



SUMMARY OF DOCUMENTS SHARED WITH THE EXECUTIVE COMMITTEE:

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Consultation Overview

Robin Fern & Co. engaged in a consultation process to support the UBC AMS and their review of the PC1 and PC2 policies, with the view to providing a revised set of policies for approval by the Executive Committee and AMS Council.

The following outlines the process that that was undertaken under the guidance of the Advisory Working Group, all items here have been completed according to the process and timeline described.

Activity	Description	Notes
<p>Launch meeting, up to 90mins.</p> <p><i>Virtual</i></p> <p><u><i>Advisory working group members and other relevant UBC AMS Colleagues</i></u></p>	<p>Review of current / latest policy process, including consultation processes and policy documents.</p> <p>Confirmation of the timelines and goals of the process.</p> <p>In advance, UBC AMS will complete two pieces:</p> <ul style="list-style-type: none">- to provide a document that outlines the processes that have already taken place- any specific feedback to the policies and process- identification of advisory working group members	<p>Membership of the working group to attend this meeting, guided by the co-chairs of the working group.</p>



Consultation Overview
 Last updated: March 11, 2024

Activity	Description	Notes
<p>Consultations with UBC Community</p> <p>Up to 2 x 60mins (morning / afternoon)</p> <p><i>In-person</i></p> <p><u><i>Broad engagement from the community</i></u></p>	<p>Host an open forum for students, an in particular UBC AMS resource groups, clubs, and other member organizations.</p> <p>Hosted by the UBC AMS, RFCo to moderate the conversation, with the co-chairs of the Advisory Working Group to respond to questions / concerns.</p>	<p>Hosted space; UBC AMS to decide if it is a hybrid set of sessions. Support on managing Q&A and copy of the recordings / transcripts will be required.</p>
<p>Conversations with key partners and their community members</p> <p><i>Virtual</i></p> <p><u><i>Constituent groups from the advisory working group</i></u></p>	<p>Four consultation meetings with relevant partners, up to 90mins in length.</p>	<p>Could be group or individual conversations. Additional meetings can be added if desired.</p>
<p>Leading practice review and notes from the consultation processes.</p> <p><i>Virtual</i></p> <p><u><i>Advisory working group members</i></u></p>	<p>A review of leading practices and an initial draft of consultation conversations. UBC AMS to confirm if council endorsement is necessary.</p> <p>Sharing of proposed edits to the current policies toward revisions.</p>	



Consultation Overview
Last updated: March 11, 2024

Activity	Description	Notes
<p>Consultations with UBC Community</p> <p>Up to 2 x 60mins (morning / afternoon)</p> <p><i>In-person</i></p> <p><u><i>Broad engagement from the community</i></u></p>	<p>Host an open forum for students, an in particular UBC AMS resource groups, clubs, and other member organizations to discuss feedback and proposed edits to the policy</p> <p>Hosted by the UBC AMS, RFCo to moderate the conversation, with the co-chairs of the Advisory Working Group to respond to questions / concerns.</p>	<p>Hosted space; UBC AMS to decide if it is a hybrid set of sessions. Support on managing Q&A and copy of the recordings / transcripts will be required.</p>
<p>Revised policies with feedback from second round of consultations.</p> <p><i>Virtual</i></p> <p><u><i>Advisory working group members</i></u></p>	<p>Feedback on the policies and confirmation of next steps (e.g. further consultations, governance next steps, etc.)</p>	



Consultation Overview
Last updated: March 11, 2024

Activity	Description	Notes
<p>Community feedback on revised policies.</p> <p><i>Virtual</i></p> <p><u><i>Broad engagement from the community</i></u></p>	<p>Provide support on survey design, analysis of feedback provided by the community. Consultation virtual will be led by RFCo and will function as a third-party reviewer and distiller of content.</p>	<p>RFCo uses Google Workspace, but would recommend the information be collected via UBC AMS tools to ensure data security and privacy standards are met.</p> <p>Qualtrics was the survey tool used.</p>
<p>Revised policies per the community consultation and leading practices provided to Advisory Working Group</p> <p><i>Virtual</i></p>	<p>Final copy for working group approval and consent provided based on the feedback.</p>	



Policy Edits

The following provides an overview of the policy revisions recommended from the Executive Committee, and as approved by the PC1 + PC2 Advisory Working Group, dated April 12, 2024:

- Remove SASC as a listed body to support filing of PC1 complaints and replace it with the Ombudsperson. The amendment would apply to the following section:

21.9 AMS may offer support (including SASC personnel) or referrals to the parties receiving the decision.

The **APPROVED** amendment to this sentence is:

21.9 AMS may offer support (including the Ombudsperson) or referrals to the parties receiving the decision.

- Adjust the language of SASC's engagement from PC2, recognizing there could be a conflict of interest. The amendment would apply to the following section:

11.6 Individuals seeking assistance in filing a report are encouraged to get help from the AMS Sexual Assault Support Centre (SASC).

The **APPROVED** addition to this sentence:

- "Should a conflict be identified by a staff member from the SASC when engaged for help, it may be referred to another body. Note that the SASC may consult with the investigation or decision maker which may create a conflict."
- Include a definition of Trauma Informed Approach (**APPROVED** – upon closer review, this definition is already included in the August 2023 copies – no changes needed)
 - "Trauma-informed Approach" means understanding the impacts of sexual misconduct and sexualized violence on individuals and responding in a manner that promotes empowerment and recovery, and minimizes re-traumatization."
 - This definition is taken from the UBC SC17 policy, and should be cited as such.
 - The language of 'trauma-informed approach' should ensure it's aligned through the policies.

Of note: the Executive Committee requested the exploration of how to include students in the decision-making process of PC2. The Advisory Working Group on April 17 confirmed support for the inclusion of the following in sections 15.0 and 16.0 of PC2:

- Including a provision around anonymization and redactions in the investigation report
- Including the Managing Director and President as Decision-Makers
- Having the Senior HR Manager act as a third party Decision-Maker should the Managing Director and President not reach consensus.



Policy Edits Last updated: April 16, 2024

The following provides an overview of the approved policy revisions from the PC1 + PC2 Advisory Working Group, dated March 11, 2024:

- Rape Shield Revision
 - Amend 13.11 in PC2 to read:

The investigator will carry out their investigation in a fair manner that incorporates trauma-informed principles and incorporating sufficient rape shield protections.
- False Claims Revision
 - PC1 Remove:

6.2 The AMS does not tolerate malicious and false claims. For persons who intentionally make malicious and false allegations of Discrimination, Bullying or Harassment, or Workplace and Community Violence, the AMS can take corrective action.
 - PC2 Remove:

