

Purpose: All members of Portage College (the College) community have a right to work, study and live on campus in an environment that is free from any form of gender-based and sexual violence. This document sets out our guidelines and procedures to the prevention of gender-based and sexual violence and ensures that those who experience gender-based and/or sexual violence are believed and their rights respected, that the College has a process of investigation that protects the rights of individuals and holds individuals who have been determined to have committed an act of gender-based and sexual violence accountable to the extent that the complainant discloses such an act.

Responsibility: **Vice President Student and College Services; Vice President People and Culture**

Guidelines:

Definitions

Definitions as it relates to these guidelines and procedures are included in Appendix A. However, the College is including some definitions here as these make up the foundation of these guidelines and procedures.

Gender-based Violence

An umbrella term that includes sexual violence and other forms of “use and abuse and control over another person” that are “perpetrated against someone based on their gender expression, gender identity, or perceived gender” (BCFED, 2018, as cited in Khan, Rowe & Bidgood, 2019, p. 10). Forms of gender-based violence include: physical violence; online violence/technology-facilitated violence; sexual violence including sexual abuse, sexual harassment, sexual assault and sexual exploitation; spiritual abuse; financial abuse; harassment including stalking; and emotional and psychological violence including put-downs, bullying, threats and intimidation.

Sexual violence is a broad term that describes any violence, physical or psychological, carried out through sexual means or by targeting sexuality. This violence takes many forms including sexual assault and sexual harassment.

Trauma-informed approach means support that recognizes the connections between violence, trauma, and negative mental and physical health outcomes when providing services to people with histories of trauma. It is based on the understanding that trauma greatly impacts memory as well as the ability to recall events in a detailed or chronological manner and that altered behaviours, along with the presence of other trauma symptoms may exist. It acknowledges the impact that trauma has played in an individual’s life, including the impacts of intergenerational trauma.

Statement of Commitment

1. Gender-based and sexual violence is unacceptable and will not be tolerated. The College is committed to challenging and preventing gender-based and sexual violence on Campus, and creating a safe and positive space where members of the College community can work, learn, live and express themselves in an environment free from gender-based and sexual violence.
2. The College recognizes that gender-based and sexual violence can occur between individuals regardless of sexual orientation, gender, and gender identity or relationship status as articulated in the *Alberta Human Rights Act*.
3. The College recognizes that a Campus Rape Culture impacts all members of the College community, and that individuals who have experienced gender-based and sexual violence experience a range of effects, including emotional, academic, workplace or other difficulties that affect their lives.
4. The College is committed to making available programs and resources to educate the College community on prevention of, and reporting of gender-based and sexual violence. The College is further committed to providing appropriate education and training to Employees on how to respond to disclosures, including how to report, investigate and document incidents of gender-based and sexual violence. Only individuals

who have been trained in sexual violence investigation procedures can participate in the Complaint Process.

5. The College is committed to responding to, and addressing, incidents and complaints of gender-based and sexual violence and holding those who are found to have committed acts of gender-based and sexual violence accountable.
6. Where the College receives a disclosure of gender-based and sexual violence, the College's is committed to ensuring:
 - a. A trauma-informed and survivor-focused approach that recognizes the impact of intersectionality
 - b. The person making the disclosure is believed and that their right to dignity and respect is protected, recognizing there are the final decision-makers about their own best interests
 - c. Individuals receive the support and resources they choose, including referrals to counselling, cultural-specific services, medical care, information on legal options, and appropriate academic, workplace and other accommodations
 - d. Individuals receive information on the College's guidelines and procedures on gender-based and sexual violence.
 - e. Their right to privacy and confidentiality are respected, but also ensuring the College is transparent in scope and limits of confidentiality and anonymity as it relates to disclosures, reporting and investigations.
7. The College is further committed to ensure those who witness or receive disclosures of gender-based and sexual violence also receive appropriate support.

Application and Scope

8. These guidelines apply to all members of the College community engaged in College-related activities and travel, both on and off campus. This also includes interactions by telephone and electronic communications.
9. Members of the College community can also receive appropriate support with respect to issues of sexual or gender-based violence they experience or witness even when it occurs off-campus and is not related to any College related activity.
10. The College can only fully investigate under these guidelines reported incidents of gender-based and sexual violence where both the Complainant and Respondent, at the time of the alleged incident, are members of the College community. All reports of gender-based and sexual violence will be investigated to the best of the College's ability and in a manner that ensures due process and is consistent with the Internal Investigation Process (Appendix B). The intention of the Internal Investigation Process is to make individuals feel comfortable about making a report in good faith about gender-based and sexual violence that they have experienced or witnessed.
11. This guideline and procedure does not preclude a person from exercising their legal rights or filing complaints with external agencies in addition to filing a Complaint of gender-based and sexual violence with the College. These guidelines and procedures are independent of civil and criminal legal systems.

