

33.0 SEXUAL VIOLENCE AND MISCONDUCT POLICY

Last Reviewed: February 2022, Last Revised: March 2022

Background

On April 27, 2016 the Government of British Columbia introduced the *Sexual Violence and Misconduct Policy Act (the Act)*. The purpose of the *Act* was to make university/college campuses safer and more responsive to the needs of victims/survivors of sexual violence and misconduct.

In the winter of 2022, the Ministry of Advanced Education and Skills Training relaunched their “. . . Is Not Yes” campaign. The key purpose of this campaign was to re-emphasize a zero-tolerance policy for sexualized violence and misconduct on university/college campuses. As well as to include, important changes which had been made to focus on inclusivity and to foster a culture of consent.

Statement of Purpose and Intent

All members of the WCCMT community have the right to learn, teach, work and study in a safe and healthy environment that is free from any form of sexualized violence or sexual misconduct. Sexualized violence or sexualized misconduct will not be tolerated at WCCMT.

For the purpose of this policy sexual violence and misconduct is defined as:

“Any sexual act or acts targeting a person’s sexuality, gender identity or gender expression, whether the act is physical or psychological in nature that is committed, threatened, or attempted against a person without the person’s consent. Including: sexual assault, sexual harassment, stalking, indecent exposure, voyeurism, sexual exploitation, and the distribution of sexually explicit photographs 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 College recognizes that sexual violence and misconduct can have serious negative impacts on the physical, mental, emotional and spiritual health and wellness of an individual. Recognizing the possible traumatic effects of sexual violence and misconduct the College is committed to supporting victims/survivors of sexual violence and misconduct to seek the help and care they need.

The College also recognizes, as pointed out in the *Act*, that sexualized violence is largely committed against women, particularly younger women and women who experience multiple intersections of disadvantages such as, but not limited to, indigenous women, women with disabilities, and racialized women.

In addition, the College acknowledges that members of the LGBTQ2S communities and those whose gender identity or gender expression does not conform to accepted gender norms, such as gender-variant, transgender and two-spirit people are also at greater risk of sexualized violence and misconduct.

As directed by the *Act* WCCMT has established and implemented this *Sexual Violence and Misconduct Policy* which:

- a) Addresses sexual violence and misconduct, including sexual violence and misconduct prevention and responses to sexual violence and misconduct; and
- b) Sets out procedures for the making and responding of a complaint or report of sexual violence and misconduct

This policy, which is reviewed at least once every 3 years, is widely communicated to students, faculty, administrators, staff and patients of the College’s student intern clinic and publicly available on the College website.

Sexual Violence and Misconduct: Other Legal Requirements and Responsibilities

Criminal Code of Canada: It is important to note that given the egregious nature of incidents of sexual violence and misconduct/sexual assault they are offenses punishable by law under the *Criminal Code of Canada*. As such the College is committed to supporting any victim/survivor of sexual violence or misconduct with formalizing a report to the Police should they chose to do so.

Health Professions Act (HPA) and other relevant legislation: RMTs, as regulated healthcare professionals, have legal obligations to report professional misconduct, criminal charges and convictions and child abuse under various legislation including: the *Health Professions Act*, the *Criminal Records Review Act*, the *Child, Family and Community Service Act*, and the *Adult Guardianship Act*.

Specifically, the *Health Professions Act* Section 32.4: Duty to Report Sexual Misconduct clearly states that sexual misconduct by any regulated healthcare practitioner must be reported. It further adds that when concerns about sexual misconduct are based on information provided by a patient of the practitioner, the consent of the patient or their parent/guardian must be obtained before making the report.

Reports should be forwarded in writing to the Registrar of the Regulatory College where the health practitioner is registered. If that person is an RMT then that report should be made to the College of Massage Therapists of British Columbia.

A healthcare professional with reasonable and probable grounds to make a report on another professional is violating the law if they do not report the practitioner and subject to disciplinary measures taken by their regulatory body. As long as the report is made in good faith and is based on reasonable grounds, health professionals who make a report are protected by statutory immunity.

Commitment to Action

The College will take every reasonable measure to ensure the safety of the community and is committed to taking immediate action in dealing with allegations of sexual violence and misconduct.

