

SUBJECT	POLICY 131 – IMPLEMENTATION UPDATE
MEETING DATE	JUNE 14, 2018

Forwarded to the Board of Governors on the Recommendation of the President

**APPROVED FOR
SUBMISSION**



Santa J. Ono, President and Vice-Chancellor

FOR INFORMATION

Report Date	May 23, 2018
--------------------	--------------

Presented By Louise Cowin, Vice-President Students
 Barbara Meens Thistle, Vice-President Human Resources

EXECUTIVE SUMMARY

UBC has a responsibility to maintain a respectful environment where its members can study, work, and live free from sexual misconduct. Policy 131 (Sexual Assault and other Sexual Misconduct) articulates UBC’s duty and commitment to support members of the UBC community who are impacted by sexual misconduct, to provide a central site for information regarding the resources and options available to those affected by sexual misconduct, to create and make available programs and resources to educate its community on the prevention of sexual misconduct, and to provide a process to respond to and to investigate allegations of sexual misconduct.

Policy 131:

- sets out the principles the University will adhere to with regard to sexual misconduct,
- articulates conduct expectations for all members of the UBC community, and
- outlines the processes and procedures the University will follow when responding to and investigating allegations of sexual misconduct.

Implementation of Policy 131 began in late May 2017. The Policy states UBC’s commitment to reviewing this Policy at least once every three years, in consultation with students and other members of the UBC Community. The formal three-year review will be undertaken in May 2020.

In April of 2018, the Vice-President Human Resources and Vice-President Students agreed to undertake a retrospective assessment of the first year’s implementation to identify issues or gaps that require mitigation as well as to capture successes and learnings in order to guide the ongoing implementation. A formal implementation framework and several action plans have been created to guide the ongoing implementation of Policy 131.

INSTITUTIONAL STRATEGIC PRIORITIES SUPPORTED

- Learning
 Research
 Innovation
 Engagement
 International

or **Operational**

(Internal / External)

DESCRIPTION & RATIONALE Several documents, including an overarching framework to guide the continued implementation of Policy 131 across all UBC (Vancouver and Okanagan campuses) have been developed and include:

1. Resourcing & Recruitment Plan
2. One-Year Retrospective Assessment of Policy & Procedures Plan
3. Awareness & Communications Plan
4. Education Plan
5. Operating Model Plan

The Directors of the Sexual Violence Prevention Offices (SVPRO) and the Director of Independent Investigations Unit (IIU) are the key leaders on all aspects of the implementation program as well as the implementation of the outcomes of the work done in each component plan noted above.

The retrospective assessment will require the engagement of those who are directly involved in awareness, response, support, reporting, investigating, and mediation activities as well as those that are accountable for programs, policies, and procedures that integrate and intersect with Policy 131 and the accountabilities of the SVPRO and IIU. Consultation activities with these internal stakeholders over the next few months will be consolidated wherever possible in order to optimize time with key stakeholders and staff.

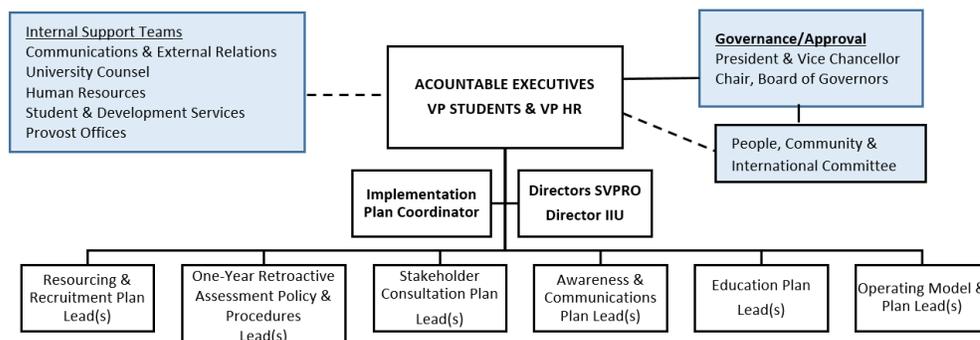
Consultation with internal stakeholders will be reflective of Survivor Support; Student Services; Academic Leadership; Academic Policy; Ombudspersons; Student Leadership and Advocacy; Policy and University Governance; Equity Diversity and Inclusion; and central support service units such as Human Resources, Faculty Relations, and University Counsel.

Each component of this assessment will have similar work and outcomes that will require coordination to ensure consistency and alignment with the commitments and procedures of Policy 131:

- a) Accountable stakeholder engagement
- b) Communications activities – internal and external
- c) Training Program content and delivery mechanisms
- d) Educational Program and delivery mechanisms
- e) Employment and performance expectations
- f) Process workflows across departments

An overall coordinator role for all components of the retrospective assessment work will be established and will report to the Vice-President Students and Vice-President Human Resources to ensure coordination and consistency across action plans. Structured bi-weekly meetings will be held with key plan leaders to report progress on activities, raise issues or risks for resolution, and to discuss any adjustments required to timelines or resourcing.

Oversight of the implementation framework and component plans will be as described below:



TIMELINE OVERVIEW

Considerable work is already underway in most of these component areas as key resources are hired and work begins to build communication and awareness mechanisms (e.g. Student Website, SVPRO website, IIU website); addressing policy and language clarification as investigations proceed; and continual dialogue with internal stakeholders to resolve issues and questions.

There are several key milestones that are driving priorities of the implementation timelines which include, first and foremost providing response and support to survivors; ensuring thorough investigations are undertaken; educating and communicating Policy 131 processes and procedures with those receiving disclosures; and beginning to build communication, training, education and awareness mechanisms for the new academic year.

As the implementation of Policy 131 and the establishment of the SVPRO and IIU teams continue over the next 12-24 months (Year 2 and Year 3 of implementation); the Vice-President Students and Vice-President Human Resources will continue to monitor progress and report to the President, People, Community & International Committee of the Board, and the Board of Governors.

The number of disclosures, open investigations, and closed investigations are already being tracked. In addition, work is underway to ensure consistency in the meaning of the metric and to develop systems to more easily track and report these metrics. Discussions are also underway in the SVPRO and IIU teams on any other metrics that may need to be considered and tracked which would provide meaningful information that would enhance support and procedures.

As communication, training, and education programs are developed, piloted, and implemented; participant feedback will be continuously gathered to evolve and enhance these programs.

Once integrated workflows are clarified and structured through the Operating Plan work; estimated timeframes can be established for the flow of activities under distinct scenarios which will assist in measuring the effectiveness of procedures and processes, and provide continual opportunities to enhance these processes.

The Directors of SVPRO and IIU will continue to work closely with student leaders and staff in the Students portfolios across both campuses, to participate in the development of surveys and other appreciative inquiry mechanisms to capture feedback from students on Policy 131 and student life experiences.

The Vice-President Students and Vice-President Human Resources will continue to update the Committee and the Board of Governors on a regular basis of the progress of the implementation of Policy 131.

Previous Report Date	April 13, 2018
-----------------------------	----------------

Decision	
-----------------	--

Action / Follow Up	The Vice-President Human Resources and the Vice-President Students to return to the People, Community & International Committee with detailed implementation plans for the implementation of Policy 131.
---------------------------	--

 The University of British Columbia Board of Governors	Policy No.: 131	Approval Date: April 13, 2017 This policy came into effect on May 18, 2017
	Responsible Executive: Vice-President, Students Vice-President, Human Resources	
Title: Sexual Assault and Other Sexual Misconduct		
Background & Purposes: <p>UBC has a responsibility to maintain a respectful environment where its members can study, work, and live free from sexual misconduct. This policy articulates UBC’s duty and commitment to support members of the UBC community who are impacted by sexual misconduct, to provide a central site for information regarding the resources and options available to those affected by sexual misconduct, to create and make available programs and resources to educate its community on the prevention of sexual misconduct, and to provide a process to respond to and to investigate allegations of sexual misconduct.</p>		

1. Principles and Commitments

- 1.1 UBC will not tolerate sexual assault or any other Sexual Misconduct.
- 1.2 UBC recognizes that people’s experiences will be affected by factors such as their access to power and privilege, their sex, sexual identity, gender identity or expression, racialization, age, family status, religion, faith, ability, disability, national or ethnic origin, Indigeneity, immigration status, socio-economic status, class, and language. UBC also recognizes that the university is a unique environment, in which power imbalances are inherent. These factors, along with an individual’s personal history, impact individual experiences of Sexual Misconduct, the ability to access supports, and choices with regard to recourse. UBC will take this into account when carrying out its responsibilities under this Policy.
- 1.3 UBC is committed to providing comprehensive and inclusive Sexual Misconduct education, prevention, and response initiatives. Through these initiatives, UBC is committed to countering rape culture, a term that describes broader social attitudes about gender, sex and sexuality that normalize Sexual Misconduct and undermine equality.
- 1.4 UBC is committed to reducing barriers to Disclosing and Reporting, and to taking a trauma–informed approach when responding to and addressing Disclosures and Reports, and conducting Investigations.
- 1.5 UBC will provide support services and accommodations to Members of the UBC Community who Disclose or Report Sexual Misconduct.

- 1.6 UBC is committed to respecting the rights of those who Disclose to make their own decisions about accessing support services and accommodations, making a Report, or pursuing external processes such as a criminal or civil action.
- 1.7 UBC will provide support to Members of the UBC Community who have had Reports of Sexual Misconduct made against them.
- 1.8 UBC is committed to procedural fairness and will respond to and address Disclosures and Reports, and will conduct Investigations, in a timely manner.
- 1.9 UBC will not tolerate any retaliation, direct or indirect, against anyone involved in a Disclosure, a Report, or an Investigation.

2. The Sexual Violence Prevention and Response Office

- 2.1 UBC has established a Sexual Violence Prevention and Response Office at each of the UBC Vancouver and UBC Okanagan campuses. Each office consists of a Director who oversees the office and staff or volunteers.
- 2.2 The Sexual Violence Prevention and Response Office acts as a single point of contact and liaison on each campus for Members of the UBC Community who have experienced Sexual Misconduct. This Office will provide individualized information, advice, and assistance. The support services that can be provided by the Office include:
 - 2.2.1 receiving Disclosures;
 - 2.2.2 identifying, accessing, and coordinating appropriate accommodations;
 - 2.2.3 providing information about and referrals to UBC Counselling Services and UBC Student Health Services at UBC Vancouver, the Health and Wellness Centre at UBC Okanagan, and the UBC Employee and Family Assistance Program;
 - 2.2.4 providing information about and referrals to external organizations such as the UBC Hospital, Kelowna General Hospital, the AMS Sexual Assault Support Centre (SASC), the Vancouver Rape Relief and Women's Shelter, Women Against Violence Against Women, the BC Society for Male Survivors of Sexual Abuse, the Central Okanagan Elizabeth Fry Society, and the Family Centre Services Society;
 - 2.2.5 providing information about confidentiality and how confidentiality relates to the information provided through a Disclosure, a Report, or an Investigation;
 - 2.2.6 providing information about Reporting, Investigations, and alternative dispute resolution processes;
 - 2.2.7 providing information about any other relevant UBC policies, such as Policy #3 – Discrimination and Harassment, and Policy #14 – Response to At-Risk Behaviour;
 - 2.2.8 assisting with the creation of a Report or the submission of a Report to the Director of Investigations, or both;

- 2.2.9 acting as a liaison with the Investigator appointed to conduct an Investigation;
 - 2.2.10 acting as a support person during an Investigation, as referenced in section 3.8.1 of the Procedures to this Policy;
 - 2.2.11 receiving allegations regarding acts of retaliation relating to a Disclosure or Report of Sexual Misconduct and assisting with referral of these allegations to the appropriate employment or student disciplinary process; and
 - 2.2.12 providing information about the differences between the criminal process and UBC's investigatory process, and providing support in reporting to the police if requested.
- 2.3 The Sexual Violence Prevention and Response Office will also:
- 2.3.1 serve all Members of the UBC Community, including those who have received a Disclosure, those who are supporting someone who has experienced Sexual Misconduct, or those who may have witnessed Sexual Misconduct;
 - 2.3.2 establish, oversee, and coordinate sexual misconduct prevention and response protocols and processes, communications, resource materials, and training; and
 - 2.3.3 lead the education program to countering broader social attitudes regarding gender, sex and sexuality that normalize Sexual Misconduct and undermine equality.
- 2.4 Annually, UBC will publically report on the number of:
- 2.4.1 Disclosures received by the Sexual Violence Prevention and Response Offices;
 - 2.4.2 Reports received by the Directors of Investigations; and
 - 2.4.3 Reports investigated or referred to an alternative dispute resolution process.

3. Disclosures

- 3.1 The decision to Disclose and the decision to Report are separate decisions. An individual may choose to Disclose Sexual Misconduct without making a Report. Consequently, Disclosure does not result in a Report being made, and does not initiate an Investigation or other action by UBC, subject only to section 3.6.
- 3.2 UBC will make appropriate support services and accommodations available to Members of the UBC Community on the basis of a Disclosure, regardless of whether they decide to make a Report or whether UBC has the Jurisdiction to Investigate.
- 3.3 Accommodations that may be available to Members of the UBC Community who have Disclosed or Reported Sexual Misconduct include:
 - 3.3.1 student residence re-location or short term emergency student housing;
 - 3.3.2 class schedule changes;

- 3.3.3 academic accommodations;
 - 3.3.4 temporary work reassignment, location reassignment, or scheduling changes;
 - 3.3.5 emergency funding for students;
 - 3.3.6 safety planning; and
 - 3.3.7 the implementation of safety measures.
- 3.4 Records of any Disclosures made to a Sexual Violence Prevention and Response Office will be kept strictly confidential, and access to those records will be limited to the Director and staff members of the relevant Sexual Violence Prevention and Response Office.
- 3.5 UBC recognizes that disclosures of Sexual Misconduct are most often made to someone the individual making the disclosure already knows. If a Disclosure is made to a Member of the UBC Community who is not trained to receive Disclosures, that Member is encouraged to contact the Sexual Violence Prevention and Response Office for support and information on how best to respond to a Disclosure and to support the individual making the Disclosure.
- 3.6 To the greatest extent possible, UBC will respect an individual's choice to not make a Report and will keep the Disclosure confidential. In exceptional circumstances, where required by law or where there is a risk of significant harm to anyone's health or safety, and at the sole discretion of the Director of the relevant Sexual Violence Prevention and Response Office, UBC may do one or both of the following:
- 3.6.1 refer the matter to the relevant Director of Investigations as a Report under section 4, in which case the individual who Disclosed has the right not to participate in any subsequent Investigation;
 - 3.6.2 notify third parties, such as the police or child protection authorities.
- 3.7 If UBC takes any action under section 3.6, the Director of the relevant Sexual Violence Prevention and Response Office will notify the individual who made the Disclosure and will ensure that appropriate support services are made available to that individual.

4. Reports

- 4.1 Anyone directly subjected to Sexual Misconduct, including an individual who is not a Member of the UBC Community, can make a Report against a Member of the UBC Community under this Policy.
- 4.2 Reports must be submitted to the Director of Investigations on the relevant campus, who will address them in accordance with the Procedures to this Policy, which includes an initial review as set out under section 3 of the Procedures to determine whether the allegations contained in the Report fall within UBC's Jurisdiction to Investigate.
- 4.3 Sexual harassment may fall within the scope of both Policy #3 – Discrimination and Harassment and this Policy. Reports that contain allegations of Sexual Misconduct other than sexual

harassment will be addressed under this Policy. Reports that contain allegations of sexual harassment alone will be reviewed by the Director of Investigations who will determine, based on the particular facts of the case and in consultation with the individual making the Report, which policy is better suited to address the allegations.

- 4.4 An individual can both submit a Report to UBC and pursue other processes external to UBC against the individual alleged to have committed the Sexual Misconduct. These external processes may include reporting to the police or initiating a civil action (including a complaint under the *BC Human Rights Code*). These are separate processes and Reporting to UBC does not result in a report to the police or the initiation of a civil action, although in exceptional circumstances, where required by law or where there is a risk of significant harm to anyone's health or safety, UBC may notify third parties, such as the police or child protection authorities. If such action is taken, the Director of Investigations will notify the individual who submitted the Report and will ensure that appropriate support services are made available to that individual.
- 4.5 If an Investigation or alternative resolution process is initiated under the Procedures to this Policy and an external process is also being pursued, the Director of Investigations may elect, after consultation with the Complainant, to continue with the UBC process or to suspend the UBC process as appropriate.

5. Anonymous and Third Party Allegations

- 5.1 Anonymous allegations, or allegations of Sexual Misconduct made by a third party (someone other than the individual who was directly subjected to the Sexual Misconduct) can also be submitted to the Director of Investigations on the relevant campus.
- 5.2 UBC may be unable to proceed with an Investigation involving anonymous or third party allegations due to a lack of evidence from the individual who was directly subjected to the Sexual Misconduct, or where proceeding would violate procedural fairness. In such cases, the Director of Investigations will consider whether any other steps can and should be taken. In appropriate cases, the Director may contact the third party who submitted the allegations to find out if the individual who was directly subjected to the Sexual Misconduct would consider submitting a Report. However, where other sufficient evidence exists and where it would not violate procedural fairness, at the sole discretion of the Director of Investigations, UBC may decide to proceed with an Investigation. In such cases, the individual who was directly subjected to the Sexual Misconduct has the right to not participate in the Investigation.
- 5.3 If UBC is unable to proceed with an Investigation involving anonymous or third party allegations, the allegations will be retained by the Sexual Violence Prevention and Response Office on the relevant campus. These allegations will be kept strictly confidential, and access to them will be limited to the Director of Investigations and the Director of the Sexual Violence Prevention and Response Office.

6. Conflicts of Interest

- 6.1 If a Director or staff member of the Sexual Violence Prevention and Response Office, a Director of Investigations, an Investigator, or a UBC authority empowered to impose discipline has a real or apparent conflict of interest in a particular matter, or there is a reasonable

apprehension of bias, then that individual will not continue their involvement in the matter and UBC will appoint an appropriate individual to act in that role for the purposes of that matter.

7. Policy Review

- 7.1 UBC is committed to reviewing this Policy at least once every three years, in consultation with students and other Members of the UBC Community.

8. Definitions

- 8.1 **“Sexual Misconduct”** is any sexual act or act targeting an individual’s sexuality, gender identity or gender expression, whether the act is physical or psychological in nature, that is committed, threatened or attempted against an individual without that individual’s Consent. The following list sets out examples of Sexual Misconduct. The list is intended to help Members of the UBC Community understand the kinds of acts that will be considered Sexual Misconduct. The list is not exhaustive and other acts can still be considered Sexual Misconduct under this Policy even if they do not appear in the list below. Sexual Misconduct includes, but is not limited to, the following:

- 8.1.1 sexual assault, which is any form of sexual touching or the threat of sexual touching without the individual’s Consent;
- 8.1.2 sexual harassment, which is unwelcome conduct of a sexual nature that detrimentally affects the working, learning, or living environment, or leads to adverse consequences for the one directly subjected to the harassment;
- 8.1.3 stalking, which is engaging in conduct that causes an individual to fear for their physical or psychological safety, such as repeatedly following or communicating through any means with someone, engaging in threatening conduct, or keeping watch over the place where the individual happens to be;
- 8.1.4 indecent exposure, which is exposing one’s body to another individual for a sexual purpose or coercing another individual to remove their clothing in order to expose their body, without their Consent;
- 8.1.5 voyeurism, which is non-consensual viewing, photographing, or otherwise recording another individual in a location where there is an expectation of privacy and where the viewing, photographing or recording is done for a sexual purpose; and
- 8.1.6 the distribution of a sexually explicit photograph or recording of an individual to one or more individuals other than the individual in the photograph or recording without the consent of the individual in the photograph or recording.