Responsibilities

12. **All members of the College community** are responsible for:
 - a. ensuring they understand and comply with these guidelines and procedures;
 - b. knowing what to do when they receive a Disclosure, or when they have information about an incident of gender-based and sexual violence;
 - c. knowing how members of the College community can access support when they have experienced gender-based and sexual violence.
13. **Campus Security, Registrar's Office/Student Services** are responsible for:
 - a. investigating Reports of gender-based and sexual violence relating to students;
 - b. providing ongoing education, resources and awareness of gender-based and sexual violence to all students;



- c. providing on-campus and off-campus support and referrals to students impacted by gender-based and sexual violence, including providing academic and non-academic accommodations;
- d. facilitating safe living arrangements to the best of their abilities.

14. **Human Resources** is responsible for:

- a. investigating Reports of gender-based and sexual violence relating to employees and all other members of the College community with the exception of students;
- b. providing education, resources and awareness to employees of gender-based and sexual violence;
- c. advising employees of the availability of the College's Employee and Family Assistance Program;
- d. ensuring employees facilitate accommodations to students and employees who have experienced gender-based and sexual violence.

Disclosure and Reporting/Filing a Complaint

15. Disclosing and Reporting are separate actions that a person can choose to take under these guidelines and procedures.
16. A Disclosure is when a person has shared with a member of the College community, usually an Employee, information about an incident of gender-based and sexual violence they have experienced.
17. Reporting/Filing a Complaint is sharing information about an incident of gender-based and sexual violence with a designated member of the College community, usually Campus Security, Student Counselling or Human Resources, with the intent of initiating one of the processes, usually an investigation, outlined in this guideline and procedure.

Responding to Disclosures

18. A person who experiences gender-based and sexual violence may make a Disclosure to any member of the College community. A Disclosure may relate to a Respondent who is, or is not a member of the College community.
19. Disclosures are often shared in confidence, and that expectation of confidentiality is often essential allowing someone to come forward. Members of the College community are expected to hold that information in confidence, however, they can consult with designated members of the College community as listed under Paragraph 23.
20. A member of the College community who receives a Disclosure should inform the person making the Disclosure about these guidelines and procedures and provide information on their options, including Filing a Complaint/Reporting. Members of the College community must respect a survivor's right to choose when and how to pursue any action under these guidelines and procedures.
21. A member of the College community who receives a Disclosure about an incident should report this to the appropriate designated members of the College community as listed under Paragraph 23, regardless if the person making the Disclosure wishes to file a Report/Complaint. However, in doing so, must ensure provisions of confidentiality as set out in this guideline and procedures are followed. The reason is that the College may need to take action to ensure the safety of the College community. All Disclosures are also recorded by the College for the purpose of monitoring Campus safety and reporting to Executive Committee.
22. A member of the College community does not have to make a Report/Complaint in order to receive support, services and accommodations referenced in this guideline and procedure.

Reporting and Filing a Complaint

23. Members of the College community who have experienced gender-based and sexual violence are encouraged to immediately submit a Report/Complaint to a designated member of the College community:
 - a. **Complaints about students and visitors to housing** can be filed with Campus Security.



- b. **Complaints about Employees and all other members of the College community** can be filed with Human Resources.
24. There is no time limit for making a Complaint, however, the College's ability to address an incident may be affected by a significant time delay.
 25. All members of the College community who witness, have knowledge of or reason to believe an incident of gender-based and sexual violence has or may occur, must immediately report this to a designated member of the College community listed under Paragraph 23.
 26. Anonymous and third-party complaints will be accepted and reviewed to ensure Campus safety. However, the College's ability to respond and address the complaint may be limited based on information available and to permit procedural fairness in an investigation. A person can submit an anonymous complaint using the College's emergency app, Portage Alert, or its Whistleblower Hotline.

