

# Sexual Misconduct Policy Sample

<u>Quantum College</u>		<u>3892</u>
Name of Institution		Institution Number
	<u>September 1, 2021</u>	
<u>Sexual Misconduct Policy</u>		
Name of Policy	Effective Date	Revision Date

1. **Quantum College** is committed to the prevention of and appropriate response to sexual misconduct within the campus community – on campus, off campus and online classrooms, including faculty, staff, administration, Board members, contractors, volunteers, visitors and students.
2. Sexual misconduct refers to a spectrum of non-consensual sexual contact and behaviour 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 than a **Report** of sexual misconduct. A person may choose to disclose or complain of sexual misconduct without making a formal report. This person is referred to as the **Victim** throughout this policy. A **Report** is a formal notification of an incident of sexual misconduct to someone at the institution accompanied by a request for action.
4. A **Victim** 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. The process for making a **Complaint** about sexual misconduct involving a **Victim** is as follows:

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- Contact the Senior Education Administrator – Rosa Lenihan via her email: [rosa@qlearning.ca](mailto:rosa@qlearning.ca)
  - If the SEA is not available, please contact the Program Director, James Chang, at [james@qlearning.ca](mailto:james@qlearning.ca)
  - If neither the SEA nor the Program Director is available, please contact the Principal – Gary Lenihan at [gary@qlearning.ca](mailto:gary@qlearning.ca)
6. The process for responding to a **Complaint** of sexual misconduct involving a **Victim** is as follows:
- **The institution** will acknowledge receipt of the **Complaint** within 3 days
7. The process for making a **Report** of sexual misconduct involving a **Victim** is as follows:
- A written **Report** outlining the event and the **request for action** will be sent to the **SEA**, Rosa Lenihan, via her email: [rosa@qlearning.ca](mailto:rosa@qlearning.ca)
  - Should the **SEA** be absent, the **Report** shall be emailed to the the Program Director, James Chang, at [james@qlearning.ca](mailto:james@qlearning.ca)
  - If neither the SEA nor the Program Director is available, the **Report** will be sent to the Principal – Gary Lenihan at [gary@qlearning.ca](mailto:gary@qlearning.ca)
8. The process for responding to a **Report** of sexual misconduct involving a **Victim** is as follows:
- **Quantum College** will review the **Report** within **10 business days** and confirm next steps in writing
  - **Quantum College** will then
    - collect and review documents that may contain relevant information
    - interview individuals, including witnesses, the **Victim**, and the alleged perpetrator
    - consult with police and/or other experts as required
    - make necessary accommodations such as extending assignment due dates, deferring exams, and/or withdrawal from a course with penalty. Also, the alleged perpetrator may be removed from classes or all the the campus, while all procedural fairness and any other applicable laws are respected.
9. 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.

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10. 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.
11. 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.
12. **Quantum College** will ensure that
  - encourage immediate reporting by those who have knowledge or witness incidents of sexual misconduct
  - commit to immediate action by those with authority to act
  - respect the choice of the **Victim** as to what and how much to disclose about the experience
  - the safety of the **Victim** comes first
  - providing emergency numbers for on and off campus security, law enforcement, medical care, mental health services

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).