5.2 The AMS does not tolerate malicious and false claims. For persons who intentionally make malicious and false allegations of Sexualized Violence, the AMS can take corrective action.
 - GV1 Addition:
 - The AMS does not tolerate malicious and false claims when applying policies, bylaws or rules of the association. For persons who intentionally make malicious and false allegations within any policy, bylaw or rule, the AMS can take corrective action.
- Subject Matter Experts Revision
 - Amend Richard's suggestion to 13.7 to ensure the subject matter expertise aspect is more prominent
 - A suggestion for Richard's review:
 - AMS will identify the make the decision as to the appropriate subject matter expert(s) (i.e. those with appropriate training and organizational context) resources to allocate to each incident or complaint and as to the process for the investigation.
- Students not as Decision Makers Revision
 - Ensure students can inform the investigative process, but do not remain as final decision makers for staff or student cases.
 - *Of note, the Executive Committee has asked for an amendment to be made to the policies that include the President along with the Managing Director as a decision maker, that has been added to the edits below (April 2024 amendment)*



Policy Edits

Last updated: April 16, 2024

PC1 Policy Edits – as of March 11, 2024

August 2023 Copy	January 2024 Tracked Changes	February 2024 Revised Copy
<p>18. Decision Makers</p> <p>18.1 The Decision-Makers in cases where the person responding to the report is an AMS Member are the VP Administration, the VP Finance, and the HR Committee Chair.</p> <p>a. The Decision-Makers are to consult with AMS HR Manager and the AMS Equity & Inclusion Specialist. The Decision-Makers may also consult with the Senior Manager of Student Services, the AMS SASC Manager, the Clubs Administrator, and/or the Constituency Relations Lead when applicable to the cases under investigation.</p> <p>18.2 The Decision-Makers in cases where the person responding to the report is an AMS Staff are the President and the Managing Director.</p> <p>a. The Decision-Makers will consult with the AMS Equity & Inclusion Specialist and, if applicable, the Union Representative.</p>	<p>18. Decision Makers</p> <p>18.1 The Decision-Makers in cases where the person responding to the report is an AMS Member are is the Managing Director and AMS President <u>VP Administration, the VP Finance, and the HR Committee Chair.</u></p> <p>a. The Decision-Makers is are to consult with AMS <u>Senior</u> HR Manager and the AMS Equity & Inclusion Specialist. The Decision-Makers may also consult with the <u>AMS Equity & Inclusion Specialist.</u> Senior Manager of Student Services, the AMS SASC Manager, the Clubs Administrator, and/or the Constituency Relations Lead when applicable to the cases under investigation.</p> <p>18.2 The Decision-Makers in cases where the person responding to the report is an AMS Staff is are <u>the President and the Managing Director and AMS President.</u></p> <p>a. The Decision-Makers will consult with the <u>AMS</u></p>	<p>18. Decision Makers</p> <p>18.1 The Decision-Makers in cases where the person responding to the report is an AMS Member is the Managing Director and AMS President .</p> <p>a. The Decision-Maker is to consult with AMS Senior HR Manager. The Decision-Maker may also consult with the AMS Equity & Inclusion Specialist, Senior Manager of Student Services, the AMS SASC Manager, the Clubs Administrator, and/or the Constituency Relations Lead when applicable to the cases under investigation.</p> <p>b. The Decision-Makers can delegate to another senior staff member.</p> <p>18.2 The Decision-Maker in cases where the person responding to the report is an AMS Staff is the Managing Director and AMS President.</p> <p>b. The Decision-Makers will consult with the AMS Executive, AMS Senior HR Manager,</p>



Policy Edits

Last updated: April 16, 2024

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<p>18.3 Decision-Makers must complete training on Discrimination, Bullying, Harassment, Oppression, trauma-informed approaches, and procedural fairness prior to doing any decision-making work. Decision-Makers will also receive regular additional refresher training. Training for Decision-Makers will be coordinated by the AMS Human Resources department in collaboration with relevant parties.</p> <p>18.4 In recognizing the significant responsibilities that come with decision-making, as well as the heightened stress of this work, Decision-Makers can recuse themselves from the process.</p> <p>a. For cases in which the person responding to the report is an AMS Member, the HR Committee will then nominate and appoint an AMS Councillor to replace the Decision-Maker recusing themselves. Notice of delegation must be provided to AMS Human Resources. For</p>	<p><u>Executive, AMS Senior HR Manager AMS Equity & Inclusion Specialist</u> and, if applicable, the Union Representative. <u>The Decision-Maker may consult with the AMS Equity & Inclusion Specialist, if applicable.</u></p> <p>18.3 Decision-Makers must complete training on Discrimination, Bullying, Harassment, Oppression, trauma-informed approaches, and procedural fairness prior to doing any decision-making work. Decision-Makers will also receive regular additional refresher training. Training for Decision-Makers will be coordinated by the AMS Human Resources department in collaboration with relevant parties.</p> <p>18.4 In recognizing the significant responsibilities that come with decision-making, as well as the heightened stress of this work, Decision-Makers can recuse themselves from the process.</p> <p>a. For cases in which the person responding to the report is an AMS</p>	<p>and, if applicable, the Union Representative. The Decision-Maker may consult with the AMS Equity & Inclusion Specialist, if applicable.</p> <p>18.3 Decision-Maker must complete training on Discrimination, Bullying, Harassment, Oppression, trauma-informed approaches, and procedural fairness prior to doing any decision-making work. Decision-Maker will also receive regular additional refresher training. Training for Decision-Makers will be coordinated by the AMS Human Resources department in collaboration with relevant parties.</p> <p>18.4 In recognizing the significant responsibilities that come with decision-making, as well as the heightened stress of this work, Decision-Makers can recuse themselves from the process.</p> <p>a. For cases in which the person responding to the report is an AMS Member or Staff, the President will then nominate and appoint another</p>



Policy Edits

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<p>cases in which the person responding to the report is AMS Staff, the Executive Committee will then nominate and appoint another member of the Executive Committee to replace the Decision-Maker recusing themselves. Notice of delegation must be provided to AMS Human Resources.</p> <p>18.5 The replacing decision-maker, if not already completely trained with the aforementioned knowledge and training crucial for the responsibilities of being a decision-maker in these cases, will be trained with the same quality of training received by the original set of decision-makers.</p>	<p>Member or Staff, the President HR Committee will then nominate and appoint another senior level staff AMS Councillor to replace the Managing Director Decision-Maker recusing themselves. Notice of delegation must be provided to AMS Human Resources. For cases in which the person responding to the report is AMS Staff, the Executive Committee will then nominate and appoint another member of the Executive Committee to replace the Decision-Maker recusing themselves. Notice of delegation must be provided to AMS Human Resources.</p> <p>18.5 The replacing decision-maker, if not already completely trained with the aforementioned knowledge and training crucial for the responsibilities of being a decision-maker in these cases, will be trained with the same quality of training</p>	<p>senior level staff to replace the Managing Director Decision-Maker recusing themselves. Notice of delegation must be provided to AMS Human Resources.</p> <p>18.5 The replacing decision-maker, if not already completely trained with the aforementioned knowledge and training crucial for the responsibilities of being a decision-maker in these cases, will be trained with the same quality of training received by the original set of decision-maker.</p>



