



## **St. Mark's College and Corpus Christi College**

# **Respectful Environment Policy**

Updated January 23, 2024

The Colleges will review this policy on an annual basis as part of their ongoing commitment to its constituency.

If you have any questions or causes for concern based on this policy, or if you have any suggestions to improve this policy, please contact the HR Office at [hr@corpuschristi.ca](mailto:hr@corpuschristi.ca) or [hr@stmarkscollege.ca](mailto:hr@stmarkscollege.ca). St. Mark's and Corpus Christi Colleges, which are located on the UBC Vancouver campus, are situated within the traditional, ancestral and unceded territory of the Musqueam (x̱wməθḵw̱əy̱əm) people.

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## 1. Purpose

Corpus Christi College and St. Mark's College aim to ensure sure that all staff, volunteers, instructors, students, and directors are aware that bullying, discrimination, and harassment are unacceptable behaviours which are incompatible with the standards of this organization. The Colleges are committed to being an environment in which people are treated respectfully and justly.

This policy does not apply to academic disputes / issues, nor to health and safety issues. There are distinct processes for these concerns.

### Catholicity Statement

As Catholic institutions of higher learning, Corpus Christi College and St. Mark's College (hereafter, the College) shall pursue their mission in harmony with the Ordinances issued by the Canadian Conference of Catholic Bishops to implement *Ex Corde Ecclesiae* in respect of Catholic universities and colleges in Canada. Accordingly, the governance of the College and its activities will be informed by and carried out in conformity with those Ordinances.

Members of the College's community are expected to observe the highest professional standards and to demonstrate a respectful and sympathetic sensitivity to the College's mission and vision and to Catholic beliefs and practices that motivate the educational mission of the institution.

To support this aim, the College is dedicated to maintaining a comprehensive strategy to prevent and address bullying, harassment, and discrimination, including:

- regularly revisiting policies and the social, teaching and working environment of the College to ensure an inclusive atmosphere where diversity and dignity are fostered and promoted;
- setting out clear standards of behaviour;
- regularly monitoring its organization and operations to ensure appropriate standards of conduct are met;
- ensuring that a clear, effective, and unbiased reporting procedure is available for suspected violations of this policy; and
- ensuring that members and staff are aware of the reporting and corrective action or disciplinary measures in place in the case of a violation of this policy.

## 2. Application

This Policy applies to the following individuals connected to the College:

- Students and student workers
- Staff members
- All Faculty members
- Visitors, parishioners, and volunteers
- Board of Directors

(Collectively referred to herein as “community members”).

This Policy should not be interpreted, administered, or applied to infringe on Academic Freedom (see Academic Freedom Statement in the Faculty Handbook). Members of the College Community, in exercising Academic Freedom, shall comply with the BC *Human Rights Code*.

## 3. Code of Conduct

### Definitions

For the purpose of this policy, Bullying, Harassment and Discrimination are generally defined as follows:

### **A. Bullying**

Bullying is behaviour which includes any conduct or comment by an Individual towards another person which the Individual knows or reasonably ought to know would cause that person to be humiliated or intimidated.

Some examples of bullying include:

- verbal aggression or yelling
- humiliating initiation practices or hazing
- spreading malicious rumours
- calling someone derogatory names
- vandalizing personal belongings
- sabotaging work efforts
- aggressive or threatening gestures
- intimidating behaviours such as physical crowding or threatening looks
- violent or uninvited physical contact
- personal attacks: whether of a written, oral, or physical nature.

## **B. Harassment**

Harassment is defined as persistent comments or actions which the Individual knows or reasonably ought to know would be unwelcome and uninvited.

Harassment can occur based on any of the grounds of discrimination identified in this policy, but can also involve words or actions that are known or ought reasonably to be known to be offensive, embarrassing, humiliating, demeaning, or otherwise unwelcome and uninvited. This would include:

- any of the examples set out under the Bullying section of this policy
- uninvited gestures or gestures which are non-sexual, sexual or gender-based, including touching, groping, grabbing, patting, pinching, hugging, or brushing up against another Individual's body
- staring in a lewd, unnecessarily persistent or threatening manner
- uninvited or aggressive flirtations or propositions of physical intimacy, whether indirect or explicit
- uninvited or aggressive comments about a person's physical characteristics, mannerisms, or clothing made to an Individual or to others while the Individual is present
- uninvited or aggressive epithets, slurs, derogatory terms, taunting, threats, and other demeaning language
- uninvited rough, blue, lewd, ribald, vulgar, explicit, suggestive, or otherwise inappropriate humor, innuendoes, or comments
- displaying or circulating, whether in print or via electronic means, sexually explicit or suggestive images
- bragging about sexual prowess or questions or discussions about sexual activities
- uninvited invitations or requests of physical intimacy, whether indirect or explicit
- demands for dates or sexual favours
- inciting others to perform sexual favours

**Note:** If a person does not explicitly object to harassing behaviour, or appears to be going along with it, this does not mean that the harassing behaviour is welcome or acceptable or an invitation to further harassment.

