

REGENT COLLEGE BULLYING AND HARASSMENT, AND DISCRIMINATION PREVENTION POLICY

1. THE PURPOSE OF THIS POLICY

Regent College is a community of people who have come together for study, work and worship. It is a Christian community in which we seek to honour and uphold the dignity of all people as created in God's image, and to seek justice for those who experience harm.

Regent College is committed to providing a safe and respectful environment for all persons, and to being further educated on these realities. Bullying and Harassment, and Discrimination are serious offences and are not tolerated by Regent College and may be cause for corrective or disciplinary actions up to and including termination or expulsion.

The purposes of this policy are:

- to promote and maintain a community in which all Members of the Regent Community are treated with respect and dignity and are free from Bullying and Harassment, and Discrimination;
- to illustrate the types of behaviour that may be considered Bullying and Harassment, or Discrimination;
- to outline the roles and responsibilities of Regent College and the Members of the Regent Community in maintaining a community free from Bullying and Harassment, and Discrimination; and
- to establish procedures for addressing Disclosures and Complaints under this policy.

2. SAFETY TEAM

The Safety Team is a group of Faculty and Staff responsible for receiving and responding to Disclosures and Complaints under this policy.

The Safety Team consists of at least four, and no more than five, members. The Dean of Students or Associate Dean of Students and Director of HR are standing members of the Safety Team. The additional members are appointed by the President for two-year terms and are to include at least one Faculty and one Staff. The Safety Team will be diverse in ethnicity and gender.

If a Disclosure or Complaint under this policy is made against a member of the Safety Team, that person will recuse themselves from the Safety Team until the matter has been resolved or any Investigation has completed, and the President will appoint an interim member of the Safety Team.

3. DEFINITIONS OF BULLYING, HARASSMENT, AND DISCRIMINATION

Bullying and Harassment:

- a) includes any inappropriate conduct or comment by a person towards another that the person knew or reasonably ought to have known would cause that other person to be humiliated or intimidated;
- b) includes Sexual Harassment as defined in this policy;

- c) excludes any reasonable action taken by Regent College as an employer or by a supervisor relating to the management and direction of employees or the place of employment; and
- d) excludes any reasonable action taken by Regent College or its Faculty or Staff in assessing a student's work or disciplining a student, including for an academic offence.

Examples of **Bullying and Harassment** include, but are not limited to:

- persistent, unwanted attention either in person, or via text, email, phone call, notes or social media;
- any form of coercion or manipulation, including misuse of a power differential by a person in a position of trust, e.g., Faculty or Staff against a Student;
- invasions of privacy, including unreasonable requests for personal information;
- rude, belittling, malicious, demeaning, degrading, or intimidating behaviour or comments;
- baiting or unreasonable teasing, including for example, singing derogatory songs and inserting the person's name or using cruel nicknames;
- spreading false accusations about a person; and
- aggressive, frightening or abusive behaviour, such as swearing, shouting, or intimidation by threatening violence.

Sexual Harassment is any unwelcome conduct of a sexual nature, including comments or gestures, that detrimentally affects the working, learning, or living environment, or leads to adverse consequences for the individual subjected to the harassment.

Examples of **Sexual Harassment** include, but are not limited to:

- unwanted physical contact, such as touching, patting, pinching, or hugging;
- unwelcome sexual comments, questions, jokes, or innuendo;
- sexual advances with actual or implied work or education-related consequences;
- any Prohibited Supervisory or Evaluative Relationship (see definition below);
- verbal abuse, intimidation or threats of a sexual nature;
- leering, staring or making sexual gestures; or
- display of pornographic or other sexual materials, such as offensive pictures, graffiti, cartoons or sayings.

Discrimination is intentional or unintentional conduct, which can be individual or systemic, that imposes burdens, obligations, or disadvantages on or limits access to opportunities, benefits and advantages related to a prohibited ground of discrimination under the [BC Human Rights Code](#) ("**Code**"), and for which there is no bona fide and reasonable justification or bona fide occupational requirement.

The protected grounds under the *Code* include: Indigenous identity, race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, age, and, in the case of employment, political belief or unrelated criminal conviction.

Examples of **Discrimination** include, but are not limited to:

- isolation in or exclusion from class discussions or community events based on one's gender, race, ancestry, age, physical or mental disability, or sexual orientation;

- mockery or belittlement for one's gender, race, ancestry, age, or sexual orientation;
- racist or sexist jokes or remarks;
- denial of appropriate accommodations for a disability; or
- negative responses in academic assessments because of one's gender, race, ancestry, age, physical or mental disability, or sexual orientation.

