

GENDER-BASED AND SEXUAL VIOLENCE PROCEDURE

Procedure Section:	Student and Academic Support Services	Effective Date:	January 25, 2023
Policy Owner:	Associate Vice President, People and Culture and Associate Vice President, Student Experience & Registrar	Last Revised:	June 25, 2023
Policy Administrator:	Associate Vice President, People and Culture and Associate Vice President, Student Experience & Registrar	Review Scheduled:	August 28, 2025
Approver:	Executive Committee		
The official controlled version of this document is held with the Policy & Procedures Coordinator			

A. PROCEDURES

This Procedure outlines how Keyano College will respond to reports and disclosures of gender-based and/or sexual violence from students and college representatives and other information alleging these types of violence.

1. GUIDING PRINCIPLES

- 1.1. This policy applies to actions, interactions, and behaviours of all college community members and the Response Team, whether on or off duty.
- 1.2. Key values guiding this policy and procedure are non-judgment, support to both the complainant and respondent, maintaining privacy, due process, and procedural fairness.
- 1.3. Each case will be considered on its own merits.
- 1.4. The Policy applies to working and learning environments that include:
 - a. Off college property where a college community member is involved in the business of the college or activities related to the college, including work and learning-related conferences, training sessions, and travel or is representing the college;
 - b. College-related functions;
 - c. Keyano College property, including contract sites;
 - d. Virtual environments, including phone, email, social media, and other electronic means, whether within the college and at any time, remote work applications, or other online means.

- 1.5. There is no time limit for making reports of gender-based and/or sexual violence under this policy, however, once a complaint is made, the College will begin an investigation within 3 to 5 business days.
- 1.6. Disclosures and reports are separate processes. A disclosure of an allegation or incident of gender-based and/or sexual violence does not automatically initiate a report. Individuals that have experienced gender-based and sexual violence will decide whether they wish to proceed with making a report.
- 1.7. The College and the Response Team will take all disclosures and reports of gender-based and/or sexual violence seriously and investigate cases in a timely and responsive manner. Each member of the Response Team will be trained in Sexual Violence Support and Sensitivity Training.
- 1.8. Upon disclosure or report of gender-based and/or sexual violence, the college and the Response Team will make support services available to all individuals involved in an incident as soon as practicable. Where possible, these support services will be culturally specific. These may include college supports such as Health Services and Wellness Services, or referrals to outside community agencies such as Waypoints Community Services, YMCA Settlement Services, Victim Services and Alberta Health Services: Mental Health and Addiction.
- 1.9. At any time following the receipt of a disclosure or report of gender-based and/or sexual violence, the college may put interim measures to ensure the safety of college community members as indicated in the accompanying procedure. The College and the Response Team will take all reasonable steps to ensure the safety of the individuals involved and the safety of college community members.
- 1.10. The student(s) and college representative(s) who are the Complainants have the right to withdraw from the process at any time. However, the College may have a duty to act and/or continue to act to comply with its legal and policy obligations
- 1.11. The college and the Response Team may investigate any matter on its initiative whether a report or disclosure of gender-based and/or sexual violence has been made. For example, in situations where children or other vulnerable persons may be involved, and a duty to report exists or where the safety of other college community members may be adversely affected.
- 1.12. The college may also review cases to determine if they have merit before moving on to Investigation.
- 1.13. An internal investigation by the college and the Response Team can occur independent of any concurrent investigation undertaken by law enforcement and independent of whether a disclosure or report of gender-based and/or sexual violence has been made.
- 1.14. This policy does not limit individuals from filing a Complaint under an applicable Collective Agreement or with the Alberta Human Rights Commission. However, each avenue has its complaint procedures and timelines.
- 1.15. A report made in good faith is not a violation of this policy, even if it is not proven in a complaint process.
- 1.16. This policy operates alongside other applicable college policies and procedures. Where there is a conflict or inconsistency between the provisions of this policy

and another college policy, this policy governs to the extent necessary to resolve the conflict or inconsistency.

