

SUBJECT	UBC INDEPENDENT INVESTIGATIONS OFFICE
MEETING DATE	JUNE 18, 2018

Forwarded to the Board of Governors on the Recommendation of the President

**APPROVED FOR
SUBMISSION**



Santa J. Ono, President and Vice-Chancellor

	FOR INFORMATION
Report Date	May 18, 2018

Presented By Barbara Meens Thistle, Vice-President Human Resources

EXECUTIVE SUMMARY

UBC has a responsibility to maintain a respectful environment where its members can study, work, and live free from sexual misconduct. Policy 131 articulates UBC’s duty and commitment to support members of the UBC community who are impacted by sexual misconduct, to provide a central site for information regarding the resources and options available to those affected by sexual misconduct, to create and make available programs and resources to educate its community on the prevention of sexual misconduct, and to provide a process to respond to and to investigate allegations of sexual misconduct.

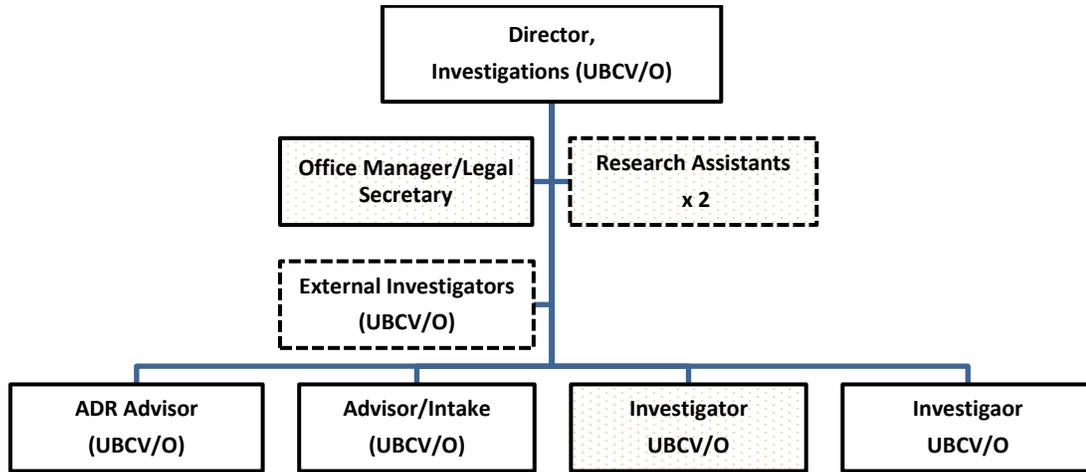
Policy 131:

- sets out the principles the University will adhere to with regard to sexual misconduct,
- articulates conduct expectations for all members of the UBC community, and,
- outlines the process and procedures the University will follow when responding to and investigating allegations of sexual misconduct.

In May 2017, actions were initiated to establish three offices to implement and manage Policy 131 (note: the Director of Investigations manages Policy 131 and Policy 3).

1. Sexual Violence Prevention & Response Office (SVPRO) – UBC Vancouver
2. Sexual Violence Prevention & Response Office (SVPRO) – UBC Okanagan
3. Director of Investigations Office (DOI) – UBC Vancouver (covers both campuses)

Offices have now been established for the SVRPO team at UBCV at Orchard Commons and the SVPRO team at UBCO. Suitable space is now being sought for the Independent Investigations Office (DOI) team on the Vancouver campus. This specialized team (see organizational structure below) requires a confidential and secure office to conduct interviews with survivors, witnesses and respondents; meet with external investigators; conduct alternative dispute resolution meetings; and be accessible for awareness and education to students, staff and faculty.



All options were explored to find available space within UBC Campus buildings however due to limited office space supply, the amount of construction underway demanding swing space, and the confidential and security requirements for this team, an external lease is being sought.

This report outlines the requirements for this new facility in leased premises of 2,492 square feet, located in Wesbrook Village.

This shelled-in space requires one time capital costs for tenant improvements of \$752,000. The landlord is offering a tenant improvement allowance of \$25 per square foot (2,492 sf@\$25/sf), contributing a total of \$62,300 to capital costs.

