
Response to Sexual Violence and Misconduct

Procedure No.:	7103-PR1
Policy Reference:	7103
Category:	Safety and Security
Department Responsible:	Safety, Security and Emergency Management
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Objectives

This procedure applies directly to Policy 7103, Sexual Violence and Misconduct.

This procedure provides information on internal and external procedures available to members of the BCIT Community who may be directly or indirectly affected by Sexual Violence and Misconduct.

The objectives of this procedure are to:

- provide direction and support to members of the BCIT Community who may experience Sexual Violence and Misconduct;
- give information and direction to members of the BCIT Community who witness and/or receive Disclosures of Sexual Violence and Misconduct;
- communicate the procedure to follow when Informed of an act of Sexual Violence and Misconduct; and
- describe BCIT's response to Complaints of Sexual Violence and Misconduct, recognizing the principles of procedural fairness.

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Who This Procedure Applies To

This Procedure applies to all BCIT Students, employees, contractors, volunteers, and visitors ("BCIT Community").

Commitment to Persons Who Have Experienced Sexual Violence and Misconduct

Sexual Violence and Misconduct can have serious negative impacts on an individual's physical, mental, emotional, and spiritual health and wellness. BCIT recognizes the possible traumatic effects of Sexual Violence and Misconduct, and encourages the efforts of individuals to seek support.

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Anyone who has experienced Sexual Violence and Misconduct is encouraged to consider the following steps immediately after experiencing Sexual Violence and Misconduct. See specific internal and external resources listed in Appendix 1 attached to this procedure.

1. Go to a safe place and seek help:
 - a. Call 911 and/or go to a safe place such as a shelter or a trusted friend's house.
 - b. If you are on a BCIT campus contact BCIT's Safety, Security and Emergency Management Department (SSEM). SSEM is available 24 hours a day, 7 days a week, and can provide assistance in getting to a safe place.
2. Consider seeking medical attention from BCIT Student Health Services, a family physician, or a local hospital as soon as possible. The following hospital locations have specialized staff trained to provide sensitive and confidential care. Treatment is offered free of charge and a Care Card/BC Services Card is not required.
 - a. **Vancouver General Hospital Emergency Department Sexual Assault Service** at 604-875-2881.
 - b. **Surrey Memorial Hospital Emergency Department** at 604-581-2211.
 - c. **Abbotsford Regional Hospital Emergency Department** at 604-851-4700.
3. Access additional community services, which are available to provide confidential support, including accompaniment and/or transportation to hospital:
 - a. **WAVAW (Women Against Violence Against Women):** 604.255.6344 (24 hours/day)
 - b. **Vancouver Rape Relief and Women's Shelter** at 604-872-8212 – a 24/7 crisis support service.
 - c. **SMART (Surrey Mobile Assault Response Team)** – a 24/7 crisis support service at 604-583-1295.
4. Seek out personal support and/or counselling:
 - a. **Students:** BCIT students can make appointments in person at Counselling and Student Development or Student Health Services in SE16-128 or by calling 604-432-8608. Appointments are free and confidential.
 - b. **Employees:** Free, confidential counselling services for eligible BCIT employees is available 24/7. **Call Homewood Health** at 1-800-663-1142.
 - c. See specific internal and external resources listed in Appendix 1 attached to this procedure.
5. Consider options for reporting (see procedures below).

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What to do if a Member of the BCIT Community Discloses Allegations of Sexual Violence and Misconduct

A person who has experienced Sexual Violence and Misconduct may choose to Disclose this information to anyone. If BCIT becomes aware of the Disclosure, BCIT's supportive response to the Disclosure includes:

1. listening without judgment;
2. communicating that Sexual Violence and Misconduct is not the fault of the person who has experienced it;
3. helping the individual to identify and/or access available on- or-off campus services, including emergency medical care and counseling, and the resources as set out in Appendix 1;
4. respecting the individual's right to choose the services they feel are most appropriate, and to decide whether to report to the police;
5. recognizing that disclosing can be traumatic, and an individual's ability to recall the events may be limited;
6. respecting the individual's choice about how much they Disclose about their experience;
7. making every effort to respect confidentiality and anonymity; and
8. referring to the individual in a manner that is consistent with how they wish to identify themselves, for example "survivor" or "victim."

If a student seeks support (such as counselling, medical attention, access to housing, financial, safer walk) or academic accommodation (such as extensions, missing class, changing groups, changing sets, or other changes to expectations), the employee should work with SSEM and the Associate Director, Student Life to ensure the student receives all necessary academic and other accommodations, maintaining confidentiality, to the extent possible.