The College strongly encourages those who are victims/survivors of, or witnessed or have knowledge of, incidents of sexual violence and misconduct to report these to the College. WCCMT is committed to responding in a compassionate and caring manner and to providing victims/survivors with the support they require.

To Whom This Policy Applies

In addition to applying to all WCCMT students this policy applies to the broader College community including; faculty, administrative staff, patients of the College's Student Intern Clinic/In-Reaches/Out-Reaches, external College Committee members and any guests or visitors to the College.

This policy also applies beyond WCCMT's physical campuses and includes off-campus events and online space as well as passive acts of sexual violence and misconduct such as graffiti and signage.

Definitions: Sexual Violence and Misconduct

The *Act* defines sexual misconduct to include a wide range of acts of a sexual nature, including:

Sexual Assault

Any kind of unwanted sexual acts done by one person to another that violates the sexual integrity of the victim. Sexual assault includes a broad range of non-consensual behaviours, from unwanted touching to penetration.

Sexual Exploitation

A sexual act done to a person who is under age 18 or who has a physical or mental disability, by a person who is in a position of trust and authority over that individual, or who is in a relationship of dependency with that individual. Sexual exploitation includes sexual abuse of a young person or a person with a disability, through the exchange of sex or sexual acts for drugs, food, shelter, protection of other basics of life, money, academic gains, and/or any other goods.

Sexual Harassment

Comments or conduct of a sexual nature that an individual knew or should have known would cause humiliation, intimidation, or threat. Examples of sexual harassment include, but are not limited to the following behaviours;

- Unwanted touching or physical contact;
- Unwelcome sexual flirtations, advances or propositions;
- Sexually suggestive, obscene or degrading comments or gestures;
- Offensive jokes or remarks of a sexual nature;
- Leering or staring;
- Displaying or circulating pictures or other material of a sexual nature which are not part of the legitimate study, display, use or distribution of topics, material or art forms falling within appropriate academic or work-related norms;
- Unwelcome questions or remarks about a person's sex life, gender, appearance, clothing, sexual orientation;
- Express or implied promise of reward in return for complying with the sexually oriented requests; and
- Reprisal, or express or implied threat of reprisal, for refusing to comply with the sexually oriented request.

Stalking

Harassing a person by repeatedly following them, repeatedly communicating with them, watching over the place where they reside, work, learn, carry on business, or engaging in threatening conduct directed at them or any member of their family. These behaviours include, but are not limited to; repeated non-consensual communications i.e., face-to-face, phone, email, social media; threatening harm to the person being stalked and/or to the family, friends, or pets; vandalizing property; showing up uninvited to the person's home, workplace or learning environment; surveillance; and sending unsolicited gifts.

Indecent Exposure

Deliberate exposure by a person of a portion or portions of his/her body, in circumstances where such exposure is contrary to generally accepted standards of decency or is likely to cause another person to be alarmed, frightened or offended.

Voyeurism

The act of intentionally spying, including by mechanical or electronic means, on a person who is in circumstances that give rise to a reasonable expectation of privacy, such as undressing, sexual activity, or other activities usually considered to be of a private nature.

The Distribution of a Sexually Explicit Photograph or Video of a Person to One or More Persons

The act of distributing a sexually explicit photograph or video of a person, to one or more persons, other than the person in photograph or video without the consent of the person in the photograph or video and with the intent of distressing the person in the photograph or video.

The Attempt or Threat to Commit an Act of Sexual Misconduct

Any attempt or threat to commit an act of sexual misconduct, as defined above, is sufficient to constitute a breach or violation of this policy.

Other Important Terminology and Definitions Relevant to this Policy

Complainant

The person who is identified in the complaint as the person (victim/survivor) who has experienced sexual violence and misconduct.

Complaint

A formal written document, completed by the complainant, indicating that a person has committed an act of sexual violence and misconduct contrary to this policy against them.

Consent

Voluntary agreement between consenting adults to engage in sexual activity. Each individual must actively and willingly give their consent. With respect to consent the following apply:

- Consent is never assumed or implied;
- Silence or the absence of “no” does not mean consent;
- Consent cannot be given if the individual is incapacitated by alcohol or drugs, or unconscious;
- Consent can never be obtained through threats or coercion;
- An individual can withdraw their consent at any time,
- Consent cannot be obtained if a party induces another to engage in sexual activity by abusing a position of trust, power or authority;
- Given for one kind or instance of sexual activity does not mean that consent is given for any other instance or sexual activity; and
- Consent cannot be expressed by the words or conduct of a third party.

