

TLC Sexual Misconduct Policy

<u>Trinity Language Centre (TLC)</u>		<u>4185</u>
Name of Institution		Institution Number
	Sept. 1, 2021	
<u>Sexual Misconduct Policy</u>		
Name of Policy	Effective Date	Revision Date

1. TLC 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. 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**.
5. The process for making a **Complaint** about sexual misconduct involving a student is as follows:
 - a. The student makes a complaint to TLC Program Coordinator (PC) Miranda Pei (mpei@twu-tlc.ca). When the PC is not available, the student can make the complaint to TLC Manager of Program and Learning (MPL) Lily Li (lli@twu-tlc.ca).
 - b. The student meets with the PC or MPL confidentially for the complaint.
 - c. If the complaint is not resolved after the meeting with the PC or MPL, the student will meet with Dr. Olivia Zhang (ozhang@twu-tlc.ca), the Director of Education (DoE) at TLC for a solution. When the DoE is not available, the student will meet with Joy Zheng (ozheng@twu-tlc.ca), the Executive Director (ED) of TLC.

- d. If a complaint cannot be resolved satisfactorily after the intervention of the DoE (or the ED), the student can request TLC to invite an unbiased third party to get involved and reach a final solution.
6. The process for responding to a **Complaint** of sexual misconduct involving a student is as follows:
 - a. After receiving a complaint from a student, TLC PC or MPL (when the PC is not available) will respond within five business days acknowledging receipt of the complaint.
 - b. TLC PC or MPL will set up a confidential meeting with the student on the complaint in the hope of solving the problem within five business days after the meeting.
 - c. If the confidential meeting with the PC or MPL will not resolve the complaint, TLC DoE (or TLC ED) will meet with the student and work out a solution within ten business days after receiving the case from the PC or MPL.
 - d. In the case when a solution can not be reached after both meetings, the student can request TLC DoE (or ED) to invite an unbiased third party to intervene for a final solution.
7. The process for making a **Report** of sexual misconduct involving a student is as follows:
 - a. A student can submit a report (a written statement and request for actions) of sexual misconduct to the PC or MPL (when the PC is not available).
 - b. The student will meet with the PC or MPL on the report for a solution.
 - c. If the meeting with the PC or MPL fails to reach a solution, the student can request the intervention of the DoE (or the ED when the DoE is not available).
 - d. When a solution is not reached after the intervention of both the PC (or MPL) and the DoE (or ED), the student can request the involvement of an unbiased third party for a final solution.
8. The process for responding to a **Report** of sexual misconduct involving a student is as follows:
 - a. TLC PC or MPL will respond within five business days acknowledging receipt of the report.
 - b. TLC PC or MPL will review the report, meet with the student, and discuss the case within ten business days upon receiving the report. A solution is expected within tenbusiness days after the meeting.
 - c. When a solution fails to be reached with the PC or MPL, TLC DoE (or ED) will review the report, meet with the student, and work out an action plan with the student within tenbusiness days after taking over the case.
 - d. In the cases when the report is not satisfactorily resolved after Steps a, b, and c, TLC DoE or ED will invite an unbiased third party to involve and reach a final solution within four weeks after the third party is invited.
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.

This institution is certified by the Private Training Institutions Branch (PTIB). Certified institutions must comply with regulatory requirements, including the requirement to have a Sexual Misconduct policy. For more information about PTIB, go to www.privatetraininginstitutions.gov.bc.ca.