid-19 pandemic, along with insights into European Union regulations in the field of psychosocial risks and mental health at work. The second part of the study critically evaluates the specific stressors and risk factors impacting teachers' mental health, accelerated by the digitalization of workplaces and the use of artificial intelligence in the education process during the post-pandemic period. Accordingly, the central part explores the state of mental health of educators and teachers in Serbia, emphasizing the necessity to address the legal gap in Serbian national legislation in this matter.

2 The legal framework of mental health protection at the workplaces – European Union perspective

For many years, EU policymakers and legislators working in the OHS field focused on protecting the physical health of workers, as well as assessing their physical, chemical, and biological risks, at the expense of neglecting equally important psychosocial aspects. The European Framework Directive on Safety and Health at Work (Directive 89/391 EEC), adopted in 1989, approached OHS with a modern, both preventive and protective, and collective (organizational) concept to better

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establish health protection measures encompassing "all types of risks" in workplaces across sectors, both public and private. However, it failed to directly address psychosocial risks or stress at work.

Presently, within a transformed world of work driven by technological, economic, societal, demographic, and climate changes, it is widely accepted that the traditional "workplace health prevention culture" model established during the time of Directive 89/391 EEC must be reformed. Policymakers, academics, and the public at large support introducing a novel, improved, and dynamic health and well-being protection workplace concept, and establishing contemporary mechanisms to build a risk-prevention culture in this changed work environment. Changes in work organization patterns, job performance, equipment, and means of work have significantly impacted individual workers, causing workers' mental health to deteriorate. Consequently, work-related stress/strain has been reported as the second most frequently reported health issue in Europe (Chirico, 2019, p. 2). Some authors propose a balanced model of OHS management and regulation, stressing the balance between worker's psychosocial health influenced by working conditions and the organizational or economic goals of employers (Schulte et al., 2022, p. 7).

According to the most representative EU database, the European Working Condition Survey classifies working conditions in terms of OHS into two main categories – job demands and job resources (Jain et al., 2022). The study conducted by Jain et al. (2022) explored the positive correlation between specific legislation on psychosocial risks/work-related stress adopted on a national level and the implementation of employers' action plans for managing and preventing psychosocial hazards. The study examined their impact on improving working conditions at the organizational level, focusing on job demands and job resources. The study showed that specific national legislation on psychosocial risks increased action plans being adopted to manage these risks at the organizational level, leading both to enhanced job resources and reduced work-related stress. However, the authors did not find that the specific legislation reduced overall job demands (Jain et al., 2022). A limitation of this study is that it solely addressed and examined work-related stress.

In 2021, the European Commission adopted the EU strategic framework on health and safety at work 2021-2027 - Occupational safety and health in a changing world of work (COM (2021) 323 final) in an effort to address the gaps in EU regulation in the OHS field, particularly the absence of concrete measures and tools to tackle emerging risks related to the green and digital transition, demographic and societal changes. This document emphasizes psychosocial risks, urging member states and social partners, in collaboration with the Commission, to engage and prepare an action plan initiative to protect the mental health of people in their workplaces. This initiative includes developing guidelines to assess risk in terms of digital and green transition with a focus on specific psychosocial and ergonomic risks. Furthermore, the document highlights introducing follow-up measures to implement the European Parliament Resolution on the Right to disconnect. Aligned with the European Pillar of Social Rights (principle 9 on Work-life balance and principle 10 on a Healthy, safe, and well-adapted work environment and data), the EU Resolution on the right to disconnect, dated 21 January 2021, identifies the right to disconnect as a special measure to protect worker's mental health from constant connection to digital devices even after working hours. The practice of constant connection to digital devices and always-on work culture represents a new psychosocial risk arising from work organization and equipment commonly used in digital and hybrid workplaces.

Lerouge and Trujillo Pons (2022, p. 455) classify the right to disconnect as "a part of occupational health law," stressing the need for a holistic, dynamic, and adaptive workplace management assessment risk model. This model focuses on indicators at both the general workplace level and those specific to teams or departments. Referring to new psychosocial risks embedded in OHS legislation and specific psychosocial risks assessment indicators at the organizational level, including an even narrower approach at the team or department level in organizational health management plans, supports the protection of mental health. Recent findings confirm that social determinants such as precarious employment, poor work conditions, and a devastated work environment are likely to increase psychosocial disorders and contribute to the deterioration of individual mental health (Alegria et al., 2018).

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The idea of prioritizing psychosocial risks in the EU OHS concept was not new; in 2008, a group of academics proposed developing a European framework for psychosocial risk management based on the "principles of risk management, social dialogue, and corporate social responsibility" (Leka et al., 2008, p. 3). The objective was to establish unique EU standards for psychosocial risk management in all sectors, focusing primarily on risks such as work-related stress, violence, and harassment at work, without considering a broader range of stressors in the work environment. Today, digitalization blurs the boundaries between work and private life, posing significant threats to workers' privacy, causing digital workloads, and exerting pressure on individual mental health, necessitating a more comprehensive approach.

