

POLICY AND PROCEDURE ON SEXUAL VIOLENCE PREVENTION AND
RESPONSE

PART B: PROCEDURE

Omicron-Pi Chapter of The Kappa Sigma Fraternity

Officers responsible for updating this Policy:

District Grand Master: troyccurtis@gmail.com

Alumnus Advisor: sp3ncer.brouwer@gmail.com

President (Grand Master): president@kappasigmacu.org

Vice-President Internal (Grand Procurator): gp@kappsigmacu.org

Vice-President External (Grand Master of Ceremonies): gmc@kappasigmacu.org

Vice-President Administration (Grand Scribe): gs@kappasigmacu.org

Vice-President Finance (Grand Treasurer): gt@kappasigmacu.org

Date of first draft of this policy: November 15, 2020

Date of last revision: January 30, 2022

TABLE OF CONTENTS

| | |
|---|---------------|
| <i>PART B: PROCEDURE</i> | <i>- I -</i> |
| <i>1 Intent and Disclaimer</i> | <i>- 3 -</i> |
| <i>2 Response to Sexual Violence at a Chapter Event</i> | <i>- 3 -</i> |
| 2.1 Before, or while an incident occurs | <i>- 3 -</i> |
| 2.2 If during a Chapter Event, someone discloses that they have been sexually harassed or assaulted | <i>- 4 -</i> |
| <i>3 Receiving a Disclosure of Sexual Violence</i> | <i>- 5 -</i> |
| <i>4 Reporting Process & Procedure</i> | <i>- 5 -</i> |
| 4.1 Who can write and submit a formal report? | <i>- 5 -</i> |
| 4.2 Where to find the formal report | <i>- 5 -</i> |
| 4.3 Creating and Submitting a Formal Report Anonymously | <i>- 5 -</i> |
| 4.4 Responses to Submissions & the Role of the Chapter Officers | <i>- 5 -</i> |
| 4.5 Creating a Formal Report | <i>- 6 -</i> |
| 4.6 Submitting a Formal Report | <i>- 6 -</i> |
| 4.7 Who will see a submitted formal report? | <i>- 7 -</i> |
| 4.8 Contact Information for Chapter Officers | <i>- 7 -</i> |
| <i>5 Preamble to Receiving a Formal Report</i> | <i>- 7 -</i> |
| <i>6 Procedure</i> | <i>- 7 -</i> |
| 6.1 First Receiving a Formal Report | <i>- 8 -</i> |
| 6.2 Officers responsible for actioning on a Formal Report | <i>- 8 -</i> |
| 6.3 Actioning on a Formal Report | <i>- 8 -</i> |
| <i>7 Withdrawing a Formal Report</i> | <i>- 10 -</i> |
| <i>8 Confidentiality</i> | <i>- 10 -</i> |
| <i>9 Violations</i> | <i>- 11 -</i> |
| 9.1 Reported Act of Sexual Violence | <i>- 11 -</i> |
| <i>10 Penalties</i> | <i>- 11 -</i> |
| 10.1 Suspension | <i>- 11 -</i> |
| 10.2 Expulsion | <i>- 12 -</i> |
| <i>11 Review of Policy</i> | <i>- 12 -</i> |

1 Intent and Disclaimer

The Chapter and its members do not claim to be professionals in responding to instances of Sexual Violence. The intent of this Policy and Procedure is to develop a standardized method of receiving reports of sexual violence that prioritizes the safety and privacy of survivors of sexual violence and foster a safer environment for our members and the Ottawa Greek Community at large by having an unambiguous, accountable, and transparent method of penalizing those who violate this policy, insofar as we are capable.

This Policy and the Chapter's reporting process do not prevent and are not intended to discourage an individual from reporting sexual violence to other external organizations, support centres, Carleton University, and/or the police. Nor do these prevent or discourage an individual from filing a complaint of sexual violence through the criminal justice system and/or from pursuing a complaint of sexual harassment with the Ontario Human Rights Tribunal pursuant to the Ontario Human Rights Code.