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<p><u>19. Conflict of Interest for the Decision-Makers - for AMS Members-Related Cases</u></p> <p>19.1 Decision-maker(s) must declare a conflict of interest, if they were to have one, with any of the parties involved in the case before the decision-makers start discussing the case with the investigation report completed.</p> <p>19.2 After the Decision-Maker(s) has/have recused themselves, members of the HR Committee will nominate and appoint the replacement Decision-Maker(s). Notice of delegation must be provided to AMS Human Resources.</p> <p>a. The replacement decision-maker will be an AMS Councillor with no conflicts of interest attached to the case.</p> <p>19.3 If the HR Committee Chair is the one recusing himself from the decision-making role due to a conflict of interest, the HR Committee Chair must recuse themselves from the discussion and voting on the</p>	<p>received by the original set of decision-makers.</p> <p><u>19. Conflict of Interest for the Decision-Makers - for AMS Members and Staff-Related Cases</u></p> <p>19.1 Decision-maker(s) must declare a conflict of interest, if they were to have one, with any of the parties involved in the case before the decision-makers start discussing the case with the investigation report completed.</p> <p>19.2 After the Decision-Maker(s) has/have recused themselves, the AMS Executive members of the HR Committee will nominate and appoint the replacement Decision-Maker(s). Notice of delegation must be provided to AMS Human Resources.</p> <p>a. The replacement decision-maker will be another senior level staff member AMS Councillor with no conflicts of interest attached to the case.</p> <p>If the HR Committee Chair is the one recusing themselves from the decision-making role due to a conflict of interest, the HR Committee Chair must recuse themselves from</p>	<p><u>19. Conflict of Interest for the Decision-Makers - for AMS Members and Staff-Related Cases</u></p> <p>19.1 Decision-maker(s) must declare a conflict of interest, if they were to have one, with any of the parties involved in the case before the decision-makers start discussing the case with the investigation report completed.</p> <p>19.2 After the Decision-Maker(s) has/have recused themselves, the President-AMS Executive will nominate and appoint the replacement Decision-Maker(s). Notice of delegation must be provided to AMS Human Resources.</p> <p>a. The replacement decision-maker will be another senior level staff member with no conflicts of interest attached to the case.</p> <p>19.3 The replacing decision-maker must not consult with whoever they are replacing about the case.</p>

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<p>replacement decision-maker(s) in the HR Committee.</p> <p>19.4 The replacing decision-maker must not consult with whoever they are replacing about the case.</p>	<p>the discussion and voting on the replacement decision-maker(s) in the HR Committee.</p> <p>19.3 The replacing decision-maker must not consult with whoever they are replacing about the case.</p>	
<p><u>20. Conflict of Interest for the Decision-Makers - for AMS Staff-Related Cases</u></p> <p>20.1 Decision-maker(s) must declare a conflict of interest, if they were to have one, with any of the parties involved in the case before the decision-makers start discussing the case with the investigation report completed.</p> <p>20.2 After the Decision-Maker(s) has/have recused themselves, members of the Executive Committee will nominate and appoint the replacement Decision-Maker(s). Notice of delegation must be provided to AMS Human Resources.</p>	<p><u>20. Conflict of Interest for the Decision-Makers - for AMS Staff-Related Cases</u></p> <p>20.1 Decision-maker(s) must declare a conflict of interest, if they were to have one, with any of the parties involved in the case before the decision-makers start discussing the case with the investigation report completed.</p> <p>20.2 After the Decision-Maker(s) has/have recused themselves, members of the Executive Committee will nominate and appoint the replacement Decision-Maker(s). Notice of delegation must be provided to AMS Human Resources.</p> <p>a. The replacement decision-maker will be an AMS Executive with no conflicts of interest attached to the case.</p> <p>20.3 If the President is the one recusing himself</p>	



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	<p>from the decision-making role due to a conflict of interest, the President must recuse themselves from the discussion and voting on the replacement decision-maker(s) in the Executive Committee.</p> <p>20.4 If the Managing Director is the one recusing themselves from the decision-making role due to a conflict of interest, the Managing Director must recuse themselves from the discussion on the replacement decision-maker(s) in the Executive Committee</p> <p>20.520.1—The replacing decision-maker must not consult with whoever they are replacing about the case.</p>	



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<p>20.3 If the President is the one recusing themselves from the decision-making role due to a conflict of interest, the President must recuse themselves from the</p>		



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<p>discussion and voting on the replacement decision-maker(s) in the Executive Committee.</p> <p>20.4 If the Managing Director is the one recusing themselves from the decision-making role due to a conflict of interest, the Managing Director must recuse themselves from the discussion on the replacement decision-maker(s) in the Executive Committee.</p> <p>20.5 The replacing decision-maker must not consult with whoever they are replacing about the case.</p>		
<p>21. Decision-Making</p> <p>21.1 The person filing the report (and if different, the person experiencing harm as noted in the report), may choose to submit an impact statement to the Decision-Maker for consideration in their decision-making.</p> <p>21.2 Decision-Makers will review the impact statement with the investigation report.</p> <p>21.3 Decision-Makers will meet within four (4) business days of receiving the investigation report.</p> <p>21.4 Decision-Makers may seek expert or contextual advice as</p>	<p>21. Decision-Making</p> <p>21.1 The person filing the report (and if different, the person experiencing harm as noted in the report), may choose to submit an impact statement to the Decision-Maker for consideration in their decision-making.</p> <p>21.2 Decision-Makerss will review the impact statement with the investigation report.</p> <p>21.3 Decision-Makers will meet within four (4) business days of receiving the investigation report.</p> <p>21.4 Decision-Makers may seek expert or contextual advice as</p>	<p>20. Decision-Making</p> <p>20.1 The person filing the report (and if different, the person experiencing harm as noted in the report), may choose to submit an impact statement to the Decision-Maker for consideration in their decision-making.</p> <p>20.2 Decision-Maker will review the impact statement with the investigation report.</p> <p>20.3 Decision-Makerss will meet within four (4) business days of receiving the investigation report.</p> <p>20.4 Decision-Makerss may seek expert or contextual advice as</p>



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<p>necessary. Experts may include: AMS Service Coordinators, Relevant Club Executives, AMS SASC, AMS Supervisors, AMS Legal Counsel, and UBC Personnel. Persons retained by Decision-Makers must agree to maintain confidentiality.</p> <p>21.5 Decision-Makers will determine the appropriate corrective action based on the investigation report, impact statement, expert or contextual advice, and:</p> <ul style="list-style-type: none"> a. The impact of the conduct on the person(s) who experienced harm; b. The impact of the conduct on the AMS community; c. Progressive discipline and proportionality; d. The nature and severity of the context; e. Any other relevant factors. <p>21.6 The Decision-Makers will prepare a written summary of the information relied upon in making their decision, the rationale for the decision, and the corrective action imposed. This summary will be sent to the investigator to</p>	<p>necessary. Experts may include: AMS Service Coordinators, Relevant Club Executives, AMS SASC, AMS Supervisors, AMS Legal Counsel, and UBC Personnel. Persons retained by Decision-Makers must agree to maintain confidentiality.</p> <p>21.5 Decision-Makers will determine the appropriate corrective action based on the investigation report, impact statement, expert or contextual advice, and:</p> <ul style="list-style-type: none"> a. The impact of the conduct on the person(s) who experienced harm; b. The impact of the conduct on the AMS community; c. Progressive discipline and proportionality; d. The nature and severity of the context; e. Any other relevant factors. <p>21.6 The Decision-Makers will prepare a written summary of the information relied upon in making their decision, the rationale for the decision, and the corrective action imposed. This summary will be sent to the investigator to</p>	<p>necessary. Experts may include: AMS Service Coordinators, Relevant Club Executives, AMS SASC, AMS Supervisors, AMS Legal Counsel, and UBC Personnel. Persons retained by Decision-Makers must agree to maintain confidentiality.</p> <p>20.5 Decision-Makers^s will determine the appropriate corrective action based on the investigation report, impact statement, expert or contextual advice, and:</p> <ul style="list-style-type: none"> a. The impact of the conduct on the person(s) who experienced harm; b. The impact of the conduct on the AMS community; c. Progressive discipline and proportionality; d. The nature and severity of the context; e. Any other relevant factors. <p>20.6 The Decision-Makers^s will prepare a written summary of the information relied upon in making their decision, the rationale for the decision, and the corrective action imposed. This summary will be sent to the investigator to</p>