- 8.2 **“Consent”** is the voluntary agreement to the act or acts in question and to continue to engage in the act or acts. Voluntary agreement to engage in the activity or to continue to engage in the activity must be communicated through words or conduct. For clarity:

- Consent cannot be implied, and it can be revoked at any time during the act or acts in question.

- Consenting to one kind of sexual activity does not mean that consent is given for another sexual activity, and consent only applies to each specific instance of sexual activity.
 - No consent is obtained where an individual is incapable of consenting. An individual may be incapable of consenting if they are intoxicated, or if they are induced to engage in the activity by fraud, by someone exercising a position of trust, power or authority, or through coercion or the threat of violence.
 - Evidence that an individual was impaired by alcohol or drugs is a relevant consideration for determining whether they consented to the sexual activity in question.
- 8.3 **“Members of the UBC Community”** are individuals who fall under one or more of the following categories:
- 8.3.1 students, defined as individuals enrolled at UBC, including co-op and exchange students;
 - 8.3.2 employees, including faculty and staff members;
 - 8.3.3 holders of teaching appointments;
 - 8.3.4 post-doctoral fellows; and
 - 8.3.5 anyone contractually obligated to comply with this Policy.
- 8.4 **“Disclose”** or **“Disclosure”** is the sharing of information with UBC regarding any incident of Sexual Misconduct. Further information about Disclosures is provided in section 3 of this Policy.
- 8.5 **“Report”** or **“Reporting”** is providing a statement of allegations to the Director of Investigations on the relevant campus about a Sexual Misconduct. Further information about Reporting is provided in section 4 of this Policy.
- 8.6 **“Jurisdiction to Investigate”** is the legal authority to investigate under this Policy, which is limited by the following: the allegations must be made against an individual who was a Member of the UBC Community at the time of the alleged Sexual Misconduct and at the time the Report was submitted; the alleged conduct must fall within the definition of Sexual Misconduct; and the alleged conduct must have a real and substantial connection to UBC, as that term has been interpreted under BC law.
- 8.7 **“Investigation”** is an investigation carried out by UBC on the basis of a Report, as set out in the Procedures to this Policy.
- 8.8 **“Investigator”** is the individual appointed to Investigate a Report under the Procedures to this Policy.

PROCEDURES

Approved: April 13, 2017

Pursuant to Policy #1: Administration of Policies, "Procedures may be amended by the President, provided the new procedures conform to the approved policy. Such amendments are reported at the next meeting of the Board of Governors." Note: the most recent procedures may be reviewed at <http://universitycounsel.ubc.ca/policies/index/>.

1. General

- 1.1 The Director of Investigations and the Investigators will exercise their authority and discretion under these Procedures in conformity with the principles of procedural fairness in the university context.
- 1.2 The Director of Investigations will liaise with the Sexual Violence Prevention and Response Office to ensure that appropriate support services and accommodations remain in place, or are established, for the duration of the Initial Review and the Investigation.

2. Reports

- 2.1 Reports must be made in writing, and should set out the relevant details with regard to the alleged Sexual Misconduct. Reports should include a list of any potential witnesses, along with a description of the information those witnesses are expected to provide. Any relevant documents, including any social media communications, should also be included in the Report.

3. Initial Review

- 3.1 Upon receipt of a Report, the Director of Investigations will conduct an initial review to determine if UBC has the Jurisdiction to Investigate. This review will occur within 14 calendar days of receiving a Report unless exceptional circumstances exist that prevent the Director from meeting this timeline, in which case the Director of Investigations will contact the individual making the Report as soon as possible to inform them of the revised timeline.
- 3.2 If the Director of Investigations determines that UBC has the Jurisdiction to Investigate, the individual directly subjected to the Sexual Misconduct will be referred to as the Complainant in any subsequent process, and the individual against whom the allegations have been made will be referred to as the Respondent.
- 3.3 If the Director of Investigations determines that UBC has the Jurisdiction to Investigate, and the Respondent has an employment relationship to UBC, the Director will notify the appropriate UBC authority who may make any appropriate workplace arrangements required to ensure an effective investigation process.
- 3.4 If the Director of Investigations determines that UBC has the Jurisdiction to Investigate, they will do one of the following:
 - 3.4.1 appoint an Investigator to Investigate the Report under section 4 of these Procedures;
or
 - 3.4.2 subject to sections 3.5 and 3.6, refer the matter to an alternative resolution process.

- 3.5 If the Director of Investigations believes that an alternative resolution process may be appropriate in the circumstances, they will discuss this option with the Complainant. If the Complainant agrees that an alternative resolution process may be appropriate, the Director of Investigations will contact the Respondent to advise them that a Report was made, and will discuss this option with the Respondent. If the Respondent agrees to participate in an alternative resolution process and the Director is satisfied that an alternative resolution process is appropriate, then the Director of Investigation will explore the options available and, with the agreement of both parties, will refer the matter to that process for resolution.
- 3.6 Participation in an alternative dispute resolution process is entirely voluntary. If either the Complainant or the Respondent decides they no longer wish to participate in the alternative resolution process at any time, then the Director of Investigations will appoint an Investigator to Investigate the Report under section 4 of these Procedures.
- 3.7 If the Director of Investigations determines that UBC does not have the Jurisdiction to Investigate, the Director of Investigations will advise the individual making the Report of this decision along with their reasons. If the Director of Investigations believes that the Report discloses other kinds of misconduct or information that UBC may need to act on under another UBC policy or process, the Director may refer the Report or the relevant portions of the Report to the appropriate UBC authority. When appropriate, the Director will consult with the person making the Report before referring it elsewhere.
- 3.8 If an Investigation is initiated, the Director of Investigations will:
 - 3.8.1 contact the Complainant to advise them that the Report has been referred to an Investigator, and provide them with information about the resources available and the investigation process, including their right to have an advisor, support person, or union representative present whenever they meet with the Investigator;
 - 3.8.2 contact the Respondent to advise them that a Report has been made and has been referred to an Investigator, and provide them with a copy of the Report along with information about the resources available and the investigation process, including their right to have an advisor, support person, or union representative present whenever they meet with the Investigator.

4. Investigations

- 4.1 Except in exceptional circumstances, Investigations (including the preparation of the Investigative Report) will be completed within 60 calendar days of the Investigator's receipt of the Report from the Director of Investigations. If during the course of the Investigation the Investigator believes that this timeline cannot be met, the Investigator will contact the Complainant, the Respondent, and the Director of Investigations as soon as possible to inform them of the revised timeline.
- 4.2 Investigations are not adversarial processes, and hearings will not be held as part of the investigatory process. Formal rules of evidence commonly associated with a civil or criminal trial will not be applied.
- 4.3 In all Investigations, the Respondent will be fully informed of the allegations made against them, and will be given the opportunity to respond.

- 4.4 Subject to sections 4.2 and 4.3, the Investigator may investigate in any manner they deem appropriate in order to obtain the information required to make the necessary findings of fact. This may include, but is not limited to, the following:
- 4.4.1 requesting a written response to the Report from the Respondent, including a list of any potential witnesses along with a description of the information those witnesses are expected to provide, and any relevant documents, including any social media communications;
 - 4.4.2 meeting with or requesting further information from the Complainant;
 - 4.4.3 meeting with or requesting further information from the Respondent;
 - 4.4.4 meeting with or requesting further information from any other individuals who may have information relevant to the Investigation, including any witnesses identified by the Complainant or the Respondent;
 - 4.4.5 inviting the Complainant and the Respondent to submit questions they believe should be asked of the other party or any witness, though the decision as to whether such questions will actually be asked of the other party or a witness is entirely within the discretion of the Investigator; and
 - 4.4.6 obtaining any other evidence that may be relevant to the Investigation.
- 4.5 At the completion of the Investigation, the Investigator will prepare a written Investigative Report for the Director of Investigations. The Investigative Report will normally include the following information:
- 4.5.1 a summary of the evidence considered;
 - 4.5.2 any assessment of credibility that is required to render a determination; and
 - 4.5.3 the findings of fact, and a determination as to whether, on a balance of probabilities, Sexual Misconduct has occurred.

5. Outcome and Disciplinary Measures

- 5.1 If the Investigative Report includes a determination that Sexual Misconduct has occurred, the Director of Investigations will provide a copy of the Investigative Report to the appropriate UBC authority or authorities if the Respondent has more than one relationship to UBC, as follows:
- 5.1.1 in the case of a student Respondent, to the President, who will then determine what disciplinary or other measures are appropriate based on the findings of fact, up to and including suspension or expulsion;
 - 5.1.2 in the case of a faculty member Respondent, to the faculty member's Dean or, in the case of a librarian, to the University Librarian, who will meet with them and provide the Respondent with a copy of the Investigative Report in accordance with section 6.4 of these Procedures, and will then determine what disciplinary or other measures are appropriate based on the findings of fact. If suspension or termination of a faculty member or librarian's appointment for cause is considered appropriate by the Dean or

University Librarian, a recommendation will be made to the President who will then, in turn, make a decision on appropriate discipline. If the President's decision is that suspension for cause is the appropriate discipline, then the President will inform the Board of Governors. If that decision is that termination for cause is the appropriate discipline, the President will make a recommendation to the Board of Governors who will then decide if termination for cause is appropriate; and

- 5.1.3 in the case of a staff member Respondent, to the staff member's Administrative Head of Unit, who will provide the Respondent with a copy of the Investigative Report in accordance with section 6.4 of these Procedures, and will then determine what disciplinary or other measures are appropriate based on the findings of fact, up to and including suspension. If termination of a staff member is considered appropriate by the Administrative Head of Unit, they will consult with the applicable Vice President, or Deputy Vice-Chancellor and Principal, who will then decide whether to authorize the termination.
- 5.2 Once the appropriate UBC authority has made a decision regarding the appropriate disciplinary or other measures under section 5.1 above, that decision will be communicated in writing to the Respondent, and student Respondents will also be provided with a copy of the Investigative Report in accordance with section 6.4 of these Procedures. A copy of the decision will also be provided to the Director of Investigations. The Director of Investigations will then provide a copy of the Investigative Report to the Complainant and will inform the Complainant of any disciplinary outcomes that the University Counsel has authorized the Director to disclose for compelling health or safety reasons, in accordance with section 6.5 of these Procedures.
- 5.3 If the Investigation Report includes a determination that Sexual Misconduct has occurred, the Director of Investigations will also provide a copy of the Investigative Report to the following:
 - 5.3.1 UBC Student Housing and Hospitality Services, if the Respondent is subject to a UBC residence contract or agreement;
 - 5.3.2 the UBC authority charged with addressing concerns under a faculty or school's standards of professional conduct, if the Respondent is a student subject to those standards; and
 - 5.3.3 UBC Athletics and Recreation, if the Respondent is subject to a varsity student athlete agreement.
- 5.4 Whether or not the Investigative Report includes a determination that Sexual Misconduct has occurred, if the Director of Investigations believes that the Investigative Report discloses other kinds of misconduct or information that UBC may need to act on under another UBC policy or process, the Director may refer the Investigative Report or the relevant portions of the Investigative Report to the appropriate UBC authority. When appropriate, the Director will consult with the person making the Report before referring it elsewhere.
- 5.5 If the Investigative Report does not include a determination that Sexual Misconduct has occurred, the Director of Investigations will provide a copy of the Investigative Report to the Complainant and the Respondent in accordance with section 6.4 of these Procedures.

- 5.6 The Director of Investigations will conclude the investigatory process by ensuring all necessary communications are made to those responsible for implementing decisions, providing or adjusting support services and accommodations, providing education, or conducting administrative transactions.

6. Confidentiality and Privacy

- 6.1 In order to protect the integrity, fairness, and effectiveness of Investigations and to ensure compliance with the *Freedom of Information and Protection of Privacy Act* (FIPPA), all participants in an Investigation must act in accordance with the requirements set out below.
- 6.2 Individuals, including the Complainant and the Respondent, who have obtained information about an identifiable individual (“Personal Information”) through their participation in an Investigation must not disclose this information to anybody except their own personal advisors or representatives, or as required by law. However, this section does not prevent:
- 6.2.1 any participants in the Investigation from disclosing information about themselves, or information that they have obtained outside the Investigation;
 - 6.2.2 UBC representatives from disclosing Investigation-related information as authorized under section 6.3; or
 - 6.2.3 Complainants and Respondents from disclosing the information that they have received under sections 6.4 and 6.5.
- 6.3 UBC will not disclose any Personal Information related to an Investigation except to the extent such disclosure is:
- 6.3.1 expressly authorized by the affected individual;
 - 6.3.2 to a UBC representative, if necessary for the performance of that individual’s duties;
 - 6.3.3 to a Complainant, Respondent, witness, or other participant in the Investigation, if necessary for the conduct of the Investigation;
 - 6.3.4 to a Complainant or Respondent in accordance with sections 6.4 and 6.5;
 - 6.3.5 authorized by the University Counsel for compelling health or safety reasons;
 - 6.3.6 authorized by the University Counsel to correct misleading or inaccurate information if necessary to protect the integrity of the Investigation or UBC’s investigatory processes; or
 - 6.3.7 authorized or required under law.
- 6.4 To maintain the integrity of the Investigation process, UBC must ensure that both Complainants and Respondents know the Investigation findings and the evidence upon which these findings are based. For this reason, Complainants and Respondents will be provided with a copy of the Investigation Report. The FIPPA may require UBC to remove Personal Information that is irrelevant to the Investigation findings, or that identifies third parties. If there are multiple

Complainants or multiple Respondents, they will only receive the portions of the Investigative Report that are relevant to them.

- 6.5 Under the FIPPA, UBC is only authorized to disclose disciplinary actions it has taken against the Respondent if the disclosure is authorized by the University Counsel for compelling health or safety reasons. For example, UBC will normally inform Complainants of any restrictions that may have been imposed upon the Respondent's movements or activities.
- 6.6 Section 6.2 does not prevent Complainants and Respondents from disclosing the information they received under sections 6.4 and 6.5. However, Complainants or Respondents who choose to disclose such information should keep in mind that the disclosure of such information may result in a legal claim being made against them by the other party or other individuals (including, for example, a defamation or breach of privacy claim), and may wish to seek advice before doing so.

7. Appeal Processes

- 7.1 Student Respondents may appeal any discipline that is imposed on them under these Procedures through the UBC Vancouver Senate Student Appeals on Academic Discipline Committee if they are a UBC Vancouver student, or the UBC Okanagan Senate Appeals of Standing and Discipline Committee if they are a UBC Okanagan student.
- 7.2 Staff or faculty may appeal any decision or discipline that is made or imposed on them under these Procedures in accordance with the provisions of their collective agreements or their terms and conditions of employment.

 The University of British Columbia Board of Governors	Policy No.: 131	Approval Date: April 13, 2017 This policy came into effect on May 18, 2017
	Responsible Executive: Vice-President, Students Vice-President, Human Resources	
Title: Sexual Assault and Other Sexual Misconduct		
Background & Purposes: <p>UBC has a responsibility to maintain a respectful environment where its members can study, work, and live free from sexual misconduct. This policy articulates UBC’s duty and commitment to support members of the UBC community who are impacted by sexual misconduct, to provide a central site for information regarding the resources and options available to those affected by sexual misconduct, to create and make available programs and resources to educate its community on the prevention of sexual misconduct, and to provide a process to respond to and to investigate allegations of sexual misconduct.</p>		

1. Principles and Commitments

- 1.1 UBC will not tolerate sexual assault or any other Sexual Misconduct.
- 1.2 UBC recognizes that people’s experiences will be affected by factors such as their access to power and privilege, their sex, sexual identity, gender identity or expression, racialization, age, family status, religion, faith, ability, disability, national or ethnic origin, Indigeneity, immigration status, socio-economic status, class, and language. UBC also recognizes that the university is a unique environment, in which power imbalances are inherent. These factors, along with an individual’s personal history, impact individual experiences of Sexual Misconduct, the ability to access supports, and choices with regard to recourse. UBC will take this into account when carrying out its responsibilities under this Policy.
- 1.3 UBC is committed to providing comprehensive and inclusive Sexual Misconduct education, prevention, and response initiatives. Through these initiatives, UBC is committed to countering rape culture, a term that describes broader social attitudes about gender, sex and sexuality that normalize Sexual Misconduct and undermine equality.
- 1.4 UBC is committed to reducing barriers to Disclosing and Reporting, and to taking a trauma–informed approach when responding to and addressing Disclosures and Reports, and conducting Investigations.
- 1.5 UBC will provide support services and accommodations to Members of the UBC Community who Disclose or Report Sexual Misconduct.

- 1.6 UBC is committed to respecting the rights of those who Disclose to make their own decisions about accessing support services and accommodations, making a Report, or pursuing external processes such as a criminal or civil action.
- 1.7 UBC will provide support to Members of the UBC Community who have had Reports of Sexual Misconduct made against them.
- 1.8 UBC is committed to procedural fairness and will respond to and address Disclosures and Reports, and will conduct Investigations, in a timely manner.
- 1.9 UBC will not tolerate any retaliation, direct or indirect, against anyone involved in a Disclosure, a Report, or an Investigation.

2. The Sexual Violence Prevention and Response Office

- 2.1 UBC has established a Sexual Violence Prevention and Response Office at each of the UBC Vancouver and UBC Okanagan campuses. Each office consists of a Director who oversees the office and staff or volunteers.
- 2.2 The Sexual Violence Prevention and Response Office acts as a single point of contact and liaison on each campus for Members of the UBC Community who have experienced Sexual Misconduct. This Office will provide individualized information, advice, and assistance. The support services that can be provided by the Office include:
 - 2.2.1 receiving Disclosures;
 - 2.2.2 identifying, accessing, and coordinating appropriate accommodations;
 - 2.2.3 providing information about and referrals to UBC Counselling Services and UBC Student Health Services at UBC Vancouver, the Health and Wellness Centre at UBC Okanagan, and the UBC Employee and Family Assistance Program;
 - 2.2.4 providing information about and referrals to external organizations such as the UBC Hospital, Kelowna General Hospital, the AMS Sexual Assault Support Centre (SASC), the Vancouver Rape Relief and Women’s Shelter, Women Against Violence Against Women, the BC Society for Male Survivors of Sexual Abuse, the Central Okanagan Elizabeth Fry Society, and the Family Centre Services Society;
 - 2.2.5 providing information about confidentiality and how confidentiality relates to the information provided through a Disclosure, a Report, or an Investigation;
 - 2.2.6 providing information about Reporting, Investigations, and alternative dispute resolution processes;
 - 2.2.7 providing information about any other relevant UBC policies, such as Policy #3 – Discrimination and Harassment, and Policy #14 – Response to At-Risk Behaviour;
 - 2.2.8 assisting with the creation of a Report or the submission of a Report to the Director of Investigations, or both;

- 2.2.9 acting as a liaison with the Investigator appointed to conduct an Investigation;
 - 2.2.10 acting as a support person during an Investigation, as referenced in section 3.8.1 of the Procedures to this Policy;
 - 2.2.11 receiving allegations regarding acts of retaliation relating to a Disclosure or Report of Sexual Misconduct and assisting with referral of these allegations to the appropriate employment or student disciplinary process; and
 - 2.2.12 providing information about the differences between the criminal process and UBC's investigatory process, and providing support in reporting to the police if requested.
- 2.3 The Sexual Violence Prevention and Response Office will also:
- 2.3.1 serve all Members of the UBC Community, including those who have received a Disclosure, those who are supporting someone who has experienced Sexual Misconduct, or those who may have witnessed Sexual Misconduct;
 - 2.3.2 establish, oversee, and coordinate sexual misconduct prevention and response protocols and processes, communications, resource materials, and training; and
 - 2.3.3 lead the education program to countering broader social attitudes regarding gender, sex and sexuality that normalize Sexual Misconduct and undermine equality.
- 2.4 Annually, UBC will publically report on the number of:
- 2.4.1 Disclosures received by the Sexual Violence Prevention and Response Offices;
 - 2.4.2 Reports received by the Directors of Investigations; and
 - 2.4.3 Reports investigated or referred to an alternative dispute resolution process.