4. DEFINITIONS OF OTHER TERMS USED IN THIS POLICY

Alternative Resolution Process: Alternatives to an Investigation may include, but are not limited to, a facilitated dialogue between the parties.

Complaint: A formal statement of allegations provided to the Safety Team about an incident of Bullying and Harassment, or Discrimination.

Disclose or Disclosure: Where an individual shares information with Regent College about an incident of Bullying and Harassment, or Discrimination without filing a formal Complaint.

Initiator: An individual who initiates a Disclosure or Complaint under this policy.

Investigation: An investigation of allegations set out in a Complaint under this policy.

Investigation Report: The report drafted by the Investigator at the conclusion of an Investigation.

Investigator: The individual appointed to conduct an Investigation under this policy.

Member of the Regent Community: Any individual who falls under one or more of the following categories:

- **Contractor:** A non-employee of the College who provides goods or services pursuant to a contract with the College, and each of the contractor's representatives, agents and employees.
- **Faculty:** A full or part-time faculty member, sessional instructor, online instructor, visiting Spring or Summer faculty member, visiting scholar or in-residence appointee, guest speaker at an event or class sponsored by Regent College.
- **Staff:** A full or part-time employee of Regent College who is not Faculty, including teaching assistants (TA's) and student employees (SE's).
- **Student:** A full or part-time student at Regent College, including online and onsite students; audit and credit students; program and non-program students.
- **Volunteer:** An individual (including but not limited to Board members and Senate members) who gives freely of their effort for specific Regent College activities, without monetary compensation.

Outcome: The determination made by the appropriate Regent College authority (e.g., the President, Academic Dean, Dean of Students, Director of HR) upon receipt of an Investigation Report, including whether to act on any of the recommendations set out in the Investigation Report or to impose disciplinary actions.

Prohibited Supervisory or Evaluative Relationships: Sexual or intimate relationships between Members of the Regent Community where there is a supervisory role or where one individual has influence over

the other individual's current or future academic activities, grades, working conditions, or career advancement.

Respondent: An individual alleged to have engaged in Bullying and Harassment, or Discrimination.

Retaliation: Any adverse action or threatened action, taken or made through any means, including through social or other electronic media, against an individual who engages with this policy. Retaliation includes threatening, intimidating, or harassing conduct that could discourage an individual from making a Disclosure or Complaint, participating in an Investigation, or otherwise engaging with this policy.

Safety Team: The group of individuals appointed to receive and respond to Disclosures and Complaints under this policy.

5. WHEN THIS POLICY APPLIES

This policy applies:

- a) to all Members of the Regent Community; and
- b) the alleged conduct has a sufficient connection to Regent College, including but not limited to:
 - participation in activities related to Regent College;
 - work-related conferences, training sessions or seminars;
 - work-related travel; or
 - social functions that Regent College sponsors or organizes.

A Complaint under this policy may only be brought by a current Member of the Regent Community against another current Member of the Regent Community.

6. WHAT THIS POLICY IS NOT INTENDED TO DO

This policy is not intended to:

- a) inhibit healthy social and personal relationships;
- b) diminish Regent College's ability, pursuant to section 41 of the *Code*, to grant a preference to members of an identifiable group of persons characterized by a common religion, including through use of its Doctrinal Statement and Moral Vision Statement;
- c) inhibit academic freedom, including the free discussion, research, publication, or sharing of opinions as is appropriate in an academic environment, and is done so in a mutually respectful way. Members of the Regent Community, in exercising academic freedom, shall comply with the *Code*;
- d) inhibit the fair and reasonable assessment of a student's work or discipline of a student, including for an academic offence;
- e) inhibit a program or activity designed to ameliorate the conditions of particular individuals or groups (e.g., it might be appropriate and not a contravention of this policy for the College to limit certain student bursaries to prospective students from the majority world);
- f) inhibit the fair and reasonable management, evaluation, and discipline of employees by supervisors; or
- g) replace other avenues of redress outside of Regent College which might be available to address Bullying and Harassment, or Discrimination, including under the *Code*.

7. ROLES AND RESPONSIBILITIES

All Members of the Regent Community:

- are expected to treat each other with dignity and respect; and
- have a responsibility to ensure awareness of and adherence to this policy.

Faculty and Staff (including supervisors and managers):

- are responsible for fostering and maintaining working and learning environments free from Bullying and Harassment, and Discrimination;
- are responsible for taking prompt remedial action should any such conduct occur; and
- must adhere to this policy, including referring Disclosures and Complaints to the Safety Team as set out below.