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<p>communicate the decision.</p> <p>21.7 The Decision-Makers will make their decision on corrective action and send their summary to the investigator as expeditiously as possible within ten (10) business days of their initial meeting.</p> <p>21.8 The investigator will advise the parties of the decision as soon as possible within 24 hours of receiving the summary. The investigator will not disclose personal information, except as required or authorized by law.</p> <p>21.9 AMS may offer support (including SASC personnel) or referrals to the parties receiving the decision.</p>	<p>communicate the decision.</p> <p>21.7 The Decision-Makers will make their decision on corrective action and send their summary to the investigator as expeditiously as possible within ten (10) business days of their initial meeting.</p> <p>21.8 The investigator will advise the parties of the decision as soon as possible within 24 hours of receiving the summary. The investigator will not disclose personal information, except as required or authorized by law.</p> <p>21.9 AMS may offer support (including SASC personnel) or referrals to the parties receiving the decision.</p>	<p>communicate the decision.</p> <p>20.7 The Decision-Makerss will make their decision on corrective action and send their summary to the investigator as expeditiously as possible within ten (10) business days of their initial meeting.</p> <p>20.8 The investigator will advise the parties of the decision as soon as possible within 24 hours of receiving the summary. The investigator will not disclose personal information, except as required or authorized by law.</p> <p>20.9 AMS may offer support (including SASC personnel) or referrals to the parties receiving the decision.</p>



Policy Edits

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PC2 Policy Edits - as of March 11, 2024

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<p>16.0 Decision Makers</p> <p>16.1 The Decision-Makers in cases where the person responding to the report is an AMS Member are the VP Administration, the VP Finance, and the HR Committee Chair.</p> <p>a. The Decision-Makers are to consult with AMS HR Manager, the AMS Equity & Inclusion Specialist, and the AMS SASC Manager. The Decision-Makers may also consult with the Senior Manager of Student Services, the Clubs Administrator, and/or the Constituency Relations Lead when applicable to the cases under investigation.</p> <p>16.2 The Decision-Makers where the offender is an AMS Staff are the President and the Managing Director.</p> <p>a. The Decision-Makers will consult with the AMS Equity & Inclusion Specialist, the AMS SASC</p>	<p>16.0 Decision Makers</p> <p>16.1 The Decision-Makers in cases where the person responding to the report is an AMS Member are the Ombudsperson <u>are the Managing Director and President the VP Administration, the VP Finance, and the HR Committee Chair.</u></p> <p>c. The Decision-Makers are to consult with AMS <u>Senior HR Manager, the AMS Equity & Inclusion Specialist,</u> and the AMS SASC Manager. The Decision-Makers may also consult with the <u>AMS Equity & Inclusion Specialist,</u> Senior Manager of Student Services, the Clubs Administrator, and/or the Constituency Relations Lead when applicable to the cases under investigation.</p> <p>16.2 The Decision-Makers where the offender is an AMS Staff are the President and the Managing Director <u>and President.</u></p> <p>a. The Decision-Makers will consult with the AMS <u>Senior HR Manager</u> Equity & Inclusion Specialist, the AMS SASC Manager, and, if applicable, the Union Representative. <u>The Decision-Maker may</u></p>	<p>16.0 Decision Makers</p> <p>16.1 The Decision-Makers in cases where the person responding to the report is an AMS Member <u>are is</u> the <u>Ombudsperson</u> Managing Director and President.</p> <p>a. The Decision-Makers are to consult with AMS Senior HR Manager, and the AMS SASC Manager. The Decision-Makers may also consult with the AMS Equity & Inclusion Specialist Senior Manager of Student Services, the Clubs Administrator, and/or the Constituency Relations Lead when applicable to the cases under investigation.</p> <p>16.2 The Decision-Maker where the offender is an AMS Staff <u>are is</u> the <u>Managing Director</u> and President.</p> <p>a. The Decision-Maker will consult with the AMS Senior HR Manager,, the AMS SASC Manager, and, if applicable, the Union Representative. The Decision-Maker may</p>



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<p>Manager, and, if applicable, the Union Representative.</p> <p>16.3 Decision-Makers must complete training on Sexualized Violence, trauma-informed approaches, privacy, and procedural fairness prior to doing any decision-making work. Decision-Makers will also receive regular additional refresher training. Training for Decision-Makers will be coordinated by the AMS Human Resources department in collaboration with relevant parties.</p> <p>16.4 In recognizing the significant responsibilities that come with decision-making, as well as the heightened stress of this work, Decision-Makers can recuse themselves from the process.</p> <p>a. For cases in which the person responding to the report is an AMS Member, the HR Committee will then nominate and appoint an AMS Councillor</p>	<p style="text-align: center;"><u>also consult with the AMS Equity & Inclusion Specialist.</u></p> <p>16.3 Decision-Makers must complete training on Sexualized Violence, trauma-informed approaches, privacy, and procedural fairness prior to doing any decision-making work. Decision-Makers will also receive regular additional refresher training. Training for Decision-Makers will be coordinated by the AMS Human Resources department in collaboration with relevant parties.</p> <p>16.4 In recognizing the significant responsibilities that come with decision-making, as well as the heightened stress of this work, Decision-Makers can recuse themselves from the process.</p> <p>a. For cases in which the person responding to the report is an AMS Member or staff, the <u>AMS Executive HR Committee</u> will then nominate and appoint <u>another senior staff member -AMS Councillor</u> to replace the Decision-Maker recusing <u>themselves</u>. Notice of delegation must be provided to</p>	<p>also consult with the AMS Equity & Inclusion Specialist.</p> <p>16.3 Decision-Maker must complete training on Sexualized Violence, trauma-informed approaches, privacy, and procedural fairness prior to doing any decision-making work. Decision-Maker will also receive regular additional refresher training. Training for Decision-Maker will be coordinated by the AMS Human Resources department in collaboration with relevant parties.</p> <p>16.4 In recognizing the significant responsibilities that come with decision-making, as well as the heightened stress of this work, Decision-Maker can recuse themselves from the process.</p> <p><u>e.b.</u> For cases in which the person responding to the report is an AMS Member or staff, the president will then nominate and appoint another senior staff member to replace the Decision-Maker recusing himself. Notice of delegation must be</p>

