

**Sexual Violence Policy**

Name of Policy

**January 01<sup>st</sup>, 2008**

Effective Date

**Senior Education Administrator**

Position(s) Responsible

**January 31<sup>st</sup>, 2024**

Date of Last Revision

**Sexual Violence Policy**

**Introduction**

Ace Community College is committed to providing its students with an educational environment free from sexual violence and treating students who report incidents of sexual violence with dignity and respect.

Ace Community College has developed this Sexual Violence Policy, which defines sexual violence and outlines its training, reporting, investigative and disciplinary responses to complaints or reports of sexual violence made by students that have occurred on campus, or at one of its events and involve other students, staff or faculty. The person accused of engaging in sexual violence will be referred to as the “Respondent” and the person making the allegation as the “Complainant”.

**1. Definition of Sexual Violence**

Sexual violence means any sexual act or act 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 and includes 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

**2. Training, Reporting and Responding to Sexual Violence**

2.1 Ace Community College shall include a copy of the Sexual Violence Policy in each

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management, staff and faculty. It will also be published on the school's website as well as at the front reception area of the campus in order to be available to any campus visitors or contractors. Any employer participating in offering student practicum placements on their premises must provide an undertaking in writing that it is in compliance with the Occupational Health and Safety Act and will provide students access to those policies should they encounter issues relating to sexual violence in the workplace.

2.2 Ace Community College management, staff, faculty and contractors of Ace Community College will report incidents of or complaints of sexual violence to the Campus Administrator or Campus Director upon becoming aware of them.

2.3 Students who have been affected by sexual violence or who need information about support services should contact the Campus Administrator or Campus Director.

2.4 Subject to Section 4 below, to the extent it is possible, Ace Community College will attempt to keep all information related to a Complaint or Report confidential and will not share this information 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.

2.5 Ace Community College recognizes the right of the Complainant not to report an incident of or make a complaint about sexual violence or not request an investigation and not to participate in any investigation that may occur.

2.6 Notwithstanding (3.5), in certain circumstances, Ace Community College may be required by law or its internal policies to initiate an internal investigation and/or inform police without the Complainant's consent if it believes the safety of members of its campus or the broader community is at risk.

2.7 In all cases, including (3.5) above, Ace Community College will appropriately accommodate the needs of its students who are affected by sexual violence and will assist students who have experienced sexual violence in obtaining counselling and medical care, and provide them with information about sexual violence supports and services available in the community as set out in Appendix 1. Students are not required to file a formal report in order to access supports and services.

### 3. Investigating Reports of Sexual Violence

- 3.1 Under this Sexual Violence Policy, any student of Ace Community College may file a report of an incident or a complaint to the Campus Administrator or Campus Director in writing.
- 3.2 Upon receipt of a report of an incident or complaint of alleged sexual violence being made, the Campus Administrator or Campus Director will respond promptly and:
- 3.2.1 Determine whether an investigation should proceed and if the Complainant wishes to participate in the investigation;
  - 3.2.2 Determine who should conduct the investigation having regard to the seriousness of the allegation and the parties involved;
  - 3.2.3 Determine whether the incident should be referred immediately to the police; In such cases or where civil proceedings are commenced in respect of allegations of sexual violence, Ace Community College may conduct its own independent investigation and make its own determination in accordance with its own policies and procedures; and
  - 3.2.4 Determine what interim measures should be put in place pending the investigation process such as removal of the Respondent or seeking alternate methods of providing necessary course studies.
- 3.3 Once an investigation is initiated, the following will occur:
- 3.3.1 The Complainant and the Respondent will be advised that they may ask another person to be present throughout the investigation;
  - 3.3.2 Interviewing the Complainant to ensure a complete understanding of the allegation and gathering additional information that may not have been included in the written complaint such as the date, time and location of the incident, the persons involved, the names of any person who may have witnessed the incident and a complete description of what occurred;
  - 3.3.3 Informing and interviewing the Respondent of the complaint, providing details of the allegations and giving the Respondent an opportunity to respond to the allegations and to provide any witnesses that the Respondent feels are essential to the investigation;
  - 3.3.4 Interviewing any person involved or who has, or may have, knowledge of the incident and identified witnesses;
  - 3.3.5 Providing reasonable updates to the Complainant and the Respondent about the status of the investigation; and
  - 3.3.6 Following the investigation the Campus Administrator or Campus Director will:

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- Review all of the evidence collected during the investigation;
- Determine whether sexual violence occurred; and if so
- Determine what disciplinary action, if any, should be taken as set out in Section 5 below.

