SEXUAL MISCONDUCT POLICY

1. Purpose and Commitment

Multihexa College is committed to providing a learning and working environment free from sexual misconduct. This policy sets out the institution's approach to the prevention of, and response to, sexual misconduct, in accordance with the Sexual Violence and Misconduct Policy Act (S.B.C. 2016, c. 23) and the requirements of the Private Training Institutions Regulatory Unit (PTIRU).

This policy applies to all students, faculty, staff, administrators, contractors, and visitors of Multihexa College.

2. Definition of Sexual Misconduct

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.

Whether In person or online.

3. Complaints and Reports

Complaint: A Complaint is when the victim/survivor discloses or chooses to tell someone at the institution 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: A Report is a formal notification of an incident of sexual misconduct to someone at the institution accompanied by a request for action. A Report does not have to be made by the victim/survivor.

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.

4. Prevention of Sexual Misconduct

Multihexa College prevents sexual misconduct through education, awareness, and proactive safety measures. Students, faculty, and staff are informed about this policy, reporting procedures, and available support services through orientation programming, ongoing awareness initiatives, and accessible institutional communications. Regular safety audits and other measures enhance campus security.

5. Making a Complaint about Sexual Misconduct Involving a Student

The process for making a Complaint about sexual misconduct involving a student is as follows:

- A student should bring the matter to the attention of the Associate Director via email or through an in-person meeting.
- In the event that the Associate Director is absent or named in the complaint, the student should direct the complaint to the Campus Manager.

6. Responding to a Complaint about Sexual Misconduct Involving a Student

The process for responding to a Complaint of sexual misconduct involving a student is as follows:

- The Associate Director will acknowledge receipt of the complaint within five (5) business days and conduct an initial review to determine whether the allegations fall within the scope of this policy.
- If the complaint does not fall within the policy's scope, it may be dismissed or addressed under a different institutional policy.
- If the Associate Director determines that the complaint falls under the scope of this policy, they will discuss with the individual what and how much they should disclose about the incident.

Interim Safety Measures: Where the Associate Director determines that interim safety measures are warranted to protect the safety or wellbeing of the complainant or others, such measures will be offered as soon as practicable and no later than forty-eight (48) hours after the complaint is received. Interim measures may include, but are not limited to:

- adjustments to class schedules or delivery mode;
- no-contact directives;
- changes to seating, group assignments, or online breakout rooms;
- restricted access to online classes, platforms and chats;
- and any other measure the Associate Director considers necessary.

Interim measures are not disciplinary and do not presume responsibility on the part of the respondent.

The Associate Director may, with the complainant's permission, further investigate the incident, which may include, but is not limited to:

- meeting with the complainant to determine the date and time of the incident, the individuals involved, and a description of what occurred;
- informing the respondent(s) of the complaint, providing details of the allegations, and giving the individual(s) an opportunity to respond to those allegations;
- gathering additional evidence.

The Associate Director will respond in writing within fifteen (15) business days of receiving the complaint and will:

- provide information or make referrals to support service providers who have experience addressing sexual misconduct and violence;
- if necessary, provide the student with reasonable academic accommodation, whether the student attends on campus or online;
- when necessary, provide contact information for external investigating bodies such as police;
- determine if any disciplinary action should be taken.

In the 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.

A complainant has the right to withdraw their complaint at any point in the process. However, Multihexa College may still proceed with the matter to fulfill its obligations under this policy or applicable legal requirements.

7. Making a Report about Sexual Misconduct Involving a Student

The process for making a Report about sexual misconduct involving a student is as follows:

- A student can submit a Report under this policy by providing a written statement to the Associate Director. If this individual is absent or named in the report, the student should direct the report to the Campus Manager.
- The written report should contain pertinent details about the alleged incident, including the date and time, the individuals involved, a list of potential witnesses, and any relevant documents such as social media communications or other supporting evidence. A clear request for action must be included in the report.

8. Responding to a Report about Sexual Misconduct Involving a Student

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

- The Associate Director will acknowledge receipt of the report within five (5) business days and initiate an investigation.

Interim Safety Measures: Where the Associate Director determines that interim safety measures are warranted, such measures will be offered as soon as practicable and no later than forty-eight (48) hours after the report is received.

- If the allegations do not fall within the policy's scope, the report may be dismissed or addressed under a different institutional policy.
- If the Associate Director determines that the allegations in the report fall under the scope of this policy, they will request permission from the complainant to further investigate the incident, which may include:
  - meeting with the complainant to further discuss the details of the incident and the proposed resolution;
  - informing the respondent of the report, providing details of the allegations, and giving the individual an opportunity to respond;
  - initiating further inquiries and investigation into the incident.

The Associate Director will provide a written response within fifteen (15) business days of receiving the report, which will include:

- a summary of the findings;
- any disciplinary action to be taken;
- information about support services and referrals to providers with experience addressing sexual misconduct;
- if necessary, reasonable academic accommodation;
- contact information for external investigating bodies such as police.

If the investigation substantiates the report, the respondent will be dismissed under the Student Dismissal Policy where the conduct is sexual assault. For other substantiated misconduct, disciplinary action may include a warning, probation, suspension or dismissal. The respondent will be provided with written notice of the outcome and any disciplinary action imposed.

As in the case of a complaint, a complainant has the right to withdraw their report at any stage of the process. However, Multihexa College may still proceed with the matter to meet its obligations under this policy or applicable legal requirements.

9. Appeals

Should the complainant or the respondent disagree with the decision resulting from an investigation, they may appeal the decision in writing within five (5) business days, addressed to the Director.

The Director will review the appeal and provide a written determination within ten (10) business days of receiving the appeal.

10. Resolution Timelines

Unless there are exceptional circumstances, all complaints and reports will be resolved, including any appeal, within thirty (30) business days.

11. Institutional Obligations in All Instances

In all instances, the institution will:

- ensure the safety of the victim/survivor;
- as appropriate, provide emergency numbers for on- and off-campus security (if applicable), law enforcement, medical assistance, mental health services, and other services;
- respect the right of the individual to choose the services they consider most appropriate.

12. Protection from Retaliation

It is contrary to this policy for any individual or the institution to retaliate, engage in reprisals, or threaten to retaliate against any person who makes a Complaint, makes a Report, or participates in an investigation under this policy. Any act of retaliation will itself be treated as a violation of this policy and may result in disciplinary action.

13. Administrative Fairness

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.

14. Confidentiality and Information Sharing

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.

15. Review

In consultation with students and other members of the Multihexa College community, including faculty, staff, and administration, this Sexual Misconduct Policy shall be reviewed at least once every three (3) years and amended where appropriate.

16. Contact Information

Name	Title	Email
Divya Savaram	Associate Director	divya.savaram@multihexa.ca
Swati Yadav	Campus Manager	swati.yadav@multihexa.ca
Tejal Laul	Director	tejal.laul@multihexa.ca

17. Related Legislation and Institutional Policies

Legislation:

- Criminal Code of Canada
- Sexual Violence and Misconduct Policy Act (S.B.C. 2016, c. 23)
- Personal Information Protection Act (British Columbia)
- Human Rights Code

Multihexa College Policies:

- Respectful and Fair Treatment of Students Policy
- Dispute Resolution Policy
- Student Dismissal Policy



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