



I-Lander College		04556
Name of Institution		Institution Number
	01.01.25	01.01.26
Sexual Misconduct Policy		
Name of Policy	Effective Date	Established Revision Date

Policy on Sexual Misconduct Involving Students: Complaints and Reports

Purpose:

This policy outlines the procedures for making and responding to complaints and reports of sexual misconduct involving students. It aims to ensure a clear, respectful, and supportive process for all individuals involved while maintaining compliance with institutional guidelines and the *Preventing and Responding to Sexual Violence and Misconduct at BC Post-Secondary Institutions Guide*.

1. Definitions

Complaint of Sexual Misconduct

A complaint involves a formal allegation made by a student (complainant) about an incident of sexual misconduct. A complaint is typically investigated by the institution and may result in disciplinary actions if the complaint is substantiated.

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.



Report of Sexual Misconduct

A report involves the sharing of information or an account of an incident of sexual misconduct made by a student or other individual (reporter) to the institution, either voluntarily or as required by law. A report does not automatically trigger an investigation or formal action but may result in a response aimed at supporting the affected parties.

2. Procedures for Making and Responding to a Complaint of Sexual Misconduct

A. Making a Complaint

A complainant may file a formal complaint of sexual misconduct by following these steps:

- 1. Submit Written Complaint:**
The complainant must submit a written complaint to the designated campus director within 3 days of the incident.
- 2. Provide Details:**
The complainant should provide as much detail as possible about the incident, including dates, locations, individuals involved, and any supporting documentation or evidence.
- 3. Initial Review:**
Upon receipt, the institution will conduct an initial review of the complaint to determine if it falls under the scope of this policy. This may include an initial meeting with the complainant.
- 4. Investigation:**
If the complaint is accepted, an impartial investigation will be initiated. The institution will ensure a thorough, timely, and respectful investigation process, which may include interviews with the complainant, respondent, witnesses, and any other relevant parties.
- 5. Outcome and Resolution:**
After the investigation, the institution will notify both the complainant and respondent of the findings and any outcomes, including potential disciplinary actions if the complaint is substantiated. The institution will ensure all involved parties are informed of their rights, including the right to appeal the decision.

B. Responding to a Complaint

The institution will respond to complaints in a fair, confidential, and supportive manner:

- 1. Acknowledgement:**
The institution will acknowledge receipt of the complaint within 2 business days and inform the complainant about the process, expected timelines, and available support services.
- 2. Support for Complainants:**
The complainant will be informed about available resources such as counseling, legal support, and accommodations (e.g., changes in class schedule, no-contact orders) during the investigation process.



3. **Non-Retaliation:**

Retaliation against a complainant or witness for filing a complaint or participating in the investigation is strictly prohibited and will result in disciplinary action.

3. Procedures for Making and Responding to a Report of Sexual Misconduct

A. Making a Report

A report of sexual misconduct can be made by any student, staff member, or other individual who believes they have witnessed or become aware of an incident of sexual misconduct.

Reporting parties may follow these steps:

1. **Submit Information:**

The reporter should submit their account of the incident, either in writing or verbally, to the campus director, [Mandy Singh \(info@ilandercollege.com\)](mailto:info@ilandercollege.com) within 3 days (72 hours) of the incident.

2. **Confidentiality:**

Reporters will be assured that the information shared will be treated with respect and confidentiality. However, the institution may need to share certain details in cases where it is required to act in order to ensure the safety of the campus community.

3. **Options for Reporters:**

The reporter will be informed of various options for action, including supporting the complainant, initiating an investigation, or providing accommodations. The institution will ensure the reporter understands their rights and any potential responsibilities (e.g., mandatory reporting under provincial or federal law).

B. Responding to a Report

The institution will respond to reports in a manner that respects both the rights of the reported party (respondent) and the needs of the complainant:

1. **Assessment of Report:**

When a report is made, the institution will assess the nature of the report to determine the appropriate level of response. This assessment may involve conducting a preliminary inquiry to evaluate whether the matter requires a formal investigation.

2. **Support and Resources:**

The institution will provide support to both the complainant and the respondent, including referrals to counseling services, academic accommodations, and other relevant support. The complainant will also be informed of their right to file a formal complaint if they wish to initiate an investigation.

3. **Interim Measures:**

The institution may implement interim measures such as no-contact orders, temporary changes to academic schedules, or campus housing arrangements to ensure the safety and well-being of those involved.



4. **Confidentiality and Privacy:**

The institution will maintain confidentiality throughout the reporting and response process. Information will be shared only with individuals who have a legitimate need to know.

4. **Additional Considerations**

A. Training and Awareness

The institution will provide ongoing training and awareness programs for all students, faculty, and staff to recognize, prevent, and appropriately respond to sexual misconduct.

B. Support Services

The institution will ensure that both complainants and respondents have access to appropriate support services, including counseling, advocacy, and legal services.

C. Non-Retaliation

The institution will take all necessary steps to prevent retaliation against individuals who report sexual misconduct or participate in investigations. Retaliation will be subject to disciplinary action.

5. **Conclusion**

The institution is committed to providing a safe and supportive environment for all students, faculty, and staff. This policy ensures that complaints and reports of sexual misconduct are handled with respect, fairness, and sensitivity. The institution will continue to review and update its procedures to reflect best practices and legal requirements.

i. 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.

ii. 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.

iii. 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.



- iv. 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 Regulatory Unit (PTIRU). Certified institutions must comply with regulatory requirements, including the requirement to have a Sexual Misconduct policy. For more information about PTIRU, go to www.privatetraininginstitutions.gov.bc.ca.



This is a sample policy.

Prior to being adopted, it must be modified to ensure it is appropriate for use by the institution.

Name of Institution		Institution Number
Sexual Misconduct 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]
6. 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]
7. 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]
8. 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 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.

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