## **C. *Third Party Harassment***

Accusations about third party harassment incidents on campus alleged against those who are not members of the College community will be accepted with the understanding that the solution may only be that the College will take action to provide a more respectful campus. The complainant may receive advice regarding available off-campus processes but must recognize that the likelihood of the College's being able to enforce disciplinary action against a non-

community member is very remote.

## **D. Discrimination**

Discrimination is defined as the unjust or prejudicial treatment of different categories of people or things, especially on the grounds enumerated below.

### **I. Covered Grounds of Discrimination**

The College does not tolerate discrimination against an individual or group based on any of the following grounds:

- Sex
- Sexual orientation
- Gender identity
- Gender expression
- Family status
- Marital status
- Race
- Colour
- Ancestry
- Ethnic origin
- Place of origin
- Nationality
- Citizenship
- Religious affiliation
- Age
- Disability
- Record of offences: criminal or summary conviction offence that is unrelated to the employment or to the intended employment of a person
- Political belief

Perception that one of the above grounds applies means that this policy could be applied. In addition, an association or relationship with a person identified by one of the above grounds means that this policy could be applied.

Some examples of discriminatory behaviour include:

- comments, gestures, jokes, or other behaviours which are humiliating, persecuting, ridiculing, belittling, offensive, or which otherwise diminish an individual or group's dignity or well-being based on any Covered Ground
- deliberately excluding an individual or group from relevant activities or otherwise attempting to discredit, socially isolate, or disempower an individual or group based on any Covered Ground

- spreading false, slanderous, defamatory, damaging information about an individual or group based on any Covered Ground
- displaying or circulating, whether in print or via electronic means, images or materials which are discriminatory against an individual or group based on any Covered Ground
- hostile or derogatory remarks or taunts based on any Covered Ground

**Note:** If a person does not explicitly object to discriminatory behaviour this does not mean that the behaviour is welcome or acceptable.

## **4. Civility and Professionalism**

The College believes the best way to avoid situations that may be construed as bullying, harassment, or discrimination is for all Individuals to treat each other in a respectful and professional manner.

### **A. Romantic Relationships**

Individuals in a relationship of power imbalance will refrain from romantic relationships unless they were in a relationship before they were hired at the College. Examples of a power imbalance include: a faculty member and a student; a manager and a staff member; a director and a manager. If a romantic relationship develops despite best efforts, the Individual higher up in the hierarchy of the College has a positive obligation to report the relationship to the Human Resources Office, the President/Principal's Office, or the Dean's Office.

If the relationship existed prior to this policy being in force, the existence of the relationship still must be reported (if there is a power imbalance) by the more senior member in the relationship.

Individuals in a romantic relationship where there is a power imbalance should refrain from exhibiting evidence of their relationship while on any College premises or engaged in any official College business.

### **B. Social Media**

All Individuals are expected to maintain their public social media in accordance with the standards of this policy.

### **C. Off College Premises**

Behaviour outside of the College premises which violates the standards of this policy could be

the subject of investigation and/or corrective action and/or discipline.

## **5. Complaints Procedures**

### **A. Responsibility**

Upholding this policy is the responsibility of every Individual. This section contains the protocol for responding to a breach of this policy.

### **B. When to Report**

Anyone who has observed or learned of or experienced a breach of this policy which has not been resolved directly (hereinafter referred to as “You”) should, as soon as possible after observing or learning of the breach, inform the Human Resources Office (HR) verbally or in writing of the particulars of the breach (time, date, individuals present, nature of the breach). The HR Office will then reach out to the relevant Designated Individual to conduct the complaints process. If the head of the Human Resources Office is the focus of the complaint, the complaint should be addressed to the President / Principal. If the President/Principal is the focus of the complaint, the complaint should be addressed to the Chair of the Board of Directors.