The legal conceptualization of mental health issues is inherently complex and scientifically challenging. The traditional concept of social, cultural, and economic rights, which encompasses labor and health rights, including specific mental health rights, is based on a positive approach – entitling individuals to certain rights. Conversely, mental health rights focus on the principles of liberty and autonomy, aligning them notably with civil and political rights – the so-called negative rights, such as creating freedom from interference by governments, corporations/companies and other individuals (McSherry & Weller, 2010, p. 6). This perspective is applicable to emerging rights, such as the right to disconnect, which empowers a worker to disconnect from digital devices after working hours, emphasizing autonomy and free will. In a transformed world of work in the era of digitalization, freedom from interference by employers has become *sedes materiae* of novel mechanisms both to protect labor rights and reshape the fundamental essentials of socio/economic rights.

This raises questions about the future of the entire fundamental human rights concept and the role, place, and content of these emerging rights in the digitalized world. Razmetaeva et al. (2022) advocate introducing a fourth generation of human rights, termed bio-information human rights, placing them within the concept of so-called digital rights derived from fundamental human rights in a digitalized environment. The authors underscore the responsibilities of companies to implement and protect human rights alongside states, calling for a reconceptualization of current legal doctrines in human rights law (Razmetaeva et al., 2022, p. 48).

According to EU policymakers, the right to disconnect is considered both a special right and a policy mechanism to help implement fundamental labor rights, indicating a lack of consensus at the EU level regarding the new right's legal nature. The right to disconnect could be grounded in the right to rest and leisure or the right to health and safety. According to the most recent soft law EU document launched in June 2023 – Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions on a comprehensive approach to mental health – the right to disconnect has been highlighted as a core mechanism to reduce psychosocial risks and work-related stress. The document advocates for a comprehensive and cross-sectoral approach to mental health issues, with a particular focus on professions such as healthcare providers, farmers, and teachers. In this regard, EU policymakers will focus on strengthening social dialogue in these sectors to identify prevention and early intervention tools that will better address mental health issues at specific workplaces.

3   Challenges and stressors in educational sector

The COVID-19 pandemic has introduced additional factors and stressors that have significantly impacted the mental health of teachers. It has led to a widespread adoption of technology in educational settings, which has significantly increased teachers' workload and blurred the boundaries between their work and personal lives. It has served as a stark reminder of the need for teachers to be flexible and adaptable in response to rapidly changing circumstances.

The shift to online and hybrid modes of teaching and learning has been particularly demanding, posing numerous challenges for educators, such as the need to navigate unfamiliar technologies, maintain student engagement in virtual environment, and address equity issues related to access to technology and internet connectivity. Simultaneously, teachers and educators have faced an overwhelming workload, leading to increased stress and pressure. In addition, the pandemic has spawned social isolation, increased job insecurity, and heightened uncertainty, which further exacerbate the mental health challenges teachers face. The lack of personal interaction and support from colleagues, and the emotional toll of supporting students through these challenging times have all taken a toll on teachers' well-being.

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Multiple studies have highlighted the adverse effects of new sources of stress at work during the COVID-19 pandemic on teachers' mental health s (e.g. Ozamiz-Etxebarria et al., 2021). Pressley (2021, p. 327) highlights the most immediate stressors associated with teacher burnout during the pandemic, which include anxiety related to COVID-19, concerns about meeting teaching demands, communication with parents, and the level of administrative support provided. The study conducted by Pressley revealed that teacher burnout stress was consistent across various demographic factors, indicating that these stressors affected teachers irrespective of their demographic characteristics. According to a recent study by Madigan et al. (2023), teachers experiencing burnout are more likely to encounter various health issues, including specific conditions such as gastroenteritis, as well as disruptions in biochemical processes associated with health, as indicated by cortisol levels. These findings align with research conducted in other high-stress professions, such as nursing and medicine (Williams et al., 2020), suggesting that burnout among teachers may have detrimental effects on their physical health. Madigan et al. (2023) proposed a theoretical framework outlining three primary pathways through which burnout impacts teachers' health: increased engagement in unhealthy behaviors, dampened stress responses, and compromised immune function. The review's findings largely support these concepts, particularly in terms of elevated illness rates and reduced cortisol responses.

Some studies suggest that the demand for rapid adaptation to online teaching was the most significant stressor during the pandemic period (Besser et al., 2020). Ozamiz-Etxebarria et al. (2021) suggest that teachers' anxiety, depression, and stress were not limited to the initial lockdown period but in the later stages of the pandemic.

4   Artificial intelligence in the educational sector

Likewise, the rise of AI presents a transformative force that compels educators to continuously evolve and find ways to harness technology while retaining their expertise and human connection with students. The expanding role of AI technology in providing information and resources presents educators with a compelling challenge: the need to redefine their roles as facilitators and guides of learning (Škobo & Petričević, 2023, p. 316). The integration of AI is accelerating trends towards personalized learning, data-driven instruction, and increased use of digital

tools in the classroom. Acknowledging the positive impact of AI in education, the authors also sound a cautionary note. They emphasize that effectively integrating AI into instructional practices necessitates educators to commit to lifelong learning, ensuring they remain well-versed in the latest AI advancements (Škobo & Petričević, 2023, p. 317). This ongoing dedication guarantees that educators remain adept and adaptable in the ever-evolving educational milieu. In line with this, the authors advocate for a harmonious balance between the expertise of educators and the capabilities of AI-powered machines. In the face of these transformative changes, educators are challenged not only to adapt to the evolving landscape but also to vigorously preserve their relevance by delivering educational value that surpasses the offerings of AI-driven tools.