- 1.17. This policy does not replace or supersede the provisions of any Collective Agreement.
- 1.18. All parts of disclosing, reporting, and responding to gender-based and/or sexual violence will be documented in writing and retained by college document retention rules, as amended from time to time

1. DISCLOSURES

- 1.1 Disclosures of gender-based and/or sexual violence are made voluntarily to the College.
- 1.2 A disclosure does not automatically result in a report being made and does not initiate a process to address the incident of gender-based and/or sexual violence.
- 1.3 A disclosure can be made to any college community member. A disclosure may relate to a respondent who is not a college community member.
- 1.4 A complainant is not required to make a report about an incident of gender-based and/or sexual violence to obtain the support, services, or accommodations referred to in this Procedure.
- 1.5 The college recognizes that an individual who has experienced an incident of gender-based and/or sexual violence may require time and reflection before deciding whether they wish to report the incident. Notwithstanding those considerations, college community members who have experienced an incident of gender-based and/or sexual violence are encouraged to make a report as soon as they can do so, recognizing that the passage of time may affect the College's ability to address the issues raised by a report.

2. REPORTS

- 2.1 When a decision to make a report occurs, all college representatives shall report incidents or allegations of gender-based and/or sexual violence regarding college community members in accordance with the *FOIP Act*, other legislation, professional standards, and college policy.
- 2.2 When a decision to make a report occurs, students in a position of trust and authority shall report incidents or allegations of gender-based and/or sexual violence regarding college community members in accordance with the *FOIP Act*, other legislation, professional standards, and college policy.
- 2.3 The Safe Disclosure Policy will apply when reporting incidents or allegations of gender-based and/or sexual violence; Students and college representatives can report anonymously.
- 2.4 Anonymous reporting may limit the college's ability to Investigate and act on the report.
- 2.5 Every college community member has the right to voluntarily report the act(s) of gender-based and/or sexual violence to law enforcement.
- 2.6 Supervisors at the college have a positive duty to create an environment free from gender-based and/or sexual violence. If informed of an allegation or incident of

gender-based and/or sexual violence, supervisors must act to remain compliant with occupational health and safety legislation.

- 2.7 A college community member who witnesses an incident of gender-based and/or sexual violence affecting another college community member should contact Campus Security or call 911 depending on the situation's urgency. Examples of urgent situations may include but are not limited to when a college community member:

- a) Perceives themselves or others to be in imminent danger of physical harm from a responsive behavior of a physically aggressive nature.
- b) Perceives a person is acting out in a manner that is dangerous to self, others, or the environment.
- c) Perceives a situation that is rapidly escalating out of control

3. RECEIVING A REPORT

- 3.1 The Associate Vice President of People and Culture (AVPPC) will be notified promptly in all instances where an employee of the College is named or involved in an allegation of gender-based and/or sexual violence including but not limited to members of the Board of Governors, Board Chair, and President & CEO.
- 3.2 The Associate Vice President of Student Experience and Registrar (AVPSER) will be notified promptly in all instances where a student at the College, who is not employed at the College in any capacity, is named or involved in an allegation of gender-based and/or sexual violence.

4. COLLEGE'S OBLIGATIONS WHEN IT BECOMES AWARE OF INCIDENTS AND ALLEGATIONS OF GENDER-BASED VIOLENCE AND/OR SEXUAL VIOLENCE

- 4.1 To remain consistent with its legal obligations and protect the health and safety of its members, the College may be required to proceed with an Investigation when it becomes aware of an incident or allegation of gender-based and/or sexual violence and/or when a complainant requests no investigation. In such cases, the Complainant has the right to choose not to participate in such an investigation.
- 4.2 Where the College becomes aware of incidents and allegations of gender-based and/or sexual violence involving a college community member, the College will take all reasonable steps to ensure the safety of college community members.
- 4.3 It may transpire that an allegation of gender-based and/or sexual violence is reported to the College anonymously. The College's ability to address the allegation will be dependent on a few factors, including the information available to substantiate the allegation and to permit a fair process.

5. OPTIONS FOR REPORTING

- 5.1 Students and college representatives can make reports of gender-based and/or sexual violence using several methods
- a. Online through the dedicated webpage—anonymous reporting is available.
 - b. Anonymously under the Safe Disclosure Policy and Procedure.
 - c. Campus Security
 - d. Associate Vice President of People and Culture
 - e. College representatives

6. PROVISION OF SUPPORT SERVICES

- 6.1 The AVPPC or AVPSER will work with the Complainant(s), Respondent(s), and/or Witness(es) and engage the gender-based and/or sexual violence Response Team, as required, to arrange required supports as soon as practicable.