3. Disclosures

- 3.1 The decision to Disclose and the decision to Report are separate decisions. An individual may choose to Disclose Sexual Misconduct without making a Report. Consequently, Disclosure does not result in a Report being made, and does not initiate an Investigation or other action by UBC, subject only to section 3.6.
- 3.2 UBC will make appropriate support services and accommodations available to Members of the UBC Community on the basis of a Disclosure, regardless of whether they decide to make a Report or whether UBC has the Jurisdiction to Investigate.
- 3.3 Accommodations that may be available to Members of the UBC Community who have Disclosed or Reported Sexual Misconduct include:
 - 3.3.1 student residence re-location or short term emergency student housing;
 - 3.3.2 class schedule changes;

- 3.3.3 academic accommodations;
 - 3.3.4 temporary work reassignment, location reassignment, or scheduling changes;
 - 3.3.5 emergency funding for students;
 - 3.3.6 safety planning; and
 - 3.3.7 the implementation of safety measures.
- 3.4 Records of any Disclosures made to a Sexual Violence Prevention and Response Office will be kept strictly confidential, and access to those records will be limited to the Director and staff members of the relevant Sexual Violence Prevention and Response Office.
- 3.5 UBC recognizes that disclosures of Sexual Misconduct are most often made to someone the individual making the disclosure already knows. If a Disclosure is made to a Member of the UBC Community who is not trained to receive Disclosures, that Member is encouraged to contact the Sexual Violence Prevention and Response Office for support and information on how best to respond to a Disclosure and to support the individual making the Disclosure.
- 3.6 To the greatest extent possible, UBC will respect an individual's choice to not make a Report and will keep the Disclosure confidential. In exceptional circumstances, where required by law or where there is a risk of significant harm to anyone's health or safety, and at the sole discretion of the Director of the relevant Sexual Violence Prevention and Response Office, UBC may do one or both of the following:
- 3.6.1 refer the matter to the relevant Director of Investigations as a Report under section 4, in which case the individual who Disclosed has the right not to participate in any subsequent Investigation;
 - 3.6.2 notify third parties, such as the police or child protection authorities.
- 3.7 If UBC takes any action under section 3.6, the Director of the relevant Sexual Violence Prevention and Response Office will notify the individual who made the Disclosure and will ensure that appropriate support services are made available to that individual.

4. Reports

- 4.1 Anyone directly subjected to Sexual Misconduct, including an individual who is not a Member of the UBC Community, can make a Report against a Member of the UBC Community under this Policy.
- 4.2 Reports must be submitted to the Director of Investigations on the relevant campus, who will address them in accordance with the Procedures to this Policy, which includes an initial review as set out under section 3 of the Procedures to determine whether the allegations contained in the Report fall within UBC's Jurisdiction to Investigate.
- 4.3 Sexual harassment may fall within the scope of both Policy #3 – Discrimination and Harassment and this Policy. Reports that contain allegations of Sexual Misconduct other than sexual

harassment will be addressed under this Policy. Reports that contain allegations of sexual harassment alone will be reviewed by the Director of Investigations who will determine, based on the particular facts of the case and in consultation with the individual making the Report, which policy is better suited to address the allegations.

- 4.4 An individual can both submit a Report to UBC and pursue other processes external to UBC against the individual alleged to have committed the Sexual Misconduct. These external processes may include reporting to the police or initiating a civil action (including a complaint under the *BC Human Rights Code*). These are separate processes and Reporting to UBC does not result in a report to the police or the initiation of a civil action, although in exceptional circumstances, where required by law or where there is a risk of significant harm to anyone's health or safety, UBC may notify third parties, such as the police or child protection authorities. If such action is taken, the Director of Investigations will notify the individual who submitted the Report and will ensure that appropriate support services are made available to that individual.
- 4.5 If an Investigation or alternative resolution process is initiated under the Procedures to this Policy and an external process is also being pursued, the Director of Investigations may elect, after consultation with the Complainant, to continue with the UBC process or to suspend the UBC process as appropriate.

5. Anonymous and Third Party Allegations

- 5.1 Anonymous allegations, or allegations of Sexual Misconduct made by a third party (someone other than the individual who was directly subjected to the Sexual Misconduct) can also be submitted to the Director of Investigations on the relevant campus.
- 5.2 UBC may be unable to proceed with an Investigation involving anonymous or third party allegations due to a lack of evidence from the individual who was directly subjected to the Sexual Misconduct, or where proceeding would violate procedural fairness. In such cases, the Director of Investigations will consider whether any other steps can and should be taken. In appropriate cases, the Director may contact the third party who submitted the allegations to find out if the individual who was directly subjected to the Sexual Misconduct would consider submitting a Report. However, where other sufficient evidence exists and where it would not violate procedural fairness, at the sole discretion of the Director of Investigations, UBC may decide to proceed with an Investigation. In such cases, the individual who was directly subjected to the Sexual Misconduct has the right to not participate in the Investigation.
- 5.3 If UBC is unable to proceed with an Investigation involving anonymous or third party allegations, the allegations will be retained by the Sexual Violence Prevention and Response Office on the relevant campus. These allegations will be kept strictly confidential, and access to them will be limited to the Director of Investigations and the Director of the Sexual Violence Prevention and Response Office.

6. Conflicts of Interest

- 6.1 If a Director or staff member of the Sexual Violence Prevention and Response Office, a Director of Investigations, an Investigator, or a UBC authority empowered to impose discipline has a real or apparent conflict of interest in a particular matter, or there is a reasonable

apprehension of bias, then that individual will not continue their involvement in the matter and UBC will appoint an appropriate individual to act in that role for the purposes of that matter.

7. Policy Review

- 7.1 UBC is committed to reviewing this Policy at least once every three years, in consultation with students and other Members of the UBC Community.

8. Definitions

- 8.1 **“Sexual Misconduct”** is any sexual act or act targeting an individual’s sexuality, gender identity or gender expression, whether the act is physical or psychological in nature, that is committed, threatened or attempted against an individual without that individual’s Consent. The following list sets out examples of Sexual Misconduct. The list is intended to help Members of the UBC Community understand the kinds of acts that will be considered Sexual Misconduct. The list is not exhaustive and other acts can still be considered Sexual Misconduct under this Policy even if they do not appear in the list below. Sexual Misconduct includes, but is not limited to, the following:

- 8.1.1 sexual assault, which is any form of sexual touching or the threat of sexual touching without the individual’s Consent;
- 8.1.2 sexual harassment, which is unwelcome conduct of a sexual nature that detrimentally affects the working, learning, or living environment, or leads to adverse consequences for the one directly subjected to the harassment;
- 8.1.3 stalking, which is engaging in conduct that causes an individual to fear for their physical or psychological safety, such as repeatedly following or communicating through any means with someone, engaging in threatening conduct, or keeping watch over the place where the individual happens to be;
- 8.1.4 indecent exposure, which is exposing one’s body to another individual for a sexual purpose or coercing another individual to remove their clothing in order to expose their body, without their Consent;
- 8.1.5 voyeurism, which is non-consensual viewing, photographing, or otherwise recording another individual in a location where there is an expectation of privacy and where the viewing, photographing or recording is done for a sexual purpose; and
- 8.1.6 the distribution of a sexually explicit photograph or recording of an individual to one or more individuals other than the individual in the photograph or recording without the consent of the individual in the photograph or recording.

- 8.2 **“Consent”** is the voluntary agreement to the act or acts in question and to continue to engage in the act or acts. Voluntary agreement to engage in the activity or to continue to engage in the activity must be communicated through words or conduct. For clarity:

- Consent cannot be implied, and it can be revoked at any time during the act or acts in question.

- Consenting to one kind of sexual activity does not mean that consent is given for another sexual activity, and consent only applies to each specific instance of sexual activity.
 - No consent is obtained where an individual is incapable of consenting. An individual may be incapable of consenting if they are intoxicated, or if they are induced to engage in the activity by fraud, by someone exercising a position of trust, power or authority, or through coercion or the threat of violence.
 - Evidence that an individual was impaired by alcohol or drugs is a relevant consideration for determining whether they consented to the sexual activity in question.
- 8.3 **“Members of the UBC Community”** are individuals who fall under one or more of the following categories:
- 8.3.1 students, defined as individuals enrolled at UBC, including co-op and exchange students;
 - 8.3.2 employees, including faculty and staff members;
 - 8.3.3 holders of teaching appointments;
 - 8.3.4 post-doctoral fellows; and
 - 8.3.5 anyone contractually obligated to comply with this Policy.
- 8.4 **“Disclose”** or **“Disclosure”** is the sharing of information with UBC regarding any incident of Sexual Misconduct. Further information about Disclosures is provided in section 3 of this Policy.
- 8.5 **“Report”** or **“Reporting”** is providing a statement of allegations to the Director of Investigations on the relevant campus about a Sexual Misconduct. Further information about Reporting is provided in section 4 of this Policy.
- 8.6 **“Jurisdiction to Investigate”** is the legal authority to investigate under this Policy, which is limited by the following: the allegations must be made against an individual who was a Member of the UBC Community at the time of the alleged Sexual Misconduct and at the time the Report was submitted; the alleged conduct must fall within the definition of Sexual Misconduct; and the alleged conduct must have a real and substantial connection to UBC, as that term has been interpreted under BC law.
- 8.7 **“Investigation”** is an investigation carried out by UBC on the basis of a Report, as set out in the Procedures to this Policy.
- 8.8 **“Investigator”** is the individual appointed to Investigate a Report under the Procedures to this Policy.

PROCEDURES

Approved: April 13, 2017

Pursuant to Policy #1: Administration of Policies, "Procedures may be amended by the President, provided the new procedures conform to the approved policy. Such amendments are reported at the next meeting of the Board of Governors." Note: the most recent procedures may be reviewed at <http://universitycounsel.ubc.ca/policies/index/>.

1. General

- 1.1 The Director of Investigations and the Investigators will exercise their authority and discretion under these Procedures in conformity with the principles of procedural fairness in the university context.
- 1.2 The Director of Investigations will liaise with the Sexual Violence Prevention and Response Office to ensure that appropriate support services and accommodations remain in place, or are established, for the duration of the Initial Review and the Investigation.

2. Reports

- 2.1 Reports must be made in writing, and should set out the relevant details with regard to the alleged Sexual Misconduct. Reports should include a list of any potential witnesses, along with a description of the information those witnesses are expected to provide. Any relevant documents, including any social media communications, should also be included in the Report.

3. Initial Review

- 3.1 Upon receipt of a Report, the Director of Investigations will conduct an initial review to determine if UBC has the Jurisdiction to Investigate. This review will occur within 14 calendar days of receiving a Report unless exceptional circumstances exist that prevent the Director from meeting this timeline, in which case the Director of Investigations will contact the individual making the Report as soon as possible to inform them of the revised timeline.
- 3.2 If the Director of Investigations determines that UBC has the Jurisdiction to Investigate, the individual directly subjected to the Sexual Misconduct will be referred to as the Complainant in any subsequent process, and the individual against whom the allegations have been made will be referred to as the Respondent.
- 3.3 If the Director of Investigations determines that UBC has the Jurisdiction to Investigate, and the Respondent has an employment relationship to UBC, the Director will notify the appropriate UBC authority who may make any appropriate workplace arrangements required to ensure an effective investigation process.
- 3.4 If the Director of Investigations determines that UBC has the Jurisdiction to Investigate, they will do one of the following:
 - 3.4.1 appoint an Investigator to Investigate the Report under section 4 of these Procedures;
or
 - 3.4.2 subject to sections 3.5 and 3.6, refer the matter to an alternative resolution process.

- 3.5 If the Director of Investigations believes that an alternative resolution process may be appropriate in the circumstances, they will discuss this option with the Complainant. If the Complainant agrees that an alternative resolution process may be appropriate, the Director of Investigations will contact the Respondent to advise them that a Report was made, and will discuss this option with the Respondent. If the Respondent agrees to participate in an alternative resolution process and the Director is satisfied that an alternative resolution process is appropriate, then the Director of Investigation will explore the options available and, with the agreement of both parties, will refer the matter to that process for resolution.
- 3.6 Participation in an alternative dispute resolution process is entirely voluntary. If either the Complainant or the Respondent decides they no longer wish to participate in the alternative resolution process at any time, then the Director of Investigations will appoint an Investigator to Investigate the Report under section 4 of these Procedures.
- 3.7 If the Director of Investigations determines that UBC does not have the Jurisdiction to Investigate, the Director of Investigations will advise the individual making the Report of this decision along with their reasons. If the Director of Investigations believes that the Report discloses other kinds of misconduct or information that UBC may need to act on under another UBC policy or process, the Director may refer the Report or the relevant portions of the Report to the appropriate UBC authority. When appropriate, the Director will consult with the person making the Report before referring it elsewhere.
- 3.8 If an Investigation is initiated, the Director of Investigations will:
 - 3.8.1 contact the Complainant to advise them that the Report has been referred to an Investigator, and provide them with information about the resources available and the investigation process, including their right to have an advisor, support person, or union representative present whenever they meet with the Investigator;
 - 3.8.2 contact the Respondent to advise them that a Report has been made and has been referred to an Investigator, and provide them with a copy of the Report along with information about the resources available and the investigation process, including their right to have an advisor, support person, or union representative present whenever they meet with the Investigator.

4. Investigations

- 4.1 Except in exceptional circumstances, Investigations (including the preparation of the Investigative Report) will be completed within 60 calendar days of the Investigator's receipt of the Report from the Director of Investigations. If during the course of the Investigation the Investigator believes that this timeline cannot be met, the Investigator will contact the Complainant, the Respondent, and the Director of Investigations as soon as possible to inform them of the revised timeline.
- 4.2 Investigations are not adversarial processes, and hearings will not be held as part of the investigatory process. Formal rules of evidence commonly associated with a civil or criminal trial will not be applied.
- 4.3 In all Investigations, the Respondent will be fully informed of the allegations made against them, and will be given the opportunity to respond.

- 4.4 Subject to sections 4.2 and 4.3, the Investigator may investigate in any manner they deem appropriate in order to obtain the information required to make the necessary findings of fact. This may include, but is not limited to, the following:
- 4.4.1 requesting a written response to the Report from the Respondent, including a list of any potential witnesses along with a description of the information those witnesses are expected to provide, and any relevant documents, including any social media communications;
 - 4.4.2 meeting with or requesting further information from the Complainant;
 - 4.4.3 meeting with or requesting further information from the Respondent;
 - 4.4.4 meeting with or requesting further information from any other individuals who may have information relevant to the Investigation, including any witnesses identified by the Complainant or the Respondent;
 - 4.4.5 inviting the Complainant and the Respondent to submit questions they believe should be asked of the other party or any witness, though the decision as to whether such questions will actually be asked of the other party or a witness is entirely within the discretion of the Investigator; and
 - 4.4.6 obtaining any other evidence that may be relevant to the Investigation.
- 4.5 At the completion of the Investigation, the Investigator will prepare a written Investigative Report for the Director of Investigations. The Investigative Report will normally include the following information:
- 4.5.1 a summary of the evidence considered;
 - 4.5.2 any assessment of credibility that is required to render a determination; and
 - 4.5.3 the findings of fact, and a determination as to whether, on a balance of probabilities, Sexual Misconduct has occurred.

5. Outcome and Disciplinary Measures

- 5.1 If the Investigative Report includes a determination that Sexual Misconduct has occurred, the Director of Investigations will provide a copy of the Investigative Report to the appropriate UBC authority or authorities if the Respondent has more than one relationship to UBC, as follows:
- 5.1.1 in the case of a student Respondent, to the President, who will then determine what disciplinary or other measures are appropriate based on the findings of fact, up to and including suspension or expulsion;
 - 5.1.2 in the case of a faculty member Respondent, to the faculty member's Dean or, in the case of a librarian, to the University Librarian, who will meet with them and provide the Respondent with a copy of the Investigative Report in accordance with section 6.4 of these Procedures, and will then determine what disciplinary or other measures are appropriate based on the findings of fact. If suspension or termination of a faculty member or librarian's appointment for cause is considered appropriate by the Dean or

University Librarian, a recommendation will be made to the President who will then, in turn, make a decision on appropriate discipline. If the President's decision is that suspension for cause is the appropriate discipline, then the President will inform the Board of Governors. If that decision is that termination for cause is the appropriate discipline, the President will make a recommendation to the Board of Governors who will then decide if termination for cause is appropriate; and

- 5.1.3 in the case of a staff member Respondent, to the staff member's Administrative Head of Unit, who will provide the Respondent with a copy of the Investigative Report in accordance with section 6.4 of these Procedures, and will then determine what disciplinary or other measures are appropriate based on the findings of fact, up to and including suspension. If termination of a staff member is considered appropriate by the Administrative Head of Unit, they will consult with the applicable Vice President, or Deputy Vice-Chancellor and Principal, who will then decide whether to authorize the termination.
- 5.2 Once the appropriate UBC authority has made a decision regarding the appropriate disciplinary or other measures under section 5.1 above, that decision will be communicated in writing to the Respondent, and student Respondents will also be provided with a copy of the Investigative Report in accordance with section 6.4 of these Procedures. A copy of the decision will also be provided to the Director of Investigations. The Director of Investigations will then provide a copy of the Investigative Report to the Complainant and will inform the Complainant of any disciplinary outcomes that the University Counsel has authorized the Director to disclose for compelling health or safety reasons, in accordance with section 6.5 of these Procedures.
- 5.3 If the Investigation Report includes a determination that Sexual Misconduct has occurred, the Director of Investigations will also provide a copy of the Investigative Report to the following:
 - 5.3.1 UBC Student Housing and Hospitality Services, if the Respondent is subject to a UBC residence contract or agreement;
 - 5.3.2 the UBC authority charged with addressing concerns under a faculty or school's standards of professional conduct, if the Respondent is a student subject to those standards; and
 - 5.3.3 UBC Athletics and Recreation, if the Respondent is subject to a varsity student athlete agreement.
- 5.4 Whether or not the Investigative Report includes a determination that Sexual Misconduct has occurred, if the Director of Investigations believes that the Investigative Report discloses other kinds of misconduct or information that UBC may need to act on under another UBC policy or process, the Director may refer the Investigative Report or the relevant portions of the Investigative Report to the appropriate UBC authority. When appropriate, the Director will consult with the person making the Report before referring it elsewhere.
- 5.5 If the Investigative Report does not include a determination that Sexual Misconduct has occurred, the Director of Investigations will provide a copy of the Investigative Report to the Complainant and the Respondent in accordance with section 6.4 of these Procedures.

