A. PROCEDURES FOR DISCLOSING AND REPORTING SEXUAL VIOLENCE AND MISCONDUCT

i. Immediate Assistance and Options for Complainants

1. The College encourages, but does not require, individuals impacted by Sexual Violence and Misconduct to seek immediate assistance from a medical service provider, the police, VCC’s Director of Safety, Security and Risk Management, and/or one of the support providers listed in Appendix B.

2. Individuals who have experienced Sexual Violence and Misconduct are entitled to choose the process that they wish to pursue. Their options include but are not necessarily limited to:
   a. Disclosing the Sexual Violence and Misconduct to a College Member;
   b. making a Report to the College;
   c. filing a grievance under an applicable collective agreement;
   d. filing a complaint under Policy No. A.3.1 Prevention of Harassment, Discrimination, and Bullying; and/or
   e. making a report to the police.

3. While there is no time limit to an individual Disclosing or Reporting Sexual Violence and Misconduct or accessing support under this Policy, the College may not have jurisdiction to investigate a Report if the parties involved are no longer affiliated with the College or the lapse of time may make it impossible to investigate.

ii. Disclosure of Sexual Misconduct

4. Individuals may disclose their experiences with Sexual Violence and Misconduct to a College Member for various reasons, including to access support.

5. Except as described at paragraphs 7 and 8 of these Procedures, the Disclosure of Sexual Violence and Misconduct does not initiate an investigation by the College unless a Report is made.
6. If College Members receive a Disclosure of Sexual Violence and Misconduct, they should:
   a. focus on listening, giving support, and connecting the Complainant with resources to meet their immediate needs (see Appendix B for internal and external resources and contact information); and
   b. respect the Complainant’s decision regarding how the Complainant wishes to proceed and except as set out in paragraphs 7 and 8 of these Procedures, not disclose information to others or report the misconduct to the police or VCC Safety, Security and Risk Management without the express consent of the Complainant.

7. To the greatest extent possible, VCC will respect a Complainant’s choice not to make a Report and will keep the Disclosure confidential. Information will be shared within the College strictly on an as-needed basis. The Complainant’s wishes and confidentiality will be prioritized. However, in certain circumstances, VCC may be permitted or required to disclose information it receives, including but not limited to, when:
   a. a person is judged to be at imminent risk of self-harm or of harming another College Member;
   b. there is judged to be an imminent risk of harm to the College community and/or the broader community;
   c. disclosure is otherwise required by law, including but not limited to when:
      i. the disclosure involves sexual harassment in the workplace and is required under the BC Workers’ Compensation Act; or
      ii. a person under the age of 19 years of age is endangered;
   d. evidence of sexual misconduct is available in the public domain (e.g., videos/images shared publicly).

8. In the circumstances described in paragraph 7, VCC may do one or both of the following:
   a. initiate an investigation in which case the individual who Disclosed may choose not to participate in the investigation; and/or
   b. notify third parties, such as the police, WorksafeBC, or child protection authorities.

9. If College Members need advice on how to handle a Disclosure and/or require support after receiving a Disclosure, they may access any applicable support providers listed in Appendix B.

iii. Reports of Sexual Misconduct

10. Anyone who experiences or witnesses Sexual Violence and Misconduct may Report it either externally, internally or both.
**External Option**

11. Individuals may report their allegations through the criminal justice system by contacting the police. If an individual chooses to do so, VCC Safety, Security and Risk Management can facilitate making a Report. The College will lawfully cooperate with any criminal investigation.

**Internal Option - VCC Report and Investigation**

12. College Members who wish to make a Report of Sexual Violence and Misconduct should contact the Director of Safety, Security and Risk Management.

13. Subject to the limitations described at paragraph 3 above, a Report may be made at any time.

14. Normally, a Report will be made in writing unless the Director of Safety, Security and Risk Management decides that it is appropriate to waive that requirement under the circumstances.

15. Complainants may request assistance from a support person in preparing a Report. Support persons may be sought through the internal and external resources listed in Appendix B or may be any other individual the Complainant chooses.

16. The College will promptly respond to Reports of Sexual Violence and Misconduct made under this or any other College policy.

17. The Director of Safety, Security and Risk Management will respond to a filed Report of Sexual Violence by:

   a. conducting an initial review of the allegation to determine whether the alleged Sexual Violence and Misconduct falls within the scope of the Policy, and if so, coordinate and oversee any internal investigation;

   b. if applicable, overseeing and coordinating any investigation with police;

   c. if necessary, conducting a risk assessment; and

   d. as necessary, ensuring appropriate interim measures are taken.

18. All College investigations will uphold principles of fairness and natural justice and protect the rights of both the Complainant and the Person Accused/Respondent.

19. An investigation of a Report will commence as soon as reasonably possible following receipt of a Report. The investigation will proceed and conclude in a timely manner, having regard to the circumstances of the particular complaint.