7. RESPONDING TO A REPORT OF SEXUAL VIOLENCE

7.1 Students

- a. When the Associate Vice President of People and Culture receives a report of an allegation or incident of gender-based and/or sexual violence, an intake discussion with the complainant will occur as soon as practicable.
- b. The complainant can at any time make an official complaint to the RCMP.
- c. The AVPSER will appoint an investigation Lead, either internally or externally.
- d. The AVPSER may work in consultation with college legal services to provide guidance on the investigation.
- e. The AVPSER will notify the RCMP as deemed necessary in consultation with legal services.
- f. The AVPSER will determine the level of response necessary based on the circumstances, in consultation with legal services and other appropriate College personnel.
- g. While an investigation is ongoing, the AVPSER will work with both the complainant and respondent to ensure that they are able to receive appropriate accommodations to allow them to take a leave of absence from their studies without penalty or continue with their studies. Flexibility and openness will guide this step.

7.2 College Representatives

- a. When the AVPPC receives a Report of an allegation or incident of gender-based and/or sexual violence, an intake discussion with the complainant will occur as soon as practicable and within 3 to 5 business days.
- b. The remaining steps outlined in 7.1 are followed.

8. SAFETY CONSIDERATIONS

8.1 Students

- a. The AVPSER will assemble a Threat Assessment Committee to determine any potential safety risks and recommendations for mitigation.
- b. If at any time following a disclosure or report, it is determined that any individual(s) poses a serious and imminent safety risk to the College community, complainants, respondents, and/or witnesses, the following outcomes may occur:
 - i. A *No Contact Directive* can be issued by the AVPP&C. The form is in **Appendix A**.
 - ii. Access to the College may be restricted. A list of restrictions is outlined in **Appendix B**.

8.2 College Representatives

- a. In cases where college representatives are involved, the AVPPC may assemble the Threat Assessment Committee to complete a risk assessment and identify any immediate danger.
- b. Safety considerations for college representatives will occur in accordance with the Respectful Workplace Policy and Procedures as amended from time to time.

9. ASSEMBLING THE INVESTIGATIVE TEAM

9.1 Students

- a. The AVPSER may assemble the Investigative Team to complete the investigation process. An Investigation Lead, separate from the AVPSER, is also appointed.
- b. All members of the Investigative Team sign a confidentiality waiver as outlined in **Appendix C**.

9.2 College Representatives

- a. The AVPPC may assemble the Investigative Team to complete the Investigation process.
- b. All members of the team sign a confidentiality waiver as outlined in **Appendix C**.

10. THE INVESTIGATION

10.1 Investigation Process

- a. The investigation lead will use their discretion as to whether an Investigative Team is required under the circumstances. The investigation plan is based on the context of the allegation or incident of gender-based and/or sexual violence.
- b. An Investigation into a report alleging gender-based and/or sexual violence or any reasonable information in relation to which the College is of the view it must investigate (given its legal obligations) generally includes:
 - i. Interview(s) with the complainant(s).
 - ii. Interview(s) with the respondent(s).
 - iii. Interview(s) with witnesses and potential witnesses.
 - iv. Collection and review of evidence; and
 - v. Findings of facts made on the likelihood of occurrence.
- c. Respondents and complainants being interviewed may bring a person with them to provide emotional support.
- d. The Investigation Lead will provide the respondent with a reasonable opportunity to respond in writing or orally to the allegations. If the response is oral, the Investigation Lead should normally confirm the content of the response with the respondent in writing. If the respondent does not respond within a reasonable timeframe set by the Investigation Lead, or chooses not to participate in the investigation, the Investigation Lead may proceed in the absence of their response.

- e. The Investigation Lead will provide the written particulars of the response from the respondent, if received, to the complainant. The complainant may submit a reply to the response within a reasonable timeframe set by the Investigation Lead. If no written reply is received within the time requested, the Investigation Lead can proceed in the absence of a reply. The Investigation Lead will provide the written particulars of the reply from the complainant, if received, to the respondent.
- f. The complainant and respondent may choose to submit any additional information to the Investigation Lead, including the names of any potential witnesses.
- g. The Investigation lead will provide the complainant and respondent an opportunity to review their written statements for accuracy.
- h. All details of the interviews will be recorded and stored confidentially.
- i. The Investigation Lead assigns a file number to the case to ensure that all correspondence uses only the file number.
- j. Given that many investigations may involve several people including witnesses, the College will aim to have the investigation completed within a four-to-six-month window, barring any unforeseen circumstance.