Complaint Process and Investigations

27. A Complaint of gender-based and sexual violence can be filed under these guidelines and procedures by any member of the College community. The College will seek to initiate all investigations within three (3) days of receiving a Complaint. The College will further seek to complete investigations within 45 working days and will provide a summary of decision to the Complainant(s) and Respondent(s). If the investigation cannot be completed within 45 working days, the Complainant(s) and Respondent(s) will be informed in writing.
28. The College will seek to achieve procedural fairness in responding to all Complaints ensuring those who submit a Complaint are believed and receive a trauma-informed approach. Respondents will be entitled to reasonable advance notice of the allegations before being expected to provide responses to the allegations. Appendix B outlines the typical steps in an internal, College-led investigation.
29. The College may implement interim measures after receiving a Report/Complaint and during the investigation to keep the Campus safe, and to protect the Complainant from face-to-face encounters with the Respondent during the Complaint Process.
30. Both the Complainant and Respondent have the right to be accompanied by a support person, union or association representative, or legal representative, at any time during the reporting or investigation processes. The support person, or union, association or legal representatives, whether or not members of the College community, are expected to adhere to confidentiality expectations outlined in these guidelines and procedures.
31. The College reserves the right to engage an external investigator or legal counsel in circumstances where the College feels it is necessary.
32. Only if the Complainant requests, the College may address allegations with an informal approach or alternative measure.

Applicable Policies and Violations

33. Where an investigation has determined there was a violation of these, and any other College guidelines and procedures, appropriate disciplinary action will be imposed.
34. For a Student, disciplinary action will be imposed under the Student Code of Conduct, the Student Misconduct-Discipline, and any Student Housing guidelines and procedures regarding discipline.
35. For Employees and all other members of the College community, disciplinary action will be imposed under the Code of Conduct, any applicable collective agreement, and any other policies, guidelines and procedures regarding discipline.

Reducing barriers to disclosing and reporting

36. To help reduce barriers to Disclosing and Reporting incidents of gender-based and/or sexual violence, Complainants will not be asked to repeat their accounts more than is necessary to implement this policy, guideline and procedures
37. Further, complainants who in good faith make a disclosure or report about sexual violence will not be subject to discipline or sanctions for violations of the Student Code of Conduct and other College and

Housing-related policies relating to drug and alcohol use at the time of the alleged sexual violence incident.

Right to Withdraw a Complaint

38. A Complainant has the right to withdraw a Complaint at any stage of the process. However, the College may continue to act on the issue identified in the Complaint to comply with its obligation under these guidelines and procedures, and any legal obligations.

Appeals

39. The Complainant or Respondent may Appeal the decision of an investigation based on the following:
- There was a significant error in the formal investigation process
 - Clear evidence of a conflict of interest involving the investigator
 - Significant new evidence that was not available at the time of the investigation that has the potential to change the findings in the investigation
40. Appeals regarding investigations about students and visitors to Student Housing must be submitted in writing to the Vice President, Student and College Services.
41. Appeals regarding investigations about employees and all other members of the College community must be submitted in writing to the Vice President, People and Culture.
42. The Vice President will convene an appeal committee. Only individuals trained administrative justice/procedural fairness can participate in the appeal.
43. An Appeal must be made within 7 working days after receiving in writing the final decision of the investigation.
44. The Appeal must include in writing:
- Reasons for the Appeal
 - Reasons the Appeal should be granted
 - Arguments in support of the Appeal
 - Outcome sought
45. Results of the Appeal may include a finding of error, conflict of interest, or validation of new evidence. If any of these are considered likely to have affected the investigative findings, the appeal committee may designate an investigator to review the investigation, or overturn the investigative findings. Otherwise, the investigative findings will be upheld.

Multiple Proceedings

46. Where criminal, civil and/or other legal proceedings are commenced in respect of the allegations of gender-based and sexual violence, the College shall conduct its own independent investigation into such allegations, and will make its own determination in accordance with its guidelines and procedures. Where there is an ongoing criminal (or other agency) investigation, the College will cooperate as required.

Protection from Reprisals, Retaliation or Threats

47. It is strictly prohibited under these Guidelines and Procedures for anyone to retaliate, engage in reprisals or threaten to retaliate against a Complainant or other individual who may be involved in the matter for:
- having pursued rights under these Guidelines/Procedures or the *Alberta Human Rights Act*;
 - having participated or co-operated in an investigation under these Guidelines/Procedures, the *Alberta Human Rights Act* or the *Occupational Health and Safety Act*; or
 - having been associated with someone who has pursued rights under these Guidelines/Procedures or the *Alberta Human Rights Act*.
48. An employee engaged in such conduct will be subject to sanctions and/or discipline actions by the College up to and including termination.
49. A student engaged in such conduct will be subject to sanctions and/or discipline actions by the College including suspension, dismissal and expulsion.

