



## Respondent Resource Specialist (RRS)

# Respondent Information Sheet Students

UBC is committed to **trauma-informed, impartial, equitable, and confidential investigation and adjudication processes** under the [Sexual Misconduct Policy \(SC17\)](#), [the Discrimination Policy \(SC7\)](#), [the At-Risk Behaviour Policy \(SC13\)](#), and [the Retaliation Policy \(SC18\)](#).

If you are a **UBC student who has been named as a Respondent, against whom an allegation has been made, or who is alleged to have caused harm** under the UBC Sexual Misconduct Policy, there are resources available to you.

## Role of the Respondent Resource Specialist (RRS)

The Respondent Resource Specialist (RRS) provides **non-judgmental assistance and confidential consultation** to members of the UBC community (students, faculty, and staff) who have been named as a Respondent or alleged to have caused harm under UBC's Sexual Misconduct Policy SC17, Discrimination Policy (SC7), At-Risk Behaviour Policy (SC13), and/or the Retaliation Policy (SC18). The RRS provides the following **services for Respondents**, as needed:

- Non-judgmental assistance and confidential consultation;
- Assistance with understanding the nature of the report and allegation(s);
- Assistance supporting [Alternate Resolution Processes](#), when requested by the Complainant and if agreed to by the Respondent;
- Help to understand and navigate university processes, including information on:
  - rights and responsibilities under relevant policies,
  - procedural fairness, due process, privacy, and confidentiality,
  - possible choice of response, implications, and potential outcomes, and
  - investigation, adjudication, and appeal processes;
- Accompaniment to investigation, adjudication, appeal and other meetings as a support person (the RRS will not assume the role of your advocate or representative);
- Culturally sensitive and responsive assistance and referral to meet diverse needs, where appropriate and requested by the Respondent, including consultation with Indigenous Elders, and requesting a cultural interpreter or translator;
- Provision of support to Respondents in recognition of their potential distress;
- Referrals to additional or alternative campus or community resources, e.g., counselling, mental health, accessibility, etc.;
- Assistance to facilitate academic or workplace accommodation needs;
- Assistance to facilitate alternate housing arrangement, where necessary;
- Consultation and resources for family members; and
- Remedial coaching and education, as needed.

## Contact:

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The RRS is equipped to provide support to Respondents in **recognition of the potential for distress** as a result of the investigation process.

## RRS Commitment to Privacy and Limits of Confidentiality

The RRS will honour the privacy of a given situation and information will only be shared on a need-to-know basis with other UBC offices. As a general practice, the RRS will request consent and receive express authorization from the Respondent to disclose personal information. Under certain circumstances, there may be **limits to confidentiality** where the RRS will be required to disclose relevant information, in accordance with university policies:

- when disclosure is necessary for the RRS to perform their duties;
- when compelled for health or safety reasons;
- when required as part of a student residence or student athlete agreement;
- when required as part of a grievance process or proceedings before an administrative tribunal or other legal proceedings;
- when compelled as an ethical duty to report to a professional regulatory body; or
- when required by law, including in the case of a criminal investigation or proceeding.

## Role of the Ombuds Officer

[The Office of the Ombudsperson for Students](#) is an independent, impartial, and confidential resource that works to ensure students are treated fairly through any University process.

## Additional Campus Resources for Students

- [Student Wellness](#)
- [Ombuds Office](#)
- [Equity & Inclusion Office](#)
- [Investigations Office](#)
  - [Student Respondent – Resource Sheet \(Okanagan\)](#)
  - [Student Respondent – Resource Sheet \(Vancouver\)](#)
  - [Investigations Resources Sheet](#)
  - [Alternative Resolution Processes Resource Sheet](#)
- [SUO Advocacy Office](#)
- [GSS Advocacy Office](#)

## Frequently Asked Questions – Students

Information below aligns with Policy SC17 and relevant policies and procedures.

### Who addresses allegations and reports of sexual misconduct?

Reports of Sexual Misconduct are received, reviewed, and managed by the [Investigations Office](#) (IO), which is an impartial, neutral office that is separate from the Sexual Violence Prevention and Response Office (SVPRO). The Director of the IO determines whether the allegations fall within UBC's jurisdiction to investigate, and appoints an investigator as needed.

### Will I know the details of the allegations made against me?

If an investigation is initiated, Respondents will be fully informed of the allegations in the report, and will be given an opportunity to respond.

### What is an Alternate Resolution Process?

An Alternative Resolution Process (ARP) is an alternative to an investigation and may include, but is not limited to, facilitated dialogue or a restorative justice process. An ARP may not be appropriate or available in all circumstances. Participation in an ARP will be considered by the Director of the IO only at the Complainant's request and with the consent of both the Complainant and the Respondent. Either party may withdraw from the ARP at any time, and an investigative process may be initiated with the consent of the Complainant.

### What happens during an investigation?

If an investigation is to be initiated, the Director of the IO will appoint an investigator to obtain information required to make findings of fact, including meeting with or requesting information from the Respondent. Investigations processes are not adversarial processes – hearings will not be held as part of the investigation process, nor will formal rules of evidence commonly associated with a civil or criminal trial be applied.

### Where can I get information and support through the investigation process?

The Respondent Resource Specialist (RRS) is available to provide non-judgmental information and assistance to help Respondents understand and navigate the university processes, as well as referral to additional campus or community resources or supports which you may need through the process. The RRS is independent of the SVPRO, which, among other things, provides assistance to Complainants. The RRS is available whether an Alternative Resolution Process or Investigatory process has been initiated.

