



## PREVENTING AND RESPONDING TO SEXUAL VIOLENCE AND MISCONDUCT POLICY

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<b>WESTERN COMMUNITY COLLEGE</b>	<b>ID - 03758</b>
Name of Institution	Institution Number
<b>Preventing and Responding to Sexual Violence and Misconduct</b>	<b>17 May 2017</b>
Name of Policy	Effective Date

### PURPOSE STATEMENT

Western Community College wishes to confirm its responsibility to provide a safe and secure learning environment. At WCC, we firmly believe that there should be a safe environment for all the students, which is free from any kind of sexual misconduct as the college has zero tolerance towards this kind of misconduct. Through this policy the institutions strives to prevent sexual misconduct and create a procedure to respond effectively and in a timely manner when incidents occur. In 2016 the Government of BC introduced the Sexual Violence and Misconduct Policy Act S.B.C. c.23 (the Act). The Act requires BC post-secondary institutions to establish, implement, and make publicly available a policy, with associated procedures, that addresses sexual misconduct, its prevention, and responses to sexual misconduct. This Policy has been designed in compliance with the Act.

### SCOPE AND APPLICATION

The policy applies to students, faculty and staff members working at Western Community College as well as extends to the visitors, volunteers and contractors at the campus, who may be found involved in any act of violating the respectful environment of the college by indulging in any sexual violence or misconduct.



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Sexual misconduct is defined as any form of undesired activity of a sexual nature which intends to violate the sexual integrity of the individual to whom it is directed. Sexual assault is characterized by a broad range of behaviours that involve the use of coercion, threats or control towards a person which makes the person feel uncomfortable, distressed , frightened.

Sexual misconduct may involve :

- a) Sexual Assault
- b) Sexual Exploitation
- c) Sexual Harassment
- d) Stalking
- e) Incident Exposure
- f) Voyeurism
- g) Distribution of a sexually explicit photograph or video of a person, without the consent of the person in the photo or video
- h) Attempt to commit an act of sexual misconduct
- i) Threat to commit an act of sexual misconduct.

### **REPORTING /DISCLOSURE PROCEDURE**

The person who wishes to disclose sexual misconduct or make a formal report against it may do so as per the following process:

1. The person (victim) may choose to disclose the sexual misconduct to the Senior Administrator/SEA, without making a formal report. In this case a formal process may not be initiated, but the management will deal with the disclosure seriously and may take steps to avoid the repetition of the incident.
2. To initiate a formal process, the victim or a member of the college community, on behalf of the victim, needs to submit a report in writing to the Senior Administrator/ Senior Educational Administrator, stating as clearly as



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possible the details of the incident, including the details of the people involved in the misconduct, along with a request for an action. The report must clearly state the allegations against the alleged persons involved in the sexual misconduct.

3. The Senior Administrator/SEA will, within 24 hours of receiving the complaint, initiate an investigation to the complaint and may ask for more information from the complainant.
4. Depending on the severity of the complaint, the SEA/SA may seek legal advice or may ask the complainant to follow a legal process besides the complaint filed at the college.
5. The person against whom allegations are made will be informed about the same, keeping the name and details of the complainant private. The person will be given 24 hours time to submit written explanation about the incident.
6. The SA/SEA will then verify all the available evidence and if found guilty, the alleged perpetrator will be asked to offer a written apology to the complainant and will also be expelled from work/study (as the case may be).
7. If the perpetrator is a visitor, whom the college authorities can not access, the information of the visitor will be given to the local police along with the copy of the complaint, if the complainant agrees to this.
8. The information of the complainant will be kept confidential according to the *Freedom of Information and Protection of Privacy Act*, unless, it becomes mandatory by law to disclose the information to get full justice to the complainant.
9. If required, the complainant will be given counselling or emergency medical care to overcome the mental or physical problems faced by the complainant due to the incident.