

Policies and Procedures
For Responding to Reports of
Harassment, Abuse, or Assault

We believe that the Christian community should be a safe place for all to find healing and for the repentant to find forgiveness, a place where justice prevails within an environment of grace. We hope that Prairie Bible Institute (“Prairie” or “the College”) can be such a place.

This policy is intended to foster a spirit of fellowship and community that is free from fear, suspicion, and defensiveness. We believe that every human being has been created in the image of God. That anyone would take advantage of someone else’s vulnerability is unacceptable. It is an offence to our Christian faith and is incalculably damaging to the abuser, the victim and their families. Even one incidence of abuse is one too many.

The following are Governing Principles within the Prairie Community:

- Prairie has zero-tolerance for harassment, abuse or assault within its community.
- Prairie remains committed to dealing with allegations in an open and transparent manner.
- Prairie’s goal, to the best of its ability, is to assist complainants to find justice, resolution and healing, including, where appropriate, helping call those responsible to account.

Many organizations from across the greater Christian community have assisted in the collection of these various policies and procedures. These include members of the Prairie Alumni Association, several other colleges and universities, various local churches, mission groups, and other para-church and community organizations. We are indebted to many people for their time and advice in assembling this set of policies that will help protect people in our community.

On behalf of the students, staff, faculty and board, many thanks to every one of you.

Mark L. Maxwell
President
April 12, 2013

Governance and Review

Overview

Prairie Bible Institute (Prairie) endeavours to provide a safe learning environment that supports fair treatment of all members of its community and is conducive to relationships based on biblical teaching, mutual respect, cooperation and understanding. Prairie does not condone behaviour that undermines the dignity, self-esteem, or productivity of any student, staff member or faculty member.

All members of the Prairie community have a responsibility to ensure that the human rights of such members are not violated. Violation includes the psychological violence of harassment and the physical violence of assault. Any occurrence considered to be such a violation involving community members will be subject to this policy, whether it occurs on or off the campus.

This policy also includes and acknowledges the Alberta Human Rights Act and the Canada Labour Code.

Regular Review

Policies and Procedures for Responding to Reports of Harassment, Abuse, or Assault will be reviewed and updated every two years or more often if needed.

Governance and Reporting

Policies and Procedures for Responding to Reports of Harassment, Abuse or Assault is incorporated into the By-Laws of the Corporation, maintained in the Office of the President, and made available to all publics on Prairie's website (prairie.edu).

Maintenance and enforcement

- As part of Prairie's employment application process reference checks will be made on all new salaried employees.
- Toward the beginning of each academic year an expert will be brought onto campus to address students, faculty and staff on recognition of and proper response to Harassment, Abuse, and Assault.
- Policies will be included in the Employee Handbook and in orientation material.

Reporting

Potential victims are encouraged to report any harassment, abuse, or assault immediately to the appropriate authority.

- If a person feels a crime has been committed, he or she should contact the RCMP at (403) 443-5538 immediately.
- This should also be reported to the College – either to any member of the Management Team or to the President at (403) 443-3030.

A “Campus Safety” button will be put on the bottom of every page of the website. It will include easily followed instructions along with contact information for people to whom a potential victim may wish to report harassment, abuse or assault.

Responding to Public and Social Media

Allegations and innuendo of harassment, abuse and assault that are made in the public media (Facebook, YouTube, etc.) will be assumed to be frivolous. Victims who are serious about their case and wishing to seek justice, resolution and healing, are encouraged to contact the RCMP or the College directly and immediately.

It is the policy of the College not to respond to allegations that are made in the public and social media because of the possibility of reacting to partial information and the high incidence of misunderstandings in those forums.

Right to File Complaint

Nothing in this Policy should be construed to discourage or limit any person who feels that his or her human rights have been violated from reporting, filing or otherwise bringing such complaint to the attention of the Alberta Human Rights Commission, RCMP, or other appropriate legal authority. The policy and procedures outlined herein are intended to encourage and facilitate the reporting of any offences of human rights to the appropriate authority and to provide prompt, proper and dignified resolution of alleged and actual violations of human rights of any members of the Prairie community.