## **6. Designated Individual**

A Designated Individual can be Dean of Students, Academic Dean, Dean of Theology, the Chair of the Board, or a member of the Human Resources Office of the Colleges.

## **7. Reporting Procedures**

### **A. Direct Resolution**

You (a bystander or the subject of offending behavior) may choose to respond to a breach of this policy without involving the College by advising the person engaging in the offending behaviour that his or her behaviour is uninvited and asking him/her to cease the behaviour immediately.

The College supports this option only if You do not feel that your health, safety, or professional standing would be jeopardized.



## **B. Making a Complaint**

### **I. Informal**

If direct resolution was not possible or unsuccessful You may report any breaches of the policy following the procedure in this section. At this stage a written record is kept of the complaint, the process and the results. You should be prepared to discuss the details of the incident(s) or concern(s).

The Designated Individual will attempt to facilitate a resolution through individual or joint discussions with the involved parties. The focus will be on

- a) reaching a mutually agreeable solution for all parties
- b) ensuring all parties understand and accept their responsibilities for maintaining appropriate behaviours and
- c) ensuring that the offending conduct ends.

### **II. Formal**

If the informal process above does not resolve the complaint or a Designated Individual determines that the complaint requires a formal process, then the Designated Individual will present the complaint to the Respectful Environment Committee.

### **III. Time Limits**

A complaint about conduct which violates this policy should be made as soon as possible and ideally not later than ten (10) days after the conduct occurred. In some cases, an initial incident may not seem reportable; however, a later incident may solidify that the earlier incident was in fact a violation of the policy or part of a pattern of behaviour that violates the policy. In such a case, the earlier incident will still be considered in any investigation; however, all issues should be reported as soon as possible within the ten (10) day period so that the investigation can be completed as contemporaneously as possible to the offending conduct complained of. Complaints brought outside these time limits will be reviewed; however, complainants must be aware that the value of the evidence can erode or be diminished with the passage of time.

## **C. To Whom Formal Complaint Must be Made**

A formal complaint must be presented to the Respectful Environment Committee. A Designated

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Individual must provide the complaint to the Respectful Environment Committee. The Committee is appointed by the President/Principal and comprises two Individuals from the following list:

- I. A member of the Human Resources Office
- II. A member of the Deans' Office
- III. A member of the Dean of Students Office
- IV. A member of the Registrar's Office
- V. A member of the Faculty Association
- VI. A member of the Board of Directors/Governance Council

If the complaint involves a member of the Respectful Environment Committee, that individual will be excluded from any further participation in the Investigation process.

### **D. Information Required for Formal Complaint**

Information required in the complaint includes a description of the incident(s), time, place, date, and witnesses, if any. The form at Appendix "A" of the policy provides a guideline. The complaint must be in writing.

### **E. Confidentiality**

Subject to the exceptions set out in the Investigations section of the policy, the College will endeavour to keep the complaint completely confidential. Likewise, the College expects all parties involved in a complaint to maintain confidentiality over the issues arising in the complaint even after the process has been completed. The College will not tolerate gossip or innuendo, either written or verbal, about any behaviour that is the subject of a complaint.

**Note:** The College has a duty to report any criminal act that occurs on its premises to the police. The College also has a duty to report any violation of this policy that is made known to it, or that it reasonably suspects has occurred, to the Board of Directors. The College may have an obligation to report to a guardian with respect to any Individual involved in a complaint who is under 18 years of age.

### **F. Investigations**

After a complaint is received and provided to the Respectful Environment Committee, the Respectful Environment Committee will immediately begin an investigation.

The College, at its sole discretion, at any stage of a complaint or an investigation may deem it proper to engage an outside investigator.

Otherwise, all investigations will be processed on a case-by-case basis in the following stages:

### **I. Information Gathering**

The Respectful Environment Committee will review the complaint and then conduct private interviews with the complainant, the subject of the complaint (the “respondent”) and any witnesses. The interviews will be conducted in conformity with the principles of procedural fairness.

The respondent will be provided with a written summary of the allegations in advance of the interview and have adequate time to prepare for the interview.

The respondent may present evidence to the Committee at the interview and identify any witnesses that the respondent believes would have relevant information. The Committee will consider reviewing the information and interviewing the witness.

The respondent may bring an appropriate support person to the interview to act as a supporter and observer, but not as an advocate or representative. The support person must be approved in advance by the Committee and will be bound by the same confidentiality rules as all others participating in the investigation.

All interviewed parties must understand and appreciate their obligation of confidentiality to maintain privacy both to maintain the integrity of the process and protect the privacy of individuals involved. A breach of confidentiality by an interviewee outside of their interview with a member of the Respectful Environment Committee could become the subject of corrective action or discipline.

Subject to any legal requirements, all information gathered will be kept in the utmost confidence from all parties but the complainant and the respondent unless maintaining utmost confidentiality serves to make the investigation and/or resolution of the alleged conduct difficult or impossible.

The Respectful Environment Committee will endeavor to make this process as timely, comfortable, and unbiased as possible as it gathers the facts relevant to the situation. The Respectful Environment Committee will make best efforts to complete investigations within a two-week period (10 business days).

After completing all interviews, the Respectful Environment Committee will produce a

report which will set out all the relevant information, including the chronology of the complaint, the witnesses interviewed and a brief summary of their evidence.

## **II. Determination**

The Respectful Environment Committee will then present the report to the President/Principal, who serves as the "Reviewer," drawing attention to the relative positions in the College of the complainant and the respondent. Employees at Corpus Christi College will be referred to the President and employees at St. Mark's College to the Principal. If, as noted in Section 5B, the complaint was about the President/Principal, the Reviewer will be the Chair of the Board of Directors. The Reviewer will then deliberate and determine whether the behaviour complained of constituted a breach of the policy. If a breach of the policy is found, the Reviewer will return the decision to the Respectful Environment Committee to decide on a sanction in relation to the offending conduct.

If a breach of the policy is found, the respondent will be entitled to review (but not retain) a copy of the report. Whether or not a breach of the policy is found, no other party including the complainant will be entitled to a copy of the report.

The report will otherwise be available only to the Respectful Environment Committee, President/Principal's Office, and the Human Resources Office.

## **III. Resolution**

The Respectful Environment Committee will meet separately with the complainant and respondent to provide the outcome of the investigation.

If no breach is found, the report will be destroyed and no mention of same made or kept on the subject of the complainant's record with the College.

If a breach is found, the respondent will be advised of the sanctions to be imposed.

In some, but not all circumstances the complainant may be entitled to know the sanctions imposed on the subject of the complaint in the case of a breach. Otherwise, any corrective actions or sanctions imposed will be kept confidential.

## **IV. No Retaliation**

Retaliation in any form by any Individual against someone who reports a potential breach of the policy, or against someone who assists in an investigation, will be considered a breach of

this policy and will not be tolerated. Individuals who feel that they have been the victim of, or threatened with, retaliation should immediately inform a Designated Individual or member of the Respectful Environment Committee charged with the conduct of an investigation.

## **8. Corrective Action/Sanctions/Discipline**

The organization will take such educational, corrective, deterrent or disciplinary action that it deems appropriate in relation to the breach of the Policy.

Examples of corrective action and/or sanctions include, but are not limited to:

- Education
  - Meeting and discussing next steps with the Respectful Environment Committee
  - Mandatory attendance at any training classes or courses as recommended by the Respectful Environment Committee
- Ban from College premises (short-term, medium or life-time)
- Removal from a class without refund or compensation
- Temporary suspension from work paid or unpaid.
- Termination or removal from a role within the College
- Removal or suspension from a teaching position
- Revocation of inducements or benefits such as participating in social events or College supported training or activities.
- Termination of contract or education opportunity with the College.

## PROCEDURES

### Appendix A – Incident Report Form

#### **INCIDENT REPORT FORM**

Name of complainant:

Name of subject:

Date/Time/Place of Incident(s):

Description of Incident:

Individuals Present:

Other evidence supporting complaint (emails/texts/screen grabs/receipts of restaurant or parking etc.):

**Other Associated Policies and Procedures**

1. Student Conduct Policy
2. Staff Handbook
3. Permanent Faculty Handbook
4. Lecturers' Handbook
5. Sexual Assault and Misconduct Policy

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**SIGNATURE OF AGREEMENT AND UNDERSTANDING**

I have read, understand, and agree to abide by the St. Mark's College/Corpus Christi College Respectful Environment Policy.

I understand that such adherence is a condition of my involvement and/or employment with St. Mark's College/Corpus Christi College. I understand that a violation of the Policy may be grounds for terminating my relationship with the College.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print name