**Institutions are required to establish a written Sexual Misconduct Policy that must be posted on their website and provided to students before the start date of the program: *Private Training Regulation* s.48.1.**

**The policy must set out procedures for both:**

1. **making and responding to a Complaint of sexual misconduct involving a student; and**
2. **making and responding to a Report of sexual misconduct involving a student.**

**The distinction between a Complaint and a Report is explained in more detail below. Procedures guiding the institution’s response to each should reflect this difference.**

**When developing the policy, institutions should consult the** [***Preventing and Responding to Sexual Violence and Misconduct at BC Post-Secondary Institutions Guide***](https://www2.gov.bc.ca/assets/gov/education/post-secondary-education/institution-resources-administration/5233_sexual_violence_and_misconduct_policy_guidelines_web.pdf)***.***

**This is a sample policy and is intended to be open-ended to allow institutions to develop procedures that are adaptable to a range of circumstances. Institutions should modify as appropriate.**

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|  |  |  |
| Name of Institution |  | Institution Number |
| **Sexual Misconduct Policy** |  |  |  |  |
| Name of Policy |  | Effective Date |  | Revision Date |

1. [**Institution name**] 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 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:
* [**Describe the process for making a Complaint including the name, title and contact information of the individual to whom the Complaint may be directed and an alternate contact in circumstances where the primary individual is absent and/or named in the Complaint**]
1. The process for responding to a **Complaint** of sexual misconduct involving a student is as follows:
* [**Describe the process for responding to a Complaint including applicable timelines for response. For example: The institution will acknowledge receipt of the Complaint within X days**]
1. The process for making a **Report** of sexual misconduct involving a student is as follows:
* [**Describe the process for making a Report (written statement and request for action) including the name, title and contact information of the individual who receives the Report and an alternate contact in circumstances where the primary individual is absent and/or named in the Report**]
1. The process for responding to a **Report** of sexual misconduct involving a student is as follows:
* [**Describe the process for responding to a Report, including applicable timelines for response. For example: The institution will review the Report within a reasonable timeframe and confirm next steps in writing**]

9. In 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](http://www.privatetraininginstitutions.gov.bc.ca).