2 Response to Sexual Violence at a Chapter Event

2.1 Before, or while an incident occurs

2.1.1 Be an Active Bystander

From Carleton University's Sexual Assault Support Services:

Active bystanders are those who assume responsibility for intervening in a situation. This can impact the outcome positively and deescalate violence. Research shows that active bystanders are also more likely to calm and deescalate a situation than make it worse [...] we all can play a role intervening and stopping sexual violence. This can be while online, on campus, or out with friends.¹

In helping to prevent sexual violence at Chapter Events, the Chapter recommends that each member be an Active Bystander if they witness any situation that require action and have the ability and opportunity to provide support.

2.1.2 Best Practice Recommendations for Active Bystanders

To be an Active Bystander, members should adhere to the following Best Practice Recommendations:

- 1) *Recognize the situation as one that is violent and requiring action. It is important to recognize that there are a wide range of violent behaviours, from sexually violent posts on social media to sexual assault, and all have opportunities where bystanders can intervene*

¹ "Information for Bystanders", Carleton University Sexual Assault Support Services.
<https://carleton.ca/sexual-violence-support/what-is-sexual-assault/information-for-bystanders/>

The Omicron-Pi Chapter of The Kappa Sigma Fraternity

- 2) *Overcome bystander apathy, don't assume others will intervene, or that it isn't your place to take action. Bystander apathy is when people who are witnessing a situation requiring action or violence, do not intervene because they diffuse responsibility to others witnessing the situation*
- 3) *If you have an opportunity to challenge jokes or comments about sexual violence don't be afraid to be the first to step in, others will follow your lead.*
- 4) *Assume responsibility and take action*
 - a) *NOTE: Before stepping in, make sure to evaluate the risk. If it means putting yourself in danger, call for help (i.e., a friend, campus safety).*
- 5) *Offer assistance. Ask if the person needs help if they haven't already asked for assistance. Or if they are ok.*
- 6) *De-escalate the situation, ask non-accusatory questions, or a simple "how are you doing". Don't use violence or threats.*
- 7) *Don't leave. If you remain there, the perpetrator is less likely to do anything.*
- 8) *If you know the perpetrator of the violence, make it known you do not approve of their actions.*

²

2.1.3 If the perpetrator is at the event

If the perpetrator is at the event and poses an immediate threat to others, they must immediately report this to the undergraduate Initiate of highest rank in attendance (Grand Master, then Grand Procurator, then so on) and/or person most responsible for the organization of the Chapter Event.

Upon receiving this report, the person most responsible for the organization of the Chapter Event will take reasonable steps to remove the perpetrator from the event, and/or shut down the event and disperse attendees safely, and can, in an emergency (i.e., imminent threat of sexual violence and of harm to a person or sexual violence actually occurring), file a report by calling emergency services by dialing 911.

2.2 If during a Chapter Event, someone discloses that they have been sexually harassed or assaulted

1. If they are in immediate danger, or need medical attention, call 911.
2. Ensure they are in a safe, comfortable space away from the perpetrator. This is still important even if they have been assaulted weeks, even months before they disclose to you.
 - o If the perpetrator is at the Chapter Event and poses an immediate threat to them or others, follow the step outlined in *Part B Section 2.1.3* of this Policy.
3. Allow them to talk about what they are comfortable sharing, and do not pressure them for more details. Silence is ok, give them time to process their thoughts.
4. Affirm to them that this is not their fault, and that their actions did not cause this.
5. Provide information, not advice, avoid statements that say, "you should...", and instead ask questions like "Is there anything I can do to help?"

² Ibid.

- For example, you can refer them to the Survivors Support Services and Resources in Part A, Section 10 of this Policy for services and resources located in the Ottawa area.
- 6. Offer to contact one of their friends, an executive officer from their organization (if they are in a Greek Letter Organization), the person responsible for the organization of the event, an executive officer, and/or a sober Brother/Sister, but do not pressure them to disclose the information to others if they do not want to.
- 7. Actively support their decision to report or not report this incident to an authority. It is their right to choose.
- 8. Don't forget to take care of yourself. It can be overwhelming helping someone through a traumatic event.

3 Receiving a Disclosure of Sexual Violence

If an incident of sexual violence involving a member of the Chapter is disclosed to an undergraduate Initiate of the Chapter, the undergraduate Initiate to whom it is disclosed should follow the same guidelines listed in *Part B Section 2.2* of this Policy, as applicable to the situation.

