



HERITAGE COMMUNITY COLLEGE  
VESTRI POSTERUS SATUS HIC

<u>Heritage Community College</u>	<u>3641</u>
Name of Institution	Institution Number
<u><b>Sexual Misconduct Policy</b></u>	<u><b>Feb 2020</b></u>
Name of Policy	Effective Date
	<u><b>Feb 2020</b></u>
	Revision Date

1. Heritage Community College is committed to the prevention of and appropriate response to sexual misconduct.
2. 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; and
  - the threat to commit an act of sexual misconduct.
3. The process for making a complaint about sexual misconduct involving a student is as follows:
  - Student/staff must make written complaint using complaint form available at college reception.
  - Complaint must include date of incident, person involved and/or any witness if applicable
4. The process for responding to a complaint of sexual misconduct involving a student/staff is as follows:



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- 1) All concerns relating to student misconduct shall be directed to the Senior Educational Administrator. Concerns may be brought by staff, students or the public.
- 2) The Senior Educational Administrator will arrange to meet with the student to discuss the concern(s) within 5 school days of receiving the complaint. If the alleged conduct is of such a serious nature that an immediate dismissal may be warranted the Senior Educational Administrator will meet with the student as soon as practicable.
- 3) Following the meeting with the student, the Senior Educational Administrator will conduct whatever further enquiry or investigation is necessary to determine whether the concerns are substantiated.
- 4) Any necessary inquiries or investigations shall be completed within 5 school days of the initial meeting with the student.
- 5) The Senior Educational Administrator will meet with the student and do one of the following:
  - (a) Determine that the concern(s) were not substantiated;
  - (b) Determine that the concern(s) were substantiated, in whole or in part, and either:
    - (i) Give the student a warning setting out the consequences of further misconduct;
    - (ii) Set a probationary period with appropriate conditions; or
    - (iii) Recommend that the student be dismissed from the Institution.
- 6) The Senior Educational Administrator will prepare a written summary of the determination. A copy shall be given to the student, original will be placed in the school's Student File.
- 7) If the student is issued a warning or placed on probation, the Senior Education Administrator and the student both sign the written warning or probationary conditions and the student is given a copy. The original document is placed in the student's file.
- 8) If the recommendation is to dismiss the student, the Owner of the school will meet with the student to dismiss him/her from study at the school. The Owner of the school will deliver to the student a letter of dismissal and a calculation of refund due or tuition owing, depending on the status of the student's financial account with the school as per refund policy.



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5. The process for making a report of sexual misconduct involving a student is as follows:
- The Senior Educational Administrator will meet with the student and do one of the following:
    - (a) Determine that the concern(s) were not substantiated;
    - (b) Determine that the concern(s) were substantiated, in whole or in part, and either:
      - (iv) Give the student a warning setting out the consequences of further misconduct;
      - (v) Set a probationary period with appropriate conditions; or
      - (vi) Recommend that the student be dismissed from the Institution.
  - A series of questions related to incident will be reported with accurate time and date of incident.
  - Any witness information will be noted if applicable.
6. The process for responding to a report of sexual misconduct involving a student is as follows:
- Based on reports from meeting 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 student is issued a warning or placed on probation, the Senior Education Administrator and the student both sign the written warning or probationary conditions and the student is given a copy. The original document is placed in the student's file.
  - If school authority is unable to reach at a final conclusion, a mediator help will be taken and investigation will be carried out as required.
  - If complainant is not satisfied with mediator response, complainant will be notified about concerned law enforcement agency nearby where he/she can file direct complaint.
  - College will do its best to resolve it ASAP but if required student can file complaint to concerned law enforcement agency. HCC will provide all information to law enforcement agency when requested.