11. INVESTIGATION OUTCOME AND DECISION MAKING

- 11.1 The Investigation Lead determines an outcome at the completion of the Investigation, based on evidence substantiated throughout the investigative process and the civil standard. Possible outcomes include the following:
 - a. The allegations of the Complainant(s) are substantiated.
 - b. The allegations of the Complainant(s) are not substantiated; or
 - c. The outcome is inconclusive due to evidentiary issues, where the missing evidence is documented in writing.
- 11.2 The Investigation Lead will provide the AVPPC or AVPSER with a written confidential report containing a summary of the information gathered during the Investigation and the findings of fact made based on a balance of probabilities. The confidential report will be sent to the individual(s) responsible for disciplinary and non-disciplinary processes under relevant College policies, regulations and Collective Agreements as amended from time to time.
- 11.3 The Investigation Lead may consult with the investigative team, as required, to complete the confidential report.
- 11.4 The AVPPC or AVPSER will decide whether sanctions, including any interim measures, are to be imposed any point in the investigation process to ensure the safety of the Complainant.

12. COMMUNICATION OF THE INVESTIGATION OUTCOME

- 12.1 Complainants and respondents will be informed of the investigation outcome in writing by the AVPPC or AVPSER.

13. DECISIONS FOLLOWING AN INVESTIGATION OUTCOME

13.1 Students

- a. The AVPSER, in consultation with the response team, may determine sanctions up to and including a respondent's expulsion from the College when the Investigation outcome is substantiated or partially substantiated. The AVPSER makes the final recommendation to expel.
- b. The AVPSER may take any steps deemed necessary to ensure the safety and security of the college community.
- c. The AVPSER will communicate any decisions to the respondent and complainant in writing and informs them of their right to appeal and the appeal process.

13.2 Employees

- a. The AVPPC, in consultation with the team responsible for determining sanctions, will determine discipline according to the Progressive Discipline Policy as amended from time to time.

14. APPEALS

14.1 Students

- a. Respondents or Complainants who are students may appeal the decision to the Vice President of Academics and Student Experience (VPASE) following the Appeal procedures outlined in the Non-Academic Misconduct Policy as amended from time to time.
- b. If the Vice President of Academics (VPASE) determines that one of the three factors are met to warrant further investigation, the VPASE assembles an Appeal Review Committee to review the case file. The following exceptions will be applied to the Appeal Review Committee:
 - i. Have taken trauma-informed investigation and first responder training coordinated by the AVPPC.
 - ii. Have not previously been involved in the incident in question. All members of the Appeal Review Committee sign a confidentiality waiver as outlined in **Appendix D**.
- c. The decision of the Appeal Review Committee is final and is in accordance with the Non-Academic Misconduct Policy that is amended from time to time.

14.2 College Representatives

- a. Respondents who are college representatives can appeal the decision of the AVPPC within 10 business days of receiving the written decision or in accordance with their Collective Agreement if a member of a bargaining unit.

15. UNSUBSTANTIATED REPORTS

- 15.1 Unsubstantiated reports of gender-based and/or sexual violence, made in good faith, will be dismissed and any records shall be kept in accordance with any applicable policies, procedures, and practices as amended from time to time.

16. REPRISALS AND SANCTIONS

16.1 An individual who is found to have acted in reprisal may be subject to disciplinary action up to and including termination of employment, expulsion from the college or termination of any other relationship they have with the college. Disciplinary action will be taken in accordance with the provisions of any applicable policy and procedure and Collective Agreement.

