		Created: 2018Jun
PolicyNumber: A59	Approval Body: Senior Management Team	Last Reviewed/Revised: 2024Apr
Category: Administration	Replaces: N/A	Next Review: 2027Apr

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This policy will not be applied in such a way as to detract from the rights of Employees and Students to engage freely and respectfully in frank discussion about controversial issues, or to limit discussion, prohibit instructional techniques or prohibit course content that advocates controversial positions, provided that such discussions, techniques or activities are also freely and respectfully conducted.0.1201 Tr

b. for a Student, the person's Indigenous identity, race, colour, ancestry, age, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation or gender identity or expression

Discrimination includes Sexual Harassment, as defined below.

A person does not contravene the BC Human Rights Code or this policy where a bona fide occupational requirement or a bona fide reasonable justification for the Discrimination is established, or where the alleged Discrimination relates to a bona fide pension plan or group insurance plan.

Employee: A person employed by the College, including administrators, faculty members, staff, and Students when employed by the College (e.g., as Student Assistants or Peer Tutors).

Harassment: Conduct or comments, directed at an individual or a group, that are unwelcome and that are known or ought reasonably to be known to have detrimental effect on the working or learning environment or to lead to adverse job-related or academic-related consequences for the person(s) harassed. When Harassment is based on a prohibited ground, it is discrimination. See definition of [illegible]

Student: A person enrolled in studies at the College in credit or non-credit courses.

Support Person: A member of the College Community who is able to offer confidential support to participants in an investigation (i.e., to either Party or a witness) and who may accompany the participant to any meetings relating to the process; the Support Person is not a party to or participant in the investigation.

D. POLICY STATEMENTS

1. Douglas College is committed to promoting and maintaining a working and learning environment that is free from Discrimination, and to providing fair and equitable access to opportunities and College services.

2. Discrimination is prohibited and will not be tolerated.

3. All members of the College Community have the right to work and learn in an environment that is respectful, inclusive and free from Discrimination, and the right to the equal protection and benefit of all College policies and practices without Discrimination.

4.

9. The College is committed to addressing Discrimination through the following preventative measures:

   - Requiring Employee completion of training programs offered through the College on Discrimination and the issues addressed in this policy;
   - Actively promoting awareness of Discrimination through ongoing implementation of training and other programs;
   - Assessing and managing risk, and promoting conditions throughout the College that seek to eliminate the potential for Discrimination to occur in the working and learning environment; and
   - Regularly reviewing this policy and related procedures for effectiveness.

10. The College is committed to addressing Discrimination through the following response measures:

   - Reducing barriers to filing Complaints regarding Discrimination;
   - Establishing procedures for reporting, investigating and documenting incidents of Discrimination in a prompt, sensitive and procedurally fair, efficient and consistent manner; and
   - Implementing appropriate corrective actions, such as educational and/or restorative actions, remedies or disciplines as necessary or when a violation of this policy is found to have occurred.

11. The College reserves the right to investigate alleged Discrimination on its own initiative.

12. The College reserves the right to implement immediate interim measures it considers appropriate upon initial receipt of Verbal or written report of the allegedmmaterial (i)-5.8 >> BDC 34.452009 Tc 0 >> BDC allegedmmaterial (o)40.8 (o)1.9 (pr)-14.8

or investigations regarding alleged violations of this policy must maintain the confidentiality of any information they receive during the course of the process.

14. An Employee or a Student may have the right to pursue another process in connection with

Investigative Outcomes

1. If the

Appeals

1. A Complainant or Respondent may appeal the process followed by the Investigator only if there are grounds to show that due process was not followed or that the relevant policies were incorrectly applied during that process.

2. An appeal must be submitted in writing within ten (10) business days after receipt of the decision of the Responsible Administrator (RA) The written submission must provide specific grounds for appeal, describing how this policy was incorrectly applied or how due process was not followed, and be directed as follows:

    - Students who are not Employees of the College must submit any appeal to the Vice President, Student Affairs.
    - Employees, including Student Employees, must submit any appeal to the person to whom the RA reports

3. An appeal will not reconsider the original Complaint, although the person or body deciding the appeal has discretion to consider any new evidence that could not reasonably have been available at the time of the original investigation.

4. An appeal may be upheld or dismissed, in whole or in part, and/or referred back to the RA for reconsideration.

5. The person or body deciding the appeal will give reasons for the decision in writing. Their decision is final.

Confidentiality

1. Confidentiality from and about all persons and information involved in a Complaint of Discrimination is expected.

2. To protect the integrity, fairness and effectiveness of investigations, and to ensure compliance with BC's Freedom of Information and Protection of Privacy Act (FIPPA), all participants in an investigation must act in accordance with the requirements set out below.

3. Individuals, including the Complainant and the Respondent, who have obtained personal information about an identifiable individual through the course of participating in an investigation must not disclose this information to anyone except their own personal advisors or representatives, or as required by law. However, this section does not prevent

    a. Any participants in an investigation from disclosing information about themselves or from disclosing information that they have obtained outside the investigation; or
    b. College representatives from disclosing investigation related information as authorized under this policy.