Commented [DF2]: Or the speaker



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<p>to replace the Decision-Maker recusing themselves. Notice of delegation must be provided to AMS Human Resources.</p> <p>b. For cases in which the person responding to the report is AMS Staff, the Executive Committee will then nominate and appoint another member of the Executive Committee to replace the Decision-Maker recusing themselves. Notice of delegation must be provided to AMS Human Resources.</p> <p>16.5 The replacing decision-maker, if not already completely trained with the aforementioned knowledge and training crucial for the responsibilities of being a decision-maker in these cases, will be trained with the same quality of training received by the original set of decision-makers.</p>	<p>AMS Human Resources.</p> <p>b.—For cases in which the person responding to the report is AMS Staff, the Executive Committee will then nominate and appoint another member of the Executive Committee to replace the Decision-Maker recusing themselves. Notice of delegation must be provided to AMS Human Resources.</p> <p>16.5 The replacing decision-maker, if not already completely trained with the aforementioned knowledge and training crucial for the responsibilities of being a decision-maker in these cases, will be trained with the same quality of training received by the original set of decision-makers.</p>	<p>provided to AMS Human Resources.</p> <p>16.5 The replacing decision-maker, if not already completely trained with the aforementioned knowledge and training crucial for the responsibilities of being a decision-maker in these cases, will be trained with the same quality of training received by the original set of decision-makers.</p>



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<p>17. Conflict of Interest for the Decision-Makers - for AMS Members-Related Cases</p> <p>17.1 Decision-maker(s) must declare a conflict of interest, if they were to have one, with any of the parties involved in the case before the decision-makers start discussing the case with the investigation report completed.</p> <p>17.2 After the Decision-Maker(s) has/have recused themselves, members of the HR Committee will nominate and appoint the replacement Decision-Maker(s). Notice of delegation must be provided to AMS Human Resources.</p> <p>a. The replacement Decision-Maker will be an AMS Councillor with no conflicts of interest attached to the case.</p> <p>17.3 If the HR Committee Chair is the one recusing himself from the decision-making role due to a conflict of interest, the HR Committee</p>	<p>17. Conflict of Interest for the Decision-Makers - for AMS Members and Staff-Related Cases</p> <p>17.1 Decision-maker(s) must declare a conflict of interest. A conflict of interest includes, but is not limited to situations where personal gain could be affected by virtue of their positionality with the AMS. Decision-maker(s) must declare a conflict of interest, if they were to have one, with any of the parties involved in the case before the decision-makers start discussing the case with the investigation report completed.</p> <p>17.2 After the Decision-Maker(s) has/have recused themselves, AMS Executive members of the HR Committee will nominate and appoint the replacement Decision-Maker(s). Notice of delegation must be provided to AMS Human Resources.</p> <p>a. The replacement Decision-Maker will be another senior staff member-AMS Councillor with no conflicts of interest attached to the case.</p> <p>17.3 If the HR Committee Chair is the one recusing themselves from the</p>	<p>17. Conflict of Interest for the Decision-Makers - for AMS Members and Staff-Related Cases</p> <p>17.1 <u>A conflict of interest includes, but is not limited to situations where personal gain could be affected by virtue of their positionality with the AMS.</u> Decision-maker(s) must declare a conflict of interest, if they were to have one, with any of the parties involved in the case before the decision-makers start discussing the case with the investigation report completed.</p> <p>17.2 After the Decision-Maker(s) has/have recused themselves, <u>the president the AMS Executive</u> will nominate and appoint the replacement Decision-Maker(s). Notice of delegation must be provided to AMS Human Resources.</p> <p>a. The replacement Decision-Maker will be another senior staff member with no conflicts of interest attached to the case.</p> <p>17.3 The replacement Decision-Maker must not consult with</p>

Commented [DF3]: Should there be a list of possible conflicts, as taken from the AMS Staff Handbook?

E.g.

CONFLICT OF INTEREST

All employees are expected to avoid situations that would result in, or give the appearance of, a conflict between their personal interests and the interests of the AMS. A conflict exists where personal gain could be affected by virtue of the employee's knowledge or position. Employees should disclose details of potential conflict situations to their Supervisor/Manager.

Employees must not seek or use privileged or confidential AMS or personnel information, or data from any organization dealing with the AMS, for any purpose that is not related to that employee's work responsibilities.

Commented [DF4]: Should there be a list of possible conflicts, as taken from the AMS Staff Handbook?

E.g.

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All employees are expected to avoid situations that would result in, or give the appearance of, a conflict between their personal interests and the interests of the AMS. A conflict exists where personal gain could be affected by virtue of the employee's knowledge or position. Employees should disclose details of potential conflict situations to their Supervisor/Manager.

Employees must not seek or use privileged or confidential AMS or personnel information, or data from any organization dealing with the AMS, for any purpose that is not related to that employee's work responsibilities.



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<p>Chair must recuse themselves from the discussion and voting on the replacement decision-maker(s) in the HR Committee.</p> <p>17.4 The replacement Decision-Maker must not consult with whoever they are replacing about the case.</p>	<p>decision-making role due to a conflict of interest, the HR Committee Chair must recuse themselves from the discussion and voting on the replacement decision-maker(s) in the HR Committee.</p> <p><u>17-417.3</u> The replacement Decision-Maker must not consult with whoever they are replacing about the case.</p>	<p>whoever they are replacing about the case.</p>
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<p>will be an AMS Executive with no conflicts of interest attached to the case.</p> <p>18.3 If the President is the one recusing themselves from the decision-making role due to a conflict of interest, the President must recuse themselves from the discussion and voting on the replacement decision-maker(s) in the Executive Committee.</p> <p>18.4 If the Managing Director is the one recusing themselves from the decision-making role due to a conflict of interest, the Managing Director must recuse themselves from the discussion on the replacement decision-maker(s) in the Executive Committee.</p> <p>18.5 The replacement Decision-Maker must not consult with whoever they are replacing about the case.</p>	<p>due to a conflict of interest, the President must recuse themselves from the discussion and voting on the replacement decision-maker(s) in the Executive Committee.</p> <p>18.4 If the Managing Director is the one recusing themselves from the decision-making role due to a conflict of interest, the Managing Director must recuse themselves from the discussion on the replacement decision-maker(s) in the Executive Committee.</p> <p>18.5 18.1 — The replacement Decision-Maker must not consult with whoever they are replacing about the case.</p>	
<p><u>19. Decision-Making</u> 19.1 The person filing the report (and if different, the person experiencing harm as noted in the</p>	<p><u>19. Decision-Making</u> 19.1 The person filing the report (and if different, the person experiencing harm as noted in the report), may choose to</p>	<p><u>18. Decision-Making</u> 18.1 The person filing the report (and if different, the person experiencing harm as noted in the report),</p>