- 5.6 The Director of Investigations will conclude the investigatory process by ensuring all necessary communications are made to those responsible for implementing decisions, providing or adjusting support services and accommodations, providing education, or conducting administrative transactions.

6. Confidentiality and Privacy

- 6.1 In order to protect the integrity, fairness, and effectiveness of Investigations and to ensure compliance with the *Freedom of Information and Protection of Privacy Act* (FIPPA), all participants in an Investigation must act in accordance with the requirements set out below.
- 6.2 Individuals, including the Complainant and the Respondent, who have obtained information about an identifiable individual (“Personal Information”) through their participation in an Investigation must not disclose this information to anybody except their own personal advisors or representatives, or as required by law. However, this section does not prevent:
- 6.2.1 any participants in the Investigation from disclosing information about themselves, or information that they have obtained outside the Investigation;
 - 6.2.2 UBC representatives from disclosing Investigation-related information as authorized under section 6.3; or
 - 6.2.3 Complainants and Respondents from disclosing the information that they have received under sections 6.4 and 6.5.
- 6.3 UBC will not disclose any Personal Information related to an Investigation except to the extent such disclosure is:
- 6.3.1 expressly authorized by the affected individual;
 - 6.3.2 to a UBC representative, if necessary for the performance of that individual’s duties;
 - 6.3.3 to a Complainant, Respondent, witness, or other participant in the Investigation, if necessary for the conduct of the Investigation;
 - 6.3.4 to a Complainant or Respondent in accordance with sections 6.4 and 6.5;
 - 6.3.5 authorized by the University Counsel for compelling health or safety reasons;
 - 6.3.6 authorized by the University Counsel to correct misleading or inaccurate information if necessary to protect the integrity of the Investigation or UBC’s investigatory processes; or
 - 6.3.7 authorized or required under law.
- 6.4 To maintain the integrity of the Investigation process, UBC must ensure that both Complainants and Respondents know the Investigation findings and the evidence upon which these findings are based. For this reason, Complainants and Respondents will be provided with a copy of the Investigation Report. The FIPPA may require UBC to remove Personal Information that is irrelevant to the Investigation findings, or that identifies third parties. If there are multiple

Complainants or multiple Respondents, they will only receive the portions of the Investigative Report that are relevant to them.

- 6.5 Under the FIPPA, UBC is only authorized to disclose disciplinary actions it has taken against the Respondent if the disclosure is authorized by the University Counsel for compelling health or safety reasons. For example, UBC will normally inform Complainants of any restrictions that may have been imposed upon the Respondent's movements or activities.
- 6.6 Section 6.2 does not prevent Complainants and Respondents from disclosing the information they received under sections 6.4 and 6.5. However, Complainants or Respondents who choose to disclose such information should keep in mind that the disclosure of such information may result in a legal claim being made against them by the other party or other individuals (including, for example, a defamation or breach of privacy claim), and may wish to seek advice before doing so.

7. Appeal Processes

- 7.1 Student Respondents may appeal any discipline that is imposed on them under these Procedures through the UBC Vancouver Senate Student Appeals on Academic Discipline Committee if they are a UBC Vancouver student, or the UBC Okanagan Senate Appeals of Standing and Discipline Committee if they are a UBC Okanagan student.
- 7.2 Staff or faculty may appeal any decision or discipline that is made or imposed on them under these Procedures in accordance with the provisions of their collective agreements or their terms and conditions of employment.



POLICY 131 IMPLEMENTATION FRAMEWORK DOCUMENT

PREPARED: MAY 2018



Contents

OVERVIEW.....	3
COMMITMENT	3
IMPLEMENTATION	4
PURPOSE	4
ACCOUNTABILITIES	4
TIMELINE OVERVIEW	5
CONTRIBUTING STAKEHOLDERS.....	6
OVERALL MONITORING OF IMPLEMENTATON.....	7



OVERVIEW

In late 2015, Interim President, Dr. Martha Piper, announced that the University would develop a stand-alone Sexual Assault Policy. In early 2016, a committee was established to draft this Policy. In April, 2016, the Provincial Government passed legislation requiring all BC post-secondary institutions to establish and implement a sexual misconduct policy by May 18, 2017. In February 2016, President Piper created a UBC Sexual Assault Panel to undertake a review of sexual assault and make recommendations for University policy and practice. The panel report was released to the President in June, 2016.

A draft policy was presented to the Board of Governors in June, 2016. Extensive consultation with the UBC community followed, resulting in over 160 written submissions that touched on all aspects of the draft policy, focused on the need for a central support office; as well as the need for a separate and distinct investigatory process.

In October 2016, as a comprehensive rewrite of the proposed policy began, President Santa J. Ono asked Vice-President, Students to convene a Steering Committee on sexual assault to recognize and bring together the work happening across UBC's campuses around issues of sexual assault. In early 2017, resources were approved for a central support office, and for a separate and distinct investigatory process.

Following a second round of consultation with the UBC community, Policy #131 – [Sexual Assault and other Sexual Misconduct](#) was approved by the Board of Governors on April 13, 2017. The new policy took effect May 18, 2017.

COMMITMENT

UBC has a responsibility to maintain a respectful environment where its members can study, work, and live free from sexual misconduct. Policy 131 articulates UBC's duty and commitment to support members of the UBC community who are impacted by sexual misconduct, to provide a central site for information regarding the resources and options available to those affected by sexual misconduct, to create and make available programs and resources to educate its community on the prevention of sexual misconduct, and to provide a process to respond to and to investigate allegations of sexual misconduct. Policy 131:

- sets out the principles the University will adhere to with regard to sexual misconduct,
- articulates conduct expectations for all members of the UBC community, and
- outlines the processes and procedures the University will follow when responding to and investigating allegations of sexual misconduct.



IMPLEMENTATION

Implementation of Policy 131 began in late May 2017. The Policy states UBC’s commitment to reviewing this Policy at least once every three years, in consultation with students and other members of the UBC Community. The formal three-year review will be undertaken in May 2020. In April of 2018, the Vice-President, Human Resources and Vice-President, Students agreed to undertake a retrospective assessment of the first year’s implementation to identify issues or gaps that require mitigation as well as to capture successes and learnings in order to guide the ongoing implementation.

PURPOSE

The purpose of this document is to provide an overarching framework to guide the continued implementation of Policy 131 across all UBC (Point Grey and Okanagan campuses) through several implementation component plans as noted below:

1. Resourcing & Recruitment Plan
2. One Year Retrospective Assessment of Policy & Procedures Plan
3. Awareness & Communications Plan
4. Education Plan
5. Operating Model Plan

Through engaging with internal to UBC stakeholders who have been directly and indirectly involved in the implementation of Policy 131, the intent is to capture the gaps, successes, unmet expectations, needs for clarity, and required improvements to integrated workflows. All of the learnings and insights from the work done in the component plans will be captured and leveraged in the discussions and planning for the go-forward Operating Model.

ACCOUNTABILITIES:

The Directors of the Sexual Violence Prevention Offices (SVPRO) and the Director of Independent Investigations Unit (IIU) are the key leaders on all aspects of the implementation program as well as the implementation of the outcomes of the work done in each component plan noted above.

As noted above, this retrospective assessment will require the engagement of those who are directly involved in awareness, response, support, reporting, investigating, and mediation activities as well as those that are accountable for programs, policies, and procedures that integrate and intersect with Policy 131 and the accountabilities of the SVPRO and IIU. Consultation activities with these internal stakeholders over the next few months will be consolidated wherever possible in order to optimize time with key stakeholders and staff.

Consultation with internal stakeholders will be reflective of Survivor Support; Student Services; Academic Leadership; Academic Policy; Ombudspersons; Student Leadership and Advocacy; Policy and



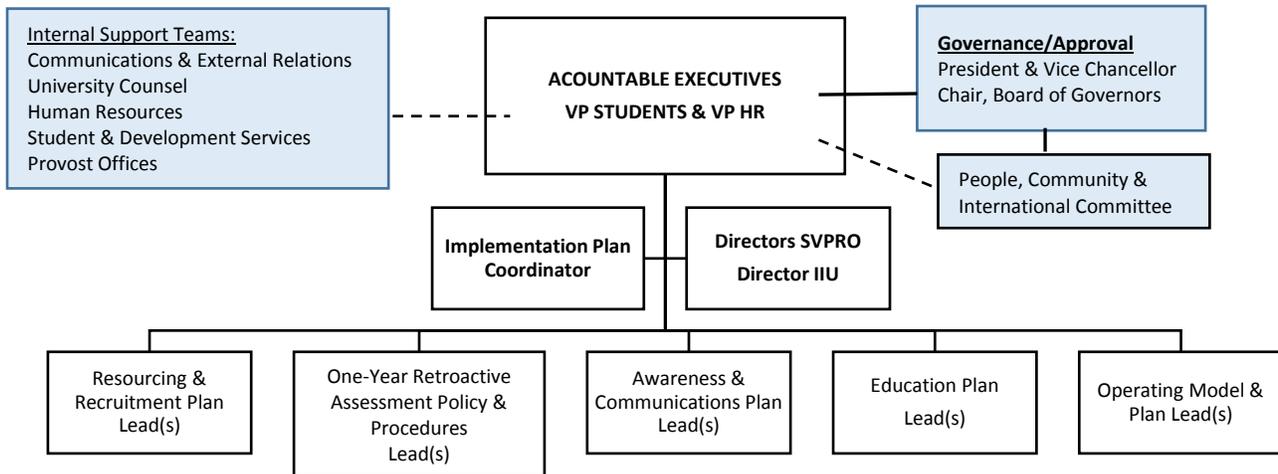
University Governance; Equity Diversity and Inclusion; and central support service units such as Human Resources, Faculty Relations, and University Counsel.

Each component of this assessment will have similar work and outcomes that will require coordination to ensure consistency and alignment with the commitments and procedures of Policy 131:

- a) Accountable stakeholder engagement
- b) Communications activities – internal and external
- c) Training Program content and delivery mechanisms
- d) Educational Program and delivery mechanisms
- e) Employment and performance expectations
- f) Process workflows across departments

An overall coordinator role for all components of the retrospective assessment work will be established and will report to the Vice-President, Students and Vice-President, Human Resources to ensure coordination and consistency across action plans. Structured bi-weekly meetings will be held with key plan leaders to report progress on activities, raise issues or risks for resolution, and to discuss any adjustments required to timelines or resourcing.

Oversight of the implementation framework and component plans will be as described below:



TIMELINE OVERVIEW

Considerable work is already underway in most of these component areas as key resources are hired and work begins to build communication and awareness mechanisms (e.g. Student Website, SVPRO website, IIU website); addressing policy and language clarification as investigations proceed; and continual dialogue with internal stakeholders to resolve issues and questions.

There are several key milestones that are driving priorities of the implementation timelines which include, first and foremost providing response and support to survivors; ensuring thorough investigations are undertaken; educating and communicating Policy 131 processes and procedures with



those receiving disclosures; and beginning to build communication, training, education and awareness mechanisms for the new academic year.

COMPONENT PLAN	2018									2019		
	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar
Resourcing & Recruitment Plan			❖								❖	
One-Year Retroactive Assessment of Policy & Procedures Plan			❖			❖		❖				
Stakeholder Consultation			❖			❖		❖				
Awareness & Communications Plan						❖		❖			❖	
Education Plan						❖		❖			❖	
Operating Model Plan						❖		❖			❖	
❖ UPDATE TO COMMITTEE/BOARD												

CONTRIBUTING STAKEHOLDERS

While the Vice-President, Students and the Vice-President, Human Resources have executive responsibility for SVPRO and IIU, the following stakeholders also have responsibilities and accountabilities to ensure effective ongoing implementation of Policy 131; support to the SVPRO and IIU Directors and teams; contribute to component plan activities; and to support the delivery of ongoing implementation recommendations. This list includes:

Contributing Stakeholders List	
Student Leadership Accountability:	Faculty Leadership Accountability:
- VP Students, UBC-V	- Provost & VP Academic UBC-V
- AVP Students, UBC-O	- Principal & Vice Chancellor UBC-O
- Managing Director Student Development & Services	- Provost UBC-O
- Managing Director Student Housing & Hospitality Services	- Vice-President, Research & Innovation
- AMS Executive – UBC-V and UBC-O	- Vice Provost & Academic Affairs UBC-V
- GSS Executive – UBC-V and UBC-O	- Deans – both campuses
University Governance Leadership Accountability	- Associate Deans – both campuses
- Board of Governors	- Department Heads – both campuses
- President & Vice Chancellor UBC	- Managing Director, Faculty Relations
- Faculty Senators	- Senior Manager, Faculty Relations - UBC-O
- Student Senators	- Faculty Association Leadership – both campuses
- Student Unions – UBC-V and UBC-O	Staff Leadership Accountability:
- University Counsel	- Vice-President, Human Resources
- Board Secretariat	- Vice-President, Finance & Operations
- Senate Secretariat	- Director HR, UBC-O
	- Managing Director, HR Advisory Services
	- Executive Team – UBC-O
	- Staff Unions & Associations (AAPS, CUPE, IOUE, BCGEU)



Thoughtful reflection will be given on how to engage with survivors, witnesses and respondents to gain insights on their experiences with the processes, supports, and procedures of Policy 131. There are currently some mechanisms in place to gather their feedback which the SVPRO and IIU teams will evolve over the next 12 months. Engagement of those impacted by sexual assault, misconduct, or harassment on their feedback must be led by SVPRO and IIU specialists.

OVERALL MONITORING OF IMPLEMENTATION

As the implementation of Policy 131 and the establishment of the SVPRO and IIU teams continue over the next 12 – 24 months (Year 2 and Year 3 of implementation); the Vice-President, Students and Vice-President, Human Resources will continue to monitor progress and report to the President, People, Community & International Committee of the Board, and the Board of Directors.

The number of disclosures, open investigations, and closed investigations are already being tracked. However, work is underway to ensure consistency in the meaning of the metric and to develop systems to more easily track and report these metrics. Discussions are also underway in the SVPRO and IIU teams on any other metrics that may need to be considered and tracked which would provide meaningful information that would enhance support and procedures.

As communication, training, and education programs are developed, piloted, and implemented; participant feedback will be continuously gathered to evolve and enhance these programs. Once integrated workflows are clarified and structured through the Operating Plan work; estimated timeframes can be established for the flow of activities under distinct scenarios which will assist in measuring the effectiveness of procedures and processes, and provide continual opportunities to enhance these processes.

The Directors of SVPRO and IIU will continue to work closely with student leaders and staff in the Students portfolios across both campuses, to participate in the development of surveys and other appreciative inquiry mechanisms to capture feedback from students on Policy 131 and student life experiences.

In May 2020, a comprehensive 3 year review will be undertaken on Policy 131 as per the Policy Commitment and requirements under the *Sexual Violence and Misconduct Policy Act*.

END OF DOCUMENT



POLICY 131 IMPLEMENTATION

1.0 RESOURCING & RECRUITMENT PLAN

PREPARED: MAY 2018



Contents

PURPOSE	3
BACKGROUND	3
ORGANIZATION STRUCTURE	4
RECRUITMENT UPDATE	5
SOURCING APPROACH	6
RETENTION APPROACH	6
ACTION PLAN ACCOUNTABILITIES	6
HIGH LEVEL ACTION PLAN	7
APPENDIX 1	10

PURPOSE

The purpose of the Resourcing & Recruitment Plan is to ensure ongoing resource needs are identified; roles are clearly defined; diverse sourcing avenues are explored; recruitment approaches are dynamic; recruitment occurs expeditiously; and ongoing development occurs to ensure retention of talented resources.

BACKGROUND

In May 2017, actions were initiated to establish three offices to implement and manage Policy 131 (note: the Director of Investigations manages Policy 131 and Policy 3).

1. Sexual Violence Prevention & Response Office (SVPRO) – UBC Vancouver
2. Sexual Violence Prevention & Response Office (SVPRO) – UBC Okanagan
3. Director of Investigations Office (DOI) – UBC Vancouver (covers both campuses)

The accountabilities of the SVPROs and the DOI are stated in Policy 131.

A decision was made to source the Director candidates from the external community in order to bring expertise and credibility from the sexual assault and violence prevention support community; and to obtain experience with investigation process that encompass trauma informed and alternative dispute resolution approaches.

Through the Policy 131 consultation process, it was determined that three Directors would be hired (one for each area noted above) initially; and that the two Directors of SVPRO would report to the Vice-President, Students and the Director of Investigations would report to the University Counsel. In the Fall of 2017, the reporting relationships of the Director of Investigations and the 2 Directors of SVPRO were changed to jointly report to the VP of Students (matters relating to students at UBCV); the Associate Vice President Students UBCO (matters relating to students at UBCO); the VP of Human Resources (matters relating Faculty and Staff across both campuses); and the Director Human Resources UBCO (UBCO Faculty and Staff).

The Directors work closely with the Managing Director of Student Development & Services UBCV and the AVP of Students UBCO (matters relating to students); the Managing Director of HR Advisory Services Vancouver, Director of Human Resources UBCO (for matters relating to Staff), and the Managing Director of Faculty Relations UBCV (matters relating to UBCV Faculty) and the Director of Human Resources UBCO (for matters relating to Staff and Faculty). The Directors and their teams also work closely with staff in Student Development & Services and Human Resources.



ORGANIZATION STRUCTURE

The organizational structures for the Sexual Violence Prevention and Response Offices (SVPRO) and the Director of Investigations office (DOI – now Independent Investigations Unit IIU) continue to evolve – the current structures are outlined in Appendix 1. The Directors are leading the design and implementation of their organizations.

The Directors of SVPRO are building professional employee and consultant teams. The Director of Independent Investigations works with a large team of external investigators on both Policy 131 and Policy 3 investigations. The goal is to ensure all investigators are trauma informed specialists; and work has begun to ensure this certification is achieved which will take some time to accomplish.

As required, the SVPRO and IIU will continue to work with community agencies and associations to partner in advocacy, support, education, and consultation activities. In addition, the SVPRO and IIUs Directors will also have Advisory Committees to seek expertise, advice, and professional support as needed.

Throughout continued implementation, and as an outcome of the Operating Model Plan, the Directors will continually assess their resourcing needs based on caseloads, collaboration with other units, and availability of external community resources and contractors for specific pieces of work.

The hours of work for both the SVPRO and IIU teams varies depending on roles and times of year. Members of both teams are available 24/7 through cell phones during the week and on weekends. The SVPRO and IIU work collaboratively with student services and external communities to determine and provide this after-hours support. Adjustments to hours of work will be made during specific times frames such as the start of the academic year (mid-August to end of September) and during awareness campaigns. Options are currently being explored for on-site accommodations for SVPRO staff during these periods.

New facility space is currently being created for the Vancouver SVPRO team in Vantage College which include offices, interview rooms, kitchenette and educational space; will be private (i.e. not shared with other units); and signage will visible yet discreet. The Okanagan SVPRO team moved into new space at Nicola Townhome 120, 1290 International Mews earlier this spring. Leased space (2,492 square feet) is currently being negotiated in Wesbrook Village (contingent on Board of Governors' approval) for the Investigation Office which will include offices, kitchenette, waiting area and meeting room.