20. If the Person Accused/Respondent is a Student, the investigator will be a delegate of the Vice President, Academic, Students and Research.
21. If the Person Accused/Respondent is any College Member other than a Student, the investigator will be a delegate of the Vice President, People and Culture.

22. The Complainant and the Person Accused/Respondent may have an advisor, union representative or support person present during the investigation process.

23. The investigator will determine an appropriate process for the investigation, which may include reviewing relevant documents, obtaining written submissions and/or meetings with the Complainant and the Person Accused/Respondent and any witnesses deemed to be relevant by the investigator.

24. The investigator will prepare a confidential report that will be provided to the Vice President, Academic, Students and Research (if the Complainant or Person Accused/Respondent is a Student) and/or the Vice President, People and Culture (if the Complainant or Person Accused/Respondent is any College Member other than a Student) and will normally include the following:

   a. findings of fact;
   b. a determination as to whether, on a balance of probabilities, Sexual Violence and Misconduct has occurred;
   c. where applicable, a determination as to whether the complaint is frivolous or vexatious;
   d. recommendations including any remedial steps to assist in better ensuring a work and learning environment free from Sexual Violence and Misconduct; and
   e. recommendations regarding disciplinary measures, if any.

25. The appropriate Vice President will make a determination based on the investigator’s report as to whether or not Sexual Violence and Misconduct has occurred. If Sexual Violence and Misconduct has occurred, the appropriate College authority may impose sanctions that are both disciplinary and non-disciplinary in nature and deployed for the purpose of providing a safe environment for the Complainant and College community at large including:

   a. proceeding in accordance with the relevant policies and procedures as well as Collective Agreement provisions for faculty or staff;
   b. conditions on the exercise of any College privilege;
   c. immediate suspension of any College privilege;
   d. taking the necessary action to remove the person from campus; and
   e. taking any other action deemed appropriate in the circumstances.

iv. Interim Measures

26. Where appropriate to do so, the College may put interim measures into place pending the disposition of the complaint. All such measures are to be non-punitive in nature.

27. Interim measures seek to protect the safety of all parties involved and to protect the integrity of the investigation process. The need for interim measures will be determined
on a case-by-case basis by the appropriate College authority taking into account the
nature of the allegations and the circumstances of each situation.

B. FILES AND PRIVACY

28. The Director of Safety Security and Risk Management will maintain case records and
confidential files of all reported incidents.

29. All records and correspondence pertaining to an investigation will be treated as strictly
confidential, maintained in a secure manner and location, and protected from
unauthorized access.

30. The privacy of all College Members involved in any complaint of Sexual Violence and
Misconduct will be protected to the extent possible and in accordance with the Freedom
of Information and Protection of Privacy Act.
**Appendix A**

**Definitions**

**Indecent Exposure:** The non-consensual exposure of one’s genitals to another person for a sexual purpose.

**Sexual Assault:** Any non-consensual or unwanted sexual contact, including but not limited to, oral contact (kissing), touching, genital contact, penetration, and/or any threatening behaviour that gives a person reasonable cause to believe that he or she is at risk of any kind of sexual violence.

**Sexual Exploitation:** The act of:

- touching, directly or indirectly, with a part of the body or with an object, any part of the body of a young person for a sexual purpose; and/or
- inviting, counselling or inciting a young person to touch, directly or indirectly, with a part of the body or with an object, the body of any person, including the body of the person who so invites, counsels or incites and the body of the young person.

**Sexual harassment:** Conduct of a sexual nature by a person who knows or ought reasonably to know that such behaviour is unwanted or unwelcome and which leads to or implies employment or academic consequences of the person harassed; or interferes with a person’s participation in a college related activity or creates an intimidating, hostile or offensive working or educational environment.

**Stalking:** Actions by a person that cause another person reasonably, in all the circumstances, to fear for their safety or the safety of anyone known to them. Stalking consists of a person:

- repeatedly following another person or anyone known by that other person from place to place;
- repeatedly communicating directly or indirectly with another person or anyone known by that other person;
• watching another person’s home, place of residence, work location, place of business, or anywhere else that person happens to be; or the home, place of residence, work location, place of business or anywhere else a person known by that other person happens to be; and/or
• engaging in threatening conduct directed at another person or any member of that other person’s family.

