

Sexual Misconduct Policy

Academy of Learning

Name of Institution

00165

Institution Number

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September 1, 2021

Effective Date

September 1, 2021

Revision Date

Sexual Misconduct Policy

1. The Academy of Learning is committed to the prevention of and appropriate response to sexual misconduct. This policy applies to the students in case of any kind of sexual misconduct at the Academy of Learning or at any event organized by the college. It also includes faculty, staff, administration, Board members, contractors, volunteers, visitors, and others identified by the institution.
2. The Academy of Learning intends to provide a safe and secure learning environment to prevent such incidents and to provide support to the students in making a disclosure/complaint or report if such incidents occur. Further, the college will treat the individuals who will report the incidents of sexual harassment with dignity and respect. The college also aims to educate the college community about prevention of sexual misconduct.
3. Sexual misconduct refers to a spectrum of non-consensual sexual contact and behavior 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.
4. A person may choose to Disclose or Complain at the college of an incident of sexual misconduct without making a formal report to police or campus authorities.
 5. A Report is a formal notification of an incident of sexual misconduct to someone at the college accompanied by a request for action. A report can be made by anyone including, but not limited to, the victim/survivor.
 6. 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.
 7. The process for making a Complaint about sexual misconduct involving a student is as follows:
 - The Academy of Learning encourages immediate reporting of the incidents of sexual misconduct by those who have knowledge of or who have witnessed.
 - The students can make complaints to their instructor or the Senior Educational Administrator (SEA) who is responsible for making determinations in respect of complaints.
 - Contact SEA:
Name:
Phone:
Email:
 - If the SEA is absent or is named in the complaint, the student must address the complaint to the Campus Director.
 - Contact Campus Director:
Name:
Phone:
Email:

(Latest contact info of SEA and Campus Director/Executive Director can be asked from front desk)
 8. The process for responding to a Complaint of sexual misconduct involving a student is as follows:
 - Upon the complaint about the sexual harassment incident, the SEA will immediately take a notice.

- The institution will acknowledge receipt of the complaint within three business days.
- After receiving a complaint, the college will provide the victim/survivor all necessary information on available resources and support.
- The SEA will ensure fair treatment with the both parties involved.
- The SEA will arrange a meeting with the complainant to collect the necessary information about the incident and to assist the complainant to take appropriate steps.
- The SEA may provide emergency numbers for on and off campus security, law enforcement, medical assistance, and mental health services (if required).
- The SEA will encourage immediate reporting of the incident and will ensure the safety of the students after the incident.
- A complaint may not result in a report being made and, therefore, may not initiate a formal process.
- The consent of the complainant is important to disclose and report the matter for further investigations.
- The complainant may change his/her mind later on and choose to report to police or campus security.

9. The process for making a Report of sexual misconduct involving a student is as follows:

- The student must submit the written report about the sexual misconduct to the Campus SEA.
 Call or Email the SEA:
 Name:
 Phone:
 Email:
- If the SEA is absent or is named in the complaint, the student must address the complaint to the Campus Director.

Contact Executive Director:

Name:

Phone:

Email:

(Latest contact info of SEA and Campus Director/Executive Director
can be asked from front desk)

10. The process for responding to a Report of sexual misconduct involving a student is as follows:

- The SEA or Campus Director will respond to the report as soon as possible, within three business days from the submission of the report.
- The SEA will meet the victim/survivor and interview them.
- Interview the witnesses (if available) of that incident to collect the facts.
- Interview any other person who may have knowledge of the incident related to the complaint.
- Determine the date of the incident, time of the incident, the persons involved and any witness of the incident etc.
- After the preliminary investigation which will take a maximum of 5 business days, the SEA will inform the complainant about the progress and provide a chance to the respondent to respond to the allegations.
- If the individual filing a report to the college will withdraw the report, the institution may continue to act on the matter (if required for the safety of the students).
- Further, the SEA can also consult with other institution departments (e.g. Human Resources, Disability Services, International Programs, Security), police, community-based victim services programs, or other experts as required.
- The college may inform the campus security about the incident for the safety purposes.
- The SEA will determine the appropriate disciplinary action after the investigation if any should be taken.

- (1) Determine that the report is not proved; the file is closed.
- (2) Determine that the report is substantiated, in whole or in part, and either:
 - (i) Give the student a warning clearing up the consequences of further misconduct; or
 - (ii) Set a probationary period with appropriate conditions; or
 - (iii) Recommend that the student should be dismissed from the college.

- The SEA will determine the severity of the incident and can refer to police if needed.
- A victim/survivor may also wish to make a formal report of an incident of sexual misconduct to police.
- The complainant can also make an anonymous report to the police about the incident, through a community-based victim support worker without disclosing his/her name or contact numbers. This anonymous report would be sent to campus security by the Community Victim Service Agency.

11. It is contrary to this policy for the Academy of Learning to retaliate, engage in reprisals or threaten to retaliate in relation to a Complaint or a Report.

12. 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.

13. 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.

Disciplinary Procedures

The Academy of Learning will act according to its policies to investigate the incidents related to the sexual harassment. The Academy of Learning will take disciplinary action, if the college management determines that any student or staff member of the college is involved in sexual

misconduct. This disciplinary action may include warning or termination of the employee/ dismissal of the student. The Academy of Learning will not tolerate any form of sexual misconduct.

The Academy of Learning respects the privacy and fair treatment rights of the victims/survivors and suspected perpetrators as such incidents have serious impacts on the physical, mental, and emotional health of the victim/survivor. The college responds to the harassment incidents based on the victims/survivor's consent and the severity of the incident.

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.

ROLES AND RESPONSIBILITIES

The Executive Director (ED) is responsible for ensuring implementation of the policies programs and practices for the prevention of and the response to sexual misconduct. ED will get help and assistance from SEA, staff within health/wellness and/or counselling centers in BC, any security organization, or other senior administrators responsible for student services, residence managers, etc. AOLCC has Response Team consisting upon SEA, Recruitment & Admission Manager and one senior staff member who is responsible safety and security at the Campus.

Note: In case SEA and Campus Director is same person, or SEA or Campus Director is party in the issue, communication with Campus Director will be directed to Executive Director.