Each Director is establishing an Advisory Council to guide and advise them throughout the year. For SVPRO these councils will include representation from the Sexual Assault Services Community; Student Leadership (AMS, GSS); Equity Diversity & Inclusion; Indigenous Community, Access and Diversity;



Policy 131 Implementation Plan – 1.0 Resourcing & Recruitment Plan

Student Development & Services, Faculty, Academic Policy, Academic Leadership; Registrar, and Human Resources.

The Director of Independent Investigations will also create an Advisory Council which will include representation from the Indigenous Community; Academic Leadership; Academic Policy; Ombudspersons; Student Leadership Advocacy; external Legal Community; Student Senators; Faculty Senators; University Counsel; Human Resources; Faculty Relations; Student Development & Services; and the Equity Diversity and Inclusion office.

Thoughtful reflection will be given on how to engage with survivors, witnesses and respondents to gain insights on their experiences with the processes, supports, and procedures of Policy 131. Engagement of those impacted by sexual assault, misconduct, or harassment on their feedback must be led by SVPRO and IIU specialists only.

RECRUITMENT UPDATE

In FY 2017/2018 the following positions were filled:

1. Director of Independent Investigations (August 2017)
2. Director of SVPRO UBCV (October 2017)
3. Director of SVPRO UBCO (December 2017)
4. Sexual Violence Prevention Educator - UBCV (Feb 2018)
5. Sexual Violence Response Specialist (Nov 2017) - UBCV* 1-year contract position.
6. Sexual Violence Response Specialist - UBCV (Dec 2017)

In FY 2018/2019 the following positions have been funded and have been or will be filled:

1. SVPRO Administrative Assistant (Hired - March 2018)
2. ADR Advisor (IIU) – UBCV/O (Hired – April 2018)
3. Sexual Violence and Support Advisor – UBCO (Hired – May 2018)
4. Sexual Violence Prevention Specialist – UBCV (Posted – April 2018)
5. Office Manager/Legal Secretary (IIU) – UBCV (Posted – April 2018)
6. Sexual Violence Prevention Indigenous Specialist – UBCV
7. Sexual Violence Prevention Indigenous Specialist – UBCV
8. Sexual Violence Survivor Rights Advisor - UBCV
9. Investigator (IIU) – UBCV/O
10. Advisor/Intake (IIU) – UBCV/O
11. Graduate Student Research Assistants (x2 part time) (IIU) – UBCV/O

Additional funding will be requested in FY 2018/2019 for the following resources:



1. Investigator (IIU) – UBCV/O
2. Sexual Violence Community Volunteer and Educator – UBCO
3. Sexual Violence Prevent Specialist - UBCO

SOURCING APPROACH

Hiring specialists from the sexual assault and violence prevention and support community will continue to be the priority for filling vacant positions in the SVPROs. Searching for specialists who reflect the diversity of the UBC community will be a priority. In the Director of Independent Investigations Unit the sourcing strategy includes hiring investigators that have experience in alternative dispute resolution, human rights, and knowledge/ experience in trauma informed investigative approaches. The Advisor roles in the IIU will bring experience in human rights, trauma informed approaches, alternative dispute resolution processes, and experience working in community.

RETENTION APPROACH

A key strategy to retaining specialists in this area of practice will be a commitment to the following:

- a) Comprehensive onboarding programs for SVPRO and IIU offices
- b) Clarity in roles and accountabilities across UBC campuses
- c) Clear and integrated performance objectives and measures across UBC campuses
- d) Robust and constructive feedback and engagement loops
- e) Support for professional development and support for ongoing certification/education including cross institutional learning
- f) Wellbeing plans to ensure the physical, mental, and spiritual wellbeing of resources dealing in a difficult arena
- g) Succession Planning for Director level and key roles

ACTION PLAN ACCOUNTABILITIES

Completing the actions under the Resourcing and Recruitment Plan is the responsibility of the Directors of SVPRO (UBC and UBCO) and the Director of Investigations; and the VP of Students (UBCV); Associate Vice-President, Students (UBCO) and Vice-President, HR for the Director levels. The Directors will be supported by the Managing Director, Student Development & Services (UBCV), the Director of HR (UBCO), and the Managing Director, HR Advisory Services. The Vice-President, Students (UBCV), Associate Vice-President Students (UBCO) and Vice-President, Human Resources will provide executive oversight to the SVPRO Directors and IIU Director; address any escalated issues; budget approvals; and Board of Governor approvals.



HIGH LEVEL ACTION PLAN

#	High level Actions & Next Steps	Lead	Support	Timeframe
1	<p>Implement Recruitment Plan</p> <ul style="list-style-type: none"> - Identify roles required and create job descriptions with classifications - Identify sourcing opportunities to acquire community specialists and enact sourcing strategies - Actively recruit to fill vacant positions - Obtain funding approval for additional resource requirements from Executive and BOG 	<ul style="list-style-type: none"> - Director SVPROs - Director, IIU 	<ul style="list-style-type: none"> - Managing Director, Student Development & Services - Managing Director, HR Advisory Services 	<p>April – May: finalize workforce plan for SVPRO and DOI teams. Complete job descriptions and classifications</p> <p>April – June: Create sourcing strategies and outreach plan</p> <p>Ongoing Activity: Recruitment of roles</p> <p>June - Sept: Approval from President and BOG for additional resource funding requests</p>
2	<p>Implement comprehensive onboarding program</p> <ul style="list-style-type: none"> - Create structured onboarding program to orient community hires to UBC complexities - Manage onboarding activities and check progress - Refine onboarding program over first year to reflect learning experiences 	<ul style="list-style-type: none"> - Director SVPROs - Director, IIU 	<ul style="list-style-type: none"> - WEL Team - Director of HR UBCO - Managing Director HR UBC - Director HR VPS 	<p>May – Aug: Finalize onboarding program and refine as new hires are hired into teams</p> <p>Quarterly: measure progress on onboarding activities</p> <p>May 2019: refine program based on learnings</p>
3	<p>Clarity in roles and accountabilities</p> <ul style="list-style-type: none"> - Engage with other teams that interact with Students, Faculty and Staff to understand known and required touchpoints with go forward Policy 131 and Policy 3 - Engage with key stakeholders that have periphery responsibilities related to Policy 131 and Policy 3 (e.g. AMS, GSS, Ombudsperson, Unions, Associations – both UBCV and UBCO campuses) to understand expectations of UBC roles currently and going forward - Review role descriptions and contracts of all roles engaging with go forward Policy 	<ul style="list-style-type: none"> - Director of HR UBCO - Managing Director HR UBC - Director HR VPS - Director SVPROs - Director IIU <p>External Facilitators will assist</p>	<ul style="list-style-type: none"> - SVPROs’ Teams - DOI Team - VPS/ SHHS Leaders - HR Advisory Services teams - University Counsel team - AMS - GSS - Ombudsperson - Union Leaders - Association Leaders 	<p>May – July: Conduct facilitated sessions to capture role, responsibilities, touchpoints, expectations, needs, gaps, etc.</p> <p>July – Aug: Create draft go forward organizational model and analysis of gap mitigation issues for consultation with key stakeholders</p>



Policy 131 Implementation Plan – 1.0 Resourcing & Recruitment Plan

#	High level Actions & Next Steps	Lead	Support	Timeframe
	<p>131 and Policy 3 to ensure alignment with policy and procedures expectations</p> <ul style="list-style-type: none"> - Update role descriptions, contracts, and performance expectations - Refine/Refresh/Create organizational supports and enablers for roles to be successful - Create and implement communication plan to communicate changes to all impacted and or engaged in go forward organizational model aligned with Policy 131 and Policy 3 commitments and procedures - SEE DOCUMENT 6.0 OPERATING MODEL PLAN 			<p>Sept – Oct: Finalize go-forward organization model and recommendations to present to President and Board of Governors</p> <p>Oct – Dec: Communicate go forward roles, workflows, and organizational model</p>
4	<p>Clear and integrated performance objectives and measures</p> <ul style="list-style-type: none"> - Develop performance objectives and measure of success for SVPRO and IIU Directors and staff to ensure alignment of day to day activities with commitments and procedures with Policy 131 and Policy 3 - Develop performance objectives and measures of success for individuals in roles that interact/intersect with SVPRO and IIU roles and with Policy 131 procedures 	<ul style="list-style-type: none"> - VP Students - VP HR - Director SVPROs - Director IIU 	<ul style="list-style-type: none"> - Director of HR UBCO - Managing Director HR UBC - Director HR VPS 	Ongoing activity
6	<p>Robust and constructive feedback and engagement loops</p> <ul style="list-style-type: none"> - Establish Advisory Councils for each unit and set schedule of meetings and engagement mechanisms - Create regular cadence of meetings with those involved in Policy 131 and or Policy 3 incidents and procedures to share learnings, practices, gaps, strategies, need for clarity - Establish bi-annual appreciative inquiry workshops to share successes, work through areas of conflict, and reset/renew relationships 	<ul style="list-style-type: none"> - Director SVPROs - Director IIU <p>External facilitators will assist</p>	<ul style="list-style-type: none"> - VPS / SHHS Leaders - HR Advisory Services teams 	<p>May - ongoing: Establish cadence of meetings; hold meetings; and capture dialogue</p> <p>June – July: Establish Advisory Committees</p>
7	<p>Support for professional development and support for ongoing certification/education</p> <ul style="list-style-type: none"> - Identify professional and career aspirations, develop learning plans, and deliver on learning commitments - Identify cross community and sector development opportunities 	<ul style="list-style-type: none"> - VP Students - VP HR - Director SVPROs - Director IIU 	WEL Team	Ongoing activity

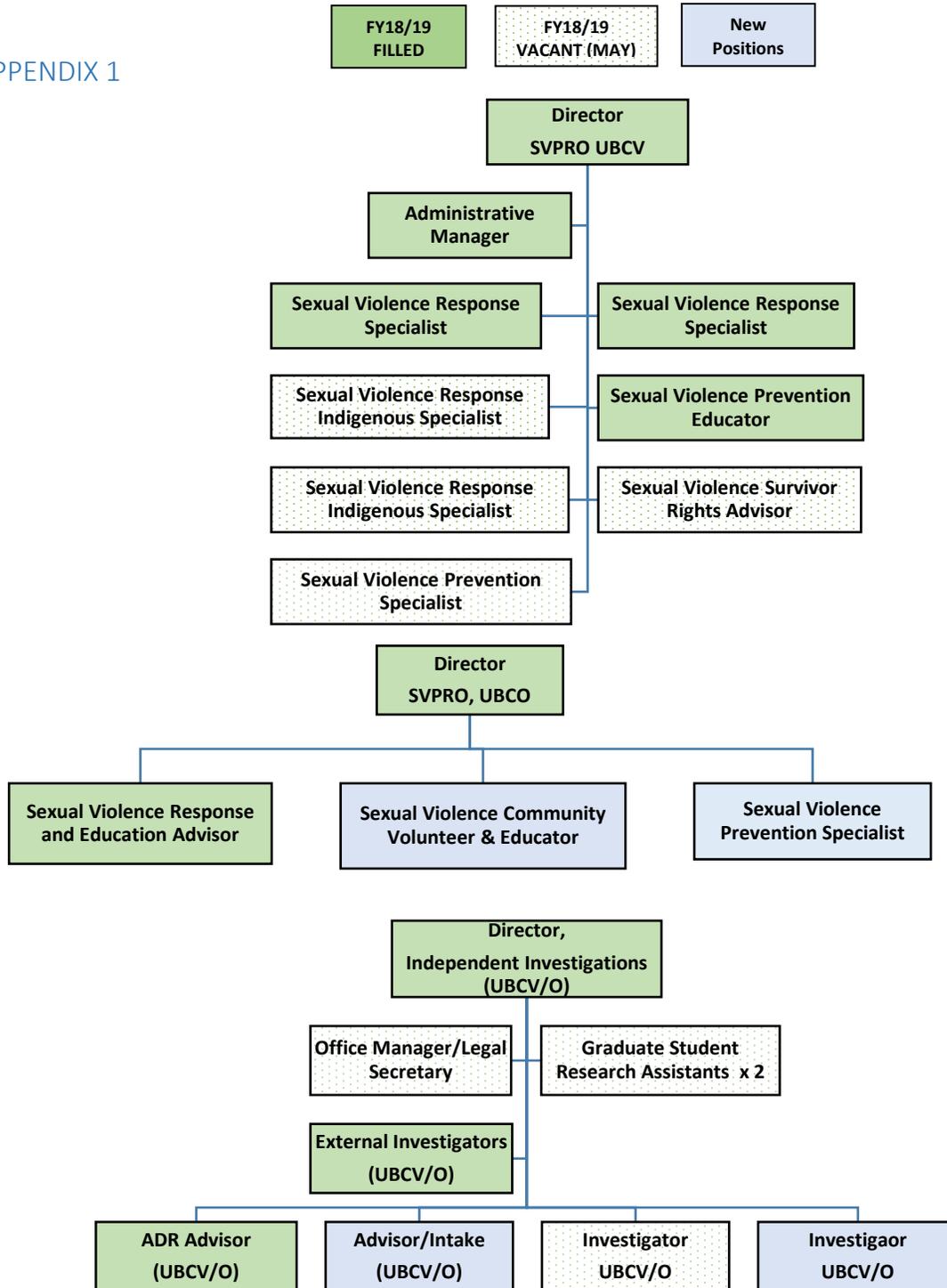


Policy 131 Implementation Plan – 1.0 Resourcing & Recruitment Plan

#	High level Actions & Next Steps	Lead	Support	Timeframe
8	<p>Wellbeing plans to ensure the physical, mental, and spiritual wellbeing of resources dealing in a difficult arena</p> <ul style="list-style-type: none"> - Establish and commit to wellbeing strategies for Directors, SVPRO, IIU, and Student Development & Services staff 	<ul style="list-style-type: none"> - VP Students - VP HR - Director SVPROs - Director IIU 	Wellbeing Team (HR)	Ongoing activity
9	<p>Succession Planning for Director level and key roles</p> <ul style="list-style-type: none"> - Evolve Director level and senior professionals job descriptions and skills matrices as implementation continues - Identify emerging leaders and professionals with required background and professional expertise and identify required growth and development over 3 to 5 years - Link to development plans 	<ul style="list-style-type: none"> - VP Students - VP HR - Director SVPROs - Director IIU 	WEL team	Ongoing activity



APPENDIX 1





POLICY 131 IMPLEMENTATION

2.0 ONE YEAR RETROSPECTIVE ASSESSMENT OF POLICY AND PROCEDURES PLAN

PREPARED: MAY 2018



Policy 131 Implementation Plan – 2.0 One-Year Retrospective Assessment Of Policy And Procedures Plan

Contents

PURPOSE 3

BACKGROUND 3

IMPLEMENTATION EXPERIENCE 4

HIGH LEVEL ACTION PLAN..... 5

REFER TO 2.0 APPENDIX 1 FOR CONSULTATION FEEDBACK FORM..... 8



PURPOSE

The purpose of the One-Year Retrospective Assessment of Policy and Procedures Plan is to capture issues raised over the last year regarding the language and content of Policy 131 procedures; and the application of Policy 131 in regards to reporting and investigative processes and procedures; and consistency and clarity of definitions, authorities and approvals. From this Retrospective Assessment, recommendations will be developed for revisions in the immediate term with an understanding that a full policy review will be done in May 2020.

BACKGROUND

In late 2015, a committee was established to develop a sexual assault policy for the University. In April, 2016, the Provincial Government passed legislation (*Sexual Violence and Misconduct Policy Act*) requiring all BC post-secondary institutions to establish and implement a sexual misconduct policy by May 18, 2017.

In February 2016, a UBC Sexual Assault Panel was appointed to undertake a review of sexual assault and make recommendations for University policy and practice. The panel report was released in June, 2016. A draft policy was presented to the Board of Governors in June, 2016. Extensive consultation was then undertaken with the UBC community, resulting in over 160 written submissions that touched on all aspects of the draft policy, focused on the need for a central support office; and the need for a separate and distinct investigatory process.

In October 2016, as a comprehensive rewrite of the proposed policy began, and a Steering Committee was convened on sexual assault to recognize and bring together work happening across UBC's campuses around issues of sexual assault. In late 2016, resources were approved for a central support office, and for a separate and distinct investigatory process.

Following a second round of consultation with the UBC community, Policy #131 – Sexual Assault and other Sexual Misconduct was approved by the Board of Governors on April 13. The new policy took effect May 18, 2017.

The Policy reflects key aspects of the consultation noted above including:

- The principles and commitments UBC will follow.
- Definitions for key terms such as 'sexual misconduct', 'consent', 'disclosure', 'report'.
- Details of UBC's support services and accommodations.
- UBC's commitment to confidentiality and privacy, and information about when UBC might be legally obligated to protect or disclose personal information.
- A broad scope, to cover all forms of sexual misconduct.



Policy 131 Implementation Plan – 2.0 One-Year Retrospective Assessment Of Policy And Procedures Plan

- A description of UBC’s new Sexual Violence Prevention and Response Office and the services it will provide.
- Procedures setting out a separate and distinct investigatory process to address reports of sexual misconduct.

IMPLEMENTATION EXPERIENCE

Over the last 12 months, as the implementation of Policy 131 has been rolled out along with the hiring of key personnel to establish the SVPRO and IIU; questions and issues have been raised by SVPRO and IIU resources, AMS, GSS, Board of Governors, and other key stakeholders regarding Policy 131 content and language and application of that language in each section of the Policy and Procedures.

In addition, the Retrospective Assessment of Policy 131 will identify intersecting policies such as Policy 3 (Discrimination and Harassment); Policy 14 (Response to At-Risk Behaviours); Policy 95 (Investigations and Guidelines for Investigations); Policy 7 (University Safety); Respectful Workplace Statement; and Non-Academic Student Misconduct Process. Additionally, we will evaluate the intersection with Employment Law, Employment Standards, WorkSafe BC regulations; and Collective Agreement terms and conditions.

Policy Sections:

1. Principles & Commitments
2. SVPRO Responsibilities
3. Disclosures
4. Reports
5. Anonymous and Third Party Allegations
6. Conflicts of Interest
7. Policy Review
8. Definitions

Procedures Sections:

1. General (includes role of IIU)
2. Reports
3. Initial Review
4. Investigations
5. Outcomes & Disciplinary Measures
6. Confidentiality & Privacy

Specific questions and issues have been raised through stakeholders on the following:

1. Jurisdiction – on campus, fraternities, off campus, who is a UBC community member?
2. Definitions – Consent, Disclosure, Report
3. Confidential & Privacy
4. Appeal Process



Policy 131 Implementation Plan – 2.0 One-Year Retrospective Assessment Of Policy And Procedures Plan

5. Role and Responsibilities – SVPRO Directors, IIU Directors, SVPRO Teams, IIU team, RLMs, RAs, Human Resources, Faculty Relations, Campus Security, etc.
6. Procedural Fairness
7. Retaliation
8. Accommodations & Concessions – Academic, Facilities, Health
9. Alternative Dispute Resolution Procedures
10. Respondents’ Rights
11. Investigation Timelines
12. Intersection with Senate and Board Policies
13. Intersection with Student, Faculty and Staff Policies
14. Intersection with external legislation, regulations – e.g. WorkSafe BC, Employment Standards, Human Rights, etc.