4 Reporting Process & Procedure

4.1 Who can write and submit a formal report?

A formal report may only be written and submitted by a survivor, or by a trusted person on behalf of survivor, providing that the latter confirms that they have received the consent of the survivor and that the information submitted is accurate to the survivor.

4.2 Where to find the formal report

This formal report must at all times be made available to the public online on the Chapter's website at www.kappasigmacu.org (www.kappasigmacarleton.com).

A Formal Report template can be downloaded at the following link:
<https://www.kappasigmacarleton.com/>

4.3 Creating and Submitting a Formal Report Anonymously

A survivor may submit a report anonymously, but if they do, the Chapter may not be able to contact or respond to the survivor, or be able to investigate a report in its entirety or commit to enacting disciplinary measures against a member of the organization if insufficient information is provided.

4.4 Responses to Submissions & the Role of the Chapter Officers

4.4.1 Responding to formal report submissions

The Chapter will only be able to respond to those submitting a formal report via the Grand Master's email address and will be archived. Texting, calling, social media messaging, or other forms of communication will not be possible.

4.4.2 Role of Chapter Officers

Please note that the Grand Master's email address is passed along to the next Grand Master after each new election period (Spring of each academic year) and archived emails and attachments may be viewed by the next person holding the office of Grand Master for the Chapter.

Chapter Officers (see *Part B Section 4.8 of this Policy and Procedure*) hold the responsibilities of their office for the following terms:

- District Grand Master: Indefinitely, as appointed/demoted by the Supreme Executive Committee of the Kappa Sigma Fraternity (SEC)
- Alumnus Advisor: Indefinitely, as appointed/demoted by the SEC or District Grand Master
- Grand Master, Grand Procurator, Grand Master of Ceremonies, Grand Scribe, Grand Treasurer: Elected, 1-year term beginning after Installation of Officers, a ceremony typically performed in the Spring of each academic year.

4.5 Creating a Formal Report

When someone creates a report, the following fields should be completed. Note that each field is optional except those marked with an asterisk (*).

- Name of the survivor(s)*
- Survivor email address*
- Name of the perpetrator(s)*
- Whether the report concerns a single incident or a series of incidents*
- Description of the incident(s)*. Include the following:
 - Where and when the incident(s) happened
 - Any other party other than the survivor(s) and the perpetrator(s) involved
- Whether the incidents involve an alumnus, undergraduate member of the Chapter, or unsure*
- The type of offense(s) as described in *Part A Section 5.11 Sexual Violence* of this Policy*
- A description of the survivor(s)'s desired resolution/outcome from this report*
- A sentence clearly stating whether the survivor(s) is or is not comfortable with the committee sharing the details of this report with the perpetrator *
- A list of any member(s)—alumni, undergraduate, and/or pledge—of the Chapter which may be known to the survivor as a conflict of interest*
- A checkbox stating that the information included in this report is accurate to the survivor's recollection*
- Survivor's signature*

4.5.1 Addition fields for submitting on survivor's behalf

- Name of person submitting the report*
- A checkbox stating that they have received the consent of the survivor to complete and submit the formal report on their behalf*
- Submitter's signature*

- Please note if you are submitting on survivor's behalf then you do not need to include the name of the survivor, the survivor's email address or their signature (but you still need their consent to report on their behalf).

4.6 Submitting a Formal Report

Formal reports must be submitted to the Grand Master of the Chapter in an email as a PDF file to president@kappasigmacu.org.

4.6.1 Exceptions

- In the event that the Grand Master is directly involved in the report as the survivor, the perpetrator, or a conflict of interest when submitting the report, the report must be submitted to the Grand Procurator (Vice-President Internal) as an email to gp@kappasigmacu.org.
- In the event that the Grand Master and the Grand Procurator are directly involved in the report as a survivor, a perpetrator, or a conflict of interest when submitting the report, the report must be submitted directly to the Alumnus Advisor of Omicron-Pi.