If a BCIT employee receives a Disclosure, is Informed, or witnesses an act of Sexual Violence and Misconduct involving another member of the BCIT Community, they will usually have an obligation to Inform the Director of SSEM immediately of the incident.

Informing BCIT and Filing Complaints of Sexual Violence and Misconduct

Members of the BCIT Community Who Have Experienced Sexual Violence and Misconduct

Members of the BCIT Community who have experienced Sexual Violence and Misconduct may choose one or a combination of the following options:

1. Inform BCIT

Persons who have experienced Sexual Violence and Misconduct are strongly encouraged to Inform SSEM, who will provide support and resources including those outlined in the Sexual Violence and Misconduct Policy and these procedures. Alternatively:

- a. Students who have experienced Sexual Violence and Misconduct may Disclose to any BCIT employee.
- b. Employees who have experienced Sexual Violence and Misconduct may Disclose to their supervisor, manager, and/or a member of the Human Resources Department.

SSEM will assess the information that has been provided to determine if there is imminent risk to the safety of any person. Where there is imminent risk to safety,

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SSEM will refer the information to the Threat Assessment Team (TAT) to conduct a risk assessment as per BCIT Procedure 7100-PR8. If imminent risk is not present, BCIT will work with the individual in relation to options for available support and accommodation, including taking no further action or making a formal Complaint. If the individual indicates that they would like to pursue a Complaint, members of the BCIT Sexual Violence and Misconduct Response Team will investigate, and provide the results to the administrative body responsible for the policy under which the Complaint is being made.

2. Make a Formal BCIT Complaint

Persons who have experienced Sexual Violence and Misconduct may pursue the following options. If the person accused of Sexual Violence and Misconduct is:

- a. a BCIT student or employee, make a Complaint under Policy 7507, Harassment and Discrimination; or
- b. a BCIT student, make a Complaint under Policy 5102, Student Code of Conduct (Non-Academic); or
- c. a BCIT student living in residence (where the incident occurred in residence), make a Complaint under the Residence Standards and Regulations; or
- d. a BCIT employee, report to the appropriate supervisor, manager, and/or human resources representative for investigation.

If the person who experienced Sexual Violence and Misconduct chooses to pursue a Complaint under one of the Policies referenced above, the Sexual Violence and Misconduct Investigation Team will investigate, with the exception of those Complaints made under Policy 7507. Upon completion of the investigation, findings of fact will be provided to the administrative body at BCIT who is responsible for the associated policy under which the Complaint is being made.

At any time, persons who have experienced Sexual Violence and Misconduct may choose to report the incident to the police as a criminal matter. SSEM can assist with this process if requested. Community services such as VictimLink BC can assist with making a third party report to the police.

BCIT Community Members Who Become Aware of an Act of Sexual Violence and Misconduct

- Members of the BCIT Community who become aware of an act of Sexual Violence and Misconduct are strongly encouraged to Inform SSEM and, if possible, to advise the person who has experienced Sexual Violence and Misconduct of this policy and the included resources and reporting options available to them.
- BCIT employees who become aware of an act of Sexual Violence and Misconduct are usually required to Inform SSEM immediately.
- The identities of the individuals involved in the Sexual Violence and Misconduct may not need to be Disclosed to SSEM. Employees and SSEM will respect the individual's confidentiality to the extent possible

SSEM's Response to Being Informed of an Act of Sexual Violence and Misconduct

The first priority is to ensure the safety of those involved. If the incident poses a safety concern, the process set out in Procedure 7100-PR1, Response to Abusive or Threatening Behaviour will be followed to assess the level of risk and the steps required to provide a safe and secure environment. SSEM will assess the information that has been provided to determine if there is

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imminent risk. All information is taken seriously. The level of response will be determined through investigation, analysis of the facts obtained during the investigation, and a consideration of the wishes of the person who has reported the act of Sexual Violence and Misconduct. In situations where SSEM determines that an imminent risk exists, SSEM will refer the information to the TAT (BCIT Procedure 7100-PR8).

In cases where an imminent risk is not present, SSEM will work with the person who experienced Sexual Violence and Misconduct, to ensure that the appropriate supports are provided and the processes relating to reporting to the police and/or making a Complaint are communicated to the person who experienced Sexual Violence and Misconduct.

Procedural Fairness

BCIT will act in accordance with the principles of procedural fairness in dealing with all Complaints of Sexual Violence and Misconduct. This will include providing the person accused of Sexual Violence and Misconduct with the opportunity to respond to allegations made against them.