B. DEFINITIONS

- | | | |
|------|-----------------------------------|--|
| (1) | Administrative Suspension: | means a suspension that is in place while an investigation of gender-based and/or sexual violence is ongoing. It is not a negative, adverse, or disciplinary action and is not recorded on the student's official transcript. |
| (2) | Appeal Review Committee: | means the team assembled to review the case file of an investigation of gender-based and/or sexual violence. |
| (3) | Campus Security | means the department on campus that ensures the safety of college individuals. |
| (4) | College: | means Keyano College. |
| (5) | College Community Member: | means individuals directly connected to any College activities and initiatives and includes all college representatives and students, or persons accessing any of the college services or facilities. |
| (6) | College Representative: | means individuals who are college community members, excluding students. This term includes faculty (retired and visiting), contractors, members of the Keyano College Board of Governors, volunteers, or other individuals who work, study, conduct research, or otherwise carry-on business on or for the college. |
| (7) | Complainant: | means the individual who reports to a member of the college community a potential gender-based and/or sexual violence allegation or incident that was experienced by that individual under this policy and procedure. |
| (8) | Consent: | means the ongoing voluntary agreement of an individual to engage in the sexual activity in question. |
| (9) | Criminal Report: | means a report made to RCMP alleging that an incident of gender-based and/or sexual violence occurred. |
| (10) | Disclosure | means the sharing of information by an individual with a college community member regarding an |

- incident of gender-based and/or sexual violence experienced by that individual, which involves a college community member or other individual.
- (11) **Expulsion:** means the action of denying a student further membership in the college community. It involves a student being permanently prohibited from being on college premises and from obtaining any college-related services.
- (12) **Final Report:** means the report of evidence and outcomes created by the investigative team. The written report will provide the conclusions reached by the investigative team. A final report will include established factual findings and analyses, discussions of credibility and reliability where required, assessments of whether there has been a policy or legal breach, conclusions as to each allegation, and recommended outcomes.
- (13) **Formal Report:** means the document filed or submitted, whether written or verbal, to report an incident or allegation of gender-based and/or sexual violence to the college by any person in relation to a college community member.
- (14) **Interim Measures:** means temporary restrictions or adjustments implemented to maintain a positive, productive, and respectful learning, working, and living environment on college property, pending the resolution of a formal report, police investigation, or other process. Interim measures may also be implemented to support a survivor who is considering whether to proceed with a formal process or who has decided not to proceed with a formal process. Interim measures may include protecting the survivor from interaction, whether face-to-face, or through college-controlled email or virtual meeting, with the person reported to have caused harm.
- (15) **Investigation:** means a formal gathering of facts and evidence following a report or disclosure of gender-based and/or sexual violence led by an individual who is not the Investigation Lead.
- (16) **Investigation Lead:** means an individual who is not the AVPPC OR AVPSER who plans and leads the Investigation process. The Investigation Lead is separate to allow for a neutral investigation.

- (17) **Investigative Team:** means the team that supports the Investigation Lead in completing the investigation. The team is bound by confidentiality.
- (18) **No Contact Directive:** means a directive issued by the college administration prohibiting contact between students when there exists a reasonable concern that physical or psychological harm may result from such contact.
- (19) **Procedure** means the gender-based and/or sexual violence procedure at Keyano College.
- (20) **Report** means when the college is in receipt of an allegation or incident of gender-based and/or sexual violence, through various sources, including from individuals not related to the college. A report can be verbal, written, and is formally submitted to the AVPPC OR AVPSER in relation to college representatives, as required.
- (21) **Reprisal:** means retaliatory measures that are taken against an individual because they have sought advice about making a disclosure or formal report, made a disclosure or formal report in good faith, co-operated in an Investigation of a formal report, or declined to participate in behaviour that would breach this procedure.
- (22) **Respondent:** means someone against whom an allegation of gender-based and/or sexual violence has been made by a college community member.
- (23) **Response Team:** means a multi-disciplinary resource team comprised of a multi-disciplinary resource team comprised of individuals from the various departments that coordinate intervention and supports for students. The complainant will be asked to provide input as to who they would prefer not to be a part of this team to ensure safety, confidentiality and to preserve integrity.
- (24) **Restriction of Privilege:** means a formal limitation imposed upon the specific use of Keyano facilities for a prescribed period.
- (25) **Sexual Violence:** means any violence, physical or psychological, that is committed, threatened, or attempted against an individual without the individual's consent through a sexual means or by targeting gender or sexuality. This includes, but is not limited to, sexual assault, sexual harassment, indecent exposure, voyeurism, degrading sexual

- imagery, and distribution of sexual images or video of a college community member without their consent. It can include a single incident or a pattern of behaviour whether in person, online, or via other means
- (26) **Student:** means an individual registered in a current college credit or non-credit course or program of study.
- (27) **Substantiated** means that the facts on balance indicated that gender-based and/or sexual violence occurred.
- (28) **Support Services:** means services offered to support the mental and physical health of students. They can be services internal or external to the college.
- (29) **Suspension:** means the student is unable to access college services or be on college premises for a period. The suspension is noted on the student's college transcript.
- (30) **Threat Assessment Committee:** means a multi-disciplinary resource team comprised of college staff members representing Campus Security, Human Resources, AVPP&C, Health Services, and ad hoc committee members that respond to reports of actual or potential acts of violence to assess the level of safety risk to students and the campus community, as required.
- (31) **Trespass Order:** means an order that prevents a student from trespassing on college property.
- (32) **Witness:** means an individual who observed or participated in an act of gender-based and/or sexual violence.