50. The College will take steps to protect individuals from reprisals, retaliation and threats.

Confidentiality

51. The College will treat all Disclosures and Reports/Complaints of gender-based and sexual violence with confidentiality and privacy in accordance with the Freedom of Information and Protection of Privacy Act.
52. The College recognizes that confidentiality is particularly important to those who have disclosed gender-based and sexual violence. The confidentiality of all persons involved in a Report/Complaint of gender-based and sexual violence must be strictly observed, and the College will take reasonable steps to maintain the confidentiality of allegations and all persons involved, including the Complainant, Respondent, and witnesses.
53. Confidentiality cannot be assured in the following circumstances. In such circumstances, information would only be shared as required or permitted by law:
 - a. an individual is at imminent risk of self-harm;
 - b. an individual is at imminent risk of harming another;
 - c. a violent episode has resulted in hospitalization or death; and/or
 - d. there are reasonable grounds to believe that others may be at risk of harm.
54. Where the College becomes aware of an allegation of gender-based and/or sexual violence by a member of the College community against another member of the College community, the College may also have an obligation to take steps to ensure that the matter is dealt with to comply with the College's legal obligation and/or its guidelines to investigate such allegations. In such cases, certain College administrators will be informed about the reported incident on a "need to know" and confidential basis, but not necessarily of the identities of the persons involved.

Guideline and Procedures Review

55. These guidelines and procedures will be reviewed at least every three years. Any Complaint under these guidelines and procedures that is investigated will also trigger an automatic review.

Procedures:

- Appendix A – Definitions
 - Appendix B – Investigation Procedures
 - Appendix C – Guide for Individuals Impacted by Gender-based and Sexual Violence
 - Appendix D – Guide on How to Respond to Disclosures of Gender-based and Sexual Violence
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Approved by Executive Committee

President

November 15, 2022
Approved Date

November 15, 2022
Effective Date



For the purpose of the guidelines and procedures for B.6.5 and corresponding appendices, the following are relevant definitions:

Sexual violence is a broad term that describes any violence, physical or psychological, carried out through sexual means or by targeting sexuality. This violence takes many forms including sexual assault and sexual harassment. It also includes cyber sexual violence.

Gender-based Violence

An umbrella term that includes sexual violence and other forms of “use and abuse and control over another person” that are “perpetrated against someone based on their gender expression, gender identity, or perceived gender” (BCFED, 2018, as cited in Khan, Rowe & Bidgood, 2019, p. 10). Forms of gender-based violence include: physical violence; online violence/technology-facilitated violence; sexual violence including sexual abuse, sexual harassment, sexual assault and sexual exploitation; spiritual abuse; financial abuse; harassment including stalking; and emotional and psychological violence including put-downs, bullying, threats and intimidation.

Trauma-informed approach means support that recognizes the connections between violence, trauma, and negative health outcomes when providing services to people with histories of trauma. It is based on the understanding that trauma greatly impacts memory as well as the ability to recall events in a detailed or chronological manner and that altered behaviours, along with the presence of other trauma symptoms may exist. It acknowledges the impact that trauma has played in an individual’s life, including the impacts of intergenerational trauma.

Survivor means individuals who have experienced gender-based and/or sexual violence may choose to identify as a survivor. Individuals might be more familiar with the term “victim”. We use the term “survivor” throughout these Guidelines where relevant because some who have experienced gender-based and/or sexual assault believe they have overcome the violent experience and do not wish to identify with the victimization. It is the prerogative of the person who has experienced these circumstances to determine how they wish to be identified.

Disclosures means a person has shared information with a member of the College community about an incident of gender-based and/or sexual violence. When a person discloses, they can receive support and services under this guideline and procedure.

Report/Complaint means a person has shared information with designated members of the College community (i.e. Campus Security, Student Counselling, Human Resources) about an incident of gender-based and/or sexual violence with the intent of initiating one of the processes as set out in this guideline and procedures, usually an investigation.

Sexual assault means a criminal offence under the *Criminal Code* of Canada. Sexual assault is any type of unwanted sexual act done by one person to another that violates the sexual integrity of the victim and involves a range of behaviours from any unwanted touching to penetration. Sexual assault is characterized by a broad range of behaviours that involve the use of force, threats, or control towards a person, which makes that person feel uncomfortable, distressed, frightened, threatened, or that is carried out in circumstances in which the person has not freely agreed, consented to, or is incapable of consenting to. It includes Acquaintance sexual assault and drug-facilitated sexual assault.

Sexual harassment means unwelcomed sexual advances, requests for sexual favours, or other verbal or physical conduct of a sexual nature. Incidents of sexual harassment include but are not limited to, situations when:

- a) such conduct has the purpose or effect of interfering with a Student’s academic performance or an Employee’s work performance, or creating an intimidating, hostile or offensive learning, living or working environment;
- b) submission to such conduct is made either explicitly or implicitly a term or condition of employment, or of the teaching and learning process; or
- c) submission to or rejection of such conduct is used in employment or academic decisions affecting that Employee or Student.