Protection from Retaliation

1. No one may retaliate against any individual who:
 - a) has pursued rights under this Policy or at law;
 - b) has Informed, reported and/or filed a Complaint of Sexual Violence and Misconduct; and/or
 - c) has participated as a witness and/or in another capacity in carrying out responsibilities as outlined in this Policy or in law.

Any member of the BCIT Community engaging in such retaliatory conduct may be subject to sanctions and/or discipline.

Vexatious Complaints

Any person who makes a frivolous or vexatious Complaint is subject to disciplinary action. A frivolous or vexatious Complaint may itself be a violation of BCIT policy.

Forms Associated With This Procedure

None.

Amendment History

1. Created 2015 Oct 06
2. Revision 1 2017 Mar 14

Appendix 1 – Internal and External Resources and Support Available

The following resources (as of the review date of this procedure) are available to provide information and support in response to reports of Sexual Violence and Misconduct:

On Campus

- a. **Safety, Security and Emergency Management** (“SSEM”) 24 hours a day, 7 days a week at: 604-451-6856, <http://www.bcit.ca/safetyandsecurity/contact.shtml> (also accessible by campus emergency telephones).
- b. **Student Health Services** at 604-432-8608.
- c. **Student Association Advocate** at 604-456-1161.
- d. **Counselling and Student Development.** BCIT students can make appointments in person at Counselling and Student Development in SE16-128 or by calling 604-432-8608. Counselling for students is free and confidential.
- e. **Harassment & Discrimination Office** at 604-432-8409.
- f. **Human Resources Advisor:** call 604-432-8384 to reach the receptionist who can put you in touch with an advisor.
- g. **Associate Director of Student Services** at 604-431-4972.
- h. **Student Housing Department** at 604-432-8677.
- i. **A Union Representative:**
 - i. Faculty and Staff Association reception: 604-432-8695.
 - ii. GEU Vocational Bargaining Unit Chair: 604-432-1162.
 - iii. GEU Support Staff Bargaining Unit Chair: 604-456-8064.

Off Campus

- a. **Local police jurisdiction:** call 911.
- b. **Sexual Assault Service**, BC Women's Hospital: 604-875-2881 (Monday–Friday, 9:00 am–5:00 pm) Vancouver General Hospital Emergency Department: (24 hours/day): 604-875-2881.
https://www.vch.ca/locations_and_services/find_health_services/?program_id=11289
- c. **Forensic Nursing Services** at Surrey Memorial or Abbotsford Regional Hospital at:
<http://www.fraserhealth.ca/health-info/health-topics/sexual-assault/forensic-nursing-service/about-forensic-nursing-service/>
- d. **SMART (Surrey Mobile Assault Response Team):** a 24/7 crisis response team at 604-583-1295 that provides medical, legal, and social services over the phone and in-person to anyone who has experienced a physical or sexual assault by a stranger or someone they know. <http://www.surreywomenscentre.ca/smart/patient-navigator>
- e. **Employee Family Assistance Program:** Free, confidential counselling services for eligible BCIT employees 24/7. **Counsellors are available to you 24 hours a day, 365 days per year. Call Homewood Health at 1-800-663-1142.**
- f. **WAVAW (Women Against Violence Against Women):** Sexual Assault Crisis and Information: 604-255-6344 (24 hours/day).
- g. **VictimLink BC** at 1-800-563-0808: a toll-free 24/7 multilingual information and support line that provides information and referrals to any person who has experienced Sexual Assault,

and includes third party reporting options. The service offers immediate crisis support to victims of family sexual violence. Information and referral services are provided regarding all kinds of crime including Sexual Assault, domestic and relationship violence, elder abuse, and for adult survivors of physical or sexual abuse.

- h. **BC Crime Victim Assistance Program** assists victims and immediate family members, and witnesses in dealing with the effects of violent crime. It also provides financial assistance to help victims with financial losses. Phone: toll free 1-866-660-3888.
- i. **British Columbia Society for Male Survivors of Sexual Abuse:** a non-profit society, established to provide therapeutic services for males who have been sexually abused at some time in their lives. Phone: (604) 682-6482 Website: <http://bc-malesurvivors.com/>
- j. **Qmunity Resource Centre** provides counselling, resources, programs and peer support to the lesbian, gay, transgender, and bisexual communities. Qmunity also operates Prideline, a peer support, information and referral helpline Phone: 604-684-5307; or toll free, 1-800-566-1170. Website: <http://www.qmunity.ca>; The Centre for Lesbian, Gay, Bisexual, and Transgendered Youth (604) 684-6869.
- k. **Vancouver Rape Relief and Women's Shelter** at 604-872-8212: a 24/7 crisis support service.