Disclosure

A report of sexual violence and misconduct by a victim/survivor, that does not constitute a formal complaint.

Investigation

An investigation conducted by the College in accordance with this policy. All complaints brought forward to the College are taken seriously and investigated thoroughly.

Report

A formal written document, by a person who witnessed or has knowledge of, an act of sexual violence and misconduct contrary to this policy committed against another member of the WCCMT community.

Respondent

The person who is identified in the complaint or report as the person alleged to have committed an act of sexual violence and misconduct contrary to this policy.

Victim/Survivor

The person who indicates that he/she has experienced, or who is reported by another person to have experienced, sexual violence and misconduct.

Reporting Sexual Violence and Misconduct

An individual who has experienced, witnessed or has knowledge of sexual violence and misconduct can report the incident in a number of ways;

1. Disclosure - a person may tell someone about the incident in order to seek support, without wanting or needing to make a complaint or report to the College or to the police. It is the individual's right to choose and decide whether to formally make a complaint or report to the College or the police.
2. A person can file a complaint under this policy.
3. A person can file a report under this policy.

A disclosure may or may not result in a complaint or report. Appropriate supports and reasonable accommodation(s) will be made available to the victim/survivor making the disclosure. The victim/survivor's immediate safety will always be paramount and addressed promptly.

When responding to disclosure the College will provide the victim/survivor with information about what they can expect about the process and support services to follow. This information is intended to help support the person in making decisions and actively taking part in the response process as they may elect to do so.

During an evaluation of a disclosure, complaint or report or during an investigation of an allegation of sexual violence and misconduct, the College may impose interim measures, as deemed appropriate, for the safety of the individual(s) involved and/or the community. Interim measures may include, but are not limited to;

- Alteration of the learning or work schedule of an individual,
- Imposing a no contact directive,
- Temporary non-disciplinary, leave of a student and/or employee from the college, or
- Any other interim measure as may be determined by the college.

Fear of Retaliation

All students, faculty, administrative staff, clinic patients, visitors must feel as safe and comfortable as possible in coming forward with a disclosure, complaint, report or to participate in an investigation of sexual violence and misconduct without fear of retaliation or reprisal.

Retaliation or reprisal is defined as any action with a negative impact that is taken or threatened or suggested against a person in whole or in part because that person;

- Discloses an incident of sexual violence and misconduct; or
- Files a complaint or report as per this policy; or
- Associates with a person who has filed a complaint as per this policy; or
- Participates in any way in an investigation of a complaint as per this policy; or
- Reports any failure to follow through with the required outcome deriving from an investigation as per this policy.

Examples of retaliation include, but are not limited to;

- A threat or actual failure of a student, requiring a student to defer or the demotion or release of an employee
- Negative changes in terms of learning, working conditions/environment
- A denial of opportunities, in the classroom or work environment
- Personal harassment, including ostracism or exclusion from normal social and professional interactions

Frivolous or Vexatious Complaints

Frivolous or vexatious complaints or reports are those where the complainant or person making a report of sexual violence and misconduct knows of no foundation in fact that would suggest a breach of this policy, and where the complaint or report is filed for the purpose of bringing an adverse consequence to the respondent or another WCCMT student/employee. Such complaints constitute a breach of this policy and any student/employee engaged in the disclosure or filing of such a complaint may be subject to discipline, up to and including, dismissal.

Prevention Program – Educate, Support and Empower

Educate

The first and most basic step towards preventing sexual violence and misconduct is through awareness and education, to all members of the WCCMT community including but not limited to; students, faculty, administrators, staff and patients of the student intern clinic/in-reaches/out-reaches, of the College's position and policy on sexual violence and misconduct, including the process and procedures for filing a complaint or report.

