



## Sexual Misconduct Policy

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**Excel Career College** is committed to the prevention of and appropriate response to sexual misconduct.

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.

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.

1. 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**.
2. The process for making a **Complaint** about sexual misconduct involving a student is as follows:
  - Student submits the complaint about the situation to their Program Coordinator. If the Program Coordinator is unavailable or is involved in the complaint, the student submits the complaint to the Senior Educational Administrator.
3. 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 10 days and discuss next steps with the student who made the complaint.
- 4. The process for making a **Report** of sexual misconduct involving a student is as follows:
  - Student submits a report in writing to the Senior Educational Administrator. If the Senior Educational Administrator is unavailable or named in the report, the student submits the report to the Director.
- 5. The process for responding to a **Report** of sexual misconduct involving a student is as follows:
  - The College will acknowledge receipt of the report within 10 days. The College will then review the report, and confirm next steps in writing within a reasonable timeframe.
- 6. In all instances **Excel Career College** 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.
- 7. 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.

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.