While active consultation has been ongoing throughout the year to address questions and issues raised by key stakeholders such as the AMS, the Board of Governors, respondents, witnesses, survivors; the objective of this One-Year Retrospective Assessment of Policy & Procedures is to more formally address the language concerns raised by stakeholders through the following actions:

1. Capturing past and ongoing feedback from key internal stakeholders identifying questions, issues, and gaps on Policy language and procedures
2. Reviewing past and needed legal opinions on specific areas of language and procedures
3. Reviewing Senate, Board, Student, Faculty and Staff Policies for intersection with Policy 131
4. Identifying gaps between intent of Policy versus application of Policy
5. Refining language as required and consult on changes to languages with key stakeholders
6. Capturing implementation experiences of other Canadian universities in implementing their Policy
7. Seeking approvals from President, Executive and Board of Governors on any proposed changes
8. Revising Policy 131 and communicate revisions to all key stakeholders
9. Modifying any education/training/awareness materials to reflect changes

HIGH LEVEL ACTION PLAN

A high level action plan with timelines, accountabilities and desired outcomes is outlined below and will be managed through the Vice-President, Students, Vice-President, Human Resources and the University Counsel to ensure progress is achieved. The Directors of SVPRO and the Director of Investigation will work closely with the VPs and University Counsel and their staff to participate in this plan in concert with the work that will be undertaken in 4.0 Operating Model Plan activities.



Policy 131 Implementation Plan – 2.0 One-Year Retrospective Assessment Of Policy And Procedures Plan

#	High Level Actions & Key Steps	Lead	Support	Timeframe
1.	<p>Capture feedback and concerns from key stakeholders</p> <ul style="list-style-type: none"> • Capture past and ongoing feedback • Identify list of internal key stakeholders and invite to participate in written consultation process • Schedule follow-up meetings and manage logistics for meetings • Document discussion from consultations and prioritize key items with estimated timeframes to resolve • Capture and document discussions (email and in person meetings) into a summary report with any mitigation/revisions undertaken and or planned for three-year formal review • Prepare and submit preliminary report for President and Board of Governors 	<ul style="list-style-type: none"> - VP HR - VP Students 	<ul style="list-style-type: none"> - VP Students with team - VP HR with team - Directors SVPRO - Directors IIU - VP External Relations & Communications and Team - University Counsel and team 	<ul style="list-style-type: none"> - June – July: capture feedback from inventory, written and verbal consultation sessions - Jul – Sept: Documentation of findings, priorities, and next steps and consolidation with Operating Plan findings - Sept: BOG/Committee Presentation - Jun – Sept: address straightforward low complexity changes to enhance ongoing implementation
2.	<p>Review past and required legal opinions on specific areas including alignment with legislation and regulations (e.g. WorkSafe BC, Employment Labour Standards, Human Rights)</p> <ul style="list-style-type: none"> • Review previous opinions provided from external counsel • Identify and gather potential gaps or concerns identified in implementation and obtain legal opinions • Identify priority areas to address with estimated timeframes to resolve 	<ul style="list-style-type: none"> - University Counsel through external Counsel 	<ul style="list-style-type: none"> - VP Students with team - VP HR with team - Directors SVPRO - Director IIU 	<ul style="list-style-type: none"> - Mid May – End June: initial review - July – Sept: Documentation of findings, priorities, and next steps and consolidation with Operating Plan findings - Sept: BOG/Committee Presentation - Sept – Dec: Implementation of changes
3.	<p>Review Senate, Board, Student, Faculty and Staff Policies for intersections with Policy 131</p> <ul style="list-style-type: none"> • Identify intersecting Senate, Student, Faculty, and Staff policies through consultation and policy review • Identify gaps and issues with intersection to Policy 131 • Identify priority areas to addresses and develop recommendations for solutions • Present gaps, priorities, impacts, and recommendations to relevant to 	<ul style="list-style-type: none"> - University Counsel through external Counsel 	<ul style="list-style-type: none"> - Provost & VP Academic UBC - Provost UBCO - Senate Board Secretariat - BOG Board Secretariat - Managing Director HR Advisory Services 	<ul style="list-style-type: none"> - Mid May – End Jun: initial review - Jul – Sept: Documentation of findings, priorities, and next steps and consolidation with Operating Plan findings - Sept: Senate and BOG/Committee Presentation for approval



Policy 131 Implementation Plan – 2.0 One-Year Retrospective Assessment Of Policy And Procedures Plan

#	High Level Actions & Key Steps	Lead	Support	Timeframe
	<p>Executive, President, BOG, Senate governance bodies for approval and/or guidance</p> <ul style="list-style-type: none"> Establish timeframes for implementation of approved recommended changes 			<p>- Sept – Dec: Implementation of changes</p>
4.	<p>Identify gaps between intent of Policy versus application of Policy</p> <ul style="list-style-type: none"> As part of, and in addition to, work described above (1, 2, 3) identify gaps in awareness, communications, training, education, investigation processes, hiring, onboarding, operations, etc.; through consultations with key stakeholders Identify gaps and issues with application and sustainment of Policy 131 through consultation and feedback sessions Identify priority areas to addresses and develop recommendation for solutions and impacts for Executive, President, and BOG approval Present gaps, priorities and recommendations to Executive, President, and BOG for direction and recommendations approval 	<ul style="list-style-type: none"> VP Students VP HR 	<ul style="list-style-type: none"> VP Students Team VP HR Team Directors SVPRO Director IIU VP External Relations & Communications and Team AVP Students (UBCO) 	<ul style="list-style-type: none"> Jun – Aug: focus groups within departments with those with responsibilities and interactions under Policy 131 Aug – Sept: Documentation of findings, priorities, and next steps and consolidation with Operating Plan findings Sept - Dec: address straightforward low complexity changes to enhance ongoing implementation Sept: BOG/Committee Presentation
5.	<p>Conduct benchmarking with other Canadian Universities on their SVPR policies and implementation learnings; issues and challenges; and planned changes</p>	<ul style="list-style-type: none"> VP HR 	-	<ul style="list-style-type: none"> Jun – Jul : consult with University Executives responsible for SVPR policy Aug – Sept: document findings and recommendations Sept: BOG/Committee Presentation
6.	<p>Refine language and consult on revisions to languages with key stakeholders</p> <ul style="list-style-type: none"> Re-engage with key stakeholders to review revisions Prepare format for consultation Schedule follow up meetings and manage logistics for meetings 	<ul style="list-style-type: none"> VP Students VP HR University Counsel 	<ul style="list-style-type: none"> VP Students Team VP HR Team Directors SVPRO Director IIU VP External Relations & Communications and Team 	<ul style="list-style-type: none"> Oct – Dec: re-engagement and refinement of documents Oct – Dec: implement straightforward low complexity changes



Policy 131 Implementation Plan – 2.0 One-Year Retrospective Assessment Of Policy And Procedures Plan

#	High Level Actions & Key Steps	Lead	Support	Timeframe
	<ul style="list-style-type: none"> Document discussions from consultation and prioritize concerns, risks, impacts Prepare and submit Final report for President and Board of Governors 			<ul style="list-style-type: none"> Dec – Jan: BOG/Committee presentation
7.	<p>Revise Policy 131 and communicate to all key stakeholders</p> <ul style="list-style-type: none"> Finalize documentation of revisions in all related policies, procedures, manuals, communications materials, job descriptions, websites, etc. Create comprehensive communications plan and related materials Execute on communications plan 	<ul style="list-style-type: none"> Directors SVPRO Director IIU VP External Relations & Communications and Team 	<ul style="list-style-type: none"> VP Students and Team VP HR and Team 	<ul style="list-style-type: none"> Sept - Oct: develop comprehensive communications plan Aug – Dec: finalize materials as created/approved Nov – Feb: execute communications plan (ongoing deliverable)
8.	<p>Modify any education/training/awareness materials to reflect revisions</p> <ul style="list-style-type: none"> Finalize documentation of revisions in all existing related training and education materials Create new training, awareness and education materials Create comprehensive training, education and awareness plan and related materials Execute on plans 	<ul style="list-style-type: none"> Directors SVPRO Director IIU VP External Relations & Communications and Team VP Students and Team VP HR and Team 	<ul style="list-style-type: none"> Same as leads and support throughout organization 	<ul style="list-style-type: none"> Sept - Oct: develop comprehensive training, education and awareness plans Aug – Dec: finalize materials as items created/approved Nov – Feb: execute on plans (ongoing deliverable)

END OF DOCUMENT

[REFER TO 2.0 APPENDIX 1 FOR CONSULTATION FEEDBACK FORM](#)



APPENDIX 1

PURPOSE

The purpose of this Consultant/Feedback Form is to gather constructive and objective feedback from internal key stakeholders involved with the implementation of Policy 131 over the last 12 months. A formal three-year broader stakeholder based review will be undertaken in May 2020. The information gathered through this form and follow up discussions will inform the University where the application of the policy and procedures has been effective; and where there are potential concerns, gaps, lack of clarity, and or risks in the application of the Policy commitments or procedures. The highlights of the feedback will shape the degree to which any language, procedures, or accountabilities are modified.

Please indicate your name and position/role within the University environment in the box below.

Name:	
Position/Role:	
Location:	
Representing:	

Please send the completed document by email to xxxxxx by xxxxx.

Thank you for being part of this important evaluation and consultation process.



PART 1 - POLICY SECTION

Instructions: Based on your experience, interactions, consultations, engagements, insights...what are the issues and gaps associated with the following sections of the Policy that require revisions. Please also indicate where the policy commitment statements and or language have been effective and any suggestions for modification of language and or procedures that will strengthen the policy. Please indicate “n/a” or “no comment” in sections that you have no feedback to share.

Sec	Section Name	Insights/Observations/Suggestions	For reference purposes, please refer to any previous communications on this topic
1	Principles & Commitments		



Policy 13 Implementation Plan – 2.0 Appendix 1 - One-Year Retrospective Assessment of Policy and Procedures Plan – Feedback Form

Sec	Section Name	Insights/Observations/Suggestions	For reference purposes, please refer to any previous communications on this topic
2	SVPRO Responsibilities		
3	Disclosures		



Policy 13 Implementation Plan – 2.0 Appendix 1 - One-Year Retrospective Assessment of Policy and Procedures Plan – Feedback Form

Sec	Section Name	Insights/Observations/Suggestions	For reference purposes, please refer to any previous communications on this topic
4	Reports		
5	Anonymous and Third Party Allegations		



Policy 13 Implementation Plan – 2.0 Appendix 1 - One-Year Retrospective Assessment of Policy and Procedures Plan – Feedback Form

Sec	Section Name	Insights/Observations/Suggestions	For reference purposes, please refer to any previous communications on this topic
6	Conflicts of Interest		
7	Policy Review		



Policy 13 Implementation Plan – 2.0 Appendix 1 - One-Year Retrospective Assessment of Policy and Procedures Plan – Feedback Form

Sec	Section Name	Insights/Observations/Suggestions	For reference purposes, please refer to any previous communications on this topic
8	Definitions		
9	General Comments		



PART 2 - PROCEDURES SECTION

Instructions: Based on your experience, interactions, consultations, engagements, insights...what are the issues and or gaps associated with the procedures section that require revisions. Please also indicate where the procedure statements and or language have been effective and any suggestions for modification of language or procedures that will strengthen the language and or procedures. Please indicate “n/a” or “no comment” in sections that you have no feedback to share.

Sec	Section Name	Insights/Observations/Suggestions	For reference purposes, please refer to any previous communications on this topic
1	General		
2	Reports		



Policy 13 Implementation Plan – 2.0 Appendix 1 - One-Year Retrospective Assessment of Policy and Procedures Plan – Feedback Form

Sec	Section Name	Insights/Observations/Suggestions	For reference purposes, please refer to any previous communications on this topic
3	Initial Review		
4	Investigations		



Policy 13 Implementation Plan – 2.0 Appendix 1 - One-Year Retrospective Assessment of Policy and Procedures Plan – Feedback Form

Sec	Section Name	Insights/Observations/Suggestions	For reference purposes, please refer to any previous communications on this topic
5	Outcomes & Disciplinary Measures		
6	Confidentiality & Privacy		



Policy 13 Implementation Plan – 2.0 Appendix 1 - One-Year Retrospective Assessment of Policy and Procedures Plan – Feedback Form

Sec	Section Name	Insights/Observations/Suggestions	For reference purposes, please refer to any previous communications on this topic
7	General Comments		



PART 3 – CLARIFICATION THEMES

Instructions: Over the last 12 months, specific questions, issues and concerns have been raised by key stakeholders seeking clarity of meaning, intent, and use of language in the topics noted below. Please provide any comments, suggestions and issues so that required revisions can be considered. Please indicate “n/a” or “no comment” in sections that you have no feedback to share.

#	Topic Area	Comments/Suggestions/Issues	For reference purposes, please refer to any previous communications on this topic
1	Jurisdiction (on campus, fraternities, off campus)		
2	Definitions (Consent, Disclosure, Report)		



Policy 13 Implementation Plan – 2.0 Appendix 1 - One-Year Retrospective Assessment of Policy and Procedures Plan – Feedback Form

#	Topic Area	Comments/Suggestions/Issues	For reference purposes, please refer to any previous communications on this topic
3	Confidential & Privacy (Survivor, Witnesses, Respondents)		
4	Appeal Process		



Policy 13 Implementation Plan – 2.0 Appendix 1 - One-Year Retrospective Assessment of Policy and Procedures Plan – Feedback Form

#	Topic Area	Comments/Suggestions/Issues	For reference purposes, please refer to any previous communications on this topic
5	Roles & Responsibilities: SVPRO Directors SVPRO team Director of Investigations IIU Team RLMs, RAs Campus Security Human Resources Faculty Relations		
6	Procedural Fairness		



Policy 13 Implementation Plan – 2.0 Appendix 1 - One-Year Retrospective Assessment of Policy and Procedures Plan – Feedback Form

#	Topic Area	Comments/Suggestions/Issues	For reference purposes, please refer to any previous communications on this topic
7	Retaliation		
8	Accommodations & Concessions – Academic, Facilities, Health		



Policy 13 Implementation Plan – 2.0 Appendix 1 - One-Year Retrospective Assessment of Policy and Procedures Plan – Feedback Form

#	Topic Area	Comments/Suggestions/Issues	For reference purposes, please refer to any previous communications on this topic
9	Alternative Dispute Resolution Procedures		
10	Respondents' Rights		



Policy 13 Implementation Plan – 2.0 Appendix 1 - One-Year Retrospective Assessment of Policy and Procedures Plan – Feedback Form

#	Topic Area	Comments/Suggestions/Issues	For reference purposes, please refer to any previous communications on this topic
11	Investigation Timelines		
12	Intersection with Senate and Board Policies		



Policy 13 Implementation Plan – 2.0 Appendix 1 - One-Year Retrospective Assessment of Policy and Procedures Plan – Feedback Form

#	Topic Area	Comments/Suggestions/Issues	For reference purposes, please refer to any previous communications on this topic
13	Intersection with Student, Faculty and Staff Policies		
14	Intersection with external legislation, regulations (e.g. WorkSafe BC, Employment Standards, Human Rights, etc.)		



Policy 13 Implementation Plan – 2.0 Appendix 1 - One-Year Retrospective Assessment of Policy and Procedures Plan – Feedback Form

#	Topic Area	Comments/Suggestions/Issues	For reference purposes, please refer to any previous communications on this topic
15	General Comments		

END OF DOCUMENT



POLICY 131 IMPLEMENTATION

3.0 AWARENESS AND COMMUNICATIONS PLAN

PREPARED: MAY 2018



Contents

COMMITMENT.....	3
PURPOSE.....	3
COMMUNICATIONS STRATEGY OBJECTIVES	3
ACTION PLAN ACCOUNTABILITIES.....	4
APPROACH.....	4
HIGH LEVEL ACTION PLAN	5



COMMITMENT

UBC has a responsibility to maintain a respectful environment where its members can study, work, and live free from sexual misconduct. Policy 131 articulates UBC's duty and commitment to support members of the UBC community who are impacted by sexual misconduct, to provide a central site for information regarding the resources and options available to those affected by sexual misconduct, to create and make available programs and resources to educate its community on the prevention of sexual misconduct, and to provide a process to respond to and to investigate allegations of sexual misconduct. Policy 131:

- sets out the principles the University will adhere to with regard to sexual misconduct,
- articulates conduct expectations for all members of the UBC community, and
- outlines the processes and procedures the University will follow when responding to and investigating allegations of sexual misconduct.

Implementation of Policy 131 began in late May 2017. The Policy states UBC's commitment to reviewing this Policy at least once every three years, in consultation with students and other members of the UBC Community. The formal three-year review will be undertaken in May 2020.

In April of 2018, the Vice-President, Human Resources and Vice-President, Students agreed to create and communicate structured implementation plans including Awareness and Communication activities across both campuses to guide the ongoing implementation and to ensure UBC's commitments under Policy 131 are demonstrated.

PURPOSE

The purpose of the Awareness and Communications Plan is to outline the communication objectives related to Policy 131 (and Policy 3); outline how awareness will be raised broadly about the new Sexual Violence, Prevention, Response Office ("SVPRO") and the Independent Investigations Unit ("IIU"); establish standard key messages that will be shared through central communications channels; and delineate accountability for executing these accountabilities and communications.

COMMUNICATIONS STRATEGY OBJECTIVES

The objective of this proactive strategy is to increase awareness more broadly within the university community and externally, of the UBC Sexual Assault and Other Sexual Misconduct Policy (131) as well as the supports available through the Sexual Violence Prevention and Response and Independent Investigations Offices.

OBJECTIVES:

- Increase awareness of Sexual Violence Prevention and Response Offices
- Increase awareness of the Independent Investigations Unit
- Renew trust and confidence in the institution's response to sexual violence.



- Create a plan to communicate annual statistics that are regularly tracked and reported in regards to in Policy #131 and Policy #3

The Awareness and Communications Plan operates in conjunction with the Education Plan to accomplish these objectives.

ACTION PLAN ACCOUNTABILITIES

Completing the actions under the Awareness and Communications Plan is the responsibility of the Directors of SVPRO (UBC-V and UBC-O) and the Director, IIU; and the Vice-President, Students (UBC-V); AVP Students (UBC-O) and Vice-President, Human Resources for the Director levels. The Directors will be supported by the Managing Director, Student Development & Services (UBC-V), the Director of Human Resources (UBC-O), the Managing Director, HR Advisory Services, AVP of Communications; and the Director of Media Relations. The Vice-President, Students (UBC-V), AVP Students (UBC-O) and Vice-President, Human Resources will provide executive oversight to the SVPRO Directors and IIU Director; address any escalated issues; budget approvals; and Board of Governor approvals.

APPROACH

The approach to awareness and communications is multi-faceted and geared to survivors, support groups, witnesses, and leaders at academic, student and staff levels. There will be a variety of mechanisms used to enhance awareness and communicate key messages such as digital signage; informative websites; targeted campaigns; regular articles; regular focus groups; access to specialists with answers; and consistent follow-up.

The timing of the delivery of these mechanisms is tied to key touchpoints in the life of students, faculty and staff such as the opening of the academic year; moving into residence; orientations; town halls and special events; and other key activities that gather together all of those that may be impacted by sexual harassment, sexual misconduct and or sexual assault. We will also align campaigns to UBC life on both campuses, with Student Campaigns (e.g. AMS, GSS, UBKSUO); as well as to any external community campaigns.