Specific awareness and education initiatives relating to the College's position, policy and procedure on sexual violence and misconduct include, but are not limited to:

- Broad communication throughout the campus which clearly articulates the College's position on sexual violence and misconduct and provides students, faculty, administrators and staff with information and access to disclose or file a complaint or report
- Specific information directed towards patients of the College's student intern clinic/in-reaches/out-reaches which clearly articulates the College's position on sexual violence and misconduct and provides patients with information and access to disclose or file a complaint or report

- Broad communication publicly posted on-site and on the College's website reiterating the College's zero-tolerance policy as well as the critical understanding the "... Is Not Yes".
- Specific review and acknowledgement of the College's *Sexual Violence and Misconduct Policy* by prospective students during the Education Interview which is a requirement of the Admissions process
- Included as one of the core policies reviewed by the administration at the Term 1 Student Orientation and reinforced during the Term 2 Clinic Orientation
- Included as a required competency in program curriculum in a number of courses, including but not limited to: Term 1: Ethics and Professionalism, Manual Skills; Term 2: Manual Skills, Health Regulations and reinforced throughout the Clinic Internship program terms 2 – 5.
- Included in both the Student and Employee Manuals which both students and employees are required to acknowledge receipt and understanding prior to enrolling in the program for students and beginning of employment for employees. (*Note: given the contractual employment of faculty they are required to review the Employee Manual and all policies included within it prior to the beginning of each term*)
- Any changes/updates or revisions to the policy will be communicated in a timely manner to all relevant members of the WCCMT community. Communication vehicles used will vary based on the amount and significance of changes/updates or revisions and could include some or all of the following: memos, notices, posters, meetings, on-site and/or on-line educational workshops or learning modules.

Support

From the initial moment that a victim/survivor of an incident of sexual violence and misconduct comes forward it is essentially that they are appropriately supported. In addition to ensuring that they are informed of the College's policy on sexual violence and misconduct including the process for disclosing, filing a complaint or report there are a number of supportive strategies and initiatives to be considered.

It is important to recognize that disclosure can be traumatic and respond with compassion, reflective listening; be empathetic and non-judgmental. Allow the victim/survivor to disclose their experience in the terms that best suit their comfort level, respecting their choice regarding the amount of information or detail they choose to share.

Assure them that the College takes allegations of sexual violence and misconduct very seriously; reminding them that sexual violence and misconduct is not tolerated and that it was not their fault. Encourage them to seek the support they need and help them identify compassionate individuals within their existing support system. Throughout the process make every reasonable effort to respect the victim/survivor's privacy and confidentiality.

Ensure that the victim/survivor knows how to access on-site or off-site services including emergency medical care and/or counseling referrals. At a minimum provide them with the VictimLinkBC helpline number (1-800-563-0808 or victimlinkbc.ca) and explain that this service is available to them at any time. Additional local community support includes:

New Westminster Police Department - Victim Assistance Unit
 555 Columbia Street, New Westminster, BC
 604 529 2525

Surrey Women's Centre
10075 136A Street, Surrey, BC
604 583 1295

Family Services of Greater Vancouver (New West/Burnaby) – Victim Support Services
321 6th Street, New Westminster, BC
604 525 9144

Ensure that the victim/survivor is aware of the range of potential accommodations available to them by the College including: extensions on assignments, tests or exams or the deferral or withdrawal from a course, without penalty. Additionally, the College may, should it be deemed necessary to protect the victim/survivor, remove an alleged perpetrator from classes, or from the campus, while ensuring procedural fairness and compliance with any other applicable laws. Victims/survivors are assured that this is an option even in circumstances where they choose not to file a report to the police.

Finally, it is important to respect the right of the victim/survivor to choose if they want to make a formalized complaint to the College or to the Police.

Empower

Sexual violence and misconduct is an egregious offense and must always be taken seriously. The College will take every reasonable step to ensure the safety of the College community when it has been made aware of an incident of sexual violence and misconduct.

The College is committed to establishing and fostering a culture of zero tolerance. In achieving this the College appreciates the importance of establishing an environment that empowers individuals, who are victims/survivors of sexual violence and misconduct or those who have witnessed alleged acts of sexual violence and misconduct, to confidently bring their concerns forward knowing that they will be taken seriously and that they will be respected and supported throughout the process.

To this end the College strongly encourages immediate reporting of incidents of sexual misconduct. To facilitate this the College is committed to:

- Provide the victim/survivor with the information and knowledge they need to make informed decisions;
- Ensure the victim/survivor understand their rights and if moving forward with a complaint their rights and responsibilities in this regard;
- Ensure the victim/survivor or witness understands they can file a complaint or report, without fear of reprisal; and
- Ensure that the victim/survivor or witness knows that the College will do everything possible to protect their privacy and confidentiality.