4.7 Who will see a submitted formal report?

The member of the Chapter who will initially see a submitted formal report is the Grand Master (President). Where the Grand Master finds that the submitted formal report is in violation of this Policy and Procedure as describe in *Part B Section 6.1 Receiving a Formal Report*, the submitted formal report will be shared with the "Committee" (see *Part B Section 6.2*). In the event that in following this Policy and Procedure, the penalty for a member of the Chapter is expulsion, the submitted formal report may be shared with the SEC and the Conduct Commission at the Kappa Sigma Fraternity Headquarters pending deliberation by the Supreme Executive Committee.

4.8 Contact Information for Chapter Officers

Please visit www.kappasigmacu.org/officers to access a current contact list of the current Chapter and District officers.

- District Grand Master
- Alumnus Advisor
- Grand Master (President)
- Grand Procurator (Vice-President Internal)
- Grand Master of Ceremonies (Vice-President Internal)
- Grand Scribe (Vice-President Administration/Communications)
- Grand Treasurer (Vice-President Finance)

5 Preamble to Receiving a Formal Report

As stated in *Part A Section 5 Supporting Survivors* of this Policy, insofar that the Chapter recognizes that survivors may be putting themselves in a vulnerable position by disclosing and/or reporting incidents of sexual violence, the Chapter commits to taking a survivor-oriented approach to addressing all disclosures/reports of sexual violence. We commit to prioritizing the needs of survivors to protect their safety and privacy.

If a survivor chooses to formally report an incident of sexual violence to the Chapter, it is entirely up to the survivor what action they prefer to take if they have been harmed or otherwise affected by a member of the Chapter. The survivor will not be persuaded or coerced to report an incident of sexual violence to the police, Carleton University, or any other external body if they choose not to. However, the Chapter will also fully cooperate and be supportive if the survivor **does** choose to do so.

The Chapter and the members thereof commit to believing survivors if and when a survivor discloses an incident of sexual violence.

6 Procedure

6.1 First Receiving a Formal Report

- a) When the Grand Master receives a formal report, he will first respond to the person who submitted the formal report (hereafter referred to as the “Submitter” throughout *II. Reporting Process & Procedure*) throughout submitting the report confirming receipt of the report, attaching this Policy and Procedure, and communicating that he will immediately begin the procedures outlined in this Policy, if contact information for the Submitter is provided.
- b) He will then inform the District Grand Master and Alumnus Advisor of this report and its details, as described in the Kappa Sigma Fraternity Code of Conduct VI. *Enforcement A. Reporting Procedure*, which states:

Any member of the Fraternity who receives information regarding a potential violation of the Code of Conduct must immediately report the alleged activity and all available information to the chapter’s Alumnus Advisor and District Grand Master or the Supreme Executive Committee or Executive Director

6.2 Officers responsible for actioning on a Formal Report

The Grand Master, District Grand Master and Alumnus Advisor will form a committee (hereafter referred to as the “Committee”. The Committee is made up of only three individuals for the purpose of limiting the number of individuals with whom a survivor must share the details of their experience to respect their privacy, confidentiality, and safety. Accordingly, these officers will be the sole officers responsible for responding to, and actioning on any and all formal reports submitted and will keep the details of the formal report confidential to the best of their ability.

6.2.1 Exceptions

- In the event that the Grand Master is directly involved in the report as the survivor, the perpetrator, or a conflict of interest when submitting the report, the Grand Procurator (Vice-President Internal) will replace him on the Committee. In this case - please email gp@kappasigmacu.org with your formal report.
- In the event that the Grand Master and the Grand Procurator are directly involved in the report as a survivor, a perpetrator, or a conflict of interest when submitting the report, the Grand Master of Ceremonies will join the Committee in their place. In this case - please email gmc@kappasigmacu.org with your formal report.

6.3 Actioning on a Formal Report

Once the District Grand Master, Alumnus Advisor, and Grand Master are made aware of the report and its details, the Committee will then assess the report to determine that the reported incident indeed falls under the charge of sexual violence as described in 5.8 *Sexual Violence* of this Policy, and, accordingly, that it is in violation of the Standards, Code of Conduct, and the *Constitutions, By-Laws and Rules of the Kappa Sigma Fraternity*.