Examples of sexual harassment include but are not limited to comments or conduct of a sexual nature such as leering, “dirty” jokes, gestures, pictures pornographic materials, comments, suggestions, innuendos, requests or demands of a sexual nature. The behaviour need not be intentional to be considered sexual harassment.

Campus rape culture means a culture in which dominant ideas, social practices, media images, and societal institutions implicitly or explicitly condone sexual assault by normalizing or trivializing sexual violence and by blaming



survivors for their own abuse. Rape culture creates an climate in which we accept that our policies, practices, law enforcement, and courts do not respond well to the problem of sexual violence.

Cyber sexual violence means using communication technologies such as the internet, social networking sites, websites, emails, text messaging, instant messaging to intimidate or harass others. It includes insulting or threatening emails, text messages or posts, spreading embarrassing or private photos, creating a website, forum or group to insult or demean others, impersonating an individual on social media, statement of intent to harm a person in return for not revealing compromising information about them, tricking a person into revealing personal information.

Acquaintance sexual assault means sexual contact that is forced, manipulated, or coerced by a partner, friend or acquaintance.

Drug-facilitated sexual assault means the use of alcohol and/or drugs (prescription or non-prescription) by a perpetrator to control, overpower or subdue a victim for purposes of sexual assault.

Sexual exploitation is when a person in a position of trust or authority uses that power to start or attempt to engage in sexual activity with another person. It can be direct or indirect and may include touching, violence, coercion, or use of threats.

Stalking means a form of criminal harassment prohibited by the *Criminal Code* of Canada. It involves behaviours that occur on more than one occasion and which collectively instill fear in the victim or threaten the victim/target's safety or mental health. Stalking can also include threats of harm to the target's friends and/or family. These behaviours include, but are not limited to non-consensual communications (face to face, phone, email, and social media), threatening or obscene gestures, surveillance, sending unsolicited gifts, "creeping" via social media/cyber-stalking and uttering threats.

Age of consent in Canada is 16 years. In other words, a person must be at least 16 years old to be able to legally agree to sexual activity. However, there are some cases where the age of consent is higher (for example when there is a relationship of trust, authority or dependency). There are also close in age exception. For the full definition, visit the Department of Justice Age of Consent to Sexual Activity information webpage: <https://www.justice.gc.ca/eng/rp-pr/other-autre/clp/faq.html>

Consent is the act of willingly agreeing to engage in specific sexual behaviour, and requires that a person is able to freely choose between two options: yes and no. This means that there must be an understandable exchange of affirmative words which indicates a willingness to participate in mutually agreed upon sexual activity. It is the responsibility of the initiator of sexual activity to ensure clear and affirmative responses are communicated at all stages of sexual engagement. It is also the initiator's responsibility to know if the person they are engaging with sexually is a minor. No one can consent while intoxicated or incapacitated by drugs or alcohol. It means the voluntary agreement of the complainant to engage in the sexual activity in question. Conduct short of a voluntary agreement to engage in sexual activity does not constitute consent as a matter of law. The person consenting must be of the Age of consent for sexual activity. No consent is obtained:

- a) where the agreement is expressed by the words or conduct of a person other than the complainant,
- b) where the complainant is incapable of consenting to the activity,
- c) where the accused induces the complainant to engage in the activity by abusing a position of trust, power or authority,
- d) where the complainant expresses, by words or conduct, a lack of agreement to engage in the activity, or
- e) where the complainant, having consented to engage in sexual activity, expresses, by words or conduct, a lack of agreement to continue to engage in the activity.
- f) no one can consent while intoxicated or incapacitated by drugs or alcohol.
where the complainant is a dependant adult (those with guardians) under "Protection of Persons in Care Act".

Coerce means exercising unreasonable and persistent pressure for sexual activity. Coercion is the use of emotional manipulation, blackmail, spiritual, financial threats, or the promise of rewards or special treatment, to persuade someone to do something they do not wish to do.

Campus means the real property owned or managed by the College and any other locations where the College offers programming taught by a College Employee or contractor during the specific hours of operation of the program and/or course and only when the College sanctioned event is responsible for the supervision. This policy under the



definition of 'Campus' applies to misconduct that occurs off campus if a) the conduct was in connection with a College or College recognized program or activity; and b) the conduct may have the effect of creating a threatening environment for a member of the College community; c) online programs or College sanctioned activities/events.

College community means collectively individuals employed directly (Employees) or indirectly (governors, Contractors, appointees, third parties) at the College, Students, Volunteers and Visitors.

Student means an individual registered in a credit/non-credit course or a program of study provided by the College.