Privacy and Confidentiality

It is extremely important that privacy and confidentiality be maintained for both the victim/survivor and the alleged perpetrator. However, there may be circumstances under which the College will be unable to maintain confidentiality. These could include any of the following:

- When an individual is at imminent risk of severe or life-threatening self-harm;
- When there are reasonable grounds to believe there is risk of harm to others;

- When the College has reasonable grounds to believe that others at the College may be at significant risk of harm based on information provided;
- When reporting is required by law. For example, in the case of a minor i.e., a person under 19 years of age, and includes a youth under the *Child, Family and Community Services Act*; or
- When disclosure is necessary to ensure procedural fairness in an investigation or other response to the disclosure/complaint report.

Related Documents, Legislation and College Policies:

There are a number of documents, legislation and other College policies related to the *Sexual Violence and Misconduct Policy* including, but not limited to:

- [Sexual Violence and Misconduct Policy Act](#)
- [Criminal Code of Canada](#)
- [BC Human Rights Code](#)
- The following related WCCMT Policies available on the College [website](#):
 - Code of Conduct Policy
 - Respectful and Fair Treatment Policy
 - Student Counselling Services

33.1 Process for Disclosure of Sexual Violence and Misconduct Involving a Student, Faculty, Administrative Staff, Patient of the Student Intern Clinic/In-Reaches/Out-Reaches or other external College Committee members or Guests or Visitors to the College

Any student, faculty, administrative staff, patient of the student intern clinic/in-reaches/out-reaches or other external College Committee members or guests or visitors to the College who wishes to make a disclosure related to an incident of sexual violence and misconduct should immediately contact a member of the Senior Administrative Team working at the New Westminster campus. (i.e., Director of Compliance or Director of Operations).

The Director of Compliance is available in their office on the 2nd floor or by telephone at 604 520 2844 extension 227 or email at cidaliap@collegeofmassage.com. The Director of Operations is available in their office on the first floor or by telephone at 604 520 1844 extension 220 or email at mclemente@collegeofmassage.com.

The member of the senior administrative team who is contacted regarding a disclosure of sexual violence and misconduct will meet with the individual immediately. They will reaffirm the College's position of taking these matters seriously and will listen to the disclosure with sensitivity, caring and compassion.

Once the senior administrator has attentively heard the disclosure, and believe it to have merit, they will outline the potential next steps including; the process and procedures of formalizing a complaint or report, the outlining of potential accommodations available to them from the College and access to external resources and support agencies. The individual will be advised throughout that they are the decision-maker with respect to moving forward with formalizing a complaint or report and that their decision will be fully respected and supported by the College without reprisal.

Should the individual making the disclosure choose not to proceed with filing a complaint or report then no formal process will be initiated. However, the senior administrator will take appropriate action to

support the individual including providing appropriate accommodations available on the basis of their disclosure and access to external resources and support agencies.

33.2 Process for Making a Complaint Regarding Sexual Violence and Misconduct Involving a Student, Faculty, Administrative Staff, Patient of the Student Intern Clinic/In-Reaches/Out-Reaches or other external College Committee members or Guests or Visitors to the College

Any student, faculty, administrative staff, patient of the student intern clinic/in-reaches/out-reaches or other external College Committee members or guests or visitors to the College who wishes to make a complaint related to an incident of sexual violence and misconduct should immediately contact a member of the Senior Administrative Team working at the New Westminster campus. (i.e., Director of Compliance or Director of Operations).

The Director of Compliance is available in their office on the 2nd floor or by telephone at 604 520 2844 extension 227 or email at cidaliap@collegeofmassage.com. The Director of Operations is available in their office on the first floor or by telephone at 604 520 1844 extension 220 or email at mclemente@collegeofmassage.com.

Using the *Complaint of Sexual Violence and Misconduct Recording Form – Part A* the Senior Administrator will support the alleged victim/survivor ‘complainant’ to complete the recording form which includes the following information:

- Date form completed
- Date/Time of alleged incident
- Name of complainant
- Identity of complainant (i.e., current student, faculty/administrator/staff, other)
- Name of alleged respondent(s)
- Identity of alleged respondent (i.e., current student, faculty/administrator/staff, other)
- Record of support/accommodations offered to the complainant by the College
- Summary of incident
- Name(s) of any witnesses
- Date and signature of complainant

The Senior Administrator will provide immediate counseling support to the victim/survivor and if necessary, a referral to professional counseling services who work with victims/survivors of sexual violence and misconduct.

