



## **SEXUAL VIOLENCE PROCEDURES & PROCESS**

### **Responsibilities of the Sexual Violence Committee**

The person who reports experiencing sexual violence is identified as “complainant”. The person against whom a report of sexual violence is made is identified as “respondent”.

1. To receive all reports of sexual violence;
2. To ensure that each complainant and respondent is provided information regarding appropriate health, counseling, spiritual, and other resources and to assist the complainant and respondent in accessing those resources, if requested;
3. To ensure that each complainant receives information on how to contact local law enforcement authorities, if appropriate, and to assist the complainant in contacting law enforcement authorities, if requested;
4. To inform the President of the report;
5. To ensure that arrangements are made for appropriate changes to the academic, employment, or living circumstances of complainants and respondents during investigation of a complaint of sexual violence;
6. To investigate reports of sexual violence in a prompt and equitable manner and ensure that the proceedings provide a prompt response.
7. To determine whether or not a report is substantiated by a preponderance of the evidence, meaning that the violence is “more likely than not” to have occurred. This standard is different than “beyond a reasonable doubt”, which is used in criminal cases;
8. To issue consequences, including disciplinary action, and to inform the complainant and respondent of those consequences;
9. To treat all reports as confidential to the extent consistent with conducting a thorough investigation and consistent with policy;
10. To recommend appropriate remedies, penalties, or other action;
11. To advise both the complainant and the respondent of the outcome;



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The Sexual Violence Committee will keep confidential reports of sexual violence and information obtained in the investigations to the extent consistent with completing a thorough and impartial investigation.

### **Procedure and Process When a Complaint Is Submitted to the Sexual Violence Committee**

1. Immediate administrative action will be taken to ensure that each complainant and respondent is provided information regarding appropriate health, counseling, spiritual, and other resources and to assist the complainant and respondent in accessing those resources, if requested and provide support.
2. The Sexual Violence Committee will:
  - a. contact the Complainant
  - b. contact the Respondent
  - c. determine the course for the investigation
  - d. ensure that both Complainant and Respondent have been provided the policy and procedures and to keep them informed on the process of the investigation
3. Confidentiality is required of all members and involved parties. Booth University College will do its best to preserve confidentiality throughout the process during the investigation, and will not disclose the name of the complainant or the respondent unless necessary to investigate the complaint or take corrective action with respect to the complaint, or where required by law. The personal information that is disclosed in respect of an incidence of violence will be the minimum amount necessary for the purpose.
4. After the investigation, the Sexual Violence Committee will meet to:
  1. review available information
  2. make a determination on the balance of probabilities;
  3. recommend appropriate remedies, penalties, or other action
  4. provide a written statement of the findings, determinations and recommendations
5. The Sexual Violence Committee will present a written statement of its findings, determinations and recommendations to the President. The President will make the final determination regarding the course of action to be taken and to communicate the outcome of the investigation.