

## Sexual Misconduct Policy (Greystone College Vancouver)

### Purpose

Greystone College is committed to providing its students with a safe and secure learning environment free from sexual misconduct. The College will follow up on all reported incidents while respecting the privacy and procedural fairness rights of all individuals involved, including both victims/survivors and alleged perpetrators.

As part of this ongoing commitment, Greystone College Vancouver has adopted this policy, which defines sexual misconduct and outlines related procedures for preventing of sexual misconduct, reporting and responding to disclosures, complaints, or reports of incidents that have occurred on campus, off campus, at one of its events, or in online spaces involving its students.

### Scope and Application

This policy and its related procedures apply to all Greystone College Vancouver students while they are on campus or off campus while engaging in College-related activities; acting in a capacity defined by their relationship to the College or interacting with individuals known to them because of that relationship, regardless of whether the incident occurs on or off campus or in online spaces. The policy also applies to passive acts of sexual misconduct, such as graffiti and signage on College property.

### Definitions

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.

The person accused of engaging in sexual misconduct will be referred to as the “Respondent” and the person making the allegation as the “Complainant.”

For the purpose of this policy, a disclosure/complaint is when the victim/survivor discloses/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 report to police or campus authorities.

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.

Greystone College will act in accordance with procedural fairness in dealing with all allegations of sexual misconduct.

### Making a Disclosure/Complaint of Sexual Misconduct Involving a Student

1. A student may choose to disclose sexual misconduct without making a formal or actionable complaint or report. In such circumstances, a disclosure may not lead to an actionable complaint or report and, therefore, may not initiate a formal process. A student will not be required or pressured to make a report.
2. The process for making a disclosure/complaint or report about sexual misconduct involving a student is as follows:
  - a. A student who has experienced sexual misconduct, or any other member of the Greystone College community who has witnessed sexual misconduct involving a student, may disclose the incident or file a complaint under this policy by bringing it to the attention of the Director, Greystone College Programs, Vancouver, either in writing or through an in-person meeting. If this individual is absent or named in the disclosure or complaint, the student shall direct the disclosure or complaint to the Program Manager.
  - b. The individual making a disclosure or complaint should provide relevant details about the alleged incident, such as the date and time, the individuals involved, a list of any potential witnesses, and any relevant documents, including social media communications or other supporting evidence.

### Responding to a Disclosure/Complaint of Sexual Misconduct Involving a Student

3. The process for responding to a disclosure/complaint of sexual misconduct involving a student is as follows:
  - a. Upon receipt of a disclosure/complaint, the Director, Greystone College Programs, Vancouver, will conduct an initial review within five (5) business days to determine whether the allegations in the disclosure/complaint fall under the scope of this policy.
  - b. If the Director, Greystone College Programs, Vancouver, determines that the allegations do not fall within the scope of this policy, they will inform the Complainant of this decision along with the reasons. In cases where the disclosure/complaint reveals other types of misconduct, the College may need to address it under another policy or process.
  - c. If the disclosure/complaint falls within the scope of this policy, the Director, Greystone College Programs, Vancouver, will discuss with the individual what and how much information should be disclosed about the incident.
4. The Director, Greystone College Programs, Vancouver may, with the Complainant's permission, further investigate the incident, which may include, but is not limited to, the following:
  - a. Meeting with the Complainant to discuss the details of the incident and resolution options.
  - b. Informing the Respondent(s) of the complaint, providing details of the allegations and giving the individual(s) an opportunity to respond to those allegations.
  - c. Gathering additional evidence.

- d. Determining if any disciplinary action should be taken.
5. The Director will respond in writing within 10 business days of receiving the complaint and may:
  - a. Provide information or make referrals to support service providers who have experience addressing sexual misconduct and violence, as required and appropriate.
  - b. If necessary, provide the student with reasonable academic accommodation while on campus.
  - c. When necessary, provide contact information for external investigating bodies such as the police.
6. In case of a complaint, should a student want to move forward with a formal process, a clear request for action must be included in the complaint.
7. The Complainant has the right to withdraw a complaint at any stage of the process. However, Greystone College may continue to act on the matter to fulfill its obligations under the policy or meet the legal requirements.