Annual lease costs will be (2,492 sf@\$25/sf) \$62,300 per annum, plus operating costs of (2,492 sf@\$16/sf) \$39,872 in 2018. The lease costs include annual operating costs.

This is expected to be interim accommodation for The UBC Independent Investigations Office. In about five years, it is expected that this office will be moved to a new facility proposed for the Copp Building site on University Boulevard.

INSTITUTIONAL STRATEGIC PRIORITIES SUPPORTED

- Learning Research Innovation Engagement (Internal / External) International

or Operational

DESCRIPTION & RATIONALE

The UBC Investigations Office provides oversight on investigations conducted on allegations of sexual misconduct, sexual assault, discrimination and harassment against UBC community members. These oversight services include:

- Receiving and overseeing the investigation of Reports of Sexual Assault and Sexual Misconduct against Members of the UBC Community on both the Okanagan and Vancouver campuses
- Building a roster of external investigators who are trained in trauma-informed investigations

- Overseeing the investigation process and conducts quality assurance checks on confidential investigation reports to ensure compliance with the rules of natural justice
- Engaging in relationship-building to create awareness of Policy 131 investigation procedures
- Creating procedures to allow for informal resolution and ensure procedural fairness for respondents
- Providing advice, guidance and legal interpretations to faculty and staff on sexual misconduct matters and
- Exploring alternative dispute resolution applications as a means of resolving complaints versus proceeding to an investigation.

The Director of Investigations also oversees investigations under Policy 3 (Discrimination and Harassment) which is central to preventing discrimination and harassment on grounds protected by the B.C. Human Rights Code, and to providing procedures for handling complaints, remedying situations, and imposing discipline when such discrimination or harassment does occur.

The Director of Investigations is temporarily co-located in the C.K. Choi Building, with the Ombudsperson’s Office. The Independent Investigations Office, however has had a large workload that is driving growth. With this growth, the only adequate space presently available is off-campus. The Wesbrook Village site described here is the closest available rental tenancy to campus.

Tasked with the primary role of investigating all relevant complaints and allegations, a location remote from the UBC Sexual Violence Prevention and Response Office located in Orchard Commons is required. The Director’s concern is that clients not be stigmatized by visiting the Office. The nature of this work is such that the Office cannot be located in buildings that are obviously under the jurisdiction or influence of any one faculty or vice-president. The Independent Investigations Office needs an active, busy, location for reasons of safety and security for staff working there, as much as for client anonymity. Access to transit and easy physical accessibility are important factors for complainants. The Wesbrook Village interim location meets all necessary criteria.

Independent Investigations Office Functional Program

Program Component	Net Assignable Sq Ft
Entry/Waiting Area (including future Admin Station)	192
Office (7)	766
Open Office	712
Meeting/Interview (2)	245
Coffee Area	67
Project Program Total	1,982

Criteria that work well for this Office’s final location, on the Copp Building site, with the innovation UBC Hub and a Student Residence are the campus centrality, the proximity to transit, the accessibility needed by many complainants and the

multivalent appearance and perception of the proposed new facility. Although the Copp site project is innovation and residence-focused, those coming and going from the building serve many and varied functions and interests. Therefore the Ombudsperson and Director of Investigations, planned for co-location in the new facility, are in agreement that this final location will serve both of their Offices well.

BENEFITS
Learning,
Research,
Financial,
Sustainability
&
Reputational

The work of The UBC Investigations Office provides a clear statement of UBC’s firm intent to tolerate neither sexual harassment, nor sexual misconduct, nor sexual assault toward any of UBC’s community members and enshrines UBC’s commitment to provide an environment where its members can study, work, and live free from sexual misconduct or sexual assault. This right is a fundamental pillar of a healthy civil culture and of social sustainability.

The proposed leased space provides a readily accessible location that meets the need to be distant from any one faculty or vice-president. The space can be readily renovated to meet the needs of the office, allowing for their projected growth.

RISKS
Financial,
Operational &
Reputational

Treasury has advised a 5-year lease commitment with an optional 5-year renewal for this tenancy. This rate is set and only the operating portion can increase, based on future operating costs. Risk is minimal since UBC Properties Trust is a reputable landlord with UBC’s best interests top of mind.