### What do I do if I need counselling? Is the RRS my counsellor?

Investigations and related processes can be overwhelming and challenging for anyone going through them. Respondents are encouraged to access therapy if they are feeling adverse effects of any allegations or the process on their mental health. While the RRS can support you to access a counsellor (either through UBC Student Wellness or in the community), the RRS does not provide counselling to Respondents through their role. The RRS provides non-judgmental and confidential consultation for Respondents regarding any evidence, statements, or discussions that pertain to the investigation and navigating the impact of the investigation process. See "Role of the Respondent Resource Specialist" for more information.

### Do I have access to a student advocate?

The AMS Advocacy Office provides information and confidential support to undergraduate and graduate students when they are in conflict with university policies. The advocates are not lawyers and they do not provide legal advice. Where a student belongs to a relevant collective bargaining (CB) unit an appropriate CB representative will be appointed. In some cases, a student in a professional program may have access to a representative from a professional association.

### Am I permitted to have a lawyer during the process?

Yes, for support and advice, but they may not speak on your behalf and may not make legal argument regarding the application of the Policy.

### How are decisions made about investigatory outcome and disciplinary measures?

Neither the IO nor the SVPRO determine the outcome or disciplinary measures to be imposed in response to the Investigation Findings. The investigation report includes a synopsis of the evidence considered, any assessment of credibility necessary to make a finding, a description of any mitigating or aggravating factors (including any pertinent information the Respondent feels the decision-maker should be aware of when determining the appropriate outcome in the event there is a finding of sexual misconduct), the findings of fact, and a determination as to whether, on the balance of probabilities, sexual misconduct has occurred. The report is sent to the University President to make a final decision on outcome or disciplinary measures. If the Respondent is also a UBC employee in addition to being a student, the report is also sent to the employee's administrative head of unit to make a decision on outcome or disciplinary measure from an employment perspective in accordance with any applicable collective agreement or employment agreement.

### Who receives the investigation report and will I be provided details?

At the completion of the investigation, the Investigator will provide a written report of the Investigation Findings to the Director of the IO. For student Respondents, a copy of the report will be sent to the University President, and where the student Respondent is also a UBC employee, to the employee's administrative head of unit, for final decision-making on outcome or disciplinary measures, if there is a finding of responsibility (see the preceding section). A copy of the report will also be provided to the Respondent and the Complainant, with personal information irrelevant to the investigation findings removed in accordance with the *Freedom of Information and Protection of Privacy Act*. Other units at UBC may, in some circumstances, be provided with a copy of the report if it is determined that sexual misconduct occurred. These may include units like UBC Student Housing and Hospitality Services (if the Respondent lives in residence); professional conduct administrators (if the Respondent is a student subject to professional conduct standards); and/or UBC Athletics and Recreation (if the Respondent is subject to a Varsity student athlete agreement).

### What kind of disciplinary or other measures may be imposed?

The relevant UBC authorities will impose disciplinary or other measures that are consistent with applicable collective or employment agreements, the *University Act*, and any other applicable legal requirements. Generally, disciplinary measures are intended to be corrective, not punitive. Following a finding that misconduct occurred, considering the nature and severity of the misconduct and any mitigating or aggravating factors, the relevant UBC authority will impose non-disciplinary and/or disciplinary measures, up to and including, written warning or reprimand, probation with conditions for reinstatement, loss of privileges, restriction of access to or use of certain campus spaces, relocation or exclusion from residence, deregistration, suspension, or expulsion.

### Who will know if disciplinary measures are imposed?

The Respondent will be advised of all disciplinary measures taken against them and receive written reasons for the discipline. Disciplinary measures are normally confidential, but in rare situations the Complainant may be informed about disciplinary actions it has taken against the Respondent if the disclosure is authorized by the University Counsel for compelling health or safety reasons.

### How long does the investigation process take?

The prescribed timelines in the Sexual Misconduct Policy are: the initial review can take up to 14 days, the investigation can take up to 60 days, and if there is found to be a breach of the policy the discipline decision can take up to 30 days. Logistical factors like caseload, interview scheduling, holidays, exam periods, and others can extend each phase of this timeline.

### Will proceedings, outcomes, or disciplinary measures be noted on my transcript?

If a student is suspended or expelled, a notation of non-academic misconduct will be placed on their transcript. Normally, in a case of suspension, the notation is removed upon the lapsing of the period of suspension, and in the case of expulsion the notation is permanent.

### Can decisions be appealed?

Students may appeal a decision that is made or disciplinary measures imposed through the UBC Vancouver Senate Student Appeals on Academic Discipline Committee if they are a UBC Vancouver student, or the UBC Okanagan Senate Appeals of Standing and Discipline Committee if they are a UBC Okanagan student.

## Relevant Policies and Procedures

- [Regulatory Framework Policy \(GA2\)](#)
- [Discrimination Policy \(SC7\)](#)
- [At-Risk Behaviour Policy \(SC13\)](#)
- [Sexual Misconduct Policy \(SC17\)](#)
- [Retaliation Policy \(SC18\)](#)
- [Respectful Environment Statement](#)
- [Student Code of Conduct](#)
- [Resident Contract/Residential Agreement](#)
- Varsity Code of Conduct