Employee means an individual employed by Portage College who is either: i) a person paid by salary in either a full-time or part-time continuous position; ii) a person paid by salary in either a full-time or part-time term position; or iii) a person employed for full-time or part-time casual employment on an hourly basis.

Executive Committee consists of the President & CEO, Vice President Academic and Research, Vice President, Student and College Services, Vice President, People and Culture, and Chief Financial Officer.

Visitor means a person who is visiting on Campus.

Volunteer means an individual who offers gratuitous services to the College and must be under the direction of an Employee.

Contractor means an individual who, either directly or through a corporation or other entity that employs such individual, agrees to furnish materials to or to perform services for the College for consideration.

Complainant is the person who is reporting an alleged breach of the prevention of gender-based and/or sexual violence Guidelines.

Respondent is the person alleged to have breached the Prevention of Gender-based and Sexual Violence Guideline. If the Respondent is not an Employee or Student at the College, it is recognized that the Respondent's participation in any process outlined in this Guideline cannot be mandated and will be voluntarily.

Anonymous complaints means a Complainant files a Report/Complaint themselves, but has not provided information on their identity.

Third-party complaints means an individual brings forward a Complaint on behalf of a Complainant/Survivor or a witness.

Intersectional approach describes ways of thinking about the complexities of and relationships between the many aspects of people's identities (e.g. gender, race, ethnicity, class, sexual identity, disability/ability, age). Intersectionality describes how systems of power interact to oppress people with multiple marginalized identities. An intersectional approach focuses on the unique challenges of those who sit at intersections of overlapping systems of discrimination.



Below you will find the typical steps taken in an internal (College-led) investigation into complaints of harassment, discrimination, sexual or gender-based violence, misconduct, and any other matters investigated. The intent here is to provide a general overview of what to expect in an investigation and what steps are normally included in the process. However, it is important to note that there may be deviations from the traditional process below.

Trauma-informed investigation

The College will take a trauma-informed approach to investigations, where the investigator(s) recognizes and understands the impacts trauma can have on Complainants, Respondents, witnesses and others involved in the investigation process.

- **Establish mandate**
Here the objective of the process is determined. The purpose is to give the investigator a sense before they start work as to what is being asked of them. Are they only asked to make factual findings? Are they being asked to investigate all complaints/concerns or only specific ones? Are they expected to make an analysis of the facts to determine if there was any violation of policy? Are we asking for recommendations? The mandate can be adjusted throughout the investigation
- **Select investigator**
The College will determine if the investigation is to be completed by someone internal to the College (human resources, student services) or if someone external to the College will be retained. Only those who have been trained and who have investigation experience and who can conduct an investigation in a timely matter will be considered.
- **Advise parties about process**
Once the College has determined that an investigation is necessary, the investigator will communicate with the parties to advise of the investigation process and to set up initial interviews.
- **Interview the complainant**
Normally, there is an identifiable complainant. The investigator will meet with this individual first to fully understand the nature of their complaint. Where the College has received a third-party complaint, the College will collect information necessary through the individual bringing forward the complaint.
- **Share allegations with respondent**
The respondent is entitled to reasonable advance notice of the allegations before being expected to provide responses to the allegations.
- **Interview the respondent**
An interview is held with the respondent in order to provide them with the opportunity to respond to the allegations.
- **Interview witness(es), if any**
Individuals having possible relevant information to the investigation may be identified in interviews with the complainant and respondent. The investigator will determine which individuals/witnesses should be interviewed and which may not be relevant to the investigation.
- **Review with parties any contradictory evidence collected**
If the investigator finds any contrary evidence in the investigation that will be relied upon by the investigator in making findings against a party, the party should be advised of this evidence and be given opportunity to respond
- **Analyze the evidence, make decisions and prepare a report**
The investigator looks at information collected in interviews as well as other documentary and physical evidence collected, reviews it and makes determinations based on the mandate. This will normally make up a written report.
- **Share finding with the parties**



The parties in an investigation are entitled to receive some sort of report back on the outcome of the investigation process. Respecting confidentiality, the extent of the investigation outcome report should be only sufficient to provide closure and assurance that it was a fair, objective investigation.



If you have experienced gender-based and sexual violence, Portage College is committed to ensuring you receive the supports and resources you choose, and that you receive information about the choices available to you under these guidelines and procedures.

Reach out for support

If you experienced gender-based and sexual violence, make sure you go to a safe place, whether it is your own home, a friend’s place or with family, a shelter, hospital or consider contacting police.

Below is a list of resources that may be able to help you. We encourage students to reach out to Student Counselling and employees and all others (non-students) to reach out to Human Resources for additional support resources.