Considering the implications for teachers' mental health, this convergence of roles and responsibilities underscores a critical aspect. The adaptation to AI-infused educational environments can potentially introduce new stressors and uncertainties. Educators might grapple with feelings of inadequacy or the fear of being overshadowed by technological advancements. Such concerns could potentially contribute to heightened stress levels and an increased risk of burnout. Consequently, it becomes imperative to recognize and address the mental health challenges that may arise as teachers navigate this evolving terrain.

Illustrating this dynamic further is the introduction of IBM'S supercomputer, Watson, at Deakin University in Australia back in 2014. Watson's remarkable ability to provide personalized feedback around the clock gradually reduced the need for a large administrative workforce that was traditionally entrusted with such tasks. Although Watson's capabilities are rooted in algorithms designed for repetitive and somewhat predictable tasks, its use exemplifies the future impact of AI on the administrative workforce landscape in higher education. This transformation affects service quality, temporal dynamics within universities, and the composition of the workforce. The availability of a supercomputer capable of delivering tailored feedback throughout the day reduces the need to employ the same number of administrative staff as previously required. These changes mean it is crucial we recognize and address the potential mental health challenges that educators might face. The introduction of AI and its associated changes should be accompanied by support mechanisms to help teachers navigate these shifts while maintaining their well-being.

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With the capacity to offer tailored guidance, monitor student engagement, and customize educational content based on individual learning needs, AI possesses the potential to curate a dynamic flow of information and resources within a course, thereby providing personalized feedback and motivation to learners (Popenici & Kerr, 2017). However, educators can harness this technology to equip students for a future characterized by intricate challenges beyond mere employability. The rise of AI-driven teacherbots challenges conventional teaching methods, prompting us to critically examine how these tools can be employed to enhance students' educational experiences, particularly in the context of redefining the current concept of 'graduate attributes' (Mason et al., 2016).

The research by Popenici and Kerr in 2017, which explores how AI is used in higher education, underscores the rapid pace of technological innovation and the potential displacement of jobs, a trend widely recognized by experts in the field. This recognition underscores the need to reevaluate educators' roles and pedagogical approaches in higher education. The integration of technological solutions such as 'learning management systems' and IT tools to detect plagiarism raises questions about who is steering the direction of teaching and learning: corporate entities or higher education institutions? Moreover, the ascent of tech giants and their quasi-monopoly status engenders concerns regarding privacy and the potential for a dystopian future (Popenici & Kerr, 2017). Addressing these concerns becomes paramount in universities' strategic planning to secure a sustainable future.

Furthermore, the study by Popenici and Kerr emphasizes the impending replacement of many fundamental teaching tasks by AI software driven by complex algorithms formulated by programmers. This introduces the potential for these algorithms to inadvertently incorporate their biases or agendas into operational systems. In order to uphold universities' core role as bastions of civilization, knowledge, and wisdom it is imperative that we continually and vigorously examine proposed AI solutions.

Fostering a supportive environment that acknowledges the emotional toll of these changes and provids resources for ongoing professional development can play a significant role in promoting educators' mental well-being. As educators strive to maintain their relevance and impact amidst AI integration, prioritizing their mental health is integral to ensuring a sustainable and thriving educational ecosystem.

5   A case study of Serbia - teachers' mental health

In Serbia's education system, teachers encounter a multitude of challenges and stressors that can profoundly affect their mental health. Approximately 30 percent of teachers in Serbia perceive their profession as highly stressful (Krnjajić, 2003). Pre-COVID-19 research on teacher stress in Serbia revealed that around 24 percent of teachers reported significantly high anxiety, 19 percent experienced notable work-related stress, and 15 percent indicated experiencing depression linked to workplace stressors (Popov et al., 2015). Notably, studies focusing on the mental health of special education teachers indicated an escalating presence of the burnout syndrome, particularly among those dealing with developmental disorders (Popov & Stefanović, 2016). Moreover, socio-demographic factors like marital status and work experience were found to influence burnout levels in special education teachers; single or divorced teachers exhibited lower personal accomplishment, and those with longer work experience showed higher burnout rates (Popov & Stefanović, 2016).