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<p>report), may choose to submit an impact statement to the Decision-Maker for consideration in their decision-making.</p> <p>19.2 Decision-Makers will review the impact statement with the investigation report.</p> <p>19.3 Decision-Makers will meet within four (4) business days of receiving the investigation report.</p> <p>19.4 Decision-Makers may seek expert or contextual advice as necessary. Experts may include: AMS Service Coordinators, Relevant Club Executives, AMS SASC, AMS Supervisors, AMS Legal Counsel, and UBC Personnel. Persons retained by Decision-Makers must agree to maintain confidentiality.</p> <p>19.5 Decision-Makers will determine the appropriate corrective action based on the investigation report, impact statements, expert or contextual advice, and:</p> <ol style="list-style-type: none"> a. The impact of the conduct on the 	<p>submit an impact statement to the Decision-Maker for consideration in their decision-making.</p> <p>19.2 Decision-Makers will review the impact statement with the investigation report.</p> <p>19.3 Decision-Makers will meet within four (4) business days of receiving the investigation report.</p> <p>19.4 Decision-Makers may seek expert or contextual advice as necessary. Experts may include: AMS Service Coordinators, Relevant Club Executives, AMS SASC, AMS Supervisors, AMS Legal Counsel, and UBC Personnel. Persons retained by Decision-Makers must agree to maintain confidentiality.</p> <p>19.5 Decision-Makers will determine the appropriate corrective action based on the investigation report, impact statements, expert or contextual advice, and:</p> <ol style="list-style-type: none"> a. The impact of the conduct on the person(s) who experienced harm; b. The impact of the conduct on the AMS community; c. Progressive discipline and proportionality; d. The nature and severity of the context; 	<p>may choose to submit an impact statement to the Decision-Maker for consideration in their decision-making.</p> <p>18.2 Decision-Makerss will review the impact statement with the investigation report.</p> <p>18.3 Decision-Makerss will meet within four (4) business days of receiving the investigation report.</p> <p>18.4 Decision-Makerss may seek expert or contextual advice as necessary. Experts may include: AMS Service Coordinators, Relevant Club Executives, AMS SASC, AMS Supervisors, AMS Legal Counsel, and UBC Personnel. Persons retained by Decision-Makers must agree to maintain confidentiality.</p> <p>18.5 Decision-Makerss will determine the appropriate corrective action based on the investigation report, impact statements, expert or contextual advice, and:</p> <ol style="list-style-type: none"> a. The impact of the conduct on the person(s) who experienced harm; b. The impact of the conduct on the AMS community;



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<p>person(s) who experienced harm;</p> <p>b. The impact of the conduct on the AMS community;</p> <p>c. Progressive discipline and proportionality;</p> <p>d. The nature and severity of the context;</p> <p>e. Any other relevant factors.</p> <p>19.6 The Decision-Makers will prepare a written summary of the information relied upon in making their decision, the rationale for the decision, and the corrective action imposed. This summary will be sent to the investigator to communicate the decision.</p> <p>19.7 The Decision-Makers will make their decision on corrective action and send their summary to the investigator as expeditiously as possible and ideally within ten (10) business days of their initial meeting.</p> <p>19.8 The investigator will advise the parties of</p>	<p>e. Any other relevant factors.</p> <p>19.6 The Decision-Makers will prepare a written summary of the information relied upon in making their decision, the rationale for the decision, and the corrective action imposed. This summary will be sent to the investigator to communicate the decision.</p> <p>19.7 The Decision-Makers will make their decision on corrective action and send their summary to the investigator as expeditiously as possible and ideally within ten (10) business days of their initial meeting.</p> <p>19.8 The investigator will advise the parties of the decision as soon as possible and ideally within 24 hours of receiving the summary. The investigator will not disclose personal information, except as required or authorized by law.</p> <p>19.9 AMS may offer support (including SASC personnel) or referrals to the parties receiving the decision.</p>	<p>c. Progressive discipline and proportionality;</p> <p>d. The nature and severity of the context;</p> <p>e. Any other relevant factors.</p> <p>18.6 The Decision-Makers will prepare a written summary of the information relied upon in making their decision, the rationale for the decision, and the corrective action imposed. This summary will be sent to the investigator to communicate the decision.</p> <p>18.7 The Decision-Makers will make their decision on corrective action and send their summary to the investigator as expeditiously as possible and ideally within ten (10) business days of their initial meeting.</p> <p>18.8 The investigator will advise the parties of the decision as soon as possible and ideally within 24 hours of receiving the summary. The investigator will not disclose personal information, except as required or authorized by law.</p> <p>18.9 AMS may offer support (including SASC</p>



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- Jurisdiction to Investigate Addition
 - Another revision was requested at the February 12, 2024 meeting to ensure it's explicit that individuals have the right to report for PC1 and PC2 complaints
 - A suggestion for Richard's review:
 - 3.3 (b) When receiving a complaint involving a policy violation, staff will ask the complainant (e.g. a student, employee or community member) whether they would prefer a formal or informal process, and will provide examples for how resolution might look in each model.
- Enhanced Training Revision
 - Richard indicated that it was not necessary to include in the policy
 - In the covering memo for the policies before coming to Executive Committee and council, a note should be included that reads:
 - Enhanced training for (a) all AMS Executive members; (b) senior level staff who could receive complaints and reports; and (c) all individuals involved in the decision making process. Training is inclusive of all elements that relate to PC1 and PC2, as well as impact and context on constituencies, clubs and other affiliated groups of the AMS. Training is to be identified through subject matter experts and should be reasonably defined given the nature of the person's role, inclusive of length of term, appointment and/or historical expertise.



Survey Feedback

The survey was open from February 26, 2024 till March 13, 2024 (17 days). Over that time 38 people opened and reviewed the survey, 23 people responded to the survey. The survey was sent to 190+ email addresses, a combination of generic emails and named emails.

The following provides an overview of the average scores and overall feedback to each question asking this question each time: “on a scale of 0 (absolutely not) to 5 (absolutely yes), do you agree with this revision?”

Summary

Respondents concurred with the revisions, indicating favour across all of the recommendations. A number of comments questioned the jurisdiction of the policies when applied to those who are not AMS members and who engage with services and the building. Both policies hold the same applicability and jurisdiction to investigate sections under 3.0, the sections bolded will ensure all groups will fall under the two policies:

1. Applicability

- a. This policy applies to all AMS Active Members, AMS Staff and Volunteers, **and to non-AMS Members who access AMS premises or services.**

3. Jurisdiction to Investigate

- a. AMS has jurisdiction to address reports under this policy that involved a person who is or was an AMS Member or AMS Staff at the time that the incident giving rise to the breach of this policy occurred, **or where the basis of the report occurs on AMS Premises or arose out of AMS services or events.**

RAPE SHIELD CLAUSE

Explicit language about rape shield protections will be added to Section 13.11 of the August 2023 PC2 policy.

By adding an explicit rape shield clause, it limits the ability to introduce evidence about the past sexual activity of a complainant.

The amended section will read:

13.11 The investigator will carry out their investigation in a fair manner that incorporates trauma-informed principles and incorporating sufficient rape shield protections.

The average response was 4.61 indicating overall agreement with the revision.