Assault, Sexual Assault and Rape

Prairie is firmly committed to a policy that condemns sexual assault, rape, or any type of aggressive behaviour. Such acts are serious violations of both person and community. This policy is not only based upon the conviction that the Bible condemns these types of behaviours but is also consistent with provincial and federal laws prohibiting such action. Therefore, any physical behaviour which is assaultive will be dealt with as a serious breach of the law and of the standards of the College.

Notwithstanding this policy, there may be occasion in which a student or employee is a victim of assault. The following guidelines are intended to address any such incident and recommend appropriate responses.

A. Definition of assault according to the *Criminal Code of Canada*

(1) A person commits an assault when

- (a) without the consent of another person, he applies force intentionally to that other person, directly or indirectly;*
- (b) he attempts or threatens, by an act or a gesture, to apply force to another person, if he has, or causes that other person to believe on reasonable grounds that he has, present ability to effect his purpose; or*
- (c) while openly wearing or carrying a weapon or an imitation thereof, he accosts or impedes another person or begs.*

Application

(2) This section applies to all forms of assault, including sexual assault, sexual assault with a weapon, threats to a third party or causing bodily harm and aggravated sexual assault.

Consent

(3) For the purposes of this section, no consent is obtained where the complainant submits or does not resist by reason of

- (a) the application of force to the complainant or to a person other than the complainant;*
- (b) threats or fear of the application of force to the complainant or to a person other than the complainant;*
- (c) fraud; or*
- (d) the exercise of authority.*

Accused's belief as to consent

(4) Where an accused alleges that he believed that the complainant consented to the conduct that is the subject-matter of the charge, a judge, if satisfied that there is sufficient evidence and that, if believed by the jury, the evidence would constitute a defense, shall instruct the jury, when reviewing all the evidence relating to the determination of the honesty of the accused's belief, to consider the presence or absence of reasonable grounds for that belief.

<http://yourlaws.ca/criminal-code-canada/265-assault>

B. Procedures for Responding to Assault

The following steps should be followed for reporting assault, sexual assault or rape:

- (a) Any violation of the Criminal Code needs to be reported to the appropriate legal authorities, even if the victim does not wish to file a report.
- (b) The victim should inform a family member and/or trusted friend of the incident for additional emotional support.
- (c) The victim should contact a member of the Management Team who she/he trusts. This individual can serve as an advocate throughout the post-assault period and continue to support the victim until she/he feels comfortable contacting a support group or private counselor. Communications between the advocate and the victim shall be held in confidence (for the sake of accountability and possible prosecution, best practice would be to expand that circle of information as soon as the victim is able to include others). If the victim chooses to include the President, where it is appropriate, would be authorized to provide information to the appropriate legal authorities responsible for the administration of justice in the Province.
- (d) The victim should seek immediate medical attention:
 - the person should not wash or change clothes or apply medications,
 - the person should be examined immediately for physical injury or disease by a physician,
 - the person and her/his advocate should prepare written notes of the incident.
- (e) The victim and advocate should arrange for appropriate psychological support. A trained professional counselor may reduce the long-term effects of such incident.
- (f) The advocate should prepare a complete report of the incident with careful attention to times, dates and people involved which shall be kept permanently on file at the College.
- (g) Upon closure of the incident, action will be implemented which may include, but not be limited to:
 - suspension or dismissal of the alleged offender from the College.
 - referral for psychological evaluation with clear expectations that the alleged offender will follow through on recommendations of a therapist.

Harassment and Abuse

I. Definitions

A. General Harassment and Abuse

Harassment or abuse is activity perceived by a recipient which is unsolicited or unwelcome behaviour that may be verbal or physical, intentional or unintentional, expressed or implied. It may be one incident or a series of incidents. It may involve an individual or a group of persons. Although it typically involves a person in a superordinate position as the initiator (formal power), a person in an equal or subordinate position may also be an initiator. For the purposes of this policy, the term “harassment” includes abuse and is deemed to include, but is not restricted to:

- 1) any conduct, comment, gesture, or contact that is likely to be experienced by another person as offensive, abusive, humiliating, or counterproductive to the fulfillment of employment.
- 2) verbal harassment;
 - verbal abuse or threats
 - unwelcome remarks, jokes, caricatures, innuendoes, or taunting about a person’s body, attire, age, marital status, ethnic or national origin, religion, etc.
- 3) visual harassment
 - leering or other gestures,
 - the display of pornographic, racist, or other demeaning or derogatory materials,
- 4) psychological harassment;
 - practical jokes which cause excessive awkwardness or embarrassment,
 - unwelcome invitations or intimidating requests, whether indirect or explicit, condescension or paternalism which undermines self respect,
- 5) physical harassment;
 - physical contact such as patting, stroking, and hugging,
 - intimidating physical actions such as cornering, grabbing, and punching,
- 6) environmental harassment that has the purpose or effect of:
 - creating an intimidating, hostile, or offensive social environment in which the person works or studies,
 - interfering with an individual’s personal, academic, or professional performance.

B. Sexual Harassment

Sexual harassment is one specific form of harassment. Males or females can be harassed by members of the opposite or same sex. For the purposes of this policy, sexual harassment is deemed to include, but is not restricted to, any aspect of general harassment with a sexual overtone such as:

- 1) unwelcome or excessive attention of a persistent or abrasive nature advanced by a person who knows, or reasonably ought to know, that such attention is unwanted,

- 2) a solicitation or advance which is primarily sexually orientated by a person who is in a position to confer any benefit on, or deny any benefit to, the recipient for complying with or refusing to comply with the request (e.g. sexual bribery). Examples of benefits include job security and/or status, grades, financial aid, letters of recommendation, etc.,
- 3) an actual reprisal, or an overt threat or implied threat of reprisal, for refusing to comply with a sexual solicitation or advance (e.g. sexual coercion).

Examples of specific behaviour which would be considered sexual harassment include:

- unwelcomed flirtations, invitations, or requests for dates or sexual favours,
- unwelcomed or persistent letters or phone calls containing overtones of a sexual nature,
- unwelcomed sexually suggestive gestures, innuendoes, or physical contact such as brushing against another person's body,
- inappropriate questions about the other's sexuality, self-disclosure of one's own sexuality, or sharing of information about another person's sexuality.

C. Reverse Harassment

The nature of a charge or allegations of harassment can have serious repercussions to the person so charged, whether or not the allegations have merit or are ever substantiated. Making such allegations in a frivolous or vexatious manner is a form of harassment itself, and therefore grounds for complaint by the target. Victims are typically institutional or student superiors or equals although all positions and both sexes are vulnerable. For the purposes of this policy, reverse harassment is deemed to include, but is not restricted to:

- 1) making allegations of harassment to persons other than the accused or those involved in the procedures specified herein while not pursuing these procedures to investigate the allegations, when it has the effect of stigmatizing or creating a hostile social environment for the accused,
- 2) fabricating information or maliciously bringing false allegations against any person.

In some cases, prior harassment or other negative experiences may increase sensitivity in subsequent relationships.

II. Procedures for Complaints Involving Harassment

The following procedure for complaint is not only intended to address specific complaints brought forward, but also to foster healing where possible. As a Christian community, Prairie seeks to go beyond the procedures available by the legal system and to promote restoration and reconciliation, as made possible through Christ and Biblical teaching.

While Prairie promotes, where appropriate, a Biblical resolution of problems associated with harassment, it considers all such behaviour to be a serious offence worthy of formal investigation and subject to a range of disciplinary measures including dismissal or expulsion.

The following procedures are provided to all members of the Prairie community to facilitate making of complaints and to govern inquiry into all cases where harassment is alleged, either by the victim/target or by a witness. However, it is recognized that a complainant may not be willing to pursue or feel capable of pursuing the first level (personal confrontation), in which case she or he is entitled to begin the process at the second level (informal consultation). The process can be terminated at any point prior to the conclusion defined herein, if the complainant withdraws the complaint, and if the supervisor of the process is satisfied that acceptable closure has been achieved.

A. Level 1 – Personal Confrontation

(a) Personal Confrontation

This policy recognizes that it is desirable for the victim/target to indicate to the offender/initiator that her or his behaviour is unacceptable, unwelcome, uninvited, or offensive. In such a case, it may be advisable for the victim/target to be accompanied by a witness. However, this policy also acknowledges that the dynamics of direct personal confrontation may prevent the revealing of actual harassment where different statuses exist between the initiator and the target.