8. WHAT TO DO IF YOU BECOME AWARE OF, WITNESS OR EXPERIENCE BULLYING AND HARASSMENT, OR DISCRIMINATION

Immediate Danger

An individual who is in immediate danger or witnesses someone in immediate danger (e.g., an act of violence is actively happening or has just occurred) should call 911 immediately and then contact a member of the Safety Team.

Mandatory Reporting

Anyone who has reason to believe that an individual under the age of 19 has been or is likely to be abused or neglected and that their parent is unwilling or unable to protect them, must report the suspected abuse or neglect to the Ministry of Children and Family Development. Parents who are willing and able should report the matter to law enforcement or other authorities.

Confronting the Respondent

If they feel safe to do so, and if possible and reasonable, an individual who becomes aware of, witnesses, or experiences what they consider to be Bullying and Harassment, or Discrimination, is encouraged to speak with the Respondent (or request that another Member of the Regent Community speak with the Respondent) to make it known to them that the behaviour is unwelcome, offensive, and violates this policy.

If confronting the Respondent is not possible, or if the Respondent continues the behaviour after being asked to stop, the individual is encouraged to make a Disclosure or Complaint to the Safety Team.

Disclosure

An Initiator may choose to Disclose but not submit a formal Complaint under this policy. The Safety Team will determine how best to respond to the Disclosure and support the Initiator.

If a Disclosure is made to a Member of the Regent Community rather than directly to the Safety Team, the Member should first attempt to confront the Respondent as addressed above. If that is not possible or the Respondent continues the behaviour, the Member should share the Disclosure with the Safety

Team as soon as possible. Information about a Disclosure can be shared by speaking with a member of the Safety Team directly, or by emailing safetyteam@regent-college.edu.

Prior to sharing the Disclosure with the Safety Team, the Member should obtain the Initiator's consent, unless one of the following applies:

- a) a person is at risk of self-harm or of harming others;
- b) there is an imminent risk of harm to Members of the Regent Community or the broader community; or
- c) disclosure is required by law.

Any Member of the Regent Community who is unsure about their responsibility to share the Disclosure should seek advice from the Safety Team.

A Disclosure will not result in an Investigation except where required by law or where, in the discretion of the Safety Team, there is a risk that not investigating a matter would result in significant harm to the community or to anyone's health or safety.

In those circumstances, the Initiator's name will not be shared unless the Safety Team believes it is necessary to do so, or the Initiator consents to sharing their name.

Subject to Regent College's rights as an employer, the Initiator also has the right not to participate as a witness in any resulting Investigation. However, an Initiator's decision not to share their name or participate as a witness may impact Regent College's ability to proceed with an Investigation.

Complaints

An individual who becomes aware of, witnesses, or experiences what they consider to be Bullying and Harassment, or Discrimination is encouraged to file a Complaint with the Safety Team as soon as possible using [this form](#). Copies of any relevant documents should be provided with the Complaint.

9. COMPLAINT PROCEDURES

Initial Review

Upon receipt of a Complaint, the Safety Team will conduct an initial review of the Complaint, after which it will do one of the following:

- a) if the Safety Team declines to investigate the Complaint, provide written reasons to the individual making the Complaint explaining this decision;
- b) refer the Complaint to an Alternative Resolution Process; or
- c) refer the Complaint to an Investigation.

The Safety Team may exercise discretion to decline to investigate a Complaint for reasons including, but not limited to:

- there is insufficient information to proceed with an Investigation;

- proceeding with an Investigation would be unfair and result in substantial prejudice to any person, such as when the passage of time affects access to witnesses or other evidence;
- the allegation has already been adequately addressed by another process; or
- proceeding with an Investigation is otherwise not practicable.

The Initial Review will normally be completed within **7 calendar days** of receiving a Complaint. In the event this timeline cannot be met, the Safety Team will notify the Initiator as soon as possible to inform them of the revised timeline.

Alternative Resolution Process

If the Safety Team is satisfied that an Alternative Resolution Process may be appropriate, the Safety Team will discuss options with the Initiator, and if the Initiator agrees to an Alternative Resolution Process, with the Respondent.

Both parties must consent to an Alternative Resolution Process. If at any point either party no longer wishes to participate, the Alternative Resolution Process will end, and the Safety Team will determine whether to proceed with an Investigation.

The Alternative Resolution Process will normally be completed within **30 calendar days** of receiving a Complaint. In the event this timeline cannot be met, the Safety Team will notify the Initiator and Respondent as soon as possible to inform them of the revised timeline.

