



SEXUAL HARASSMENT/ MISCONDUCT

Sexual harassment/misconduct is any unwelcome sexual advances, requests for sexual favours and other verbal or physical conduct of a sexual nature. These can create a hostile or offensive work and learning environment.

SEXUAL MISCONDUCT POLICY

1. Excel Career College 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.

COMPLAINT VS REPORTING SEXUAL MISCONDUCT

The Dispute Resolution Process:

Disclosure

- A disclosure without a complaint will not initiate a process to investigate the incident or engage in any resolution process.
- Students and Employees who make a disclosure will be provided support and accommodated where appropriate.

Complaint of Sexual Misconduct

3. A **Complaint** of sexual misconduct is different from a **Report** of sexual misconduct. A Complaint is when the victim/survivor discloses or chooses to tell someone at the College 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.

Report of Sexual Misconduct



4. A **Report** is a formal notification of an incident of sexual misconduct to the Campus Director or staff who the student feels safe approaching at the institution accompanied by a request for action. A report does not have to be made by the victim/survivor.

Formal Complaint

- a. The student is responsible for informing the college, but if a resolution is not found then the
- b. The student will file a complaint in writing with the campus director
- c. A meeting will be scheduled within 2 days
- d. The campus director conducts an investigation within 14 days
- e. Discusses results with the student
- f. A second meeting is scheduled within 5 days if the student is not satisfied
- g. If the student is still not satisfied with the results, then the student has the right to file a
- h. complaint with PTIRU within 7 days

REPORTING IS CONFIDENTIAL

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;
- at imminent risk of harming another;
- Has 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.