
Sexual Misconduct Policy

September 1, 2021

Name of Policy

Implementation Date

All Members of Brighton College

June 18, 2021

Position(s) Responsible

Date of Last Revision

Sexual misconduct 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
- The threat to commit an act of sexual misconduct

Brighton College does not condone or tolerate any form of Sexual Misconduct and is committed to creating a safe learning and work environment. Brighton College encourages individuals to bring forward all Sexual Misconduct complaints or concerns, these individuals will be treated with compassion, dignity, and respect. Brighton College will respond to all complaints in alignment with the policies and procedures outlined in this document. There is no time limitation for a Student or Employee to submit a complaint under this policy.

The Purpose of this policy is to outline the procedures Brighton takes to address Sexual Misconduct through;

- a. Creating learning and working environment in which Sexual Misconduct is not tolerated;
- b. Promoting a culture of Consent to prevent Sexual Misconduct;
- c. Establishing a fair, supportive, and effective response to Complaints and Disclosures of Sexual Misconduct;
- d. Assisting those who have experienced Sexual Misconduct by providing information and support, including the provision of and/or referral to counselling and medical care, and appropriate academic and/or other accommodations;
- e. Defining the roles of individuals for implementing and carrying out the programs and practices contemplated in this policy; and

f. Using clear, appropriate and fair processes for handling Complaints and Disclosures of Sexual Misconduct.

g. Ensuring confidentiality is kept when handling Sexual Misconduct investigations

Brighton College recognizes that confidentiality is important when creating an environment where those who have experienced Sexual Misconduct can feel safe to disclose and seek support. Brighton College will ensure privacy and confidentiality of all members involved in any report of Sexual Misconduct will be kept, and will not disclose any information related to Complaints or Disclosures except where necessary, including the protection of health and safety, or when it is required or authorized by law.

Anyone who has experienced Sexual Misconduct has the right to pursue criminal or civil legal avenues whether they choose to file a Complaint with Brighton college or not.

This policy applies to all Brighton College Staff and Students.

Procedure

Disclosure:

An Individual who experiences or witnesses Sexual Misconduct may choose to make a disclosure. For these situations, support is available whether the individual chooses to make a Complaint or not. An individual who makes a disclosure may choose to submit a formal complaint at a later date. A disclosure without a Complaint will not initiate a process to investigate the Sexual Misconduct incident or engage any resolution process.

Students and Employees who make a Disclosure will be provided support and accommodates where appropriate.

Formal Complaint:

A Formal Complaint may be made to Brighton College as follows:

- Student complaints should be made to student services or the campus director
- Staff and Faculty complaints should be made to the campus director or president
- Volunteer, Contractor, or Visitor complaints should be made to the campus director
- Brighton College will investigate all complaints and where appropriate, facilitate the resolution process.

A Complaint under this policy must be Sexual Misconduct and in connection with a Brighton College-related Activity, or on Campus.

Before starting an investigation or resolution, as a result of a Disclosure Brighton College can impose interim measures which may include but are not limited to:

- a. Alteration of the academic schedule of any student involved in the Sexual Misconduct
- b. No-Contact Order
- c. Temporary, non-disciplinary, leave of absence of a person reported to have committed Sexual Misconduct; and

- d. Any other interim measures determined necessary by Brighton College

Brighton College may put interim measures in place to address a report of Sexual Misconduct while matters are under investigation or review by police or RCMP.

Criminal Reporting:

An individual may make a report through the Canadian criminal justice system by contacting the Surrey Police or RCMP. An individual who makes a report to the police department is not required to involve Brighton College, but if they do, Brighton College will cooperate with all criminal investigations.

Retaliation

It is against student and staff conduct for anyone to retaliate or threaten any person in connection with:

- a. Making a report of Sexual Misconduct
- b. Filing a Complaint or making a Disclosure
- c. Participating in an investigation or resolution

Anyone engaged in any form of retaliation may be subject to discipline including but not limited to dismissal.