



## Sexual Misconduct Policy - WBCPC

<u>Western British Columbia Polytechnic College</u>	<u>03792</u>	
Name of Institution	Institution Number	
<u>Sexual Misconduct Policy</u>	<u>September 1, 2022</u>	<u>July 5, 2024</u>
Name of Policy	Effective Date	Revision Date

This policy governs “Sexual Misconduct” respecting Western British Columbia Polytechnic College (WBCPC) and any aspect of its operations.

1. All members who work and study at WBCPC should be free of any form of sexual violence. And the WBCPC is committed to the prevention of and appropriate response to sexual misconduct.
2. Sexual misconduct refers to a spectrum of non-consensual sexual contact and behavior including the following:
  - sexual assault;
  - sexual exploitation;
  - sexual harassment;
  - stalking;
  - indecent exposure;
  - voyeurism;
  - 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;
  - the attempt to commit an act of sexual misconduct; and
  - the threat to commit an act of sexual misconduct.
3. A **Complaint** of sexual misconduct is different from a **Report** of sexual misconduct. A Complaint is when the victim/survivor discloses or chooses to tell someone at the institution of an incident of sexual misconduct in order to seek support but may not want to make a formal report to police or the institution. A **Report** is a formal notification of an incident of sexual misconduct to someone at the institution accompanied by a request for action. A Report does not have to be made by the victim/survivor.
4. 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**.
5. Any member of the WBCPC may report sexual misconduct, including ones who know or have witnessed an incident of sexual misconduct against another member.



6. The process for making a **Complaint** about sexual misconduct involving a student is as follows:
  - Contact the VP of Operation or VP of Administration of the WBCPC in person or in writing
7. The process for responding to a **Complaint** of sexual misconduct involving a student is as follows:
  - The WBCPC will acknowledge receipt of the Complaint within 1 day and provide counseling and any other services or support to deal with the Complainant.
8. The process for making a **Report** of sexual misconduct involving a student is as follows:
  - Contact the VP of Operation or VP of Administration of the WBCPC in person or in writing and file a formal report within 12 months of the incident.
9. The process for responding to a **Report** of sexual misconduct involving a student is as follows:
  - The WBCPC will acknowledge receipt of the Report in written notice and file a formal report within 1 day, and a response should be provided within a reasonable time.
  - All related information should be collected, including the date, the time, the persons, any other persons who may know of the incident, and other details
  - The WBCPC should determine whether the incident should be reported to police immediately.
  - The WBCPC should determine whether the victims/survivors and reporters should be protected immediately, provided accommodations in order to keep them away from the misconduct or further threats, and provided with medical assistance, mental health services, and other services.
  - The VP of Operation or VP of Administration of the WBCPC will lead the investigation (if applicable).
    - interview with all parties who may be involved in the incident or may know of it separately.
    - inform the alleged respondent of the incident with necessary details and give the individual a chance to respond to it.
  - determine the following action to take and provide responses to the parties.
9. In all instances the institution will:
  - Ensure the safety of the victim/survivor.
  - As appropriate, provide emergency numbers for on and off campus security (if applicable), law enforcement, medical assistance, mental health services, and other services.
  - Respect the right of the individual to choose the services they consider most appropriate.



10. It is contrary to this policy for an institution to retaliate, engage in reprisals or threaten to retaliate in relation to a Complaint or a Report.
11. 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.
12. The reporter may withdraw the complaint or report, but WBCPC may continue to act on the issue under legal obligations.
13. 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:
  - If an individual is at imminent risk of severe or life-threatening self-harm.
  - If an individual is at imminent risk of harming another.
  - There are reasonable grounds to believe that others in the institutional community may be at significant risk of harm based on the information provided.
  - Where reporting is required by law.
  - Where it is necessary to ensure procedural fairness in an investigation or other response to a Complaint or Report.

This institution is certified by the Private Training Institutions Branch (PTIB). Certified institutions must comply with regulatory requirements, including the requirement to have a Sexual Misconduct policy. For more information about PTIB, go to [www.privatetraininginstitutions.gov.bc.ca](http://www.privatetraininginstitutions.gov.bc.ca).