#### **4. Disciplinary Measures**

4.1 If it is determined by Ace Community College that the Respondent did engage in sexual violence, immediate disciplinary or corrective action will be taken. This may include:

- Disciplinary action up to and including termination of employment of faculty or staff; or
- Expulsion of a student; and/or
- The placement of certain restrictions on the Respondent's ability to access certain premises or facilities; and/or
- Any other actions that may be appropriate in the circumstances.

#### **5. Appeal**

5.1 Should the Complainant or the Respondent not agree with the decision resulting from the investigation, they may appeal the decision by submitting a letter within 3 business days addressed to the Campus Administrator or Campus Director advising of the person's intent to appeal the decision.

#### **6. Making False Statements**

6.1 It is a violation of the Sexual Violence Policy for anyone to knowingly make a false complaint of sexual violence or to provide false information about a complaint.

6.2 Individuals who violate the Sexual Violence Policy are subject to disciplinary and/or corrective action up to and including termination of employment for faculty or staff or expulsion of a student.

#### **7. Reprisal**

7.1 It is a violation of this Sexual Violence Policy to retaliate or threaten to retaliate against a Complainant who has brought forward a complaint of sexual violence, provided information related to a complaint, or otherwise been involved in the complaint investigation process.

7.2 Individuals who violate the Sexual Violence Policy are subject to disciplinary and/or corrective action, up to and including termination of employment for faculty or staff or expulsion of a student.

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**8. Review**

8.1 Ace Community College will ensure that student input is considered in the development of its Sexual Violence Policy each time it is reviewed or amended.

8.2 Ace Community College will review its Sexual Violence Policy every three years after it is first implemented and amend it where appropriate.

**9. Collection of Student Data**

Ace Community College will collect and be prepared to provide upon request by the Superintendent of Private Career Colleges such data and information as required according to Subsections 32.1 (8), (9), (10) and (11) of Schedule 5 of the Private Career Colleges Act, 2005 as amended.

Campus Administrator	604-603-2231 Ext. 105	<a href="mailto:manager@acecollegecanada.com">manager@acecollegecanada.com</a>
Campus Director	604-603-2231 Ext. 102	<a href="mailto:schawla@acecollegecanada.com">schawla@acecollegecanada.com</a>

This institution is certified by the Private Training Institutions Branch (PTIB). Certified institutions must comply with regulatory requirements, including the requirement to have a Sexual Misconduct policy. For more information about PTIB, go to [www.privatetraininginstitutions.gov.bc.ca](http://www.privatetraininginstitutions.gov.bc.ca).

## Appendix 1

The following represents a list of local Rape Crisis Centres:

### **WAVAW Rape Crisis Centre**

[www.wavaw.ca](http://www.wavaw.ca)

24-hour Crisis and Information Line: Vancouver & Lower Mainland: 604-255-6344

National Toll-Free Number: 1-877-392-7583

### **VictimLink BC**

<https://www2.gov.bc.ca/gov/content/justice/criminal-justice/victims-of-crime/victimlinkbc>

VictimLink BC provides information and referral services to all victims of crime and immediate crisis support to victims of family and sexual violence, including victims of human trafficking exploited for labour or sexual services.

For confidential, multilingual service available 24 hours a day, 7 days a

week: Call or text: 1-800-563-0808

Email: [VictimLinkBC@bc211.ca](mailto:VictimLinkBC@bc211.ca)