STUDENT-SPECIFIC SUPPORT		
Resource	Type	Contact Information
Student Counselling	On campus	1-866-623-5551 Click here to select a counsellor: https://www.portagecollege.ca/Student-Services/Counselling-and-Wellness
Mental Health Support	On campus	
Student Housing Support Worker	On campus	
Registrar’s Office	On campus	1-866-623-5551

EMPLOYEE-SPECIFIC SUPPORT		
Resources	Type	Contact Information
LifeWorks (Employee and Family Assistance Program)	Off campus	1-877-207-8833 (24/7 support)
Human Resources	On campus	780-623-5747
AUPE	Off campus	1-800-232-7284
Faculty Association	On campus	Gail Hiar – Faculty Association President gail.hiar@portagecollege.ca

SUPPORT FOR STUDENTS AND EMPLOYEES		
Resources	Type	Contact Information
Campus Security	On campus	780-623-5587
Portage College Website	On/Off campus	Support and Prevention resources on Portage College website
Alberta’s One Line for Sexual Violence	Off campus	1-866-403-8000 (call or text 9 a.m. to 9 p.m.)
Dragonfly Counselling and Support Centre Support for northeast Alberta	Off campus	780-812-3174 Toll free: 1-866-300-4325
Hope for Wellness Helpline <i>Offers immediate mental health counseling and crisis intervention to all Indigenous peoples across Canada</i>	Off campus	1-855-242-3310 hopeforwellness.ca/
Alberta Council of Women’s Shelters <i>ACWS shelters across Alberta</i>	Off campus	1-866-331-3933 (24/7 toll-free hotline) acws.ca/shelters



Shelter Safe <i>Shelter's across Canada</i>	Off campus	sheltersafe.ca/
Islamic Family and Social Services Association	Off campus	https://www.ifssa.ca/ 780-900-2777 (10 a.m. to 10 p.m.)
Trans Life <i>LGBTQ2S+ support</i>	Off campus	1-877-330-6366 translifeline.org/
Victim Services <i>Victim services units support victims of crime in partnership with the RCMP, municipal police services and community-based programs.</i>	Off campus	alberta.ca/victim-services-units.aspx

What happens when I disclose?

You can disclose to anyone you trust – a friend, family member, peer, colleague, instructor, supervisor, counselling, etc.

If you disclose to an Employee of the College, they will be able to provide you with information about supports available and options for filing a complaint, as well as options for receiving academic or workplace accommodations. If you are seeking accommodations, unless the accommodation is within the Employee's ability and responsibility, you may need to speak with Student Counselling/Student Services or Human Resources who can put in place accommodations for you to ensure your safety. The person who you disclosed to can accompany you in meeting with Student Counselling or Human Resources.

It's important to remember that making a disclosure is different than filing a complaint. If you are unsure if you want to file a complaint, we encourage you to speak with Student Counselling or Human Resources. A disclosure does not lead to a complaint unless you want it to.

Options for filing a Complaint

Anyone, whether you are a student, employee, contractor, visitor or volunteer, can file a complaint if you have experienced, witnessed, or have information about an act of gender-based and sexual violence that has occurred or may occur. When you file a Complaint, it usually means you want either the College, police, or both, to conduct a formal investigation.

Survivors who want to file Complaint, can choose the process they feel is in their best interest. If you would like to know the steps included in an internal investigation, please see Appendix B.

If you choose to file a complaint, supports and resources will continue to be available to you.

I would like to file a Complaint myself

Type of Complaint	Where to file a Complaint
Complaints about Portage College students	Campus Security <ul style="list-style-type: none"> campus.security@portagecollege.ca 780-623-5587
Complaints about Employees, Instructors and others on campus (non-students)	Human Resources <ul style="list-style-type: none"> hr@portagecollege.ca 780-623-5747



I would like someone to file a Complaint on my behalf

The College has a Whistleblower Hotline that anyone can use to report any type of wrongdoing on Campus. When you submit a third-party Complaint, the person you submit the Complaint to will file the Complaint on your behalf with the appropriate department.

When you submit a third-party Complaint, you can choose to remain anonymous – only the third-party will know your identify, and they will not share your identify without consent from you.

I would like to file a Complaint anonymously

If you choose to file a Complaint anonymously that means you are wanting to provide information on an incident of gender-base and sexual violence that has occurred on Campus, however, you do not want to provide information on your identify.

You can provide an anonymous complaint using the Gender-based and Sexual Violence Reporting Form in the College's emergency app, Portage Alert. Providing your phone number and name is optional.