Interaction and integration with others across UBC that engage with students, faculty and staff will be key; and therefore regular consultation, feedback, and support will be undertaken with Student Leadership, Student Services, Faculty Leadership, Staff Leadership and Central Support Teams. While SVPRO and IIU Directors have direct leadership accountabilities for the implementation of Policy 131 and Policy 3 (for IIU), they are integrally linked with units across UBC and rely on their support, advice and guidance.

In order to ensure consistency, alignment, effectiveness, timeliness and meaningful impact of communications, the following work is currently underway or will begin shortly:

- Identification of key objectives and goals of the Communication Strategy & Plan and seeking of alignment with common goals and objectives of other key internal stakeholders (e.g. AMS, GSS, UBKSUO)



Policy 131 Implementation – 3.0 Awareness & Communications Plan

- Identification of “high-stress” times of the academic year and campus-related activities and events associated with the consumption of drugs/alcohol may increase likelihood of disclosure
- Development of performance objectives and measure of success for communications plan deliverables to ensure alignment with Policy 131 and consistency between SVPRO-V, SVPRO-O and IIU; and with those that share accountabilities and or work closely with SVPRO and IIU teams
- Consultation and feedback with students, faculty and staff on the key touchpoints with Policy 131 and Policy 3 through focus groups and regular interactions
- Creation of effective, relevant and timely communication mechanisms and messages
- Creation of a university position statement on sexual assault that includes commitment to zero tolerance for sexual violence and support for survivors and acknowledgement of institutional responsibility
- Identification and coordination mechanisms across existing faculty, department and unit communication channels to ensure consistency
- Determining an evaluation framework and benchmarks to measure effectiveness of the plan
- Continuous review, refresh and refine the communications strategy over the next 12 months to reflect learning experiences

HIGH LEVEL ACTION PLAN

#	High level Actions & Next Steps	Lead	Support	Timeframe
1	<p>Develop and implement comprehensive communications strategy and plan including:</p> <ul style="list-style-type: none"> - Identify communication goals and objectives. - Engage with students, faculty and staff through focus groups and regular consultation to understand effective communication mechanisms and messages format - Engage with other teams that interact with Students, Faculty and Staff to understand known and required touchpoints with Policy 131 and Policy 3 - Engage with key stakeholders that have periphery responsibilities related to Policy 131 and Policy 3 (e.g. AMS, GSS, UBCSUO, Ombudsperson, Unions, Associations – both UBC-V and UBC-O campuses) - Create university position statement on sexual assault - Create key messages and proof points - Identify and coordinate across existing faculty, department and unit communication channels to ensure consistency. - Determine evaluation framework and benchmarks and schedule of feedback 	<ul style="list-style-type: none"> - VP Students - VP HR - Director SVPROs - Director, IIU 	<ul style="list-style-type: none"> - Managing Director, Student Development & Services - Managing Director, HR Advisory Services - Communications HR, - Communications, Students - Media Relations 	April – July: finalize goals, objectives, key messages, target audiences and communication channels



Policy 131 Implementation – 3.0 Awareness & Communications Plan

#	High level Actions & Next Steps	Lead	Support	Timeframe
	<ul style="list-style-type: none"> - Create campaign calendar and plan for development of required materials 			
2	<p>Develop and implement awareness building and engagement campaigns.</p> <ul style="list-style-type: none"> - Identify key stakeholders and convene working groups. - Tailor themes, key messages and touchpoints for target audiences - Utilize and coordinate across existing communication channels. - Create collateral materials and enhance required channels (e.g. websites) - Conduct focus groups to gather target audience feedback - Finalize budgets 	<ul style="list-style-type: none"> - VP Students - VP HR - Director SVPROs - Director, IIU 	<ul style="list-style-type: none"> - Managing Director, Student Development & Services - Managing Director, HR Advisory Services - Communications HR, - Communications, Students - Media Relations - Health Promotion - SHHS - AMS - GSS - EIO 	<p>Sept: Present Campaign Plan and High Level materials to BOG/Committee</p> <p>Sept: ‘We Believe You’</p> <p>Oct: ‘Consent is Clear’</p> <p>Nov: ‘Know Your Options’</p> <p>Jan: Sexual Assault Awareness Month</p> <p>Feb: ‘Know Your Options’</p> <p>Sept - April: Conduct Focus groups on continuous basis</p> <p>April: Provide update to BOG/Committee</p> <p>May – June (2019): consolidate feedback from focus groups and revise materials for 2019/20 Academic Year</p>
3	<p>Develop and implement passive programming to promote campus resources for survivors of sexual assault</p> <ul style="list-style-type: none"> - Identify “high-stress” times of the academic year and campus-related activities and events - Design and launch online/offline passive programming to reinforce key messaging in active campaigns (poster, booths, buttons, digital signage etc. 	<ul style="list-style-type: none"> - Director SVPROs - SHHS - AMS - GSS 		<p>Ongoing Activities:</p> <p>Alignment with Exam periods, Reading Week, Pit Night, AMS Block Party</p>
4	<p>In collaboration with others, design and deliver collateral for communication tactics including:</p> <ul style="list-style-type: none"> - Design and launch of Websites for SVPROs and IU - Create 4-page 8x10 step-by-step guide for faculty and staff responding to students who disclose sexual assault - Design and install signage (digital, print, wayfinding) - Design campaign-specific collateral 	<ul style="list-style-type: none"> - Director SVPROs - Director, IIU 	<ul style="list-style-type: none"> - Communications HR - Communications Students - Media Relations 	<p>March - May: Design and launch of SVPRO website and IIU website</p> <p>June – August: Create awareness guide and distribute by end of August</p> <p>June – August: Create signage and install by end of August</p>
5	<p>Communication regarding Clarity in roles and accountabilities</p> <ul style="list-style-type: none"> - Engage with other communication and awareness teams that interact with Students, Faculty and Staff to understand roles and accountabilities 	<ul style="list-style-type: none"> - Director of HR UBC-O - Managing Director HR UBC 	<ul style="list-style-type: none"> - SVPROs’ Teams - IIU Team - VPS/ SHHS Leaders - HR Advisory Services teams 	<p>May – July: Conduct facilitated sessions to capture role, responsibilities, touchpoints,</p>



Policy 131 Implementation – 3.0 Awareness & Communications Plan

#	High level Actions & Next Steps	Lead	Support	Timeframe
	<ul style="list-style-type: none"> - Engage with key stakeholders that have periphery communication/awareness responsibilities related to Policy 131 and Policy 3 (e.g. AMS, GSS, UBCSUO, Ombudsperson, Unions, Associations – both UBC-V and UBC-O campuses) to ensure consistency, accuracy and alignment - Create and implement communication plan to communicate changes to all impacted and or engaged resources in go forward organizational model aligned with Policy 131 and Policy 3 commitments and procedures (i.e. .Post Operating Model Plan deliverables) 	<ul style="list-style-type: none"> - Director HR VPS - Director SVPROs - Director IIU <p>External Facilitators will assist</p>	<ul style="list-style-type: none"> - University Counsel team - AMS - GSS - Ombudsperson - Union Leaders - Association Leaders 	<p>expectations, needs, gaps, etc.</p> <p>July – Aug: Integrate findings into Operating Mode Plan activities</p> <p>Sept: As part of overall framework - Finalize go-forward organization model and recommendations to present to President and Board of Governors</p> <p>Oct – Dec: Communicate go forward roles, workflows, and organizational model</p>
6	<p>Clear and integrated communication performance objectives and measures</p> <ul style="list-style-type: none"> - Develop performance objectives and measure of success for communications plan to ensure alignment with Policy 131 and consistency between SVPRO-V, SVPRO-O, and IIU - Manage communications activities and monitor progress - Refine communications strategy over first year to reflect learning experiences 	<ul style="list-style-type: none"> - VP Students - VP HR - Director SVPROs - Director of IIU 	<ul style="list-style-type: none"> - Communications HR, - Communications, Students - Media Relations - Director HR VPS 	<p>Ongoing activity</p>
7	<p>Robust and constructive feedback and engagement loops</p> <ul style="list-style-type: none"> - Participate in regular cadence of meetings with those involved in Policy 131 and or Policy 3 to share communication and awareness learnings, practices, gaps, strategies, need for clarity - Participate in bi-annual appreciative inquiry workshops to share successes, work through areas of conflict, and reset/renew relationships 	<ul style="list-style-type: none"> - Director SVPROs - Director IIU <p>External AI facilitators will assist</p>	<ul style="list-style-type: none"> - VPS / SHHS Leaders - HR Advisory Services teams - AMS - GSS - Ombudspersons 	<p>June - ongoing: Establish cadence of meetings; hold meetings; and capture dialogue</p>

End of Document



POLICY 131 IMPLEMENTATION

4.0 EDUCATION PLAN

PREPARED: MAY 2018



Contents

COMMITMENT	3
PURPOSE	3
ACCOUNTABILITIES	4
APPROACH	4
HIGH LEVEL ACTION PLAN.....	6



COMMITMENT

UBC has a responsibility to maintain a respectful environment where its members can study, work, and live free from sexual misconduct. Policy 131 articulates UBC’s duty and commitment to support members of the UBC community who are impacted by sexual misconduct, to provide a central site for information regarding the resources and options available to those affected by sexual misconduct, to create and make available programs and resources to educate its community on the prevention of sexual misconduct, and to provide a process to respond to and to investigate allegations of sexual misconduct. Policy 131:

- sets out the principles the University will adhere to with regard to sexual misconduct,
- articulates conduct expectations for all members of the UBC community, and
- outlines the processes and procedures the University will follow when responding to and investigating allegations of sexual misconduct.

Implementation of Policy 131 began in late May 2017. The Policy states UBC’s commitment to reviewing this Policy at least once every three years, in consultation with students and other members of the UBC Community. The formal three-year review will be undertaken in May 2020.

In April of 2018, the Vice-President, Human Resources and Vice-President, Students agreed to create and communicate structured implementation plans including educational activities across both campuses, in order to build a culture of consent and to ensure UBC’s commitments under Policy 131 are demonstrated.

PURPOSE

The overarching goal of this Education Plan is to build the capacity of the UBC community to respond and prevent sexual violence using a trauma-informed approach. The purpose of the Education Plan is to outline the key education objectives that will support the effective implementation of Policy 131 and specifically:

- a) educate key faculty, staff and student leaders about Policy 131 commitments and procedures and on prevention of sexual assault, misconduct and harassment;
- b) the role of the Sexual Violence, Prevention and Response Offices (“SVPRO”) and the Independent Investigations Unit (“IIU”); and
- c) train key individuals on how to recognize and respond to sexual violence; and how to refer upon receiving a disclosure of sexual violence.



ACCOUNTABILITIES

Under Policy 131, the Sexual Violence Prevention and Response Offices are responsible for leading UBC-wide sexual violence prevention education program for faculty, staff and students. This Education Plan assumes that every UBC Community Member can be empowered through a combination of awareness, education and training initiatives to foster a Culture of Consent.

“Consent” is the voluntary agreement to the act or acts in question and to continue to engage in the act or acts. Voluntary agreement to engage in the activity or to continue to engage in the activity must be communicated through words or conduct

The Education Plan, in concert with the Awareness and Communication Plan; will increase understanding of the role all key stakeholders can take to create a culture of consent by knowing how and when they can take at least one of the following actions: a) supporting a survivor, b) safely intervening before, during or after an incident of sexual violence; and/or c) countering broader social attitudes and behaviours that normalize sexual violence.

The Independent Investigations Unit also has accountability for internal stakeholder training, however it is focused on topics such as complaint management, alternative dispute resolution techniques, trauma-informed investigative processes; Policy 3 and Policy 131 procedures; procedural fairness concepts; and guidance on implementing remediation steps resulting from investigations. The IIU is also responsible to ensure that all internal units at UBC understand the concepts of transparent, fair and legally compliant procedures related to respondent’s rights, in particular, statements of admission, disciplinary processes and access to appeal processes.

As required, the SVPRO and IIU teams will work with internal and external community agencies and associations to partner in advocacy, support, and education activities. In addition, the SVRPO and IIU Directors will also have Advisory Councils to seek expertise, advice, and professional support as needed.

Completing the actions under the Education Plan is the responsibility of the Directors of SVPRO (UBC-V and UBC-O) and the Director of Independent Investigations (IIU). The Directors will be supported by the Managing Director, Student Development & Services (UBC-V), the Director of HR (UBC-O), and the Managing Director, HR Advisory Services to ensure this plan is implemented.

APPROACH

The approach to education is multi-faceted and geared to students, staff, faculty, first responders, survivors, support groups, witnesses, and leaders at academic, student and staff levels. There will be a variety of mechanisms used to educate these key stakeholders including workshops, on-line training, orientations, one-on-one coaching, focus group pilot programs, peer education, and train-the-trainer programs.



Thoughtful reflection will be given on how to engage with survivors to understand their insights and knowledge of the processes, supports, and procedures of Policy 131. Engagement of those impacted by sexual assault, misconduct, or harassment will be led by SVPRO and IIU specialists.

The timing of the delivery of these mechanisms is tied to key touchpoints in the life of students, faculty and staff such as the opening of the academic year; orientations; town halls and special events; and other key activities that gather together all of those that may be impacted by sexual harassment, sexual misconduct and/or sexual assault. We will also align campaigns to UBC life on both campuses, with Student events (e.g. AMS, GSS); as well as to any external community campaigns.

Interaction and integration with others across UBC that engage with students, faculty and staff will be key; and therefore regular consultation, feedback, and support will be undertaken with Student Leadership, Student Services, Faculty Leadership, Staff Leadership and Central Support Teams. While SVPRO and IIU Directors have direct leadership accountabilities for the implementation of Policy 131 and Policy 3 (for IIU), they are integrally linked with units across UBC and rely on their support, advice and guidance.

In order to ensure consistency, alignment, effectiveness, timeliness and meaningful impact of the Education Plan objectives, the following work is currently underway or will begin shortly:

- Create and/or update core curriculum in consultation with key stakeholders.
- Develop foundational education and training workshops that can be tailored to specific audiences and contexts (e.g. Policy 131, Responding to Disclosures, Reporting to the University, Trauma Informed Practice, and Culture of Consent, Policy 3).
- Develop explicit learning outcome goals for all programs and determine techniques for determining participant knowledge retention
- Develop a rubric to set and evaluate learning outcomes criteria at particular levels of achievement of all programs including a scoring strategy
- Development of integrated performance objectives and measures of success for education plan deliverables to ensure alignment with Policy 131 and consistency between SVPRO-V, SVPRO-O and IIU; and with those that share accountabilities and or work closely with SVPRO and IIU teams
- Determining an evaluation framework and benchmarks to measure effectiveness of the Education plan and report annually to the Board of Governors
- Continuous review, refresh and refine the education strategy over the next 12 months to reflect learning experiences

An integral component of the Education Plan will be the focus on student leaders within ResLife, Jump Start and Collegia who will reach over 4,000 first year students living in residence, 8,000 upper level year students living in residence and 1,200 commuter students through Collegia. This will include professional development initiatives such as the Student Leadership Conference and student-led-year-round programming such as “Let’s Talk about Sex”.



Training and Education will also be implemented for administrative and academic leaders to interpret and apply Policy 131 within their faculties, departments, schools and institutes. There will also be focused training for adjudicators including Senates and Senate committees on both campuses that intersect with the application or appeal of Policy 131-related decisions including: Academic Policy Committees, Student Appeals on Academic Discipline, Academic Standing Appeal, Appeals of Standing and Discipline Committee, and Academic Misconduct.

HIGH LEVEL ACTION PLAN

#	High Level Actions & Key Steps	Lead	Support	Timeframe
1.	<p>Create and/or update core curriculum in consultation with key stakeholders:</p> <ul style="list-style-type: none"> - Consult key internal stakeholders and documents to identify education and training needs, gaps and priorities - Develop foundational tailored education and training workshops. - Pilot updated curriculum with referent groups. - Create model to develop and disseminate training tailored to audience and context on a large scale. - Determine learning outcomes and techniques to evaluate retention of training knowledge - Develop a rubric to set and evaluate learning outcomes criteria at particular levels of achievement of all programs including a scoring strategy 	<ul style="list-style-type: none"> - VP Students - VP HR - Director SVPROs - Director IIU 	<ul style="list-style-type: none"> - Sexual Assault Prevention Team (SAPT) - IIU/Investigation Office Educator - EIO - AMS - GSS 	<p>Apr – July: Consult with Stakeholders</p> <p>June – Aug: Design learning outcomes and rubrics</p> <p>June – Aug: Develop and pilot curriculum and finalize schedules</p> <p>Sept: Update BOG/Committee</p> <p>Aug – Dec: Launch, assess, and refine programs and rubric</p>
2.	<p>Facilitate training for student leaders including ResLife, Jump Start and Collegia student leader staff</p> <ul style="list-style-type: none"> - Tailor foundational workshops to ResLife student leader staff audience and context. - Embed core curriculum into existing training requirements or opportunities for student leaders including: Orientation Week, Spring Welcome - Facilitate training workshop at professional development initiatives for cross section of student leaders across campus including the <i>Student Leadership Conference</i> - Participate in staff and student-led year-round programming such as <i>Let's Talk About Sex</i> 	<ul style="list-style-type: none"> - SVPRO teams - SHHS Management - IIU Team 	<ul style="list-style-type: none"> - CSIC - Health Promotion - Student Leaders – AMS, GSS – UBCSUO both campuses 	<p>Apr – July: Consult with Stakeholders</p> <p>June – Aug: Consult, develop and pilot curriculum and workshops</p> <p>Sept: Update BOG/Committee</p> <p>Aug – Sept: Launch training of Student leaders during Orientation Week</p> <p>Jan 2019: Workshop at Student Leadership Conference</p> <p>Mar 2019: Workshop at Spring Welcome</p> <p>Aug – Mar: Launch, assess, and refine programs</p>



