

Procedures 6030: Sexualized Violence Prevention and Response (Students)

A. MAKING A DISCLOSURE

Making a disclosure means telling a member of the College Community what happened to obtain support, guidance, information, accommodations and/or referrals. A disclosure does not initiate an investigation unless a formal report is made, except in cases where a significant risk of harm to any person's health and safety exists.

- A student who has experienced sexualized violence may disclose their experience to anyone they feel comfortable speaking with. This can often be a friend, trusted staff member or designated support person.
- The person who receives the disclosure should help the student understand the supports and options available to them. This may include recommending that the student connect with Selkirk College counselling services as counsellors are able to provide support and explain available options. A student is never required to meet with a counsellor to disclose or access supports. Students may choose to speak with other employees who can provide information and guidance such as the Director of Student Engagement & Wellness, the Department Head of Student Access and Support, the Healthy Campus Coordinator, or another trusted College employee. (See Appendix A for "Supporting Survivors of Sexualized Violence" for more details on how to support a student).
- Any individual who makes a disclosure of sexualized violence may access supports, regardless of whether they choose to make a formal report. Survivors are not required to share details beyond what they are comfortable disclosing to receive support.
- A survivor who makes a disclosure may also choose to make a formal report, but there is no requirement to do so.

B. MAKING A REPORT TO THE COLLEGE

A report is a formal notification to the College of an incident of sexualized violence with the intent to initiate an investigation or alternate resolution process. A report can be made by a person who has experienced sexualized violence or by a person who has been impacted by sexualized violence.

While supports, information and accommodations may be accessed through a disclosure, a formal report is generally required for the College to consider formal actions, such as investigations, alternate resolution processes or the implementation of restrictions involving another member of the College community.

1. How to Make a Report

Reports involving students can be made in writing or in-person by notifying the College through the Director of Student Engagement & Wellness.

2. Information Included in a Report

A report should include, where possible, a record of the date(s), time(s), and nature of the incident(s) as well as the names of any witnesses, if applicable. The report must contain enough detail to allow the Director, Student Engagement & Wellness to assess whether the allegations fall within the scope of Policy 6030 and whether the College may proceed with an investigation or alternate resolution.

If a report is made anonymously or by someone other than the survivor, the Director of Student Engagement & Wellness will review the available information to determine whether any steps can and should be taken to address potential safety or policy concerns. Where sufficient information exists, the Director may decide to proceed with an investigation. In such cases, the Director will make reasonable efforts to follow up with the survivor, who retains the right to choose whether to participate in the investigation.

4. Determination of Process

Where a report proceeds to a formal investigation, the process will typically be conducted in accordance with Policy 3400: Student Code of Conduct – Right and Responsibilities, or, where applicable, in accordance with Policy 6035: Investigation. The Director of Student Engagement & Wellness will determine the

appropriate process based on the individuals involved and the circumstances of the report.

Where appropriate, and where all parties agree to participate voluntarily and in good faith, the College may consider an alternate resolution process. An alternate resolution process is intended to address harm and seek a mutually acceptable pathway forward without proceeding to a formal investigation. A survivor is not required to participate in an alternate resolution process.

5. Respondent notification

Where a report proceeds to a formal investigation or alternate resolution process, the person who has a report of sexual violence made against them (the “respondent”) will be notified of the report.

6. Access to supports during a report or investigation

Any individual who is impacted by a report and/or investigation of sexualized violence, including survivors, respondents and witnesses, may seek advice and support.

As with disclosures, students may choose from a range of supports including Counselling Services, Indigenous Services, the Student Union and trusted individuals such as family members, friends, Elders or community supports. Accessing support is voluntary and is not dependent on participation in this process.

Survivors, respondents and witnesses may choose to have an accompanying person attend meetings related to an investigation, report or alternate resolution process. An accompanying person may include, but is not limited to, a trusted individual such as a family member, friend or community support. Their role is to provide emotional support and assist the individual in understanding the process.

Accompanying persons do not participate directly in the investigation or decision-making process and may not act as a witness in the same matter. Where a matter proceeds under Policy 3400, individuals may also have access to an advisor, as outlined in that policy.

C. MAKING A REPORT TO THE POLICE

A survivor may report an incident of sexualized violence to the police if they wish to have the incident criminally investigated. Reporting to police is entirely optional and is separate from any College process under this Policy.

Individuals may contact the RCMP or local police detachment directly. Selkirk College can provide information about this option, and, where requested may assist a survivor in accessing police services.

Where criminal proceedings are underway, the College may pause or modify its own investigative processes to avoid compromising the external process. During such times, Selkirk College will continue to offer supports, accommodations and interim measures, as appropriate, to individuals who have disclosed or reported sexualized violence.

D. COMMUNITY-BASED SUPPORTS AND REPORTING OPTIONS

Survivors may choose to seek support or make a disclosure through community-based services outside of Selkirk College.

Community Service agencies offer confidential support, advocacy and guidance, including options for third-party reporting to police, where information can be shared without requiring the individual to directly engage with law enforcement,

Accessing community-based supports is voluntary and may be pursued independently or any College process, including disclosure or formal reporting. Selkirk College can provide information about available community resources upon request.

E. ACCOMMODATIONS AVAILABLE FOR SURVIVORS

Survivors may access academic accommodations they may need as a result of experiencing sexualized violence. Accommodations may be provided regardless of whether a survivor chooses to make a formal report to the College or the police. The nature and extent of accommodations will be determined on a case-by-case basis, considering the survivor's individual circumstances and needs.