Unusual construction cost escalation is currently being experienced due to a high level of market activity that has reduced contractor availability and bid coverage. This is a small renovation without the usual economy of scale that attracts contractors to UBC, so is likely to further reduce contractor selection. This condition has been factored into the estimate. Project Services has extensive experience from many completed Campus tenant improvement projects of this scale.

If The Independent Investigations Office is not adequately resourced and accommodated, UBC stands to disappoint and frustrate its community members by failing to meet its commitment to maintain a respectful environment where its members can study, work, and live free from sexual misconduct and thereby suffer reputational damage.

COSTS
Capital &
Lifecycle
Operating

The following tables outline this project’s one-time capital budget with adjustment for the landlord’s TI allowance and ongoing the annual lease rate for a five-year period.

Independent Investigations Office Capital Budget

Capital Budget		
Component	\$	\$/GSF
Construction	\$443,000	
Construction Contingency	\$44,000	
Total Construction	\$487,000	\$232
FF+E	\$55,000	
UBC IT/AV Secure Access	\$55,000	
Total Allowances	\$110,000	\$52

Design Consultants	\$95,000	
Project Management	\$42,000	
Permits	\$4,000	
Insurance/Legal (included in Blanket Policy)	\$0	
Total Soft Costs	\$141,000	\$67
Project Subtotal	\$738,000	\$351
GST + Applicable PST	\$14,000	
Building Total	\$752,000	\$358
Construction Period Financing	N/A	
Retained Risk Fee	N/A	
Project Total	\$752,000	\$358
Landlord's TI Allowance for 2,492 sf	\$62,300	\$25
Adjusted Capital Cost	\$689,700	

Independent Investigations Office Annual Lease and Operating Costs

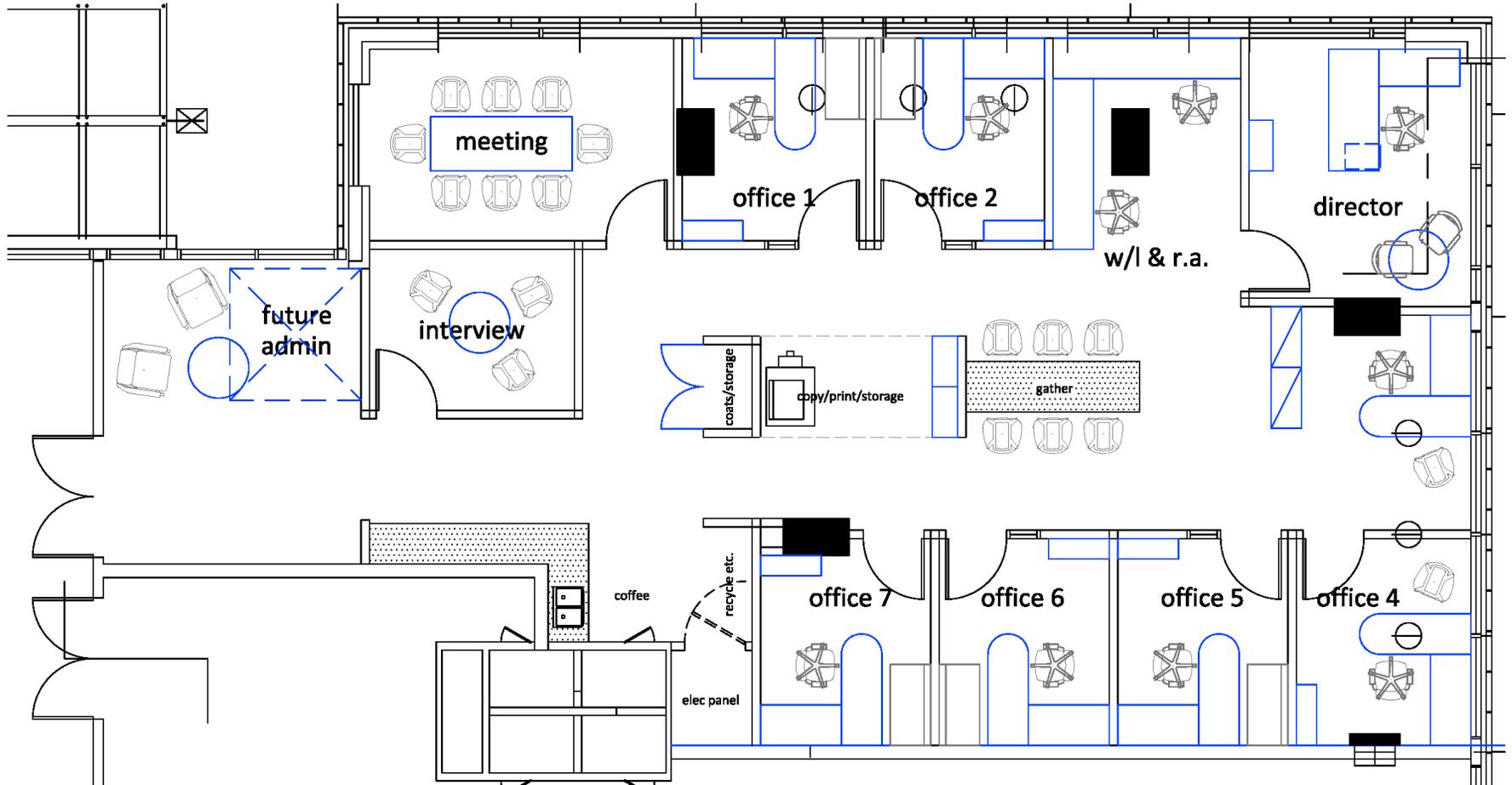
Annual Lease and Operating Costs		
Component	Total Annual Cost	\$/SF
Lease Rate	\$62,300	\$25
Additional Operating Cost (2018)*	\$39,872	\$16
Total Annual Lease and Operating Cost	\$102,172	\$41

