



Sexual Misconduct Policy

Quantum College

3892

Name of Institution

Institution Number

Sexual Misconduct Policy

Oct. 1, 2018

July 1, 2022

Name of Policy

Effective Date

Revision Date

1. **Quantum College** is committed to the prevention of and appropriate response to sexual misconduct and acknowledges our responsibility to provide a safe and secure learning environment.

To that end, Quantum has established a Sexual Misconduct Emergency Response Team (SMERT), tasked with the strict enforcement of our policies, adherence to our protocols and the timely response to all complaints/reports.

Following are the members of the Quantum College SMERT:

- **Rosa Lenihan (Senior Education Administrator)**
 - **James Chang (Admissions Manager)**
 - **Evelyn Chang (Finance Manager)**
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 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. The process for making a **Complaint** about sexual misconduct involving a student is as follows:
 - Anyone who has experienced sexual misconduct in any venue associated with Quantum (i.e. on campus, at College events/functions or online spaces) may contact any member of the SMERT to discuss the issue to whatever extent they feel comfortable.
Contact info for the female members of the SMERT:

Rosa Lenihan: rosa@qlearning.ca, 778-878-6088
Evelyn Chang: evelyn@qlearning.ca, 604-808-8990

Contact info for the male member of the SMERT:

James Chang: james@qlearning.ca, 604-729-3692
6. The process for responding to a **Complaint** of sexual misconduct involving a student is as follows:
 - The SMERT member will engage with the victim/survivor as expeditiously as possible upon receipt of the complaint (as practical, and always within 24 hours of initial contact) and collaboratively decide upon the preferred course of action (if the individual chooses a course of action beyond discussion).
 - The primary concern of the SMERT member on initial contact will be to ensure the safety of the victim/survivor, provide compassionate support and make the individual aware of off campus services available including emergency medical care and counselling, if appropriate.



- Follow up meetings and responses will be situation specific to the individual's needs and wishes, including the decision on whether to make a formal report regarding the incident.
7. The process for making a **Report** of sexual misconduct involving a student is as follows:
- The victim/survivor may contact any member of the SMERT mentioned above (or have someone contact on their behalf).
The team member will provide the previously mentioned level of support and then ensure that the individual is made aware of the range of reporting options available to them regarding the incident.
They may freely choose any of the options or any combination of the options, including:
 - A formal report of a sexual assault or other criminal incident of sexual misconduct to police.
 - 3rd party report to police via community-based victim support worker (report sent to police by an intermediary agency providing detailed information about the incident, but do not include the name or contact information of the victim/survivor).
 - A formal, non-criminal report and request for action to Quantum College.
 - Should the preferred action include the non-criminal report to Quantum, the SMERT member will provide the victim/survivor with an appropriate form to describe details of the incident and offer assistance in the preparation of the document.
8. The process for responding to a **Report** of sexual misconduct involving a student is as follows:
- Upon submission and receipt of the report from the victim/survivor, all available members of the SMERT will begin an investigation into the incident as expeditiously as possible (as practical and always within 72 hours of submission). If deemed necessary, other senior management staff may also be asked to assist in the investigation (excluding any staff member who may be named in the report).



- If the SMERT makes the determination that there may be imminent risk to an individual or individuals or the College campus at large, provisional restrictions may be implemented. The severity of these restrictions will be case specific and may range from no-contact up to full suspension, pending the completion of the investigation.
 - Depending on the individuals involved in the complaint, policies and procedures set out in the Quantum College Respectful and Fair Treatment of Students Policy and potentially the Quantum College Dismissal Policy will be adhered to by the SMERT as they make their determinations and decide on final measures to be implemented.
 - All parties involved and named in the non-criminal report and request for action will be made aware that any temporary or permanent actions and restrictions placed on any individual must not be confused with a legal order attained via the Criminal Justice System.
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. 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.