- 1) Where the report is not confirmed to fall under the aforementioned charge, the Committee will inform the Submitter that the report does not fall under the purview of this Policy and will be dismissed, pending further information or clarification.
 - 2) Where the report is confirmed to fall under the aforementioned charge, the Committee will consider the Submitter's desired resolution/outcome from their report, and whether they state that they are comfortable sharing the details of the report with the Accused. If the Submitter's desired resolution/outcome is removal of the Accused from the Chapter, the Submitter must also agree to the disclosure of the following details with the Accused;
 - The type of offense(s) as described in *Part A Section 5.11 Sexual Violence* of this Policy
 - Semester of incident occurrence
- a) Where the report indicates that the Submitter's desired outcome is removal of the Accused from the Chapter, the Committee will draft an expulsion letter, which includes the Submitter's report, seeking an expulsion charge by the Supreme Executive Committee, by following the procedure as listed in the Kappa Sigma Fraternity Code of Conduct VI. *Enforcement A. Reporting Procedure*, which states:

Any member of the Fraternity who receives information regarding a potential violation of the Code of Conduct must immediately report the alleged activity and all available information to the chapter's Alumnus Advisor and District Grand Master or the Supreme Executive Committee or Executive Director.

for violations against the same Code of Conduct under V. *Assault and Harassment*, which states:

No chapter or member shall permit or participate in any form of sexist or sexually abusive behavior, whether physical, mental or emotional. This is to include any actions, activities or events, whether on chapter premises or an off-site location, which are demeaning, including but not limited to verbal harassment and sexual assault, by individuals or members acting together.

The Omicron-Pi Chapter of The Kappa Sigma Fraternity

which subjects the Accused to the following penalties as indicated in C. *Penalties 2. Individual.*, which states:

Any individual member participating in any activity in violation of the Code of Conduct may be subject to immediate suspension by the Worthy Grand Procurator as authorized by the Constitution, By-Laws and Rules of Kappa Sigma Fraternity, and subject to charges for discipline, suspension, or expulsion in accordance with Constitution, By-Laws and Rules of Kappa Sigma Fraternity.

- (1) Where the report indicates that the Submitter **is comfortable sharing the details of the report** with the Accused, the Committee **will notify the Accused of the report and share its details.**
- (2) Where the report indicates that the Submitter **is only comfortable sharing the required details of the report** with the Accused, the Committee will notify the Accused that a report of sexual violence committed by them has been submitted but **will only share the required details of the report.**
 - (a) In both cases, the Committee will then immediately issue the following suspension charge to the Accused, pending deliberation by the Supreme Executive Committee, unless the Submitter requests otherwise:
 - (i) The Accused will be banned from all Chapter activities and events pending deliberation by the Supreme Executive Committee
 - (ii) The Accused will be suspended from any appointed positions and/or committees within the Chapter and may not be appointed to another position indefinitely.
- b) Where the report indicates that the Submitter **does not** desire that the Accused be removed from the Chapter, the Committee will not seek an expulsion charge by the Supreme Executive Committee.
 - (1) Where the report indicates the Submitter **is comfortable sharing the details of the report** with the Accused, the Committee **will notify the Accused of the report and share its details.**
 - (2) Where the report indicates that the Submitter is **not** comfortable sharing some or all of the details of the report with the Accused the Committee will notify the Accused that a report of sexual violence against them has been issued but **will not share any details of the report that the Submitter has not given permission to share.**
 - (a) In both cases, the Committee will then immediately issue the following suspension charge to the Accused pending further communication with the Submitter, unless the Submitter requests otherwise:
 - (i) The Accused will be banned from all Chapter social, philanthropic, and recruitment events and activities indefinitely.
 - (ii) The Accused will be suspended from any appointed positions and/or committees within the Chapter indefinitely.

7 Withdrawing a Formal Report

A Submitter who has filed a formal report may withdraw the report via email to a member of the Committee at any time. However, the Committee may penalize a member from the Chapter if it has reason to believe that a member of the Chapter or the Ottawa Greek Community may be an immediate risk of harming others, or if the Committee or Chapter has a legal obligation to penalize a member.

To the greatest extent possible, the Committee will respect the Submitter's choice not to proceed with a formal report. However, if a Submitter requests that the formal report be withdrawn after the Committee has already sought an expulsion charge from the Supreme Executive Committee, the Committee cannot guarantee that the charge will be nullified.

If a Submitter decides to withdraw a formal report or requests that the Committee not respond to the formal report any further, the full range of support and services outlined in this Policy remain available to that person.