**Voyeurism:** The non-consensual observation and/or recording by one person of another person where that other person is nude, undressing and/or engaging in sexual activity.
Appendix B
Resources

Internal Support Resource List

VCC Counselling Services
Free, confidential counselling services for VCC Students
Broadway Campus: Building A, Level 4
   Monday, Tuesday, Thursday and Friday: 9 a.m. – 4 p.m.
   Wednesday: 12 p.m. – 7 p.m.
Downtown Campus: Pender Street Entrance, Level 1
   Monday – Friday: 9 a.m. – 4 p.m.
Phone: 604.871.7000, option 2 or stop by one of the offices.
Book online http://www.vcc.ca/services/services-for-students/counselling/

Students’ Union of VCC - Student Advocate
Assistance for VCC Students who feel they have been treated unfairly by a College Employee or
need assistance with College policies or procedures
Email: executivedirector@suvcc.ca
Web: http://suvcc.ca/

Broadway Campus: Building A, Room 2662
   604-871-7000 ext. 7146
Downtown Campus: Room 358
   604-871-7000 ext. 8467

VCC Arbiter of Student Issues
Helps Students resolve conflict or deal with complaints under VCC Policy, including issues
relating to harassment on Campus
Email: tmarks@vcc.ca
Broadway Campus: Building A, Student Services Area, Room 4017
   Tuesday, Wednesday, Thursday
Phone: 604-871-7000 ext. 7040

VCC Safety, Security and Risk Management
Web: http://www.vcc.ca/services/current-students/security--risk-
management/
Emergency Phone: 604-871-7000 ext. 4444 (Security Emergency)
Broadway Campus: Building B, Level 2
   604-871-7000 ext. 5020 or 778-783-5020 (Security Non-Emergency)
Downtown Campus: Level 2
   604-871-7000 ext. 8361 or 604-443-8361 (Security Non-Emergency)

VCC Human Resources
Web: http://www.vcc.ca/about/college-information/careers/contact-hr/
Address: Building A, 5th Floor (Broadway Campus)
Phone: 604-871-7000 ext. 7069 (Director, Human Resources)
Canadian Union of Public Employees Local 4627
Web: http://www.cupe4627.com/
Email: cupe4627@cupe4627.com
Broadway Campus: Room 3304
604-871-7000 ext. 7043
Downtown Campus: Room 942
604-871-7000 ext. 7650

Vancouver Community College Faculty Association
Web: http://vccfa.ca/
Email: info@vccfa.ca
Phone: 604-688-6210
Address: 401 – 402 West Pender Street
        Vancouver, BC V6B 1T6

Morneau Shepell - Employee and Family Assistance Program
24 hour line providing information and support to any work, health or life concern
Web: https://www.workhealthlife.com/

External Support Resource List

WAVAW Rape Crisis Centre
Services and referrals for self-identified women who have been sexually assaulted
Web: http://www.wavaw.ca
24-hour Crisis Line: 604-255-6344
Toll-Free: 1-877-392-7583
Office Line: 604-255-6228 (public education requests or general questions about WAVAW)
Toll-Free 1-844-880-9142
TTY (Deaf & hard-of-hearing people) 1-877-338-0275

Battered Women's Support Services Society
Services for self-identified women who have experienced relationship violence
Web: http://www.bwss.org
Crisis & Counselling: 604-687-1867
Toll-Free: 1-855-687-1868

Vancouver and Lower Mainland Multicultural Family Support Services Society (VLMFSS)
Assistance for immigrant and visible minority women and their families who are experiencing family violence. Services offered in many different languages.
Web: http://www.vlmfss.ca
Email: againstviolence@vlmfss.ca
Phone: 604-436-1025

BC Society for Male Survivors of Sexual Abuse
Support for self-identified men and boys who have been sexually assaulted
Web: http://bc-malesurvivors.com/
Phone: 604-682-6482
Catherine White Holman Wellness Centre
Free counselling, health services, and legal information for transgender and gender non-conforming people. Clinics are open on the second and fourth Sunday of every month.
Web: [http://www.cwhwc.com/](http://www.cwhwc.com/)
Email: contactus@cwhwc.com
Phone: 604-442-4352

Vancouver General Hospital
Sexual Assault Service for sexual assault survivors of all genders, within the past seven days. Go to VGH Emergency Department and ask for the Sexual Assault Service. Nurses and doctors are on-call 24 hours a day. Care Card is not required.
Address: 920 10th Avenue West, Emergency Entrance

Vancouver Incest and Sexual Abuse Centre (VISAC)
Services for victims of child sexual abuse, including adult survivors and their non-offending family members
Web: [http://www.fsgv.ca/programpages/abusepreventiontraumatreatment/visactasa/](http://www.fsgv.ca/programpages/abusepreventiontraumatreatment/visactasa/)
Phone: 604-874-2938

YWCA of Metro Vancouver
The Domestic Violence Outreach Worker provides one-to-one support and outreach in the Downtown Eastside, including safety planning for women who have experienced violence in a relationship.
Phone: 604-216-1653

Legal Educator at YWCA
Provides legal support to women and answers questions about legal issues
Web: [http://www.ywcavan.org](http://www.ywcavan.org)
Email: avollans@ywcavan.org
Phone: 604-734-5517 ext. 2235

VictimLINK
24-hour service, in many different languages providing information, crisis support, and referrals to all victims of crime
Web: [http://www.victimlinkbc.ca](http://www.victimlinkbc.ca)
Email: VictimLinkBC@bc211.ca
Toll-Free: 1-800-563-0808
TTY (for Deaf & hard-of-hearing people) 604-875-0885
Text message: 604-836-6381