C. RELATED LEGISLATION

- *Alberta Freedom of Information and Privacy Act*
- *Alberta Human Rights Act*
- *Criminal Code of Canada – R.S.C., 1985, c. C-46 (Section 153.1)*
- *Post Secondary Learning Act*
- *Occupational Health and Safety Regulation*
- *Occupational Health and Safety Codes*
- *Health Professions Act*

D. RELATED DOCUMENTS

- Keyano College Code of Conduct Policy
- Keyano College Non-Academic Misconduct Policy
- Keyano College Progressive Discipline Policy
- Keyano College Respectful Workplace Policy

- Keyano College Safe Disclosure Policy
- Keyano College Gender-Based And Sexual Violence Policy
- Keyano College Substance Use Policy
- Ethical Codes of Regulatory Colleges for Health Care Professionals
 1. Alberta College of Occupational Therapists
 2. Alberta College of Social Workers
 3. College and Association of Registered Nurses of Alberta
 4. College of Alberta Psychologists

E.

REVISION HISTORY

Date (mm/dd/yyyy)	Description of Change	Sections	Person who Entered Revision (Position Title)	Person who Authorized Revision (Position Title)
08/28/2021	Revisions for clarity, compliance of process with legislation, and template change.	All	C. Gresku Manager, Student Academic Support Services	
05/09/2022	For post-secondary institutions, to review the sexual violence policy create and assess a Gender-Based Violence policy in alignment with national best and promising practices (i.e., trauma-informed, and survivor-driven)	Guiding principles Definition	Priscilla Lothian Director, Student Services Kyle Pellegrini Manager, Accessibility and Wellness Services	Priscilla Lothian, Director Student Services

Appendix A: No Contact Directive Form

Temporary No Contact Directive

Name: _____ I.D. # _____ Date: _____

When necessary, Keyano College will put into place a Temporary No Contact Directive between individuals connected with the College to help create an environment that is free from harassment and/or threats of violence. This action can be taken by the College at any time during the pendency of an investigation for as part of an outcome or resolve to a matter, as a method of protecting individuals and providing a safe College environment. This Temporary No Contact Directive is not a conclusion as to whether a violation of College Policy has occurred.

In compliance with the Non-Academic Misconduct Policy and/or Employee Code of Conduct, this is an official directive **notifying you to have no contact** with: _____

This temporary No Contact Directive applies **to direct contact and indirect contact** with the above-named individuals.

Direct contact includes, but is not limited to:

- Face-to-face contact
- Email or other written correspondence
- Contacting through social networks, including on mutually “liked” pages
- Phone calls, voicemails, and text messages

Indirect contact includes, but is not limited to:

- Hanging around housing or classrooms of the above-named individuals
- Making contact through a third party, including mutual friends
- Blog or social network postings regarding the person named above

The following physical restrictions on college property will apply:

(Insert times and locations at the College where the individual must refrain from being present. For example, no attendance on college campus prior to 2 pm Monday to Friday, no access to residence building X at any time)

It is your responsibility to ensure compliance with this directive.

This temporary No Contact Directive shall last until dismissed in writing by the Associate Vice President of People and Culture or designate. A copy of this order will be provided to the individual named in this order with the direction to report any violation. Additionally, a copy will be provided to Keyano College offices as deemed necessary and appropriate by the Director of Student Services and/or Executive Director of Human Resources.

By your signature below, you acknowledge you have been notified and received a copy of this temporary No Contact Directive. While this directive is not the same as a protection order issued



Procedure

through the court system and has no criminal legal ramifications if it is violated, a violation order will be considered a violation of the Non-Academic Misconduct Policy or Employee Code of Conduct.

