



Policy No.:	B.2.4
Department	Education Support (B)
Category:	Students (B.2)
Owner(s):	Campus Director
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Sexual Misconduct Policy

Context and Purpose

The college is committed to the prevention of and appropriate response to sexual misconduct. This policy sets out the requirements and processes for making and responding to a complaint or report of sexual misconduct involving a student.

Requirements

1. The college adheres to the following guidelines for sexual misconduct:
 - a. The college does not tolerate any form of sexual misconduct.
 - b. Sexual misconduct refers to a spectrum of non-consensual sexual contact and behaviour including the following:
 - i. sexual assault, sexual exploitation, sexual harassment, stalking, indecent exposure, and/or voyeurism;
 - ii. the distribution of a sexually explicit photograph or video of a person to one or more persons other than the person in the photograph or video without the consent of the person in the photograph or video and with the intent to distress the person in the photograph or video;
 - iii. the attempt to commit an act of sexual misconduct; and
 - iv. the threat to commit an act of sexual misconduct.
 - c. A “complaint” of sexual misconduct is different than a “report” of sexual misconduct.
 - i. A person may choose to disclose or complain of sexual misconduct without making a formal report.
 - ii. A report is a formal notification of an incident of sexual misconduct to someone at the college accompanied by a request for action.
 - d. It is contrary to this policy for the college to retaliate, engage in reprisals or threaten to retaliate in relation to a complaint or a report.

- e. Any processes undertaken pursuant to this policy will be based on the principles of administrative fairness; all parties involved will be treated with dignity and respect.
- f. The college addresses complaints and reports through internal investigation and adjudication processes.
 - i. These processes are not subject to the same burden of proof or standards of evidence as a criminal process, but they must be consistent with other applicable legislation (e.g. privacy, human rights) and other college policies.
- g. All information related to a complaint or report is confidential and will not be shared without the written consent of the parties, subject to the following exceptions:
 - i. If an individual is at imminent risk of severe or life-threatening self-harm.
 - ii. If an individual is at imminent risk of harming another.
 - iii. There are reasonable grounds to believe that others in the institutional community may be at significant risk of harm based on the information provided.
 - iv. Where reporting is required by law.
 - v. Where it is necessary to ensure procedural fairness in an investigation or other response to a complaint or report.
- h. Complaints and reports should be made to the Campus Director.
 - i. If the Campus Director is absent and/or named in the complaint, the Registrar is the alternate contact in these circumstances.
 - ii. The name and contact information of the Campus Director and Registrar will be made available and accessible to all students.
- i. Anyone making a complaint or report may do so with or through a trusted person (e.g., a friend, family member, roommate, classmate, coach, staff, or faculty member).

Processes

- 2. The college adheres to the following procedure for complaints about sexual misconduct involving a student:
 - a. Complaints can be made in any form, including phone call, email, or face-to-face meeting.
 - b. The college will acknowledge receipt of the complaint as soon as possible; this should be no later than 24 hours.

- c. The college will provide any necessary resources including but not limited to:
 - i. emergency numbers for campus security, law enforcement, medical care, mental health services, and other support services as required/appropriate;
 - ii. options for medical treatment/assistance to address injuries, preventative treatment for sexually transmitted diseases and for other health services, and to preserve evidence;
 - iii. contact information for qualified on and/or off campus counsellors or other similar victim/survivor support service providers who can offer an immediate confidential response.
 - d. The college will work with the individual who lodged the complaint to reach a suitable resolution; this may include:
 - i. Collecting and reviewing documents that may contain relevant information.
 - ii. Interviewing individuals, including witnesses, who may have relevant information.
 - iii. Conducting additional interviews with the victim/survivor or the alleged perpetrator.
 - iv. Consulting with other institution departments (e.g. Human Resources, Disability Services, International Programs, Security), police, community-based victim services programs, or other experts as required.
 - e. A resolution should be made within five (5) business days.
 - f. The college will retain a confidential record of the complaint.
 - g. A student making a complaint will be provided with resolution options and, if appropriate, accommodation, and will not be required or pressured to make a report.
 - h. Should the complaint indicate that a crime (i.e., felony, misdemeanor, or infraction) has occurred, the appropriate authority will be contacted.
3. The college adheres to the following procedure for reports about sexual misconducts:
- a. Reports must be made in writing.
 - b. The college will acknowledge receipt of the report as soon as possible; this should be no later than 24 hours.
 - c. The college will provide any necessary resources including but not limited to:
 - i. emergency numbers for campus security, law enforcement, medical care, mental health services, and other support services as required/appropriate;

- ii. options for medical treatment/assistance to address injuries, preventative treatment for sexually transmitted diseases and for other health services, and to preserve evidence;
 - iii. contact information for qualified on and/or off campus counsellors or other similar victim/survivor support service providers who can offer an immediate confidential response.
- d. The college will work with the individual who lodged the complaint to reach a suitable resolution; this may include:
 - i. Collecting and reviewing documents that may contain relevant information.
 - ii. Interviewing individuals, including witnesses, who may have relevant information.
 - iii. Conducting additional interviews with the victim/survivor or the alleged perpetrator.
 - iv. Consulting with other institution departments (e.g. Human Resources, Disability Services, International Programs, Security), police, community-based victim services programs, or other experts as required.
- e. A resolution should be made within five (5) business days.
- f. All decisions and actions related to the resolution will be documented in writing and shared with all parties involved.
- g. Should the report indicate that a crime (i.e., felony, misdemeanor, or infraction) has occurred, the appropriate authority will be contacted.

Related Legislation, PTIB Compliance Standards, and Policies

Legislation

Private Training Regulation s.48.1
Sexual Violence and Misconduct Policy Act

PTIB Compliance Standards

3.2.1