

# SEXUAL MISCONDUCT POLICY

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## Purpose and Commitment

Avalon Community College is committed to providing a safe, respectful, and supportive environment for all students, instructors, and staff. Sexual misconduct in any form will not be tolerated. This policy addresses both prevention and response to sexual misconduct, and it applies to all members of the institutional community.

The institution is committed to:

- Preventing sexual misconduct through awareness, education, and clear rules of conduct.
- Responding promptly, fairly, and effectively to all complaints and reports of sexual misconduct.
- Ensuring that complainants are supported and that respondents are treated with fairness.

This policy will be provided to all students prior to the start of their program. It will be posted prominently on the institution's website, displayed in campus reception areas, and included in student materials.

## Definitions

Sexual misconduct includes, but is not limited to:

- 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
- The threats to commit an act of sexual misconduct

Employee sexual misconduct also includes:

- Any sexual relations, touching, or remarks of a sexual nature by an employee toward a student, or by a student toward an employee, where it constitutes a criminal offence, a violation of the Human Rights Code, or a breach of institutional policy.
- Reprisals or threats of reprisals for rejecting sexual advances.

## Prevention Measures

The institution will:

- Provide students and employees with education and training on sexual misconduct prevention and response.
- Require instructors, staff, and administrators to maintain professional boundaries with students.
- Require external organizations hosting students (e.g., practicum sites) to confirm compliance with applicable human rights and workplace safety legislation.

## Distinction Between Complaint and Report

**Complaint:** A disclosure of sexual misconduct where the individual seeks support, resolution, or accommodation, but does not request a formal investigation.

**Report:** A formal notification requesting that the institution take action, which may include investigation and disciplinary measures.

A student may make a complaint without being required or pressured to file a report.

## Process and Timelines

The institution will follow the process and timelines set out in its Dispute Resolution Policy to ensure that all complaints and reports of sexual misconduct are addressed promptly, fairly, and within established timeframes.



### **Complaint Procedure (Informal)**

Any student may submit a complaint in writing to the designated campus contact (see Section 11 – Contact Information). Complaints may also be received by a Designate if the primary contact is unavailable.

Complainants will be provided with:

- Options for resolution.
- Access to academic or safety accommodations (e.g., class changes, extensions, alternative study methods).
- Referrals to counselling and community supports.

### **Report Procedure (Formal)**

Any student or employee may file a report in writing with the designated contact. Upon receipt of a report, the institution will:

1. Determine whether an investigation should proceed and if the complainant wishes to participate.
2. Decide who will conduct the investigation, based on the seriousness and parties involved.
3. Consider whether immediate referral to the police is required.
4. Implement interim measures as appropriate (e.g., suspension, schedule changes, restricted access).

### **Investigation Process**

If an investigation is initiated:

- The complainant and respondent may have a support person present.
- The investigator will:
  - Interview the complainant to document the full allegation.
  - Inform and interview the respondent, providing a full opportunity to respond.
  - Interview witnesses and review relevant evidence.
- Both parties will receive reasonable updates during the process.
- At conclusion, the decision-maker (Campus Designate or Designate) will review all evidence, determine whether sexual misconduct occurred, and decide on disciplinary measures.

### **Disciplinary Measures**

If misconduct is found, the institution may impose:

- Verbal or written warnings
- Suspension of an employee or student
- Expulsion of a student
- Termination of employment (mandatory for serious employee misconduct)
- Restrictions on access to premises or services
- Referral to law enforcement where applicable

For employees terminated due to sexual misconduct, re-employment at the institution is strictly prohibited.

### **Confidentiality**

All information related to complaints and reports will remain confidential except where:

- There is an imminent risk of self-harm or harm to others.
- Legal reporting obligations apply.
- Procedural fairness requires disclosure.

### **Protection from Reprisal**

It is a violation of this policy to retaliate against, or threaten retaliation against, anyone who makes a complaint, files a report, provides evidence, or participates in an investigation.

False complaints made in bad faith may also result in disciplinary action.

### **Contact Information - Designated Contact(s):**

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|---|---|
| • Name: Chintan Purohit   | • Name: Jessica Dennie  |
| Email: <a href="mailto:Chintan.Purohit@avaloncommunitycollege.ca">Chintan.Purohit@avaloncommunitycollege.ca</a> | Email: <a href="mailto:jessica.dennie@aoltoronto.com">jessica.dennie@aoltoronto.com</a> |
| Address: 13402 – 104 Avenue, 2 <sup>nd</sup> Floor  | Phone number: (416) 969-8845  |
| Surrey, BC V3T 1V6  |   |



External supports, such as BC Sexual Assault Centres and crisis lines, are listed below.

#### **HealthLinkBC**

- **Call 811** toll free in B.C., 24 hours every day
- Easy access to non-emergency health information and services
- **Translation services** in over 130 languages on request
- **For deaf and hearing-impaired** assistance (TTY), call 711.
- [www.healthlinkbc.ca](http://www.healthlinkbc.ca)

#### **Crime Victim Assistance Program**

- **Call toll-free in B.C.** at 1-866-660-3888 or **Email:** [cvap@gov.bc.ca](mailto:cvap@gov.bc.ca)

#### **Helpline for Children**

- Call 310-1234 (no area code required), 24 hours every day, to report a person under 19 who needs protection to the Ministry of Children and Family Development
- To use the TTD (Telephone Device for the Deaf), call 1-866-660-0505

#### **VictimLink BC**

- VictimLink BC is a toll-free, multilingual, confidential telephone service available across B.C. and Yukon 24 hours a day, 7 days a week that provides information and referral services to all victims of crime and immediate crisis support to victims of family and sexual violence.
- **Contact VictimLink BC** at 1-800-563-0808 (toll-free in B.C. and Yukon). Call **TTY** at 604 875-0885; to **call collect**, please call Telus Relay Service at 711.
- **Text** to 604 836-6381. Or **Email:** [VictimLinkBC@bc211.ca](mailto:VictimLinkBC@bc211.ca)
- [www.victimlinkbc.ca](http://www.victimlinkbc.ca)

#### **Policy Review**

This policy will be reviewed annually to ensure compliance with relevant legislation and to maintain its effectiveness in protecting students.