### Making a Report of Sexual Misconduct Involving a Student

8. The process for making a report about sexual misconduct involving a student is as follows:
  - a. A student who has experienced sexual misconduct, or any other member of the Greystone College community who has witnessed sexual misconduct involving a student, may file a report under this policy by bringing it to the attention of the Director, Greystone College Programs, Vancouver, in writing. If this individual is absent or named in the report, the student shall submit the report to the Program Manager.
  - b. The report must be submitted in written statement form and include relevant details about the alleged incident, such as the date and time, the individuals involved, a list of potential witnesses, and any relevant documents, including social media communications or other supporting evidence. A clear request for action must be included in the report.

### Responding to a Report of Sexual Misconduct Involving a Student

9. The process for responding to a report of sexual misconduct involving a student is as follows:
  - a. Upon receipt of the report, the Director, Greystone College Programs, Vancouver, will conduct an initial review within five (5) business days to determine whether the allegations in the report fall under the scope of this policy.
  - b. If the Director, Greystone College Programs, Vancouver, determines that the allegations do not fall within the scope of this policy, they will inform the Complainant of this decision along with the reasons. In cases where the report reveals other types of misconduct, the College may need to address it under another policy or process.
  - c. If the Director, Greystone College Programs, Vancouver, determines that the allegations fall within the scope of this policy, they will further investigate the incident, which may include:
    - i. Meeting with the Complainant to ensure a complete understanding of the allegations and to gather additional information that may not have been included in the written report.
    - ii. Informing and interviewing the Respondent(s), providing details of the allegations, and giving the Respondent(s) an opportunity to respond to those allegations.

- iii. Interviewing any individuals involved or who have, or may have, knowledge of the incident, as well as any identified witnesses. Both the Complainant and the Respondent may provide any witnesses they believe are essential to the investigation.
  - iv. Consulting with other institutional departments or external experts and support services as required.
  - v. Determining whether interim measures, supports and accommodations should be made pending the investigation process.
- d. If it is determined that the Respondent did engage in sexual misconduct, immediate disciplinary or corrective action will be taken. This may include:
- i. Disciplinary action up to and including termination of employment of instructors or staff; or
  - ii. Expulsion of a student; and /or
  - iii. The placement of certain restrictions on the Respondent’s ability to access certain premises or facilities; and/or
  - iv. Any other actions that may be appropriate in the circumstances.
- e. A Complainant has the right to withdraw a report at any stage of the process. However, Greystone College may continue to act on the matter to fulfill its obligations under the policy or meet the legal requirements.
- f. The Director, Greystone College Programs, Vancouver, will respond in writing within 15 business days of receiving the report, depending on the complexity of the investigation.
- g. Should the Complainant or the Respondent disagree with the decision resulting from the investigation, they may appeal the decision in writing within five (5) business days addressed to the Director, Greystone College Programs, Toronto.

## Measures to Prevent Sexual Misconduct

Greystone College is committed to effectively preventing and responding to issues of sexual misconduct through a comprehensive, multi-faceted approach. This includes providing information during student orientation and welcome week to communicate behavioral expectations and introduce relevant policies, as well as the procedures for disclosing and reporting incidents of misconduct. Additionally, the college ensures access to support services for affected individuals. To further mitigate safety risks on campus, Greystone College conducts regular safety audits, enhances the physical safety of campus environments, and issues safety alerts when necessary to promote a secure and respectful learning environment for all students.

## Contact Information

Name	Title	E-mail
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## Reprisal

It is contrary to this policy for anyone to retaliate, engage in reprisals or threaten to retaliate in relation to a disclosure, complaint or a report. Any processes undertaken pursuant to this policy will be based on the principles of procedural fairness. All parties involved will be treated with dignity and respect.

## Confidentiality and Information Sharing

All information related to a disclosure, 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 College community may be at significant risk of harm based on the information provided.
- Where reporting is required by law, e.g. in the case of a minor (a person under 19 years of age and includes a youth)
- Where disclosure is necessary to ensure procedural fairness in an investigation or other response to a disclosure, complaint or report.

## Review

In consultation with students and other members of the Greystone College community including faculty, staff and administration, the Sexual Misconduct Policy shall be reviewed at least once every three years and amended where appropriate.

## Related Legislation and Institutional Policies

### Legislation

Sexual Violence and Misconduct Policy Act (Bill 23-2016)

Criminal Code of Canada

Freedom of Information and Protection of Privacy Act/Personal Information Protection Act

Canadian Charter of Rights and Freedoms

Human Rights Code

### Greystone College Policies

Respectful and Fair Treatment of Students Policy

Dispute Resolution Policy

Student Dismissal Policy