8 Confidentiality

All undergraduate Initiates of the Chapter who receive a formal report or disclosure of sexual violence are committed to keeping the details of the formal report or disclosure confidential to the best of their ability. This is in order to protect the rights of those involved in the allegations; to prevent an unjustified invasion of any person's personal privacy; to preserve the integrity of this Policy, and to safeguard individuals against further abuse.

Only with the express permission of a survivor shall an undergraduate Initiate of the Chapter share the details of the disclosure with the District Grand Master, Alumnus Advisor, Grand Master, Grand Procurator, and/or Grand Master of Ceremonies for the sole purpose of following the reporting process & procedure of this Policy.

Those undergraduate Initiates will therefore make every reasonable effort to maintain confidentiality when they become aware of an incident of sexual violence and will limit disclosure of information about individuals to those within the Chapter who need to know for the purposes of, or those consistent with, addressing the situation, investigating or taking corrective action including the District Grand Master, Alumnus Advisor, and/or Grand Master, provided there are no exceptions.

Under the following circumstances, however, members of the Chapter, or the Chapter itself might face additional legal or moral obligations and may not be able to guarantee complete confidentiality if:

- a) An individual is at risk of self-harm;
 - b) An individual is at risk of harming others;
 - c) Members of the Chapter or Ottawa Greek Community may be at risk of harm;
- and/or

- d) Investigation or reporting to authorities where required by law

9 Violations

9.1 Reported Act of Sexual Violence

Any member, alumnus, undergraduate, Initiate or Pledge, of the Chapter accused of sexual violence as described in *Part A Section 4.11 Sexual Violence* of this Policy through a formal report submitted by a survivor and confirmed by the District Grand Master, Alumnus Advisor, and Grand Master shall be in violation of this Policy and the Kappa Sigma Code of Conduct.

10 Penalties

10.1 Suspension

- 1) Any member, alumnus, undergraduate, Initiate or Pledge, of the Chapter who is in violation of this Policy and the Code of Conduct due to *9.1 Reported Act of Sexual Violence*, will immediately be suspended indefinitely by the Committee.
 - a) If a report indicates that the survivor's desired outcome is removing the Accused from the Chapter, the Committee will then immediately issue the following suspension charge to the Accused, pending deliberation by the Supreme Executive Committee, unless the Submitter requests otherwise:
 - i) The Accused will be banned from all Chapter activities and events pending deliberation by the Supreme Executive Committee
 - ii) The Accused will be suspended from any appointed positions and/or committees within the Chapter.
 - b) If a report indicates that the survivor's desired outcome **is not** to remove the Accused from the Chapter, the Committee will then issue the following suspension charge to the Accused, unless the Submitter requests otherwise:
 - i) The Accused will be banned from all Chapter social, philanthropic, and recruitment activities and events indefinitely.
 - ii) The Accused will be removed from any appointed positions and/or committees within the Chapter and may not be appointed to another position indefinitely.

10.2 Expulsion

Any member, alumnus, undergraduate, Initiate or Pledge, of the Chapter who is in violation of this Policy and the Code of Conduct due to *9.1 Reported Act of Sexual Violence*, where the report indicates that the survivor's desired outcome is removal of the Accused from the Chapter, the Committee will draft a letter seeking an expulsion charge by the Supreme Executive Committee, by following the procedure described in *Part B Section 6.3 Actioning on a Formal Report* of this Policy. If the Submitter's desired resolution/outcome is removal of the Accused from the Chapter, the Submitter must also agree to the disclosure of the following details with the Accused;

- The type of offense(s) as described in *Part A Section 5.11 Sexual Violence* of this Policy
- Semester of incident occurrence

11 Review of Policy

The Chapter will commit to assigning a committee responsible for the ongoing review of this Policy. This Policy should be reviewed at least once per year.

11.1 Members Responsible

The following Chapter members should be responsible for the review of this policy:

- District Grand Master
- Alumnus Advisor
- Grand Master
- Grand Procurator
- Grand Master of Ceremonies
- Grand Scribe
- Grand Treasurer
- Sexual Violence Prevention Chairman (or equivalent)
- Brothers in Action Chairman
- Judicial Board Head