

<p>RELEVANT POLICY: (cont.)</p>	<ul style="list-style-type: none"> • Sexual Violence and Misconduct Prevention and Response • Standards of Student Conduct • Violence Prevention and Response <p><u>F</u> o <u>A</u> <u>t</u></p> <hr/> <p><u>B</u> <u>C</u> <u>d</u> <u>s</u> <u>A</u> <u>t</u> <u>t</u> <u>B</u></p>
<p>RELEVANT ACRONYMS & DEFINITIONS:</p>	<p>F A person who files a complaint; a member of the College community who observes or is the subject of an alleged violation of the D</p> <p>D and who seeks recourse under the Policy.</p>

K E A D

Members of the **§** **on** who are impacted by **b** **b**

C H M S O M (cont.)

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5. Participation in an alternative dispute resolution process is voluntary. If either the complainant or the respondent do not agree to engage in an alternate process, or wish to discontinue their participation in that process, then the Board will appoint an investigator to investigate the complaint.

D W S A S M

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1. Where the respondent to the complaint is a College employee, the Board will consult with the appropriate College administrator, will notify the respondent in accordance with the applicable grievance procedure, and will notify the respondent in accordance with the applicable grievance procedure.

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1. An investigation into a complaint of violence is not an adversarial process. Oral hearings will not be held as part of the investigation process.
2. Investigations will be conducted in accordance with applicable ~~SB~~ and ~~SA~~ ~~§ 87(2)(b)~~ and the ~~State~~ ~~§ 87(2)(b)~~. This will include the ~~§ 87(2)(b)~~ notifying the ~~§ 87(2)(b)~~ ~~§ 87(2)(b)~~ ~~§ 87(2)(b)~~ ~~§ 87(2)(b)~~ of all incidents of violence impacting College ~~§ 87(2)(b)~~, with details as appropriate.
3. Where the violent behaviour is alleged to have taken place at an off

F (cont.)

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8. A copy or a summary of the investigation report will be provided to the complainant and the respondent and to the appropriate authority.
9. Based on the findings of the investigation report, the appropriate authority will determine what sanctions or other measures are appropriate. Sanctions involving suspension will be determined in consultation with the appropriate authority.
10. Where an investigation upholds the complaint in whole or in part, the appropriate authority will determine an appropriate penalty or sanction for the respondent, except where suspension is deemed the appropriate penalty, the appropriate authority will make such a recommendation to the appropriate authority for determination.
11. Penalties and sanctions imposed under the DC Code will be commensurate with the seriousness of the violation. It may include, but is not limited to, one or more of the following:
 - a. Mandatory education or awareness training;
 - b. Letter of reprimand;
 - c. Restriction of access to specific College activities, facilities and/or services;
 - d. College Community Service Order
 - e. Restitution Order
 - f. Suspension for a defined period of time

G

1. To encourage persons who have witnessed or who have been subject to behaviours that are in violation of the Policy to come forward, and to protect the rights and reputations of the **p** throughout the investigation and resolution process, confidentiality of all persons and information involved in a **cpn** of **va** is expected.
2. Confidentiality must, however, be distinguished from anonymity. If a **cpn** wishes to proceed with a **cpn**, the **p** must be made aware of the nature of the allegations, including the identity of the **o pn**.
3. To protect the integrity, fairness and effectiveness of investigations and to ensure compliance with the *Freedom of Information and Protection of Privacy Act of B.C. (FIPPA)*, all **p** in an investigation

G (cont.)

- 6. Under *FIPPA*, the College is only authorized to disclose disciplinary actions it has taken against a **rp** if the disclosure is for compelling health or safety reasons.
- 7. All recorded personal information collected during an investigation will be treated as “supplied in confidence” for the purposes of compliance with *FIPPA* and responding to access requests under that legislation.
- 8. Any **p** breaching confidentiality may be subject to discipline or other appropriate action.

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- 1. A **cn** or **rp** may appeal the decision of a **p** **th** to the **p** to whom the **p** **th** reports. A College **cn** or **sd** who has been suspended by the **B** has a right of appeal to the **G** **B**.
- 2. The Appeal must be submitted in writing within ten (10) business days of the decision being received by the **cn** **rp** and must provide specific grounds for the Appeal, describing how the policy was incorrectly applied and/or due process was not followed.
- 3. The Appeal will deal with appropriateness of process or disciplinary decisions, and will not reconsider the original complaint. However, the **p** or **h** deciding the Appeal has the discretion to consider new evidence that could not reasonably have been available at the time of the investigation.
- 4. The Appeal may be upheld or dismissed, in whole or in part, and/or referred back to the **p** **th** for reconsideration.
- 5. The **p** or **h** deciding the Appeal will give reasons for the decision in writing.