Investigation

If it is determined that an **Investigation** will be conducted, the Safety Team will:

- 1) **Appoint** an external Investigator with experience and expertise suited to the issues at hand, and who is not a Member of the Regent Community.
- 2) **Notify** the Initiator of the Investigation, and provide information about the Investigation process.
- 3) **Notify** the Respondent that a Complaint has been made and that the matter has been referred to an Investigation, and provide the Respondent with:
 - a) a summary of the allegations against them; and
 - b) information about the Investigation process.

After appointment, the Investigator will **investigate** the Complaint. This may include, but is not limited to:

- 1) **Meeting** with or requesting further information from the Initiator, Respondent, and any witnesses;
- 2) **Obtaining** and **reviewing** any relevant documents; and
- 3) **Preparing** an Investigation Report, which will normally include the following:
 - a) a synopsis of the evidence considered;
 - b) an assessment of credibility,
 - c) findings of fact;
 - d) a determination as to whether, on a balance of probabilities, the Bullying and Harassment,

- or Discrimination occurred; and
- e) any recommendations, which may include, but are not limited to:
 - i) any measures to remedy the Bullying and Harassment, or Discrimination; and
 - ii) any corrective or disciplinary action, which may include but is not limited to: a written or verbal apology, a letter of discipline, suspension, dismissal or expulsion, or disciplinary action. Professional development or counselling may also be deemed appropriate.

Upon receipt of an Investigation Report, the Safety Team will:

- 1) **Provide** a copy of the Investigation Report to the appropriate Regent College authority (e.g., the President, Academic Dean, Dean of Students, Director of HR) who will determine the Outcome.
- 2) **Communicate** the findings of the Investigation Report and the Outcome to the Initiator, Respondent and others whom the Safety Team determines ought to know under the circumstances. Only information that is relevant to each party will be communicated to that party.

The Investigation process outlined above will normally be completed within **60 calendar days**. In the event that this timeline cannot be met, the Safety Team will notify the Initiator and Respondent as soon as possible to inform them of the revised timeline.

10. CONFIDENTIALITY

Every effort will be made to keep Disclosures and Complaints confidential.

While Regent College will maintain general confidentiality in respect of a Disclosure or Complaint, this will not preclude Regent College from disclosing a Disclosure or Complaint, or aspects of a Disclosure or Complaint, in certain circumstances, including but not limited to:

- ensuring the safety of individuals and the Regent College community;
- as necessary or advisable in implementing this policy;
- ensuring the integrity and fairness of the process by providing sufficient information to the Respondent to allow them to respond to the allegations made against them;
- implementing or enforcing recommendations resulting from an Investigation;
- seeking advice or consultation, including from legal counsel for Regent College; and
- as required by law.

Initiators, Respondents, and witnesses must keep confidential any information they learn during the investigation process and must not disclose this information to anybody except, on a confidential basis, to their own personal advisors, or representatives, or as required by law. A breach of confidentiality will be considered a breach of this policy and will be subject to disciplinary action.

11. RETALIATION

Regent College prohibits any form of Retaliation. Any Retaliation should be immediately reported to the Safety Team. Retaliation will be considered a breach of this policy and will be subject to disciplinary action.

12. DISHONEST OR MALICIOUS COMPLAINTS

Regent College does not tolerate dishonest or malicious complaints. Where, as a result of an Investigation, it is determined that a Member of the Regent Community has made a dishonest or malicious complaint, Regent College may take disciplinary action against the Initiator.

13. SUPPORTS AVAILABLE

Regent College recognises that participating in an investigation process may be stressful, and encourages Initiators, Respondents, and witnesses to work with on- and off-campus supports as needed. To this end, the Safety Team may recommend emotional, pastoral, or spiritual support, as applicable.

At any proceeding conducted under this policy, any individual may bring a support person of their choice, provided the support person is not a witness to the Complaint and agrees to the confidentiality requirements set out above. Regent College has Student Advocates, named annually, who may be used for this purpose. It is understood that any support person will be present as a personal support only, and will not be an active participant in the process.

14. RECORD-KEEPING

The Safety Team will document all steps taken under this policy. Documentation relating to Disclosures and Complaints under this policy will be maintained in a confidential manner by the Safety Team.

If a Complaint is substantiated, a record of the incident and any Outcome, including any corrective action taken, will be kept in the Respondent's student or personnel file. If the Complaint is unsubstantiated, there will be no record of the Complaint kept in the Respondent's student or personnel file.

Unless there is a finding of a dishonest or malicious complaint, no documentation relating to a Complaint will be kept in the Initiator's student or personnel file. In the case of a dishonest or malicious complaint, a record of the incident and any Outcome, including any corrective action taken, will be kept in the Initiator's student or personnel file.

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