The mental health implications of these challenges are significant. Persistent stressors, such as those encountered by teachers in Serbia's education system, can have detrimental effects on their overall well-being. The strains of teaching, coupled with personal and professional pressures, can lead to exhaustion, feelings of inadequacy, and emotional fatigue. As educators struggle to balance their responsibilities in the face of these challenges, their mental health is inevitably impacted. The prevalence of burnout syndrome among special education teachers, as highlighted by Jovanović et al. (2019), in the study which assessed burnout dimensions among special education teachers, underscores the severity of the issue. Teachers dealing with developmental disorders, particularly motor skill disorders, reported elevated burnout symptoms. An intriguing finding emerged: teachers lacking assertiveness were more susceptible to emotional exhaustion, depersonalization, and reduced personal accomplishment. Alarmingly, nearly one-third of surveyed educators faced elevated burnout levels across at least one of the three subscales, surpassing the prior 15 percent prevalence rate (Popov & Stefanović, 2016). Family and spousal support emerged as a potent mitigating factor against burnout, providing essential social, emotional, and financial backing. Conversely, residing with parents linked to increased emotional exhaustion, highlighting the significance of achieving independence for emotional well-being.

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The research undertaken by Tasic et al. (2020) further sheds light on the relationship between personality traits and burnout dimensions. It aimed to gauge the prevalence of burnout syndrome among nursery teachers working in Belgrade's preschool institutions, and examine the potential influence of personality traits on the development of burnout. The findings revealed that a substantial portion of nursery teachers exhibited a moderate level of burnout. Importantly, the study identified noteworthy correlations between certain personality traits, specifically neuroticism and extraversion, and all three dimensions of the burnout syndrome investigated – namely, professional efficacy, cynicism and exhaustion. These factors can contribute to feelings of helplessness, exacerbating the mental health challenges teachers face.

The weight of these challenges is evident in Ranđelović and Stojiljković's (2015) findings, which emphasize the importance of a positive work climate in mitigating burnout. The results of their study illuminate the transformative potential of a positive work climate, especially in relation to autonomy and its mediating effect on burnout. By promoting autonomy within a supportive work environment, educational institutions can effectively contribute to the well-being of teachers across various education levels.

Popov et al. (2021, p. 194) argue that switching to online teaching may have had certain benefits for some teachers, such as reduced exposure to the virus, the ability to work from home or other locations, and potential flexibility in working hours, simultaneously emphasizing the need for further investigation of this premise to fully understand the extent of these advantages and their potential impact on teachers' overall well-being and job satisfaction. They explored the impact of irrational beliefs and COVID-19 related sources of stress during the first wave of the COVID-19 pandemic in Serbia. The main goal of their research was to determine the specific relationships between the sources of teacher stress in extraordinary circumstances, irrational beliefs regarding their work role in the school, and the levels of acutely experienced stress, anxiety and depression. Their findings suggest that teachers consistently perceived working conditions as stressful, both before the COVID-19 pandemic and during the first wave of the pandemic (Popov et al., 2021, p. 194). According to these authors, the fact that the change in working conditions during the pandemic did not provoke more intense reactions than usual indicates that teachers' beliefs and perceptions play a crucial role in their psychological distress, surpassing the impact of specific work-related stressors (p. 194). However, the

question arises as to whether the observed results would persist in the subsequent phases of the pandemic, considering the evolving working conditions and the society's (mal)adaptation to the ongoing crisis.

The challenges posed by the COVID-19 pandemic have amplified the mental health impact on teachers. The study conducted by Škobo (2022) sought to evaluate the nature, management, and quality of experimental online teaching methods over a three-month period during the 2019/20 academic year in Serbia and the Republic of Srpska, and to identify the major social, economic, and psychological factors that might be related to the implementation of online teaching as an alternative modality across all educational levels in these regions during the COVID-19 outbreak. The findings reveal that teachers encountered primary challenges intertwined with psychological aspects, specifically the lack of motivation and diminished social interaction. While the engagements and support of students are crucial factors, teachers encountered significant stress due to the demands of the online teaching environment. Analysis of teachers' responses indicated that this mode of teaching was perceived as highly demanding, time-consuming, and monotonous, and that the substantial workload imposed on educators resulted in emotional, physical, and psychological exhaustion (Škobo, 2022, p. 475). These findings bear significant relevance to the mental health of teachers, as they highlight the toll that online teaching can take on educators. The challenges associated with reduced motivation and social interaction, coupled with the increased workload and stress, can contribute to burnout and other mental health issues among teachers. The study aligns with recent research that identified workload as a key stressor in the transition to online teaching for language teachers globally (MacIntyre et al., 2020, p. 7). This underscores the need for institutions and policymakers to consider teachers' mental health and well-being when designing and implementing online teaching methods, particularly in times of crisis like the COVID-19 pandemic.

The mental health implications of this transition are further corroborated by Safiye et al. (2023), who underscore the role of emotional intelligence and mentalizing in buffering against burnout. The pandemic has magnified the importance of teachers' psychological well-being, as they navigate uncharted territories in education. The central hypothesis of the Safiye et al. (2023) study posited that teachers with lower capacity for mentalizing would experience higher levels of burnout. The study drew parallels between emotional intelligence and mentalizing, both of which involve

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recognizing emotions within oneself and others. It also indicated that factors like a favorable socioeconomic status, marital status, and having children were associated with lower burnout among teachers. These findings are in line with prior research that has established a link between supportive social environments and stable socioeconomic positions with reduced workplace stress (Skaalvik & Skaalvik, 2020; Shackleton et al., 2019; Corbin et al., 2019). Crucially, the study highlights the significance of comprehending how these mentalizing tendencies intersect with the complex challenges and dynamics of the teaching profession. This knowledge provides invaluable insights to effectively address burnout among educators. The study's implications within the context of the pandemic underscores its relevance for both research and practice, fostering a better understanding of the factors contributing to teachers' well-being and offering potential strategies for mitigating burnout.

Collectively, all these studies elucidate the intricate relationship between challenges, stressors, and teachers' mental health in Serbia's educational sector. By recognizing the mental health implications of these challenges, policymakers and institutions can proactively design strategies to support teachers' well-being and resilience, especially during times of crisis like the COVID-19 pandemic.

Recent studies emphasize the significance of early preventive intervention due to high and persistent psychological distress among school teachers. It is crucial to identify problems early so that teachers who require and seek assistance may be given proper support (Fang et al., 2023, p. 977). Measures to enhance teachers' mental health include improving the classroom environment, living conditions, educational policies, and social support systems. Additionally, society should focus on strengthening education, helping teachers develop rational perceptions, fostering realistic catharsis, and alleviating psychological exhaustion (Fang et al., 2023, p. 978). This implies intersectoral collaboration and a change not only in health but also in educational, employment, and social regulations, specifically addressing structural and functional standards for life and work. Literature on this issue also suggests measures such as Mental Health First Aid, which refers to training teachers to reduce stigmatizing attitudes toward depression and anxiety, providing administrative support, and restructuring school systems as sources of the problems. Additional support strategies are recommended for female teachers struggling with everyday duties and work (Corrente et al., 2022, p. 32).

6   Legal framework of teachers' mental health in Serbia

The current national legislation in Serbia lacks specific provisions to protect the mental health and prevent mental disorders among teachers, both in the areas of mental health and education. The Constitution of RS (68/2006) is the foundational document that ensures the right to health for all Serbian citizens, and which guarantees the protection of physical and mental health. General acts at the next level include strategies and programs. The Program on Mental Health Protection in RS for the Period 2019-2026 (84/2019) outlines measures, conditions, and instruments of public policy designed to prevent mental disorders, improve mental health, diagnose mental states, treat and rehabilitate individuals with mental disorders, and respect human rights. Despite this, neither the Constitution, the Program, nor the Law on the Protection of Persons with Mental Disabilities (45/2013) and its by-regulation explicitly address the preservation of teachers' mental health. Instead, they fall under general regulations for the protection of mental health in adults.

In contrast, in the field of occupational health law in Serbia, a novel Law on Safety and Health at Work (35/2023) was adopted in May 2023. The goal was to improve and implement contemporary OHS measures at the workplace, grounded on preventive, proactive, and collective approaches to a work environment. The law contains significant omissions because the terms "psychosocial risks" or "mental health" are missing from its text, as are measures to deal with general and specific (emerging) workplace risks in a digital work environment, where forms of flexible work organization patterns prevail (Stojković, Zlatanović & Stevanović, 2023, p. 243). Only Article 13, paragraph 7 of the Law has implicitly referred to the emerging psychosocial risks by setting the core principles of the prevention policy at the level of the employer. Accordingly, OHS management needs to be grounded on coherent preventive measures and consider applied technology, work organization model, work conditions, personal relationships, and other work environment factors. The interpretation of this provision could indirectly refer to the notion of psychosocial risks as the International Labor Organization defines them as "interactions among job content, work organization and management, and other environmental and organizational conditions, on the one side, and worker's competencies and needs, on the other side" (Williams Jiménez, 2020, p. 1). However, a legal gap is obvious,

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making the ground for the violation of fundamental labor right – the right to health of workers, both physical and mental.

However, over the last decade, especially during and after the COVID-19 pandemic and in response to unfortunate events in some school environments in Serbia (24 Sedam, 2023), teachers have emerged as a particularly psychologically vulnerable segment of the population. Although there is no specific positive legal regulation addressing their mental health, general legal provisions could be applied more intensively. Moreover, tailored measures to prevent and treat mental health disorders specific to teachers could be developed and implemented. Despite literature typically focusing on teaching mental health and integrating it into education curricula, there is a notable absence of emphasis on the mental health of teachers. The Program on Mental Health Protection in RS for the Period 2019-2026 outlines its general goals to reform the mental health care system in RS and to improve human rights for individuals with mental disorders in accordance with international standards and best practices. The specific objectives of the Program include: 1) to improve the normative and institutional framework of mental health protection; 2) to prevent mental disorders and improve mental health; 3) to develop human resources, improve education, research, and working conditions, and 4) to improve quality, information systems, intersectoral cooperation, representation, and public advocacy. As one of the specific goals is to improve the normative framework, which has not been achieved thus far, there is an open opportunity to introduce specific legal norms regulation that addresses the prevention and protection of teachers' mental health. So far, the Program explicitly lists population groups that are already recognized in the regulation as sensitive. However, practice shows that this circle, when it comes to mental health, should be expanded, among others, to include teachers.

7   Conclusion

The educational landscape in Serbia reveals numerous challenges that impact the mental health of teachers, given their pivotal role in the education. The demanding nature of their profession, exacerbated by factors such as workload demands and the recent shift to online and AI-infused teaching modalities, has placed a strain on their mental well-being. Even before the COVID-19 era, Serbian teachers experienced elevated stress levels, reporting symptoms of stress, anxiety, and

depression linked to workplace stressors. The pandemic introduced additional stressors, such as the rapid adaptation to online teaching, concerns about meeting teaching demands, and heightened job insecurity. These stressors not only led to increased burnout rates but also had tangible impacts on physical health, as evidenced by various studies.

The integration of artificial intelligence into education further complicates these challenges. While AI has transformative potential, it introduces uncertainties and stressors related to the changing dynamics of the teaching profession. The continuous need for adaptation, coupled concerns about being overshadowed by technology, poses potential risks to teachers' mental health. Therefore, recognizing the intricate relationship between challenges, stressors, and teachers' mental health is crucial. Policymakers, legislators and institutions need to implement comprehensive strategies to support teachers, acknowledging the unique stressors introduced by digitalization and AI integration. Proactive measures, including early preventive interventions, are essential to fostering a resilient and thriving educational ecosystem in Serbia. Above all, the notions of psychosocial risks and mental health protection should be introduced and specifically addressed in the legislation in the field of both general health protection and occupational health, as well as in the law regarding the educational sector. The priority of policymakers and legislators *de lege ferenda must be* the management model of emerging workplace risks assessment and implementing additional measures to prevent the violation of fundamental socio-economic rights.

References

24 Sedam (2023). *Dr Filipović sa Instituta za mentalno zdravlje: Od srede skoro 300 poziva za psihološku podršku.* Retrieved from: https://24sedam.rs/drustvo/vesti/215496/od-srede-skoro-300-poziva-za-psiholosku-podrsku/vest (October 10, 2023).

Alegria, M. et al. (2018). Social Determinants of Mental Health: Where We Are and Where We Need to Go. *Current Psychiatry Report*, 20(11). doi: 10.1007/s11920-018-0969-9.

Bermejo-Toro, L. & Prieto-Ursúa, M. (2006). Teachers' irrational beliefs and their relationship to distress in the profession. *Psychology in Spain*, 10(1), 88–96.

Besser, A. et al. (2020). Psychological Stress and Vocal Symptoms Among University Professors in Israel: Implications of the Shift to Online Synchronous Teaching During the COVID-19 Pandemic. *Journal of voice*, 36(2). doi: 10.1016/j.jvoice.2020.05.028.

Chirico, F. et al. (2019). Psychosocial Risk Prevention in a Global Occupational Health Perspective. A Descriptive Analysis. *International Journal of Environmental Research and Public Health,* 16(14): 2470. doi:10.3390/ijerph16142470.

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Communication from the Commission to the European Parliament, the Council, the European economic and social committee and the Committee of the regions EU strategic framework on health and safety at work 2021-2027 Occupational safety and health in a changing world of work: COM/2021/323 final.

Communication from the Commission to the European Parliament, the Council, the European economic and social committee and the Committee of the regions on a comprehensive approach to mental health: COM(2023) 298 final.

Constitution of the Republic of Serbia: Official Gazette RS, no. 68/2006.

Corbin, C. M. et al. (2019). The role of teacher-student relationships in predicting teachers' personal accomplishment and emotional exhaustion. *Journal of School Psychology*, 77, 1–12. doi: 10.1016/j.jsp.2019.10.001.

Corrente, M. et al. (2022). Mental Health Experiences of Teachers: A Scoping Review. *Journal of Teaching and Learning*, 16(1), 22–43. doi: 10.22329/jtl.v16i1.6856.

Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work: Official Journal L 183, 29/06/1989 P. 0001 – 0008.

European Parliament Resolution of 21 January 2021 with Recommendations to the Commission on the right to disconnect: Official Journal of the European Union, C 456/161.

Fang, G. et al. (2023). Mental Health of Primary and Secondary School Teachers in the Remote Mountain Areas. *Medicina (Kaunas)*, 59(5), 971. doi: 10.3390/medicina59050971.

Ingersoll, R. M. & May, H. (2012). The magnitude, destinations, and determinants of mathematics and science teacher turnover. *Educational Evaluation and Policy Analysis,* 34(4), 435–464. doi:10.3102/0162373712454326.

Ingersoll, R., & Strong, M. (2011). The Impact of Induction and Mentoring Programs for Beginning Teachers. *Review of Educational Research,* 81(2), 201–233. doi: 10.3102/0034654311403323.

Jain, A. et al. (2022). The impact of national legislation on psychosocial risks on organisational action plans, psychosocial working conditions, and employee work-related stress in Europe. *Social Sciences & Medicine*, 302. doi: 10.1016/j.socscimed.2022.114987.

Jarvis, M. (2002). Teacher stress: A critical review of recent findings and suggestions for future research directions. *Stress News*, 14, 12–16. Retrieved from: https://isma.org.uk/stressnw/teachstress.htm (October 15, 2023).

Jepson, E. & Forrest, S. (2006). Individual contributory factors in teacher stress: The role of achievement striving and occupational commitment. The British Journal of Educational Psychology, 76, 183–197. doi: 10.1348/000709905x37299.

Jovanović, V. et al. (2019). Work-related burnout syndrome in special education teachers working with children with developmental disorders – possible correlations with some socio-demographic aspects and assertiveness. *European Journal of Special Needs Education*, 34(5), 692–701. doi: 10.1080/08856257.2019.1572092.

Kokkinen, L. et al. (2014). Differences in hospitalizations between employment industries, Finland 1976 to 2010. *Annals of Epidemiology*, 24(8), 598–605. doi:10.1016/j.annepidem.2014.05.013.

Krnjajić, S. (2003). The teacher under stress. *Zbornik Instituta za pedagoška istraživanja*, 35, 222–244. doi: 10.2298/zipi0335222k.

Law on Safety and Protection at Work: Official Gazette RS, no. 35/2023.

Law on the Protection of Persons with Mental Disabilities: Official Gazette RS, no. 45/2013.

Leka, S. et al. (2008). *Towards the Development of a European Framework for Psychosocial Risk Management at the Workplace*. Nottingham UK: I-WHO University of Nottingham & Institute of Work, Health and Organisations.

Lerouge, L. & Truillo Pons, F. (2022). Contribution to the study on the 'right to disconnect' from work. Are France and Spain examples for other countries and EU law? *European Labour Law Journal*, 13(3), 450–465. doi: 10.1177/20319525221105102.

MacIntyre, P. D. et al. (2020). Language Teachers' Coping Strategies During the Covid-19 Conversion to Online Teaching: Correlations with Stress, Wellbeing and Negative Emotions. *System,* 94, 102352. doi: 10.1016/j.system.2020.102352.

Madigan, D. J. et al. (2023). Teacher burnout and physical health: A systematic review. *International Journal of Educational Research*, 119, 102173. doi: 10.1016/j.ijer.2023.102173.

Maslach, C. et al. (2001). Job burnout. *Annual Review of Psychology*, 52, 397–422. doi: 10.1146/annurev.psych.52.1.397.

Mason, J. et al. (2016). Literate, numerate, discriminate—realigning 21st century skills. In Chen, W. et al. (eds.), *Proceedings of the 24th international conference on computers in education*, (pp. 609–614). Mumbai: Asia-Pacific Society for Computers in Education.

McSherry, B. & Weller, P. (2010). *Rethinking Right-based Mental Health Laws.* Oxford and Portland, Oregon: Hart Publishing.

Ozamiz-Etxebarria, N. et al. (2021). The Psychological State of Teachers During the COVID-19 Crisis: The Challenge of Returning to Face-to-Face Teaching. *Frontiers in psychology*, 11, 620718. doi: 10.3389/fpsyg.2020.620718.

Popenici, S.A.D. & Kerr, S. (2017). Exploring the impact of artificial intelligence on teaching and learning in higher education. *RPTEL*, 12 (22). doi: 10.1186/s41039-017-0062-8.

Popov, S. & Stefanović, B. (2016). *Burnout Syndrome and Cognitive Emotional Regulation in the Profession of the Pediatric Occupational Therapist.* Paper presented at the 8th International Conference "Inclusive theory and practice: Teaching, (Re)habilitation and advisory work," Sombor, May 20, 2016.

Popov, S. et al. (2015). The role of stressors at work and irrational beliefs in the prediction of teachers' stress. *Primenjena psihologija 8*(1), 5–23. doi: 10.19090/pp.2015.1.5-23.

Popov, S. et al. (2021). Izvori profesionalnog stresa i iracionalna uverenja kao prediktori mentalnog zdravlja nastavnika tokom COVID-19 pandemije. *Psihološka Istraživanja 24*(2), 183–199. doi: 10.5937/PSISTRA24-32671.

Prakke, B. et al. (2007). Challenging parents, teacher occupational stress and health in Dutch primary schools. *International Journal about Parents in Education*, 1(1), 36–44. doi: 10.54195/ijpe.18247.

Pressley, T. (2021). Factors contributing to teacher burnout during COVID-19. *Educational Researcher, 50*(5), 325–327. doi:10.3102/0013189X211004138.

Program on Mental Health Protection in the Republic of Serbia for the Period 2019-2026: Official Gazette RS, no. 84/2019.

Ranđelović, K. & Stojiljković, S. (2015). Work climate, basic psychological needs and burnout syndrome of primary school teachers and university professors. *TEME: Časopis Za Društvene Nauke/Journal for Social Sciences*, 39(3), 823–844.

Razmetaeva, Y. et al. (2022). The concept of human rights in the digital era: changes and consequences for judicial practice. *Access to Justice in Eastern Europe*, 3(15), 41–56. doi: 10.33327/AJEE-18-5.3-a000327.

Safiye, T. et al. (2023). Relationship between mentalizing and teacher burnout: A cross sectional study. *PLoS ONE* 18(1). doi: 10.1371/journal.pone.0279535.

Schonfeld, I. S. et al. (2017). Consequences of Job Stress for the Mental Health of Teachers. In McIntyre, T., McIntyre, S. & Francis, D. (eds.) Educator Stress: Aligning Perspectives on Health, Safety and Well-Being (pp. 55–75). Cham: Springer. doi: 10.1007/978-3-319-53053-6_3.

Schulte et al. (2022). Occupational Safety and Health Staging Framework for Decent Work. *International Journal of Environmental Research and Public Health*, 19, 10842. doi: 10.3390/ijerph191710842.

Shackleton, N. et al. (2019). Teacher Burnout and Contextual and Compositional Elements of School Environment. *Journal of School Health,* 89(12), 977–993. doi: 10.1111/josh.12839.

Shirom, A. & Melamed, S. (2006). A comparison of the construct validity of two burnout measures in two groups of professionals. *International Journal of Stress Management,* 13(2), 176–200. doi:10.1037/1072-5245.13.2.176.

M. Škobo, S. Stojković Zlatanović, M. Sjeničić: Mental Health Challenges in the
Educational Landscape of Serbia: Exploring Academic and Legal Perspectives

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Skaalvik, M. E. & Skaalvik, S. (2020). Teacher burnout: relations between dimensions of burnout, perceived school context, job satisfaction and motivation for teaching. A longitudinal study. *Teachers and Teaching, 26*(7–8), 612–616. doi: 10.1080/13540602.2021.1913404.

Stansfeld, S. A., et al. (2011). Occupation and mental health in a national UK survey. *Social Psychiatry and Psychiatric Epidemiology, 46*, 101–110. doi:10.1007/s00127-009-0173-7.

Stojković Zlatanović, S. & Stevanović, A. (2023). Upravljanje psihosocijalnim rizicima i izazovi zaštite mentalnog zdravlja u savremenom radnom pravu. *Radno i socijalno pravo – časopis za teoriju i praksu radnog i socijalnog prava*, 1, 227–249.

Suzić, N. & Graonić, J. (2009). The syndrome of burning ambition in teaching profession. *Pedagoška stvarnost,* 55, 813–826.

Škobo, M. (2022). Online teaching in Serbia and the Republic of Srpska at the Covid-19 outbreak: teachers' experiences. *Baština*, 32(56), 465–479. doi: 10.5937/bastina32-35936.

Škobo, M. & Petričević, V. (2023). Navigating the challenges and opportunities of literary translation in the age of AI: Striking a balance between human expertise and machine power. *Društvene i humanističke studije DHS (Social Sciences and Humanities Studies)*, 2(23), 317–335. doi: 10.51558/2490-3647.2023.8.1.293.

Tappura, S. & Pulkkinen, J. (2019). Measures for Managing Psychosocial Risks in Vocational Education and Training Organizations. In Arezes, P. et al. (eds.), *Occupational and Environmental Safety and Health. Studies in Systems, Decision and Control* (621–628). Cham: Springer. doi: 10.1007/978-3-030-14730-3_66.

Tasic R. et al. (2020). Nursery teachers in preschool institutions facing burnout: Are personality traits attributing to its development? *PLoS ONE*, 15(11). doi:10.1371/journal.pone.0242562.

UNICEF *Deset savjeta o mentalnom zdravlju i dobrobiti za učitelje, Kako brinuti o svom mentalnom zdravlju.* Retrieved from: https://www.unicef.org/croatia/deset-savjeta-o-mentalnom-zdravlju-i-dobrobiti-za-ucitelje (October 10, 2023).

Wieclaw, J. et al. (2005). Occupational risk of affective and stress-related disorders in the Danish workforce. *Scandinavian Journal of Work, Environment & Health*, 31(5), 343–351. doi: 10.5271/sjweh.917.

Williams Jiménez, I. (2020). Utilising Horizon Scanning and Foresight Techniques for Regulating Psychosocial Risks. *E-Journal of International and Comparative Labour Studies*, 9(2).

Williams, E. S. et al. (2020). The personal and professional consequences of physician burnout: A systematic review of the literature. *Medical Care Research and Review, 77*(5), 371–386. doi: 10.1177/1077558719856787.

Živčić-Bećirević, I. & Smojver-Ažić, S. (2005). Origins of work stress in kindergarten teachers. *Psihologijske teme,* 14(2), pp. 3–13. Retrieved from: https://hrcak.srce.hr/11837 (November 20, 2023).

Povzetek v slovenskem jeziku

Ta članek preučuje izzive duševnega zdravja, s katerimi se soočajo učitelji v Srbiji, s poudarkom na izobraževalnih in pravnih perspektivah v obdobju po pandemiji in v dobi, ki jo poganja umetna inteligenca. Z prepoznavanjem učiteljev kot ključnih prispevkov k človeškemu kapitalu in družbenemu napredku študija stremi k osvetlitvi perečih skrbi, ki vplivajo na njihovo dobrobit. Z raziskovanjem z dokazi podprtih praks želi članek prispevati k političnim priporočilom, ki spodbujajo podporno delovno okolje, priznavajoč integralno vlogo duševnega zdravja učiteljev pri oblikovanju uspešnega izobraževalnega sistema in pozitivni vpliv na dobrobit študentov, ko vstopajo na trg dela.