Although it is understood that it will be the victim/survivor who determines what, if any, police reporting will be made the Senior Administrator can arrange to have a police officer meet with the victim/survivor at the College to discuss the possibility of making a criminal report should they desire. Alternatively, should the victim/survivor decide to file a criminal report, the Senior Administrator can accompany the victim/survivor to the police station or have police attend at the College facility.

In any circumstance where there is a serious safety risk to others and/or the College community, the College has a legal obligation to act, which may include the direct reporting of the alleged incident of sexual violence and misconduct to the police or any other relevant authority.

33.3 Process for Responding to a Complaint of Sexual Violence and Misconduct Involving a Student, Faculty, Administrative Staff, Patient of the Student Intern Clinic/In-Reaches/Out-Reaches or other external College Committee members or Guests or Visitors to the College

The Director of Compliance and/or Director of Operations will meet with the Executive Director/Senior Educational Administrator and inform her/him of the incident. Collaboratively they will review the *Complaint of Sexual Violence and Misconduct Recording Form – Part A* and create an action plan to investigate and resolve the alleged incident of sexual violence and misconduct as soon as reasonably possible using the *Complaint of Sexual Violence and Misconduct Recording Form – Part B* to guide and document the process.

All allegations of sexual violence and misconduct will be investigated consistent with the principles of procedural fairness which ensure they are conducted fairly and without bias. As a minimum the Director of Compliance and/or Director of Operations and the Executive Director/Senior Educational Administrator will ensure:

- That the respondent is given reasonable notice, details of the allegation and provided with an opportunity to respond to the allegation;
- All identified individuals who had knowledge of or witnessed the alleged incident of sexual violence and misconduct are provided the opportunity to give their statement;
- Any completed Report of Sexual Violence and Misconduct Recording Form relevant to this alleged incident is brought forward as part of the investigation; and
- Any additional information that may be pertinent to this incident is brought forward as part of the investigation including any follow up with police or regulatory authority.

Once the investigation is complete the Director of Compliance and/or Director of Operations and the Executive Director/Senior Educational Administrator will schedule a meeting of the College's Management Committee to hear the allegation. The preparation and process of the meeting is as follows:

- Members of the Management Committee will be provided with a copy of the *Complaint of Sexual Violence and Misconduct Recording Form - Part A* and *Part B* along with any other relevant material for their review prior to the meeting;
- The complainant and the respondent (separate of each other) will have an opportunity to personally present their account of the alleged incident to the Management Committee and to address any questions or inquiries of the Management Committee;
- They will each be advised that they may be represented by an agent or a lawyer during these proceedings;
- The Management Committee will consider all facts and information pertaining to the alleged incident and render a decision which must be substantiated with evidence;
- The complainant and the respondent will be informed of the Management Committee's decision both verbally and in writing within 48 hours of the meeting;
- The decision of the Management Committee is final and binding on all parties at the College level; and
- The incident itself and all information related to it must be kept strictly confidential.

33.4 Process for Making a Report of Sexual Violence and Misconduct Involving a Student, Faculty, Administrative Staff, Patient of the Student Intern Clinic/In-Reaches/Out-Reaches or other external College Committee members or Guests or Visitors to the College

Any student, faculty, administrative staff, patient of the student intern clinic/in-reaches/out-reaches or other external College Committee members or guests or visitors to the College who wishes to file a report related to an incident of sexual violence and misconduct that they have witnessed or have knowledge of should contact a member of the Senior Administrative Team working at the New Westminster campus. (i.e., Director of Compliance or Director of Operations).

The Director of Compliance is available in their office on the 2nd floor or by telephone at 604 520 2844 extension 227 or email at cidaliap@collegeofmassage.com. The Director of Operations is available in their office on the first floor or by telephone at 604 520 1844 extension 220 or email at mclemente@collegeofmassage.com.

