

 <b>Confederation</b> COLLEGE <b>COLLEGE PROCEDURE</b>	Number: 4-4-21	# of Pages: 8
	Originator:	Human Resources Services
	Approved By:	College Planning Committee
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<b>REPORTING &amp; INVESTIGATION OF CAMPUS VIOLENCE</b>		

## 1. Introduction

### 1.1 Purpose.

Further to the *Campus Safety and Security Policy*, the purpose of this procedure is to outline the reporting and investigation process to be followed should an incident of campus violence arise.

All incidents of campus violence that are reported, or that otherwise come to the attention of management, will be taken seriously and will be acted upon promptly.

### 1.2 Definitions.

For the purpose of this procedure:

“Alleged Offender” means an individual or individuals who is / are alleged to have engaged in campus violence or conduct contrary to the *Public Safety and Security Policy*.

“Campus violence” means all incidents that constitute a violent act as defined in the *Criminal Code of Canada* and / or any action that would constitute workplace violence as defined by the *Occupational Health and Safety Act*.

“Complainant” means an individual or individuals who is / are alleged to have been subjected to campus violence or conduct contrary to the *Public Safety and Security Policy*.

“Community member” means a person who is a member of the Confederation College community, including an employee, student, contractor, volunteer, lessee, client or patron of Confederation College, and may include a member of the public attending at a facility that is owned, leased or rented by Confederation College.

“Manager” includes a supervisor or manager in the case of an employee; or a Dean in the case of a student.

“Policy Coordinator” means the manager responsible for the administration of either the *Human Rights Policy* or the *Acceptable Use Policy*.

“Stakeholder” means a person or persons having a need-to-know of a reported incident of campus violence. In the case of an employee, a stakeholder includes the manager of that employee and the Director of Human Resources, and may include the Vice-President (Student and Corporate Services); in the case of a student, a stakeholder includes a Dean and the Director of Student Success, and may include the Vice-President (Academic) and the Vice-President (Student and Corporate Services). Stakeholders include the

Manager, Health and Safety and the Co-Chairs of the Threat Assessment Team. Campus Security Partners are stakeholders at the Thunder Bay campus; campus and office managers are stakeholders at regional campuses and offices.

## **2. General Information & Assistance**

### **2.1 Thunder Bay Campus.**

2.1.1 Campus Security Partners can be contacted by dialing **623-0465** (or **922** from an internal phone) or by using a campus Help! Phone, Classroom Help! Phone, Parking Lot Help! Phone, or by activating a Blue Button, urgent assistance button (panic alarm) or urgent assistance cord. The College's emergency line is staffed 24 hours daily.

Campus Security Partners may also be reached by email at [security@confederationc.on.ca](mailto:security@confederationc.on.ca), or in person during normal business hours, by visiting the Facilities Services Department in Room B106 of the Shuniah Building.

2.1.2. Campus Security Partners offers a variety of programming and services to support a safe campus environment, including violence awareness and prevention, and emergency response services. Campus Security Partners also offers Campus Walk, Campus Response, and Campus Alone services at the Thunder Bay Campus.

2.1.3. Further to the *Workplace Violence Prevention Program*, managers are responsible for the identification, assessment and control of risks with the potential to result in campus violence. Community members may contact their manager for further information and assistance.

2.1.4. Information regarding campus violence awareness and prevention is available online at: <http://www.confederationc.on.ca/publicsafety/procedures>.

### **2.2 Regional Campuses and Offices.**

2.2.1 The local police service can be contacted 24 hours per day by dialing **9-911** (or **911**, dependent on location) from a campus or office phone, or by using an urgent assistance button linked to the local police service.

2.2.3 The Thunder Bay campus emergency number, 1-807-623-0465, is available 24 hours per day for assistance in following-up with stakeholders in the case of an emergency.

2.2.4 Further to the *Workplace Violence Prevention Program*, managers are responsible for the identification, assessment and control of risks with the potential to result in campus violence. Community members may contact their campus or site manager for further information and assistance.

2.2.5 Information regarding campus violence awareness and prevention is available online at: <http://www.confederationc.on.ca/publicsafety/procedures>.

### 3. Reporting Incidents of Campus Violence

#### 3.1 *Electronic Database of Incidents of Campus Violence.*

The College is responsible for implementing electronic reporting mechanisms that permit reports of campus violence to be aggregated from various sources on campus into a database that will be accessible to stakeholders. References to all reports of violence or other threatening situations will be recorded in the database.

#### 3.2. *Thunder Bay Campus Procedures*

3.2.1. In the event of an incident of campus violence requiring immediate and urgent assistance, a community member will:

- i. contact Campus Security Partners, and
- ii. once it is safe to do so, notify his or her manager.

The Security Officer may, depending on the circumstances, immediately contact the Thunder Bay Police Service providing pertinent details to the 911 Operator.

3.2.2. Should a community member dial **911** directly, the community member will immediately thereafter notify Campus Security Partners, providing pertinent details to the Security Officer.

3.2.3. In the event that a community member has experienced an incident of campus violence, witnessed an incident of campus violence or has knowledge of an incident of campus violence, he / she will notify:

- i. Campus Security Partners, and
- ii. his or her manager.

Depending on the circumstances, Campus Security Partners, or the manager may at any time notify the Thunder Bay Police Service, who may, at their discretion, choose to assume control of any criminal investigation.

3.2.4. The community member reporting an incident of campus violence will cooperate with the local police service, Campus Security Partners and / or the manager by providing the following information:

- the identity of the person reporting the incident(s) of violence;
- the time and date of the incident(s) of violence;
- the nature of the incident(s) and details of violence being reported; and
- the names, if known, of the complainant(s), alleged offender(s), witness(es) to the incident(s) of violence, and persons having knowledge of the incident(s) of campus violence.

3.2.5. When an initial report is received by Campus Security Partners, they will notify the complainant's manager, confirming details of the report of campus violence and of their response to the report of campus violence.

3.2.6 The manager will notify other stakeholders, confirming details of the report of campus violence and of Security's response to-date to the report of campus violence.

### **3.3 Regional Campuses and Offices.**

3.3.1. In the event of an incident of campus violence requiring immediate and urgent assistance, a community member will:

- i. contact the local police service, and
- ii. once it is safe to do so, notify his or her campus or office manager.

3.3.2. In the event that a community member has experienced an incident of campus violence, witnessed an incident of campus violence or has knowledge of an incident of campus violence, he / she will notify the campus or office manager.

Depending on the circumstances, the manager may at any time notify the local police service who may, at their discretion, choose to assume control of any criminal investigation.

3.3.3. The community member reporting an incident of campus violence will cooperate with the local police service and / or the manager by providing the following information:

- the identity of the person reporting the incident(s) of violence;
- the time and date of the incident(s) of violence;
- the nature of the incident(s) and details of violence being reported; and
- the names, if known, of the complainant(s), alleged offender(s), witness(es) to the incident(s) of violence, and persons having knowledge of the incident(s) of campus violence.

3.3.4 The manager will notify other stakeholders, confirming details of the report of campus violence and of Security's response to-date to the report of campus violence.

### **3.4. College Sanctioned Off College Campus Function / Activity Procedures**

In the event that an incident of violence occurs off the college campus at a college-sanctioned function or activity, where circumstances warrant, a community member will immediately:

- i. contact the local police service, and
- ii. once it is safe to do so, notify his or her campus or office manager.

### **3.5. Reporting Timelines**

Incidents of violence must be reported promptly.

## **4. Incident Investigation**

### **4.1. The Parties**

4.1.1. The parties to a reported incident of violence are the complainant and the alleged offender.

4.1.2. The manager will inform stakeholders of any reported incident of campus violence. The manager and stakeholders will be involved in the investigation.

### **4.2. Confidentiality**

4.2.1. Confidentiality will be maintained, having regard to the circumstances giving rise to the report of violence and subject to the College's obligation to conduct a thorough investigation.

4.2.2. The complainant is not entitled to anonymity: the alleged offender will be informed of the identity of the complainant. Parties, witnesses and persons having knowledge are expected to maintain confidentiality with respect to information discussed. Unwarranted breaches of confidentiality will result in disciplinary action or sanctions.

4.2.3. Confidentiality with respect to the findings of an investigation will be maintained, except to the extent necessary to implement and / or to defend the corrective or disciplinary action taken, or as required by law.

4.2.4. When corrective or disciplinary action is taken against either the complainant or the alleged offender, the other party will be advised that action has been taken but will not be provided with the particulars of that action.

4.2.5. Documentation regarding corrective or disciplinary action taken will be maintained by the College in the individual's employee or student file, as appropriate.

4.2.6. Subject to the provisions of the *Freedom of Information and Protection of Privacy Act*, documentation and records pertaining to a report of violence will be held in strict confidence in files maintained by the College.

4.2.7. All media relations and statements will be coordinated through the Marketing, Communications and External Relations Department.

### **4.3. Assistance for the Parties**

4.3.1. The parties may seek assistance or support from another person (e.g. a union representative, a member of the executive of the Student Union, the Ombudsperson, etc.).

4.3.2. When a support person to a party will be accompanying the party during the investigation, the party must provide reasonable advance notice to the manager and stakeholders, identifying the name of the support person.

The role of the support person is to provide support or advice to the party. The support person will not be permitted to speak or advocate on behalf of the party. In the event that a party chooses to retain legal counsel, or another paid advisor, as his or her support person, the party shall be solely responsible for any costs incurred.

4.3.3. When appropriate, the manager will provide the parties and others affected by the incident with information concerning counselling services available through the College (i.e. for students: through Student Success; for employees: through the Employee Assistance Program), and/or facilitate access to counselling services, as appropriate in the circumstances.

#### **4.4. Interim Safety Measures**

4.4.1. In certain situations, such as when the personal safety of a community member may be at risk, it may be necessary for the manager to ensure that immediate interim safety measures are implemented to address the circumstances. Such interim measures may involve the local Police Service and/or Campus Security Partners, and other stakeholders.

