

Policy# 603

Policy 603-Student Sexual Misconduct Policy-
2024-01-04

Canada College of Arts & Business

Name of Institution

04225

Institution Number

Sexual Misconduct Policy

Name of Policy

September, 2017

Effective Date

Jan.04.2024

Latest Revision Date

May.05.2022

Previous Revision

1. Canada College of Arts & Business 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 behaviour including, but not limited to, 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. 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 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:
 - A person wishing to make a Complaint may speak with the Campus Coordinator (Amanda Kourdi) either in person or in writing.
 - The Campus Coordinator will receive this matter and ensure that it's dealt with correctly in the best interest of the complainant.
 - If Campus Coordinator is not able to deal with the issue, or is not present, campus director (Houssein Dalloul Torres) will be the alternate contact, then president (Dr. Walid Abdelmagid).

6. The process for responding to a **Complaint** of sexual misconduct involving a student is as follows:
 - The College will acknowledge receipt of the Complaint within 24 hours and may deal with the concern in consultation with the Complainant.
 - The consultation will be between three parties:
 - The complainant
 - 2nd party who should be of the same gender of the complaint, which could be the campus coordinator.
 - Campus Director or the president.
 - Canada College of Arts & Business will make supports available to any person reporting an incident of sexual misconduct on campus. This support could include counselling and/or referrals for support services.

7. The process for making a **Report** of sexual misconduct involving a student is as follows:
 - If a Complainant wishes to file a formal complaint, it shall be filed within twelve calendar months of the incident. Events prior to the twelve-month period can be referenced if the incident(s) is relevant and part of a series of incidents that form a pattern of harassment. Report can be addressed to the Campus Coordinator (Alternate: Campus Director) then president if necessary. The Complainant May request mediation or formal investigation.

8. The process for responding to a **Report** of sexual misconduct involving a student is as follows:

Upon a Complaint of alleged sexual misconduct being made to, the Campus Director will initiate an investigation, including:

- The College will acknowledge receipt of the report within 24 hours and provide responses in writing within a reasonable amount of time.
- Determining whether the incident should be referred immediately to the police.
- Meeting with the Complainant to determine the date and time of the incident, the persons involved, the names of any person who witnessed the incident and a complete description of what occurred.
- Interviewing the Complainant, any person involved in the incident and any identified witnesses.
- Interviewing any other person(s) who may have knowledge of incidents related to the

- complaint or any other similar incidents.
- Informing the respondent of the complaint, providing details of the allegations, and giving the individual an opportunity to respond to those allegations.
 - Providing reasonable updates to the Complainant and the respondent about the status of the investigation.
 - Determining what disciplinary action, if any, should be taken.
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.
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.