*Operating cost to be calculated annually by landlord based on building operating costs

SCHEDULE The following table outlines the construction schedule for completing
Implementation construction on the project.
Timeline

Milestone	Date
Design	June 2018
Construction	Nov 2018- Jan 2019
Occupancy	Jan 2019

Attachment 1: Independent Investigations Office Test Fit Layout at Village Square Building in Wesbrook Village



 THE UNIVERSITY OF BRITISH COLUMBIA		Village Square 2	FACULTY/DEPT:	PROJECT: MOVE TO VILLAGE SQUARE BUILDING	DATE: MAY 09, 2018
			UBC Independent Investigations Office	DRAWING NAME : OFFICE PLAN	DRAWING NUMBER : SK-2



SUBJECT	POLICY 131 – IMPLEMENTATION PLAN UPDATE
MEETING DATE	SEPTEMBER 13, 2018

Forwarded on the Recommendation of the President

**APPROVED FOR
SUBMISSION**

Santa J. Ono, President and Vice-Chancellor

FOR INFORMATION

Report Date	August 29, 2018
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Presented By Janet Teasdale, Acting Vice-President Students
Barbara Meens Thistle, Vice-President Human Resources

EXECUTIVE SUMMARY

UBC has a responsibility to maintain a respectful environment where its members can study, work, and live free from sexual misconduct. Policy 131 articulates UBC’s duty and commitment to support members of the UBC community who are impacted by sexual misconduct, to provide a central site for information regarding the resources and options available to those affected by sexual misconduct; to create and make available programs and resources to educate its community on the prevention of sexual misconduct; and to provide a process to respond to and to investigate allegations of sexual misconduct. Policy 131:

- sets out the principles the University will adhere to with regard to sexual misconduct,
- articulates conduct expectations for all members of the UBC community, and
- outlines the processes and procedures the University will follow when responding to and investigating allegations of sexual misconduct.

Implementation of Policy 131 began in late May 2017. The Policy states UBC’s commitment to reviewing this Policy at least once every three years, in consultation with students and other members of the UBC Community. The formal three-year review will begin in time to have it completed by May 2020.