Pending the outcome of an investigation, interim safety measures may include, without limitation: (1) establishing a personal safety plan for the complainant; (2) relocating the alleged offender; (3) placing the alleged offender on a non-disciplinary suspension; (4) restricting the alleged offender's computing privileges; and/or (5) issuing a temporary No Trespass Notice to the alleged offender.

4.4.2. The implementation of interim measures may mean that certain aspects of this procedure, including confidentiality, will be set aside.

4.4.3. The manager, together with the stakeholders, will monitor and assess any continuing need for a personal safety plan and/or other interim safety measures.

#### **4.5. Investigation Process**

4.5.1. Based on the assessment of pertinent details provided in the initial report of campus violence, and in data in the electronic database of incidents of campus violence, investigation procedures will be initiated by the manager; with the support of Campus Security Partners and other stakeholders.

4.5.2. In the event that a report of violence is withdrawn by the complainant, the College reserves the right to continue to act on an issue arising from such a report despite it being formally withdrawn.

4.5.3. The manager working in conjunction with the stakeholders will ensure that an investigation is conducted in a timely manner. Together, the manager and other stakeholders will determine who the primary investigator will be.

4.5.4. The investigator will gather relevant written, electronic, oral or other evidence and will obtain signed statements of the parties, witnesses and persons having knowledge. The investigator will keep the manager apprised on a routine basis as to the progress of the investigation. On completion of the investigation, the investigator will submit a written report of the findings of the investigation to the stakeholders.

4.5.5. In cases when an incident of violence occurs off the College campus and the circumstances are not directly related to a College event or activity, the College may investigate the incident to the extent necessary to take reasonable steps in the circumstances for the personal safety of the community member while on campus.

4.5.6. In cases when an incident of domestic violence may expose a community member to physical injury in the workplace, the College will investigate the incident to the extent necessary to take reasonable steps in the circumstances for the personal safety of the community member while on campus.

#### **4.6. Multiple Proceedings**

4.6.1. When the subject matter of a complaint is more appropriately dealt with under another College policy (i.e. the *Human Rights Policy*, or *Acceptable Use Policy*, etc.), the manager will inform the complainant that the matter will be dealt with and decided under the appropriate policy. The manager will assist the complainant in contacting the coordinator of the appropriate policy.

4.6.2. When the circumstances which have given rise to a complaint are also the subject matter of another procedure (i.e. the *Human Rights Policy*, or *Acceptable Use Policy*, etc.) the manager will work with the policy coordinator to determine under which policy the matter shall be dealt with first.

4.6.3. When criminal proceedings are initiated against an alleged offender based on the allegations of campus violence that fall within the scope of the *Public Safety and Security Policy*, the College will conduct its own independent investigation into the allegations and make its own determination in accordance with the *Public Safety and Security Policy*.

#### **4.7. Redress and Sanctions**

4.7.1. Normally within five (5) College business days of receiving the investigator's report, the manager will consult with the stakeholders and determine what action will be taken by the College to conclude the reported incident of violence.

4.7.2. When an incident of campus violence is substantiated, the College will take appropriate corrective or disciplinary action, and / or sanctions.

In the case of employees, such action or sanctions will be consistent with the *Workplace Discipline Policy*, and other prevailing campus policies (e.g. *Human Rights Policy*, *Acceptable Use Policy*, etc.).

In the case of students, such action or sanctions will be consistent with the *Code of Student Conduct* and other prevailing campus policies (e.g. *Human Rights Policy*, *Acceptable Use Policy*, etc.).

In the case of all others, such action or sanctions may include, without limitation: (1) written or verbal warnings; (2) temporary dismissal, (3) suspension or termination of a contract of service; (4) suspension or termination of privileges; (5) behavioural contracts; and / or (6) restitution orders.

In addition, when warranted, the College may invoke No Trespass Notices further to the *Trespass to Property Act*; initiate civil or criminal proceedings.

4.7.3 Notwithstanding the prohibition on reprisals against employees further to Part VI of the *Occupational Health and Safety Act*, when an incident of campus violence is not substantiated, the College may take corrective or disciplinary actions and/or sanctions against a complainant, a witness or a person having knowledge who has not acted in good faith.

4.7.4. Normally within two (2) College business days following the determination of a course of action, the complainant and the alleged offender will be provided with a written summary of the investigator's findings and will be advised what action, if any, will be taken as it relates directly to that party.

#### **4.8 Appeals.**

4.8.1. Employees may appeal a disciplinary action or sanction further to the *Workplace Discipline Policy*. If sanctions were issued further to other prevailing campus policies, appeals may be made further to those policies (e.g. *Human Rights Policy, Acceptable Use Policy, etc.*).

Students may appeal a disciplinary action or sanction further to the *Complaints Process (Non-Academic)*. If sanctions were issued further to other prevailing campus policies, appeals may be made further to those policies (e.g. *Human Rights Policy, Acceptable Use Policy, etc.*).