Signed (student/employee): _____

Date: _____

Signed (KC Official): _____

Date: _____

Appendix B:

How Access to the College may be Restricted for Students and Employees

1. Access to the College may be restricted through the following:
 - a. Limited access within defined times and locations for campus privilege.
 - b. Alternate class arrangements may be offered: provision of audio tape of class, attendance through video-conferencing, provision of lecture notes and presentations. Alternate assignments if group work is not possible.
 - c. Housing accommodations may be suspended.
 - d. Separation of academic, living, or workplace situations.
 - e. Administrative Suspension may be enacted. The purpose of Administrative Suspension is to ensure a safe environment as well as to limit interactions between the Complainant(s) and Respondent(s). If it is determined to enact an Administrative Suspension, it would be in place during the entire time of the Investigation and up until a decision is reached. Once a decision is reached, the consequence of that decision will replace the Administrative Suspension.
 - i. Respondents will be completely restricted from all Keyano College property unless expressly invited for a meeting.
 - ii. A Trespass Order for all Keyano College property could be enacted.
 - iii. Access to Keyano email will be suspended.
 - iv. Course completion accommodations may be made when deemed appropriate. Students will be suspended from all classes until the Investigation is complete.
 - v. If the Investigation reveals that, in the balance of probabilities, the incident occurred and that the Sexual Violence Policy was breached, depending on the specific nature of the offense and other relevant circumstances, penalties may range from restriction of privilege to expulsion or termination.
 - f. Restriction of privilege. Formal limitation imposed upon the specific use of Keyano facilities (including but not limited to the Syncrude Sports and Wellness Centre, classrooms, computer labs, Library, the Academic Success Centre, student common areas and/or parking lots) for a prescribed period.
 - g. Suspension. The students or employee is temporarily prohibited from being on college premises and obtaining other college-related services until the designated suspension period has elapsed or until the prescribed conditions deemed necessary by the College to terminate the suspension have been met by the Students or Employee.
 - h. Once the period of suspension is over, the students may reapply to their program or apply to any other program for which they are eligible at Keyano College. A student who is suspended from the college will have it noted on their Keyano College transcript.

- i. Once the period of suspension is over, the employee may request reinstatement to their college position. An employee who is suspended will have it noted in their personnel file.

Appendix C: Investigative Team Confidentiality Waiver

INVESTIGATION CONFIDENTIALITY AGREEMENT

BETWEEN

(Investigative Team Lead)

AND

(Investigative Team Member)

BACKGROUND:

The Investigative Team Member is currently an employee of Keyano College and as such is subject to adherence to policies and procedures currently in place.

In addition, due to the sensitive nature of this investigation, the following conditions are also required to be met:

1. Information that the team member is privy to during the investigation may not be shared in any form or in any part with anyone outside of the team, unless expressly required by law enforcement or legal proceeding. At no time can there be an assumption that any single person has knowledge of the investigation. To be part of an appeal committee, the members of the committee can have no prior knowledge of the investigation. Security of information must be maintained within the investigative team.
2. Inquiries from outside the committee will be directed to the Investigative Team Lead for response.
3. All notes in any form will be stored with the designated Note-Taker. All parts of the file will be double locked in a single location and during team meetings archived notes will be available for referral.
4. All email communication will refrain from using respondent or claimant names. The case will be assigned a file number and communication will refer to the file number.

Date: _____

Name: _____ Signed: _____

Name: _____ Signed: _____

Appendix D: Appeal Review Committee Confidentiality Waiver

INVESTIGATION CONFIDENTIALITY AGREEMENT

BETWEEN

(Appeal Committee Lead)

AND

(Appeal Committee Member)

BACKGROUND:

The Appeal Committee Member is currently an employee of Keyano College and as such is subject to adherence to policies and procedures currently in place.

In addition, due to the sensitive nature of this investigation, the following conditions are also required to be met:

1. Information that the committee member is privy to during the investigation may not be shared in any form or in any part with anyone outside of the committee, unless expressly required by law enforcement or legal proceeding.
2. Inquiries from outside the committee will be directed to the Appeal Committee Lead for response.
3. All notes in any form will be maintained by the Appeal Committee Lead.
4. All email communication will refrain from using respondent or claimant names. The case will be assigned a file number and communication will refer to the file number.

Date: _____

Name: _____ Signed: _____

Name: _____ Signed: _____