- Students may access accommodations by connecting with appropriate College supports, including Counselling Services, the Director of Student Engagement & Wellness or Department Head of Student Access and Support. Students are not required to disclose details of sexualized violence to receive accommodations; only the information necessary to assess and implement appropriate supports will be requested.
- Accommodations will be arranged confidentially with instructors and/or the School Chair while respecting the survivor's privacy.

- Academic accommodations are intended to reduce barriers to a student's learning and participation and may be temporary or ongoing. Examples of possible accommodations may include, but are not limited to, extensions on assignment deadlines, adjustments to class schedules, flexibility with attendance or assessment requirements or safety planning supports.

F. PROTECTION FROM RETALIATION

Selkirk College is committed to ensuring that members of the College Community can seek support and pursue their rights under this policy without fear of retaliation.

The College prohibits retaliation against any individual who:

- Pursues options or rights under this policy or any other relevant provincial or federal legislation;
- Makes a disclosure or report, or participates or cooperates in a process under this policy; or
- Is associated with or supports a person who pursues their rights under this policy

This protection extends to survivors, individuals who make reports, witnesses and any other individual involved in or affected by the incident of sexualized violence. Any act of retaliation, threats of retaliation or reprisals will be taken seriously and may be addressed under the appropriate College policies.

G. CONFIDENTIALITY AND PRIVACY

Selkirk College recognizes that privacy and confidentiality are critically important to individuals who experience, disclose, or report sexualized violence. Information shared with the College will be treated with care and respect and will be handled in accordance with the Freedom of Information & Protection of Privacy Act (FOIPPA).

Confidentiality expectations apply to all parties (survivor, respondent and witnesses). Information related to a Disclosure or Report will be shared only on a need to know basis and only with individuals who require the information to provide support, assess risk, implement accommodations or interim measures, or carry out responsibilities under this Policy.

Confidentiality is respected to the greatest extent possible; however, it is not absolute. The College may be required to disclose information in limited circumstances, including:

- Where there is a significant risk of harm to the health or safety of any individual or the College community;
- Where required by law, court order, or other legal obligation;
- Where disclosure is necessary to ensure procedural fairness in an investigation or alternate resolution process; or
- Where the College is otherwise obligated to act under this Policy.

Whenever possible, individuals will be informed if information shared with the College needs to be disclosed beyond those providing direct support. The College will make reasonable efforts to involve the survivor in decisions about information sharing and to limit disclosure to what is necessary for the specific purpose.

H. INTERIM MEASURES & SAFETY PLANNING

Selkirk College may implement interim measures to support the safety and well-being of individuals following a disclosure or report of sexualized violence. Interim measures are temporary actions intended to address immediate needs and reduce potential risk. They are not findings of responsibility and do not imply that a violation of this policy occurred.

Where appropriate, interim measures will be determined on a case-by-case basis, considering the circumstances of the situation, the needs of the individual(s) involved and the College's obligation to maintain a safe environment. Selkirk College will make reasonable efforts to implement interim measures in a way that minimizes unnecessary disruption to all parties while prioritizing safety.

Interim measures may include, but are not limited to:

- Safety planning and coordination of supports;
- Adjustments to schedules, classes or campus access
- Implementation of no-contact or communication restrictions;
- Temporary adjustments to a respondent's roles, responsibilities or access to student-facing activities (e.g., Workstudy positions, housing advisors); or

- Other reasonable steps to support safety and well-being

I. NOTIFICATIONS AND OUTCOMES

Selkirk College will make reasonable efforts to keep individuals involved informed about the progress of a report or investigation, including key updates such as when a process is initiated and when it has concluded.

Upon completion of a formal process, the College may provide information about the outcome of the investigation or alternate resolution. Information shared will be limited to what is appropriate and permissible, taking into account the privacy of all individuals involved and the College's obligations under the Freedom of Information and Protection of Privacy Act (FOIPPA).

The extent of the information shared may vary depending on the case and may include:

- Whether a violation of this Policy has been found;
- The general nature of any actions taken or measures implemented;
- Any relevant next steps in the process.

J. RECORD-KEEPING AND INFORMATION MANAGEMENT

Selkirk College will maintain records related to disclosures, reports, investigations and alternate resolution processes in a manner that is secure, confidential and consistent with applicable College policies and FOIPPA.

Records may include, but are not limited to, written reports, interview notes, correspondence, evidence, decisions and documentation related to accommodations, interim measures or outcomes.

Access to records will be restricted to individuals who require the information to carry out their responsibilities under this Policy.

The College collects annual statistics on disclosures and reports of sexualized violence. The data collected does not include any information that would identify a person. Data is collected for the purpose of monitoring trends, informing prevention efforts, and meeting institutional reporting obligations, including reporting to the College's Board of Governors or as required by the Ministry.

The College will take reasonable steps to ensure the accuracy, integrity and appropriate use of information collected under this policy.

K. REVIEW OF POLICY AND PROCEDURES

A committee comprising students, employees, and external stakeholders will be formed to periodically review the policy and procedures. The committee will review this policy at least once every three years. The President will report annually to the Board on the implementation of this policy.

The committee will review and update the procedures accompanying this policy annually to ensure they are kept up to date with practices for managing situations of sexual violence.

L. AWARENESS, PREVENTION, EDUCATION AND TRAINING

Selkirk College is committed to creating and maintaining a safe and respectful learning, working and living environment that is free from sexual violence.

In collaboration with students and other interest holders, the Director of Student Engagement & Wellness will develop and implement ongoing awareness, prevention, education, and training campaigns on sexualized violence. The audience for these campaigns includes the entire College community.