Using the *Report of Sexual Violence and Misconduct Recording Form* the Senior Administrator will support the individual to complete the recording form which includes the following information:

- Date form completed
- Date/Time of alleged incident
- Name of the individual making the report
- Identify of the individual making the report (i.e., current student, patient of public clinic, other)
- Name of victim/survivor “complainant” of alleged incident
- Identity of victim/survivor (i.e., current student, faculty/administrator/staff, other)
- Name of alleged respondent(s)
- Identity of alleged respondent (i.e., current student, faculty/administrator/staff, other)
- Summary of incident
- Name(s) of any other witnesses
- Date and signature of individual making the report
- Date and signature of Senior Administrator receiving the report

33.5 Process for Responding to a Report of Sexual Violence and Misconduct Involving a Student, Faculty, Administrative Staff, Patient of the Student Intern Clinic/In-Reaches/Out-Reaches or other external College Committee members or Guests or Visitors to the College

The Director of Compliance and/or Director of Operations will meet with the Executive Director/Senior Educational Administrator and inform her/him of the report. Collaboratively they will review the completed *Report of Sexual Violence and Misconduct Recording Form* and create an action plan to investigate the report as soon as reasonably possible. As a minimum the Senior Administrator will;

- Meet with the alleged victim/survivor named in the report and confirm the information as provided by the individual who reported the incident of alleged sexual violence and misconduct;
- Should the alleged victim/survivor deny that the incident occurred or refuse to pursue a formalized complaint with the College no further action will be taken and the individual who filed the report will be informed of such; and

- Should the alleged victim/survivor confirm that the incident did occur and express their desire to formalize a complaint with the College the formal process for making a complaint of sexual violence and misconduct will begin.



COMPLAINT OF SEXUAL VIOLENCE AND MISCONDUCT RECORDING FORM - PART A

Instructions: To be completed by the alleged victim/survivor '*complainant*' with the support of the appropriate Senior Administrator of the College

Name of Complainant (victim/survivor):	<input type="checkbox"/> Current Student <input type="checkbox"/> Other _____ <input type="checkbox"/> Current Faculty/Admin/Staff/Patient
Date and Time of Alleged Incident:	Date Form Completed:
Name of Respondent (alleged perpetrator):	<input type="checkbox"/> Current Student <input type="checkbox"/> Other _____ <input type="checkbox"/> Current Faculty/Admin/Staff/Patient
Record of Support/Accommodations Offered to the Complainant by the College (acknowledgment and details):	
Summary of Incident – to be completed by the Complainant (provide as much detail as possible; use separate sheet as required)	
Name(s) of any Witnesses:	
Signature of Complainant:	Date:
Administrative Use Only	
Name and Signature of Senior Administrator who received this form:	Date Received:

Follow up with police or another legal or regulatory authority, if required:	
Date of Management Committee Meeting:	
Finding(s) of Management Committee:	
Rationale for Findings of Management Committee:	
Date Findings provided <u>verbally</u> to the Complainant and Respondent:	Date Findings provided <u>in writing</u> to the Complainant and Respondent:
Name and Signature of Senior Administrator who completed this form:	Date:
Name and Signature of Management Committee Chair:	Date:



REPORT OF SEXUAL VIOLENCE AND MISCONDUCT RECORDING FORM

Instructions: To be completed by the individual who wishes to report an alleged incident of sexual violence and misconduct, with support by the appropriate Senior Administrator of the College.

Name of Individual Making the Report:	<input type="checkbox"/> Current Student <input type="checkbox"/> Other _____ <input type="checkbox"/> Current Faculty/Staff/Admin/Patient
Date and Time of Alleged Incident:	Date Form Completed:
Name of Victim/Survivor of Alleged Incident:	<input type="checkbox"/> Current Student <input type="checkbox"/> Other _____ <input type="checkbox"/> Current Faculty/Admin/Staff /Patient
Name of Respondent (alleged perpetrator):	<input type="checkbox"/> Current Student <input type="checkbox"/> Other _____ <input type="checkbox"/> Current Faculty/Admin/Staff/Patient
Summary of Incident – to be completed by the Individual making the Report (provide as much detail as possible; use separate sheet as required)	
Name(s) of any other Witnesses:	
Signature of Individual Making the Report:	Date:
Administrative Use Only	
Name and Signature of Senior Administrator who received this form:	Date Received: