

## Sexual Misconduct

1. Vancouver Island School of Art is committed to the prevention of and appropriate response to sexual misconduct.
2. 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.
3. 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.
4. An individual making a **Complaint** will be provided with resolution options and, if appropriate, accommodation, and will not be required or pressured to make a **Report**.
5. The process for making a **Complaint** about sexual misconduct is as follows:
  - An email may be sent to the Executive Director, Wendy Welch: [director@vancouverislandschoolart.com](mailto:director@vancouverislandschoolart.com)
  - If the Executive Director is unavailable an email may be sent to the Office Manager: [info@vancouverislandschoolart.com](mailto:info@vancouverislandschoolart.com)
  - All concerns relating to sexual misconduct shall be directed to the Executive Director. Concerns may be brought by staff, students or the public.
  - If the Executive Director is the one being accused of sexual misconduct, then the Office Manager will contact the Board Chair, Lindsay Shojania ([lindsay@urbancoreventures.com](mailto:lindsay@urbancoreventures.com)).

- It is the choice of the individual as to what and how much to disclose about the experience.
6. The process for responding to a **Complaint** of sexual misconduct is as follows:
- The school will acknowledge receipt of the Complaint within 5 days.
  - It is the role of the school to provide compassionate and non-judgmental support. It is the right of the individual who has experienced sexual misconduct to choose the most appropriate services and to independently determine whether to contact police and/or make a formal report (with the understanding that if there is imminent risk to others the need to report to authorities may supersede the rights of the individual). It is also the choice of the individual as to what and how much to disclose about the experience.
  - The individual will be provided with resources for community-based support and services: crisis lines, counselling, and supports specific to sexual assault including clinics.
  - The individual will be made aware of reporting options, should they decide to pursue those options. The decision to report may be reversed by the individual.
  - The individual's safety will be assessed.
  - Accommodations may include the following:
    - Permission to miss class(es) to meet with those involved in responding to the incident, to meet with a victim support worker, or attend counselling appointments.
    - Providing assignment extensions, exam deferrals or withdrawal from courses without penalty.
7. The process for making a **Report** of sexual misconduct is as follows:
- An email with a request for action may be sent to the Executive Director, Wendy Welch: [director@vancouverislandschoolart.com](mailto:director@vancouverislandschoolart.com)
  - If the Executive Director is unavailable an email with a request for action may be sent to the Office Manager: [info@vancouverislandschoolart.com](mailto:info@vancouverislandschoolart.com)
  - All concerns relating to sexual misconduct shall be directed to the Executive Director. Concerns may be brought by staff, students or the public.
  - If the Executive Director is the one being accused of sexual misconduct, then the Office Manager will contact the Board Chair, Lindsay Shojania ([lindsay@urbancoreventures.com](mailto:lindsay@urbancoreventures.com)).

- It is the choice of the individual as to what and how much to disclose about the experience.
8. The process for responding to a **Report** of sexual misconduct is as follows:
- The school will acknowledge receipt of the Report within 5 days.
  - It is the role of the school to provide compassionate and non-judgmental support. It is the right of the individual who has experienced sexual misconduct to choose the most appropriate services and to independently determine whether to contact police and/or make a formal report (with the understanding that if there is imminent risk to others the need to report to authorities may supersede the rights of the individual).
  - The individual will be provided with resources for community-based support and services: crisis lines, counselling, and supports specific to sexual assault including clinics.
  - The individual will be made aware of reporting options, should they decide to pursue those options. The decision to report may be reversed by the individual.
  - The individual's safety will be assessed.
  - Accommodations may include the following:
    - Permission to miss class(es) to meet with those involved in responding to the incident, to meet with a victim support worker, or attend counselling appointments.
    - Providing assignment extensions, exam deferrals or withdrawal from courses without penalty.
  - Reporting options include:
    - Disclosure Only - a victim/survivor may wish to tell someone about the incident in order to seek support but may not want to make a report to police or campus authorities.
    - Police - a victim/survivor may wish to make a formal report of a sexual assault or other criminal incident of sexual misconduct to police. Victims/survivors should be offered the services of a community-based support worker to accompany them and to provide emotional support.

- Third Party Report to Police via Community Victim Service Agency - the victim/survivor may wish to make an anonymous report through a community-based victim support worker; reports are sent to police by an intermediary agency and provide detailed information about the incident and the alleged perpetrator, but do not include the name or contact information of the victim/survivor.
- Non-criminal processes:
  - Post-secondary institutions do not have a mandate to conduct criminal investigations. However, they do have a responsibility to provide a safe environment for their students, regardless of whether a particular incident results in a criminal investigation and/or charges the institution may need to conduct some kind of fact-finding investigation before it acts, but this would not be a criminal investigation.
  - Disciplinary actions regarding harassment, bullying and discrimination can be found in the [Student Policies](#).
  - The Executive Director will arrange to meet with the individual to discuss the concern(s) within 5 school days of receiving the individual. If the alleged conduct is of such a serious nature that an immediate dismissal may be warranted, the Executive Director will meet with the individual as soon as is reasonably possible.
  - Every reasonable effort will be made to resolve sexual misconduct concerns in the form of a one-on-one discussion with the individuals involved.
  - When, in the judgment of the Executive Director, the accused individual's behavior constitutes conduct of a nature that warrants dismissal and cannot be resolved as above, the Executive Director shall notify the accused individual in writing and instruct the individual to cease attendance in courses and/or workshops.
- Criminal processes: If an individual wishes to explore criminal reporting options, law enforcement can provide information relating to filing a report, the investigative process and criminal charges.
  - A designated institution official can arrange to have a police officer meet with the individual on campus to discuss the possibility of making a criminal report.

- A designated institution official can also liaise with and accompany the individual to the local sexual assault centre, police and/or other justice system partners as appropriate.
  - Except in circumstances where there is a serious safety risk to others and/or the institution has a legal obligation to act, the individual will be the one to determine what, if any, police reporting actions will be pursued.
  - If an individual decides to make a criminal report, the designated institution official(s) can accompany the victim/survivor to the police station or have police attend on campus. If criminal charges are laid, a designated institution official(s) can act as a liaison with police, with the consent of the victim/survivor, and inform the victim/survivor of progress in the criminal case – unless reporting restrictions, such as sealing orders, have been imposed.
9. 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.
10. 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.
11. 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.

**Related Policies and Procedures:**

- Code of Conduct
- Dismissal
- Dispute Resolution
- Harassment
- Human Rights

**Resources:**

**Sexual Assault:**

- [VictimLinkBC](#): provides information and referral services to all victims of crime and immediate crisis support to victims of family and sexual violence.
  - 1-800-563-0808
  - [VictimLinkBC@bc211.ca](mailto:VictimLinkBC@bc211.ca)
- [Ending Violence](#): contact information for Community-Based Victim Services, Stopping the Violence Counselling and Stopping the Violence / Multicultural Outreach Programs in BC.
- [Island Health: Sexually Transmitted & Blood Borne Infection Services](#): Vancouver Island's Public Health Authority.
- [Victoria Sexual Assault Centre](#): provides both crisis support and trauma counselling, as well as group counselling sessions for all women, Trans, Two-Spirit and Gender Non-Conforming people.
  - General: 250-383-5545
    - [info@vsac.ca](mailto:info@vsac.ca)
  - Services: 250-383-3232
    - [access@vsac.ca](mailto:access@vsac.ca)
- [Men's Therapy Centre](#): provides help and support for any man who has experienced emotional, sexual or physical trauma as a child or an adult.
  - 250-381-6367, or toll-free 1-866-793-6367
  - [info@menstherapycentre.ca](mailto:info@menstherapycentre.ca)

**Mental Health:**

- [Vancouver Island Crisis Line](#): provides phone, text, and online chat services.
  - 1-888-494-3888 (24 hours)
- [KUU-US Crisis Line](#): provides a First Nations and Indigenous specific crisis line available 24 hours a day, 7 days a week, toll-free from anywhere in British Columbia.
  - 1-800-588-8717
- [AVI Health and Community Services](#): provides crisis response, harm reduction services, as well as queer and trans health support.
  - 250-818-2454 (7:30am-12:30am)
- [Here2Talk](#): all students currently registered in a B.C. post-secondary institution have access to free, confidential counselling and community referral services, available 24/7 via app, phone and web.
  - 604-642-5212, or toll-free 1-877-857-3397
- [Island Health: Mental Health Services](#): Vancouver Island's Public Health Authority.
  - 250-519-3485 (Victoria)
- [First Nations Health Authority](#): provides culturally safe and trauma-informed cultural, emotional, and mental health services to Indigenous people in BC.
  - [Hope for Wellness Help Line](#): 1-855-242-3310

**Security:**

- [Victoria Police Department](#): located at 850 Caledonia Ave.
  - Emergency: 9-1-1
  - Non-emergency: 250-995-7654
- [Themis Security](#): security for the Maynard Court building.
  - 250-884-1946
- On-site building security:
  - Kent Embree: 250-883-6541
- [SafeWalk](#): City of Victoria service wherein a security guard accompanies you to your vehicle.
  - 250-686-3715