(b) Personal Conciliation

Prairie maintains that it is biblically (Matt. 18:15) and personally preferable for persons who feel they are subject or witness to harassment to personally and interactively confront the alleged harasser with his or her behaviour. Ideally, this should occur as soon as the behaviour occurs, but in cases where there is a gradual accumulation of grievances, a specific meeting or exchange of written statements may be necessary. The purpose of such a meeting or exchange is to specify and stop offensive behaviour, and to seek repentance and reconciliation. Regardless of the outcome of such interaction the complainant retains the right to proceed to the next stage if she or he feels that just resolution has not yet been achieved.

Because harassment is often perpetrated by superiors upon subordinates, the complainant may feel that she or he cannot confront the alleged harasser with impunity. Such a complainant may best forego this stage.

B. Level 2 – Informal Consultation

A student or employee desirous of making a complaint of alleged harassment against either another student or an employee should contact any member of the Management Team. In each case the member of the Management Team will act immediately. Beginning with the informal conversation, accurate written documentation should be kept, including dates.

The specific purposes of such informal consultation are:

- (a) to provide the person with the opportunity to explore personal feelings with a responsible, impartial confidante,
- (b) to review the incident or pattern of behaviour for further clarification by:

- identifying the actual words or actions of both the initiator and the complainant that are at issue,
 - clarifying the interpretations, meanings, and perceptions of those words and actions held by the complainant,
- (c) to discuss the following options available to the complainant:
- confront the accused personally,
 - arrange an informal meeting with the accused and with the member of the Management Team acting as either a mediator or advocate,
 - lodge a formal written complaint,
- (d) to clarify the complainant's rights and responsibilities in choosing any subsequent option.

C. Level 3 – Formal Complaint

After the informal consultation, the complainant may lodge a formal complaint with the Harassment Investigation Committee. A Harassment Investigation Committee is appointed by the President, and will consist of one member of the Management Team, one member of the respective College faculty, one member of the staff, and the Harassment Investigation Chair (a person of the same gender as the complainant who the President believes will act fairly and in the best interests of all parties with special interest in the complainant.) When this occurs, the Harassment Investigation Chair (in consultation with the President) is responsible for initiating the following sequence of events:

- (a) The Harassment Investigation Committee will appoint a member to serve as the liaison for the accused.
- (b) The Harassment Investigation Committee will investigate and collect all pertinent information and evidence relative to the allegations.
- (c) A written and signed complaint that includes all the pertinent details will be obtained from the complainant.
- (d) A copy of the written and signed complaint will be given to the person accused of harassment, after which the accused will submit a response.
- (e) The Harassment Investigation Committee shall meet and review the written or recorded statements from both parties and then interview each party and any witnesses such committee considers appropriate.
- (f) The Chair shall communicate the decision of the Committee and any recommended discipline of the harasser and remedies for the complainant to the President.

Should the complaint involve the President, the Chair of the Board should be notified immediately, at which point the Board will determine suitable steps for proceeding.

III. Matters Concerning Procedures

A. Disciplinary Actions

If the occurrence of harassment is established, in accordance with the formal investigation, disciplinary action consistent with the severity of the offence shall be implemented immediately by the President. Disciplinary action may include reprimand (verbal warning with written documentation lodged in the person's file), monitoring for behavioural change, suspension, expulsion, or dismissal. The President may also provide information to the appropriate legal authorities responsible for the administration of justice in the Province.

B. Confidentiality

It is in the best interests of the affected parties that the strictest confidentiality possible be maintained throughout the process. However, when the health or safety of individuals is involved, it may be necessary to inform the appropriate authorities. Procedures must be carried out as expeditiously as possible to facilitate confidentiality.

C. Intimidation and Interference

A threat, other forms of intimidation, or retaliation by any party against any other party involved in implementing this policy constitutes harassment in itself. Interference by any party with the conduct of an investigation will itself result in disciplinary action by the College. Any breach of confidentiality by any individual with respect to a complaint, whether the complaint is found to be substantiated or unsubstantiated, may also constitute interference or retaliation.