

Sexual Misconduct Policy	Revised on: May 2025
Next Revision: Jan 2026	

Arv Canada College is committed to the prevention of and appropriate response to sexual misconduct. 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 people 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.
- attempt to commit an act of sexual misconduct; and
- the threat to commit an act of sexual misconduct.

A **Complaint** of sexual misconduct is different than a **Report** of sexual misconduct. A person may choose to disclose or complain of sexual misconduct without making a formal 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 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**.

#### Procedure

1. The process for making a **Complaint** about sexual misconduct involving a student is as follows:
  - Student/staff must make written complaint by emailing or written copy to Senior Education Administrator or onsite Administrator
  - Complaint must include date of incident, person involved and/or any witness if applicable
2. The process of responding to a **Complaint** of sexual misconduct involving a student is as follows:
  - Any complaint received will be acknowledged within 2 working days and a response will be provided within 5 working days by Senior Educational Administrator or Onsite Administrator.
  - All people involved in the complaint will be notified in writing and a meeting is set up with each party.
  - A report is created for each party with their concerns.

3. The process for making a **Report** of sexual misconduct involving a student is as follows:
  - A meeting is set up with each party (person who made a complaint and person against whom a complaint is filed) to discuss the matter separately.
  - A series of questions related to the incident will be reported with an accurate time and date of incident.
  - Any witness information will be noted if applicable.
4. The process for responding to a **Report** of sexual misconduct involving a student is as follows:
  - Based on reports from meetings with each party, a conclusion is reached, and it will be reported to each person involved.
  - If it is direct case of sexual harassment, person will be dismissed from school immediately and concerned law enforcement agency will be notified of all finding and reports.
  - If the school authority is unable to reach a conclusion, a mediator help will be taken, and investigation will be carried out as required.
  - If a complainant is not satisfied with the mediator's response, the complainant will be notified about the concerned law enforcement agency nearby where he/she can file a direct case.
  - Arv Canada College will do its best to resolve it ASAP but if required student can file complaint to concerned law enforcement agency.
5. It is contrary to this policy for an institution to retaliate, engage in reprisals or threaten to retaliate in relation to a Complaint or a Report.
6. In all cases, the school will:
  - a) Ensure the safety of the victim/survivor.
  - b) As appropriate, provide emergency numbers for on and off campus security (if applicable), law enforcement, medical assistance, mental health services, and other services as required.
  - c) Respect the right of the individual to choose the services they consider most appropriate.
7. 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.
8. 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:
  - a) If an individual is at imminent risk of severe or life-threatening self-harm
  - b) If an individual is at imminent risk of harming another.
  - c) There are reasonable grounds to believe that others in the institutional community may be at significant risk of harm based on the information provided.
  - d) Where reporting is required by law.
  - e) Where it is necessary to ensure procedural fairness in an investigation or other response to a Complaint or Report.
9. If Senior Education Administrator or onsite Administrator is absent or named in the complaint/report, the student /staff can submit request to President/Director of the college.