FALSE CLAIMS CLAUSE

The False Claims Sections in PC1 (Section 6.2) and PC2 (Section 5.2) will be removed.

A recommendation will be made to the group reviewing the GV1 policy to add the following section in the appropriate place. By adding this to GV1 it will cover all AMS policies, including PC1 and PC2 and minimize negative sentiments on intentional false claims.

The new section will read:

The AMS does not tolerate malicious and false claims when applying policies, bylaws or rules of the association. For persons who intentionally make malicious and false allegations within any policy, bylaw or rule, the AMS can take corrective action.

The average response was 4.01 indicating overall agreement with the revision.

SUBJECT MATTER EXPERTS

Explicit language about the need of subject matter experts will be added to Section 13.7 of the August 2023 PC2 policy.

The amended section will read:

13.7 The process for investigating and resolving incidents and reports may range from a process where a few words are all that is needed to investigate and resolve the matter, to a process involving extensive submissions, fact-finding, and the use of outside investigators or outside counsel. AMS will identify the subject matter expert(s) (i.e. those with appropriate training and organizational context) to allocate to each incident or complaint and as to the process for the investigation.

The average response was 4.33 indicating overall agreement with the revision.

REMOVING STUDENTS AS PRIMARY DECISION MAKER

Extensive edits have been made to PC1 and PC2 to remove the role of students as a primary decision maker on any matters related to these policies, replacing them with the UBC AMS Managing Director.

Students can still contribute to the investigation process through providing expert advice on impact to student clubs, constituencies and the overall community.

The PC1 policy will have Sections 18.0 - 21.0 amended, and the PC2 policy will have Sections 16.0 - 19.0 amended.

The amended sections will:

- Remove the role of the HR Committee, VP Administration, VP Finance and HR Committee chair, and replace them with the Managing Director



Survey Feedback

Last updated: March 10, 2024

- Consolidate the conflict of interest sections as the same decision maker
- Provide examples of possible conflicts of interest

The average response was 4.33 indicating overall agreement with the revision.

AN INDIVIDUAL'S RIGHT TO REPORT

Amend the 'Jurisdiction to Investigate' section in both PC1 and PC2 to emphasize that an individual has a right to simply disclose an issue or file a formal report.

The amended sections will read:

The UBC AMS is committed to respecting the rights of those who disclose to make their own decisions about accessing support services and assistance, making a formal report through this policy, or pursuing external processes such as criminal or civil action.

The average response was 4.52 indicating overall agreement with the revision.

ENHANCED TRAINING

While not included as amendments in the PC1 and PC2 policies, as it doesn't align with the structure of policies, the UBC AMS will amend its employee handbook and onboarding of Executives and senior staff to reflect the revised mandatory training provisions.

Enhanced training for (a) all AMS Executive members; (b) senior level staff who could receive complaints and reports; and (c) all individuals involved in the decision making process. Training is inclusive of all elements that relate to PC1 and PC2, as well as impact and context on constituencies, clubs and other affiliated groups of the AMS. Training is to be identified through subject matter experts and should be reasonably defined given the nature of the person's role, inclusive of length of term, appointment and/or historical expertise.

The average response was 4.60 indicating overall agreement with the revision.

Please provide us with any other feedback you would like to add regarding the PC1 + PC2 policies

- The revisions sound fair and well-informed
- I feel extremely strongly that student staff/executives should not be decision-makers on other students' PC1/2 complaints -- despite the fact that AMS is student-run, this puts victims at risk, and would be inappropriate. SMEs should be consistently involved, and all decision-makers should receive proper training and onboarding.
- Thank you Darrin for facilitating this work!
- I have two tangential concerns about this policy:



Survey Feedback

Last updated: March 10, 2024

1. The building ban policy (BU1) states that the Ombudsperson OR the Senior Manager, Student Services, VP Admin, and MD must all be informed to give consent for a student banned from the building from accessing AMS Services inside the building. I do not think it is appropriate for so many people to have access to knowing if a student who is banned from the building is accessing a certain service. Ex. The student should be able to keep it private if they need to access the Food Bank, perhaps by coordinating with the Senior Student Services Manger only, who can simply inform the building operations team that the student will be able to access the Nest during X time for an un-specified reason.
 2. I do not think it is appropriate for the SASC to be formally listed as a support for internal processes (PC1 + PC2), as it puts them in an incredibly difficult position where they have to navigate issues of conflict of interest and advocacy work that may make it very difficult to retain confidentiality for a client while advocating for them. I think the SASC should be removed as a contact on the reporting forms as a result. "
- Hello, these are just some concerns/questions I think would be good to consider about how the process currently functions + what could be helpful to clarify in the updated policy

In the case that non-AMS members who previously accessed services are banned from clubs or services, before or after reporting, what happens to the individual's ability to access supports and report under this policy?

How do the investigators, such as the Ombuds or future investigators prioritise cases? Does capacity dictate whether cases are brought up?

- Policy should flesh out what to do if cases are brought forward where the complainant has already been as a respondent in previous/other cases? This often happens, and the policy should be clear about what to do in these cases. Does having prior reports against you stop you from accessing this policy at all?
- What happens in the above case if one person is an AMS member and the other isn't? Is there no investigation on behalf of the non-AMS member?
- In these cases where it seems its easy for people to fall through gaps in this process (non-AMS members, previous AMS members that have been banned from clubs/services), especially in the case that minors and seniors that are more vulnerable groups also access AMS services and clubs. How are we ensuring they are also kept safe?"
- "AMS will identify subject matter experts" is really not good enough. So far their identifications around expertise has been very poor. There is zero accountability there for how they can come to this decision and identification. The students and staff protected by this policy deserve to know what standard of care we can expect
- Ombuds people are not facilitating investigations properly. They can choose not to investigate if there are multiple allegations, if they feel they have a conflict of interest, or if they feel like they have no capacity. As a result, people are reporting their cases and receiving no support. There is no accountability for how many reports are investigated, how many are not. When they choose not to investigate, there is nothing done.
- AMS clubs currently allow community members. Paying club members that are not students are not protected by this policy, and UBC will not investigate under SC17 if it is connected to the



Survey Feedback

Last updated: March 10, 2024

AMS. Children and elderly use our clubs, and pay club dues. They can get kicked out of clubs and are unable to have accountability processes unless they are students.

- In a club situation, if a non AMS member reports an AMS member, and the AMS member reports the non AMS member, the ombuds person identified that they will prioritize the AMS paying member. This makes sense considering their role, but is not appropriate for PC1/PC2 processes.
- On the form, SASC is named as a support for PC1/2 reporting. The SASC and all other AMS staff or students are inherently in a conflict of interest if investigations around accountability concerns their AMS leadership. This is especially true for complaints that do not concern sexual violence, and which are outside of the catchment of the SASC's mandate.
- In regards to the amendment removing students as decision makers I think this is extremely necessary however I think it should be automatically designated to an external party to investigate as the Managing Director does not have the experience or qualifications to engage in this role. It also still leaves room for confusion if reports are made regarding the Managing Director and in the interest of eliminating possible conflicts of interests all PC1 and PC2 reports should be handled externally due to the nature of the organization.
- The policy still does not clarify strongly enough how community members who may be most vulnerable but more likely to fall through cracks in the process (i.e. non AMS members specifically children and seniors accessing clubs and other services) will be supported. Will their reports be investigated and by who? This is especially important when considering the capacity and training concerns presented by offices like the AMS Ombuds.
- Is there room to include more language defining jurisdiction and who may make reports (i.e. non AMS members in clubs, accessing the Nest, attending AMS events etc.) and how their concerns will be heard.
- Bring back the community, allowing them to be part of clubs and make a separate insurance for them.