In April of 2018, the Vice-President Human Resources and then Vice-President Students agreed to undertake a retrospective assessment of the first year’s implementation to identify issues or gaps that require mitigation as well as to capture successes and learnings in order to guide the ongoing implementation. A formal implementation framework and several action plans have been created to guide the ongoing implementation of Policy 131 and these were presented to the People, Community & International Committee in June of 2018. Several documents, including an overarching framework to guide the continued implementation of Policy 131 across all UBC (Vancouver and Okanagan campuses) were developed, reviewed with the Board and are actively being implemented.



APPENDIX 4C – IIO OFFICE EVENTS AND CURRICULUM OVERVIEW

INDEPENDENT INVESTIGATIONS OFFICE FALL EVENTS SCHEDULE

Date	Event	Campus
August 20	<p><u>Conflict De-escalation Workshop</u></p> <p>Per the request of International Programs and Services (UBCO), a 2-hour workshop facilitated by the ADR Specialist for JumpStart student leaders. The workshop, including 4 group activities and a discussion, focused on de-escalation tactics, tactical language in managing heightened situations, communication skills, active listening and verbal de-escalation strategies.</p>	UBC-O
August 28	<p><u>Residence Life Orientation Presentation</u></p> <p>A 15 minute presentation to Residence Life staff, given by the Communication and Education Coordinator and Executive Assistant. The role and function of the IIO is introduced, with an emphasis on the principles that guide investigations: independence, impartiality, a trauma-informed approach, due process, and procedural fairness.</p>	UBC-V
August 30	<p><u>Grad Student Orientation Booth</u></p> <p>A booth set up at Graduate Student Orientation, attended by the Communication and Education Coordinator and Executive Assistant. Promotional material is disseminated, and the role and function of the IIO is explained to passers-by.</p>	UBC-V
August 30	<p><u>Grad Student Orientation Booth</u></p> <p>A booth set up at Graduate Student Orientation, attended by the Special Advisor. Promotional material is disseminated, and the role and function of the IIO is explained to passers-by.</p>	UBC-O
September 11	<p><u>First Nations House of Learning Welcome BBQ & Resource Fair</u></p> <p>The Director of Investigations attends to informally discuss the role and function of the IIO to attendees, in conversation with other attendees. A booth is set up and attended by the Communication and Education Coordinator and Executive Assistant. Promotional material is disseminated, and the role and function of the IIO is explained to passers-by.</p>	UBC-V
TBD – October or November	<p><u>Trauma-Informed Investigations Workshop</u></p> <p>2-day workshop for investigators, UBC staff likely to engage with Policy 131 (i.e. those receiving disclosures, making discipline decisions, etc.) and the UBC RCMP detachment. Day 1 focuses on trauma-informed care, institutional trauma and vicarious trauma. Day 2 focuses on trauma-informed investigations: how trauma impacts memory and presentation of evidence, how to make sound credibility assessments in light of trauma, why legally, we must ask questions that might not be perceived as “trauma-informed,” and how to ask those questions.</p>	UBC-V & UBC-O

CURRICULUM/ENGAGEMENT OVERVIEW

STAFF / FACULTY

Trauma-Informed Investigations Workshop (2 days)

2-day workshop for investigators, UBC staff likely to engage with Policy 131 (i.e. those receiving disclosures, making discipline decisions, etc.) and the UBC RCMP detachment. Day 1 focuses on trauma-informed care, institutional trauma and vicarious trauma. Day 2 focuses on trauma-informed investigations: how trauma impacts memory and presentation of evidence, how to make sound credibility assessments in light of trauma, why legally, we must ask questions that might not be perceived as “trauma-informed,” and how to ask those questions.

First Nations House of Learning Welcome BBQ & Resource Fair

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STUDENT

Grad Student Orientation Booth

A booth set up at Graduate Student Orientation, attended by the Special Advisor or Communication and Education Coordinator and Executive Assistant. Promotional material is disseminated, and the role and function of the IIO is explained to passers-by.

Residence Life Orientation Presentation

A 15 minute presentation to Residence Life staff, given by the Communication and Education Coordinator and Executive Assistant. The role and function of the IIO is introduced, with an emphasis on the principles that guide investigations: independence, impartiality, a trauma-informed approach, due process, and procedural fairness.

Conflict De-escalation Workshop

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