Policy 131 Implementation Plan – 4.0 Education Plan

#	High Level Actions & Key Steps	Lead	Support	Timeframe
3.	<p>Develop and implement training for Academic leaders to interpret and apply Policy 131 within their faculties, departments, schools and institutes.</p> <ul style="list-style-type: none"> - Identify and prioritize faculty in leadership or supervisory positions who routinely make decisions that relate to the interpretation and application of Policy 131 - Create opportunities to introduce, train or present core curriculum at senior administrator meetings such as Faculty Heads and Directors Meetings, Associate Deans Academic Meeting, Faculty Equity Leads Meetings, Faculty Wellness Liaisons Meetings - Partner w/ ALDP program to create workshop for new academic leaders that can be used as a template 	<ul style="list-style-type: none"> - SVPRO-V - IIU 	<ul style="list-style-type: none"> - Provost offices - ALDP team - Human Resources (V & O) - Faculty Relations 	<p>June – Aug: Consult, develop and pilot training curriculum and materials</p> <p>Sept: Update BOG/Committee</p> <p>Sept – Oct: Conduct Academic and Admin leadership orientations and workshops</p> <p>Oct – Dec: Assess, capture learnings, and adjust curriculum as needed</p>
4.	<p>Develop and implement training for adjudicators</p> <ul style="list-style-type: none"> - Consult key stakeholders and documents to identify education and training needs, gaps and priorities - Tailor foundational workshop for Senate committees in both campuses that intersect with the application or appeal of Policy 131-related decisions 	<ul style="list-style-type: none"> - SVPRO-V - IIU - Senate Offices 	<ul style="list-style-type: none"> - Provost Offices - University Counsel 	<p>June – Aug: Consults, develop and pilot training curriculum and materials</p> <p>Sept: Update BOG/Committee</p> <p>Sept – Nov: Conduct workshops</p> <p>Oct – Dec: Assess, capture learnings, and adjust curriculum as needed</p>
5.	<p>Develop and implement training for senior staff administrators to interpret and apply Policy 131 within their units</p> <ul style="list-style-type: none"> - Conduct “roadshow” for senior HR, unions and professional association representatives - Facilitate training workshops at UBC Advising Conference including pre-conference’ ½ day intensive training on trauma-informed practice 	<ul style="list-style-type: none"> - SVPRO-V & O - IIU - WEL 	<ul style="list-style-type: none"> - SD&S Management - HR - Faculty Relations 	<p>Aug – Sept: Consult, develop and pilot training curriculum and materials</p> <p>Oct – Dec: Conduct orientations and roadshow</p> <p>Feb 21, 2018: Present at Advising Conference</p>
6.	<p>Host Sexual Assault Awareness Month</p> <ul style="list-style-type: none"> - Establish stakeholders for working group - Schedule meetings and manage logistics for meetings - Identify theme and target audience - Organize signature event - Identify, invite and coordinate with keynote speakers 	<ul style="list-style-type: none"> - SVPRO-V 	<ul style="list-style-type: none"> - SHHS Management - EIO - A&D - Investigation Office Educator - Student Leaders – AMS, GSS – UBCSUO - both campuses 	<p>Oct - Nov: Consult, develop and design event</p> <p>Nov: Update BOG/Committee</p> <p>Dec – Jan: Communicate and deliver on events</p>



Policy 131 Implementation Plan – 4.0 Education Plan

#	High Level Actions & Key Steps	Lead	Support	Timeframe
				Feb – March: Assess, capture learnings, and adjust as needed
7.	Conduct formal evaluation in order to revise and update operationalized Education Plan <ul style="list-style-type: none"> - Assess rubric and make any required adjustments - Compile and review data - Identify, prepare and consult with key stakeholders to provide feedback on prevention education over the year - Gather information on training needs and priorities for upcoming year - Identify priority areas to address from evaluations - Draft Education Plan for upcoming year 	<ul style="list-style-type: none"> - SVPRO-V - IIU 	<ul style="list-style-type: none"> - VP HR with team - VP Students with team - SHHS Management - Student Leaders – AMS, GSS – UBCSUO both campuses - Provost Offices 	March – April (2019): Conduct formal evaluation May – Jul: Prepare Education Plan for upcoming year
8.	Develop a model to scale prevention initiatives for subsequent years <ul style="list-style-type: none"> - Create model to develop and disseminate training tailored to audience and context on a large scale such as “train-the-trainer” and “peer education” models for academic and administrative units. 	<ul style="list-style-type: none"> - SVPRO-V - IIU - WEL 	<ul style="list-style-type: none"> - VP HR - VP Students - Provost Offices 	March – April (2019): Consult and design model April – July (2019): pilot programs and refine Sept (2019): launch programs
9.	Develop clear and integrated performance objectives and measures focused on education <ul style="list-style-type: none"> - Develop specific performance objectives and measures of success for Education Plan to ensure alignment with Policy 131 - Manage education activities and monitor progress - Refine prevention strategy over first year to reflect learning experiences 	<ul style="list-style-type: none"> - VP Students - VP HR - Directors SVPROs - Director IIU 	<ul style="list-style-type: none"> - Communications HR, - Communications, Students - Media Relations - Director HR VPS 	Ongoing activity

END OF DOCUMENT



POLICY 131 IMPLEMENTATION

5.0 OPERATING MODEL PLAN

Prepared: May 2018



Contents

OVERVIEW.....	3
PURPOSE	4
APPROACH	4
Student Focus Workshops	4
Faculty & Staff Focus.....	6
Summary Workshop	7
HIGH LEVEL ACTION PLAN.....	8



OVERVIEW

UBC has a responsibility to maintain a respectful environment where its members can study, work, and live free from sexual misconduct. Policy 131 articulates UBC's duty and commitment to support members of the UBC community who are impacted by sexual misconduct, to provide central resources for information regarding the resources and options available to those affected by sexual misconduct, to create and make available programs and resources to educate its community on the prevention of sexual misconduct, and to provide a process to respond and investigate allegations of sexual misconduct.

UBC strives to maintain a respectful environment where its members can study, work and live free from sexual misconduct. Policy 131:

- sets out the principles the University will adhere to with regard to sexual misconduct;
- articulates conduct expectations for all members of the UBC community; and
- outlines the process and procedures the University will follow when responding to and investigating allegations of sexual misconduct.

Implementation of Policy 131 began in late May 2017. The Policy states UBC's commitment to reviewing this Policy at least once every three years, in consultation with students and other members of the UBC Community. That formal three-year review will occur in May 2020. However, UBC has recently committed to the Board of Governors to undertake a retrospective assessment of the first year's implementation progress as well as evaluate policy and procedure language. This assessment will start in the spring of 2018.

An overall Implementation Plan has been refreshed to guide the continued implementation of Policy 131 across both UBC campuses through several implementation component plans noted below:

1. Resourcing & Recruitment Plan
2. One Year Evaluation of Policy & Procedures Plan
3. Awareness & Communications Plan
4. Education Plan
5. Operating Model Plan

An integral aspect of the one-year retroactive assessment of implementation is engaging with key internal stakeholders to capture the gaps, successes, met and unmet expectations, ongoing needs for role and process clarity, as well as required integrated workflows. All of the learnings and insights from the work done in the component plans will be captured and leveraged in the discussions and planning for the go-forward Operating Model Plan.



Thoughtful reflection will be given on how to engage with survivors, witnesses and respondents to gain insights on their experiences with the resources, processes, supports, and procedures of Policy 131. Engagement of those impacted by sexual assault, misconduct, or harassment on their feedback must be led by SVPRO and IIU specialists.

PURPOSE

The purpose of the Operating Model Plan is to bring clarity to how the University resources and responds to all situations involving sexual harassments, misconduct and assault to achieve clarity in role accountabilities, application of policy and procedures, procedural intersections with other policies; clarity and workflow/process clarification.

APPROACH

A series of workshop will be held with key internal stakeholders to consult and dialogue on experiences over the last 12 months in regards to how the institution has been responding to situations related to sexual misconduct, sexual harassment and sexual assault including disclosure, reporting, and response procedures under Policy 131 and/or intersecting policies such as Policy 3 (Discrimination and Harassment); Policy 14 (Response to At-Risk Behaviours); Policy 95 (Investigations and Guidelines for Investigations); Policy 7 (University Safety); Respectful Workplace Statement; and Non-Academic Student Misconduct Process. These workshops will also examine intersection with Employment Law, Employment Standards, WorkSafe BC regulations; and Collective Agreement terms and conditions.

Follow-up workshops will occur in September and October at the two campuses as implementation of any procedures, roles and or practices changes occur to ensure the unique environments are considered.

Student Focus Workshops

Students – Disclosure, Response, Support Workflows

The intent of this one-day workshop is to gather key stakeholders including:

- Sexual Violence, Prevention and Response Offices Directors and teams at both UBCV and UBCO;
- Key internal leaders and team members in Student Life and Student Administration portfolios including representatives of Resident Advisors and Resident Life Managers;
- Student representatives (e.g. UBCV and UBCO representatives from AMS, GSS, UBCSUO, Ombudsperson);
- University Counsel representatives;
- Senior Leaders responsible for Students and Policy 131; at UBCV and UBCO; and



- Others that interact with those in dealing with disclosures, responses and or support workflows (internal and or external).

The workshop will:

- Capture current and future workflows while
- identifying role, policy and process gaps; and
- creating strategies to close gaps up to the point of reporting.

A Workshop Facilitator will lead the discussion workshop participants by:

- a) walking through various scenarios of when incidents occur;
- b) confirming what the current processes are to respond to disclosures;
- c) confirming what roles are involved in disclosures and support;
- d) identifying what gaps are in role clarity, processes, policies, procedures, authorities decision making; and
- e) Identifying what needs to happen from a) Policy, b) Procedures, c) People, d) Process and e) Organizational Structure aspects of the operating model in order to close the gaps and or strengthen process/procedures going forward.

Students – Reporting, Information Gathering, Investigations, Resolution Workflows

The intent of this one-day workshop is to gather key stakeholders in the Policy 131 Reporting and Investigations arena including:

- Director of Independent Investigations (DII) and team members;
- Sexual Violence, Prevention and Response Offices Directors both UBCV and UBCO;
- Key internal leaders and team members in Student Life and Student Administration portfolios including representatives of Resident Advisors and Resident Life Managers;
- Student representatives (e.g. UBCV and UBCO representatives from AMS, GSS, UBCSUO, Ombudsperson);
- University Counsel representatives;
- Senior Leaders responsible for Students and Policy 131; at UBCV and UBCO; and
- Others that interact with those in dealing with processes once a report has been made and investigative mechanisms (full investigations, alternative dispute resolutions, external processes, etc.) workflows.

The workshop will:

- capture current and future workflows while;
- identifying role, policy and process gaps; and
- creating strategies to close gaps by up to the point of findings and mitigation.

A Workshop Facilitator will lead the discussion workshop participants by:



- a) walking through various scenarios of formal reporting and investigative responses;
- b) confirming what the current processes are to report, investigate and remedy/mitigation;
- c) confirming what roles are involved in reporting, investigating, and remedying;
- d) identifying what gaps are in role clarity, processes, policies, procedures, authorities decision making; and
- e) Identifying what needs to happen from a) Policy, b) Procedures, c) People, d) Process and e) Organizational Structure aspects of the operating model in order to close the gaps and or strengthen process/procedures going forward.

Faculty & Staff Focus

Faculty & Staff - Disclosure, Response, Support Workflows

The intent of this one-day workshop is to gather key stakeholders including:

- Sexual Violence, Prevention and Response Offices Directors and teams at both UBCV and UBCO;
- Key internal leaders and team members in Faculty and Staff work environments such as HR Advisory Services; Faculty Relations, Labour Relations, UBCO Human Resources
- Faculty representatives including Deans, Administrative heads, Senior HR Leads;
- Provost and DVC UBCO office representatives;
- University Counsel representatives;
- Senior Leaders responsible for Faculty, Staff, and Policy 131; at UBCV and UBCO; and
- Others that interact with those in dealing with disclosures, responses and or support workflows (internal and or external).

The workshop will:

- capture current and future workflows while
- identifying role, policy and process gaps; and
- creating strategies to close gaps up to the point of reporting.

A Workshop Facilitator will lead the discussion workshop participants by:

- a) walking through various scenarios of when incidents occur;
- b) confirming what the current processes are to respond to disclosures;
- c) confirming what roles are involved in disclosures and support;
- d) identifying what gaps are in role clarity, processes, policies, procedures, authorities decision making; and
- e) Identifying what needs to happen from a) Policy, b) Procedures, c) People, d) Process and e) Organizational Structure aspects of the operating model in order to close the gaps and or strengthen process/procedures going forward.



Faculty and Staff – Reporting, Information Gathering, Investigations, Resolution Workflows

The intent of this one-day workshop is to gather key stakeholders including:

- Director of Independent Investigations (DII) and team members;
- Sexual Violence, Prevention and Response Offices Directors at both UBCV and UBCO;
- Key internal leaders and team members in Faculty and Staff work environments such as HR Advisory Services; Faculty Relations, Labour Relations, UBCO Human Resources
- Faculty representatives including Deans, Administrative heads, Senior HR Leads;
- Provost and DVC UBCO office representatives;
- Faculty Association representatives;
- Staff Union and Association representatives;
- University Counsel representatives;
- Senior Leaders responsible for Faculty, Staff and Policy 131; at UBCV and UBCO; and
- Others that interact with those in dealing with disclosures, responses and or support workflows (internal and or external).

In order to:

- capture current and future workflows while
- identifying role, policy and process gaps; and
- create strategies to close gaps up to the point of reporting.

A Workshop Facilitator will lead the discussion workshop participants by:

- a) walking through various scenarios of when incidents occur;
- b) confirming what the current processes are to respond to disclosures;
- c) confirming what roles are involved in disclosures and support;
- d) identifying what gaps are in role clarity, processes, policies, procedures, authorities decision making; and
- e) Identifying what needs to happen from a) Policy, b) Procedures, c) People, d) Process and e) Organizational Structure aspects of the organizational operating model in order to close the gaps and or strengthen process/procedures going forward.

Summary Workshop

The outputs of the four workshops noted above will be documented, consolidated and summarized into the following categories:

1. Description of all Scenarios
2. As is Processes/Procedures and Role Accountabilities
3. To Be Processes/Procedures and Roles Accountabilities



4. Summary of a) Policy, b) Procedures, c) People, d) Process and e) Organizational Structure Gaps and Mitigation Options
5. Recommendations going forward to close gaps and strengthen implementation including organizational structures and operating models

A fifth facilitated one-day workshop will occur bringing back all the workshops’ participants to present the outputs from each workshop to provide feedback and input; seek agreement on consistency and alignment with “to be” workflows; and review the consolidated summary of findings and recommendations. The workshop participants will also identify risk and challenges to implementation of the recommendations and create a high level framework for implementation.

A report will be prepared for the People, Community and International Committee outlining, at a high level, the approach taken; findings; recommendations; implementation steps and timeframes; risks and needs for successful implementation; as well as a high level implementation plan of recommendations.

HIGH LEVEL ACTION PLAN

	Item	Responsible	Due Date
1	Confirm participants for Student Workshops <ul style="list-style-type: none"> - Identify those involved to date in any situation - Identify those that support those involved - Identify those that have expertise or knowledge to support those involved 	Sonya Boyce Shilo St. Cyr Myrna McCallum Janet Teasdale Ian Cull Louise Cowin	By end of week of May 14, 2018
2	Confirm participants for Faculty & Staff Workshops <ul style="list-style-type: none"> - Identify those involved to date in any situation - Identify those that support those involved - Identify those that have expertise or knowledge to support those involved 	Sonya Boyce Shilo St. Cyr Myrna McCallum Linda McKnight Allison Matacheskie Gillian Henderson Barb Meens Thistle	By end of week of May 14, 2018
3	Draft Student Scenarios – one page overviews of all scenarios	Sonya Boyce Shilo St. Cyr Myrna McCallum Janet Teasdale Ian Cull Louise Cowin	By end of week of May 28, 2018
4	Draft Faculty and Staff Scenarios – one page overviews of all scenarios	Sonya Boyce Shilo St. Cyr Myrna McCallum Linda McKnight Allison Matacheskie	By end of week of May 28, 2018

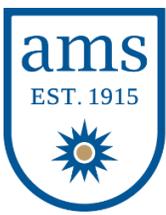


	Item	Responsible	Due Date
		Gillian Henderson Barb Meens Thistle	
5	Conduct Interviews for key Workshop participants	Jeannie Wexler (WMC)	By end of week May 28, 2018
6	Finalize design of facilitated workshops	Jeannie Wexler (WMC) Louise Cowin Barb Meens Thistle Janet Teasdale Ian Cull Linda McKnight Allison Matacheskie Gillian Henderson	by June 15, 2018
7	Hold Facilitated Workshops	Jeannie Wexler (WMC) Barb Meens Thistle Louise Cowin Janet Teasdale Ian Cull Linda McKnight Allison Matacheskie Gillian Henderson	Throughout Weeks of June 18 and June 25, 2018
8	Consolidate Workshop findings and prepare draft summary report	Jeanine Wexler (WMC)	Month of July 2018
9	Review draft reports and proposed edits x 2	Louise Cowin Barb Meens Thistle Janet Teasdale Ian Cull Linda McKnight Gillian Henderson Sonya Boyce Myrna McCallum Shilo St. Cyr Allison Matacheskie	August 6 – August 24, 2018
10	Finalize report	Jeannie Wexler (WMC) Barb Meens Thistle Louise Cowin	Week of August 31, 2018
11	Prepare and submit report to Chair People, Community & International Committee and Chair of Board of Governors	Barb Meens Thistle Louise Cowin Linda McKnight Janet Teasdale Ian Cull Allison Matacheskie Gillian Henderson	By Sept 5, 2018
12	Present to People, Community & International Committee and receive approval/agreement to	Barb Meens Thistle Louise Cowin	September 13, 2018



	Item	Responsible	Due Date
	proceed with proposed recommendations on operating model	Myrna McCallum Shilo St. Cyr Sonya Boyce	
13	Implement recommendations	Myrna McCallum Shilo St. Cyr Sonya Boyce Janet Teasdale Ian Cull Linda McKnight Allison Mateschke Gillian Henderson	Post September 30, 2018

END OF DOCUMENT



Submission to the UBC Board of Governors regarding UBC Policy 131, Sexual Assault and Other Sexual Misconduct, Implementation Update June 4th, 2018

Dear Board of Governors,

This submission is being made on behalf of the Alma Mater Society (AMS) of UBC Vancouver in response to the Policy 131 Implementation Update that will be given to People, Community, and International Committee. We apologize for the delayed submission of this letter, however, agendas and materials for the June Board meeting only became available to the public before the weekend.

We are pleased that the university has begun work to dedicate the appropriate time and resources to implementing Policy 131. Both the UBC VP Human Resources and VP Students have created a comprehensive formal implementation framework and we look forward to engaging in the focus groups this summer.

We are highly impressed with the resources and time that has been dedicated by the responsible offices, especially the UBC Vancouver Sexual Violence Prevention and Response Office. We look forward to our continued work with UBC to ensure that comprehensive implementation continues to be prioritized. However, we find the university's current definition of the Jurisdiction to Investigate and in particular the interpretation of "a real and substantial connection to UBC" alarming.

After discussing with persons involved in the creation of Policy 131, it is the university's interpretation of a "real and substantial connection to UBC" in regards to sexual misconduct is not well defined. During the creation of Policy 131 "a real and substantial connection to UBC" was not necessarily just a physical connection, in regards to the misconduct, but also a person's relationship with UBC and how the alleged misconduct was related to UBC.

The AMS has received clarification from the University Counsel's Office, provided to us by the VP Students, that geographic location is not the only determinant for "a real and substantial connection to UBC." However, the letter from UBC Counsel's Office then goes on to say "If it happened at a location that is not operated by UBC (such as a Greek house or other private property), it would reduce the connection."

The Greek Village would not exist if it were not inhabited by UBC Students, and leased to them by UBC. To argue that somehow this reduces the connection of sexual misconduct to UBC is counterintuitive. This is not the only example of a space that may not be owned and operated by UBC but has a real connection to our university. If there is to be any real and substantive One-Year Retrospective Assessment of Policy and Procedures it must include the Jurisdiction to Investigate and clarification around "a real and substantial connection to UBC."

We hope that the Board of Governors will ask the administration to ensure that the Jurisdiction to Investigate is a central component of the One-Year Retrospective Assessment of Policy 131. We mustn't allow unsubstantial geographic excuses to prevent justice for survivors. We are hopeful for the future of Policy 131, if we continue to keep survivors at the focus of our work. We appreciate the continued work of the Board of Governors and your consideration of this submission.

Sincerely,

Marium Hamid

President

AMS Student Society of UBC Vancouver
president@ams.ubc.ca

Max Holmes

Vice President Academic and University Affairs
AMS Student Society of UBC Vancouver
vpacademic@ams.ubc.ca