It's important to note that while the College will accept and review anonymous complaints, the College's ability to respond and ensure procedural fairness may be limited, particularly in situations where we don't receive enough information and where we have questions, but no contact information was provided.

You may instead want to consider third-party reporting options where you can still remain anonymous.

I would like to file a Complaint with Police

As a survivor, it is your choice if you want to report a sexual assault crime to police. You can file a Complaint only with the College, only with Police, or with both. If you choose to file a Complaint with both police and the College, both investigations are independent of each other. This means the College will conduct its investigation into the allegations and will make its own determination in accordance with its guidelines and procedures. Police will conduct its own criminal investigation. The College will cooperate will police as required.

What kind of accommodations are available to me?

Individuals who have experienced gender-based and sexual violence may be able to request academic or workplace accommodations. The purpose is to ensure their safety, including avoiding interactions with the respondent, and to further help remove barriers a survivor may face. A person does not need to file a Complaint in order to receive an accommodation.

Academic accommodations may include:

- Extensions on assignments
- Continuing studies from home or another off campus location
- Options to drop and/or retake courses/classes
- Changes to schedules
- Changes to living arrangements on campus

Workplace accommodations may include:

- Changes to employee's work location, responsibilities or overall work assignment
- Time off from work

How to request an accommodation?



Type of Accommodation Sought	Who to talk with for an accommodation?
Academic accommodation (Students)	Student Counselling <ul style="list-style-type: none"> • 1-866-623-5551
Workplace accommodation (Employees)	Human Resources <ul style="list-style-type: none"> • hr@portagecollege.ca • 780-623-5747

While a student normally needs to speak with Student Counselling and an employee needs to speak with Human Resources to receive an accommodation, there are exceptions.

For example, if you request an accommodation from an instructor and the accommodation request is within the instructor’s ability and responsibility, they will be able to grant that accommodation.

Also, when a person files a Complaint either with Campus Security or Human Resources, staff in those areas can also assist with the accommodation process.



This guide has been developed to help provide guidance to employees and students on how to respond when a member of the College community provides a disclosure of gender-based and sexual violence.

Confidentiality

When you receive a disclosure, it's important to ensure you keep confidential the information you receive – knowing the information shared will be kept confidential is often what drives a person to make a disclosure. You should inform them of your commitment to confidentiality.

But it's also important to talk about situations where confidentiality cannot be fully maintained. You should inform the individual of your limitations before they disclose.

Take a trauma-informed, survivor-driven approach

It's important to remember that individual's who disclose are the final decision-makers about their own best interests.

When an individual discloses they have experienced gender-based and sexual violence, you should:

- Ensure they are safe – if they are in immediate danger call 911 and Campus Security at 780-623-5587.
- Ensure they are believed and listen without judgement, communicating that gender-based and sexual violence is never the fault of the survivor.
- Treat the individual with dignity and respect.
- Remember that disclosing can be traumatic and an individual's ability to recall events will be limited. It's also important to respect what and how much a survivor discloses.
- Understand that each survivor has their own way of coping.
- Inform survivors of options under these guidelines and procedures, but also ensure you respect their right to choose. Options include:
 - Support services listed in Appendix D
 - Academic or workplace accommodations.
 - Options for filing formal internal complaints and reporting to police.
- If the person making the disclosure is a student, encourage them to speak with Student Counselling. If the person making the disclosure is an employee or anyone other than a student, encourage them to talk with Human Resources. Staff in these two departments are best prepared to support survivors and talk about their options under these guidelines, and can put in place accommodations to ensure their safety and take steps to prevent further unwanted contact with respondent. But always remember a survivor's right to choose. As the person receiving the disclosure, you can always speak with Student Counselling and Human Resources if you wish to seek direction, but always respecting the survivor's right to privacy and confidentiality.

Seek advice

A survivor can disclose to anyone they feel comfortable with. It's understandable that you may not have all the answers to their questions. Remember that you can always seek advice from Student Counselling or Human Resources, but ensure you respect the provisions of confidentiality under these guidelines and procedures.

Report the disclosure

Employees, Board Members, Contractors are expected to report disclosures as soon as possible after receiving the disclosure, regardless if the individual wants to file a Complaint. All other members of the College community, including students and visitors, are strongly encouraged to report disclosures.

The purpose of reporting the disclosure is that the College may need to act to ensure the safety of the College community. All disclosures are recorded for the purpose of monitoring Campus safety and reporting to Senior Administration. The provisions of confidentiality under these guidelines and procedures must be followed when reporting the disclosure.

- Student disclosure should be reported to the Registrar's Office/Student Services
- Employee and all others (non-students), should be reported to Human Resources