Which group do you belong to? (please select up to 2 answers)

- 10 staff members
- 7 staff/students
- 4 students

Which group do you belong to? (please select 1 - 3 answers)

- 4 Constituency Member
- 1 Constituency and Club Member
- 1 Constituency, Club and Resource Group Member
- 1 Resource Group Member
- 15 Prefer not to say / Blank

APPENDIX A - AMS UBC PC1 + PC2 Revisions Feedback SURVEY

Start of Block: Default Question Block

Introduction INTRODUCTION

The UBC AMS consultations on PC1 and PC2 are coming to a completion after two rounds of consultation at the end of 2023 and start of 2024. The following 10-minute survey seeks to capture your feedback on proposed revisions put forward by the Advisory Working Group. The following questions are not the final amendments to the policy, but rather reflect the spirit of the change.

The survey will close on March 7, 4pm PT.

Summary of Revisions. The Advisory Working Group has suggested six revisions/ amendments:

1. Add a rape shield clause to PC2
2. Remove false claims clause from PC1 and PC2 and amend GV1
3. Emphasize the need for subject matter expertise in investigations for PC2
4. Remove students as the primary decision maker in PC1 and PC2
5. Add a section to PC1 and PC2 emphasizing and articulating the individual's right to make a formal report
6. Add a section to the employee handbook and AMS Executive onboarding emphasizing mandatory enhanced training

The following questions will ask you to indicate your agreement with the revisions and provide feedback on a scale of 0 (absolutely not) to 5 (absolutely yes).

End of Block: Default Question Block

Start of Block: Rape Shield Clause

RAPE SHIELD CLAUSE RAPE SHIELD CLAUSE

Explicit language about rape shield protections will be added to Section 13.11 of the August 2023 PC2 policy.


By adding an explicit rape shield clause, it limits the ability to introduce evidence about the past sexual activity of a complainant.

The amended section will read:

13.11 The investigator will carry out their investigation in a fair manner that incorporates trauma-informed principles and incorporating sufficient rape shield protections.

On a scale of 0 (absolutely not) to 5 (absolutely yes), do you agree with this revision?

0 1 2 3 4 5

Rape Shield Provision ()	
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FALSE CLAIMS CLAUSE FALSE CLAIMS CLAUSE

The False Claims Sections in PC1 (Section 6.2) and PC2 (Section 5.2) will be removed.

A recommendation will be made to the group reviewing the GV1 policy to add the following section in the appropriate place. By adding this to GV1 it will cover all AMS policies, including PC1 and PC2 and minimize negative sentiments on intentional false claims.

The new section will read:

The AMS does not tolerate malicious and false claims when applying policies, bylaws or rules of the association. For persons who intentionally make malicious and false allegations within any policy, bylaw or rule, the AMS can take corrective action.

On a scale of 0 (absolutely not) to 5 (absolutely yes), do you agree with this revision?

0 1 2 3 4 5

False Claims Clause addition to GV1 ()	
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Page Break

SUBJECT MATTER SUBJECT MATTER EXPERT


Explicit language about the need of subject matter experts will be added to Section 13.7 of the August 2023 PC2 policy.

The amended section will read (additions in italics and underlined):

13.7 The process for investigating and resolving incidents and reports may range from a process where a few words are all that is needed to investigate and resolve the matter, to a process involving extensive submissions, fact-finding, and the use of outside investigators or outside counsel. AMS will *identify the subject matter expert(s) (i.e. those with appropriate training and organizational context) to allocate to each incident or complaint and as to the process for the investigation.*

On a scale of 0 (absolutely not) to 5 (absolutely yes), do you agree with this revision?

0 1 2 3 4 5

Subject Matter Experts Revision ()	
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REMOVING STUDENTS REMOVING STUDENTS AS PRIMARY DECISION MAKER

Extensive edits have been made to PC1 and PC2 to remove the role of students as a primary decision maker on any matters related to these policies, replacing them with the UBC AMS Managing Director.

Students can still contribute to the investigation process through providing expert advice on impact to student clubs, constituencies and the overall community.

The PC1 policy will have Sections 18.0 - 21.0 amended, and the PC2 policy will have Sections 16.0 - 19.0 amended.

The amended sections will:

- Remove the role of the HR Committee, VP Administration, VP Finance and HR Committee chair, and replace them with the Managing Director
- Consolidate the conflict of interest sections as the same decision maker
- Provide examples of possible conflicts of interest

On a scale of 0 (absolutely not) to 5 (absolutely yes), do you agree with this revision?

0 1 2 3 4 5

Removing students as the primary decision maker ()



Page Break

Q7 AN INDIVIDUAL'S RIGHT TO REPORT


Amend the 'Jurisdiction to Investigate' section in both PC1 and PC2 to emphasize that an individual has a right to simply disclose an issue or file a formal report.

The amended sections will read:

The UBC AMS is committed to respecting the rights of those who disclose to make their own decisions about accessing support services and assistance, making a formal report through this policy, or pursuing external processes such as criminal or civil action.

On a scale of 0 (absolutely not) to 5 (absolutely yes), do you agree with this revision?

0 1 2 3 4 5

Individual's right to report ()	
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Q8 ENHANCED TRAINING

While not included as amendments in the PC1 and PC2 policies, as it doesn't align with the structure of policies, the UBC AMS will amend its employee handbook and onboarding of Executives and senior staff to reflect the revised mandatory training provisions.

Enhanced training for (a) all AMS Executive members; (b) senior level staff who could receive complaints and reports; and (c) all individuals involved in the decision making process. Training is inclusive of all elements that relate to PC1 and PC2, as well as impact and context on constituencies, clubs and other affiliated groups of the AMS. Training is to be identified through subject matter experts and should be reasonably defined given the nature of the person's role, inclusive of length of term, appointment and/or historical expertise.

On a scale of 0 (absolutely not) to 5 (absolutely yes), do you agree with this revision?

0 1 2 3 4 5

Enhanced training additions to handbook and onboarding ()	
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Page Break

Q9 Please provide us with any other feedback you would like to add regarding the PC1 + PC2 policies

Page Break

Q10 Which group do you belong to? (please select up to 2 answers)

Staff (1)

Student (2)

Page Break

Display This Question:

If Which group do you belong to? (please select up to 2 answers) = Student

Q11 Which group do you belong to? (please select 1 - 3 answers)

- Constituency (1)
- Club (2)
- Resource Group (3)
- Prefer not to say (4)
- None of the above (5)

End of Block: Rape Shield Clause
