



Sexual Misconduct Policy Pan Canada College

Pan Canada College	04370	
Name of Institution	Institution Number	
Sexual Misconduct Policy	May 01, 2018	
Name of Policy	Effective Date	Revision Date

1. Pan Canada College is committed to preventing and responding to sexual misconduct. Pan Canada College believes that college employees and students should be able to work and learn in a non-hostile environment where there are absolutely no form of harassment, discrimination, and violence. The policy applies to incidents that allegedly occurred on or off property of Pan Canada College, including school hosted activities or online.
2. Sexual misconduct includes the following: sexual assault, sexual abuse, sexual exploitation, sexual harassment, stalking, indecent exposure, voyeurism, 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, and the attempt to commit or threat to commit an act of sexual misconduct.
3. Reporting Sexual Misconduct Allegations

All incident experienced by any student or staff who believes to have been the victim of sexual misconduct should be reported to Pan Canada College. It is encouraged that the report is submitted as soon as the incident occurs to ensure the accuracy of the offensive behaviour. All individuals will be treated with respect, dignity and respect.

Confidentiality

Pan Canada College is committed to the protection of the privacy of the individuals. All involved parties will be treated fairly and objectively with respect and dignity. All the provided detailed information about the incident will be kept confidential and it will only be shared with authorities if the case requires third party intervention. Confidentiality cannot be guaranteed in the circumstances when an individual is at risk of self-harm or harming others, there are reasonable grounds to believe that the College or community may be at risk of harm, and where it is duty to report legally.

The following are the steps for processing complaints of sexual misconduct:



Informal Procedure

Students and employees who believe they are victims of sexual misconduct are encouraged to seek assistance or intervention and notify Director of Student Affairs by filling out a complaint form. Once the Director of Student Affairs is notified, an initial discussion between the complainant and the Director of Student Affairs will be held confidentially. There will be no formal written record at this time, but the complainant will receive different options for the next step. If the complainant decides to proceed with a formal complaint, he or she will be requested a written statement accurately describing the incident. An Incident Report Form will be distributed which will clearly state “sexual misconduct”. As Pan Canada College has a zero-tolerance policy on sexual misconduct, it will receive prompt attention.

Formal Procedure

The formal procedure will be initiated if:

- a) The complainant proceeds with a written Incident Report Form after the informal procedure
- b) The Director of Student Affairs believes the matter is sufficiently grave.
- c) The nature of the alleged offence is serious.

The formal procedure will initiate with distributing the written complaint to the officials. They will promptly conduct any necessary investigation and arrange a meeting with the complainant, the alleged offender, and any other appropriate persons. There will be an official record of the investigation from the initiation to the final decision. If the final resolution is not satisfactory by the complainant, he or she may address the matter for further review and the possibility of involving a third party.

The formal procedure will be initiated under the following circumstances:

- a. The Director of Admissions and Administration Affairs believes that the matter is sufficiently grave because it seems to be part of a persistent pattern.
- b. The nature of the alleged offence is serious.
- c. The complainant seeks to have a sanction imposed.

Formal resolution procedures will include directing the written complaint to the appropriate officials. The appropriate officials will conduct whatever inquiry they deem necessary and arrange conferences with the complainant, the alleged offender and any other appropriate persons. The investigation will afford the accused an opportunity to respond to the allegations by the complainant. The directing investigation will make a record of the case, including a record of their decision. A complainant who is dissatisfied with the resolution achieved by informal and formal procedures may discuss the matter further with the administration and discuss the possibility of moving to the third-party review.

Disciplinary Sanctions

In the case of a conclusion that sexual misconduct has occurred, the offender will subject to appropriate disciplinary action which will include suspension, expulsion, or dismissal. Sanctions imposed will depend on the basis of the facts of individual case and any hardship to the complainant and the College.



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A conclusion that sexual misconduct has occurred will subject the offender to appropriate disciplinary action and may result in suspension, expulsion or dismissal. Sanctions imposed will be determined on the basis of the facts of each individual case and any extensive hardship to the complainant and Central College.

Time Limit

Written reasons for the determination will be made within 10 (business) days after the date on which the complaint was made.

Written reasons for the determination shall be made and provided to the student within 10 (working) days after the date on which the complaint was made.