

BALLET *BVC* VICTORIA CONSERVATORY

BV Conservatory

Name of Institution

4461

Institution Number

Sexual Misconduct Policy

Name of Policy

September 1, 2021

Effective Date

September 1, 2021

Revision Date

1. BV Conservatory 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.

For the purposes of this document, a **complaint** is when the victim/survivor discloses/chooses to tell someone at BV Conservatory of an incident of sexual misconduct in order to seek support but may not want to make a report to police or campus authorities. A **report** is a formal notification of an incident of sexual misconduct to someone at BV Conservatory accompanied by a request for action. A **report** can be made by anyone including, but not limited to, the victim/survivor.

3. 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**.
4. The process for making a **Complaint** about sexual misconduct involving a student is as follows:
 - If a student wishes to make a complaint about sexual misconduct involving a student or any member at BV Conservatory, they may speak privately with the BVC Ballet Master, Andrea Bayne. If the Ballet Master is involved in the complaint, the student can speak to the alternate contact, the Ballet Victoria Artistic Director. All complaints are confidential and will be taken seriously.
5. The process for responding to a **Complaint** of sexual misconduct involving a student is as follows:

BALLET *BVC* VICTORIA CONSERVATORY

- BV Conservatory will acknowledge the complaint within 5 days. BV Conservatory will provide contact information for qualified counsellors and support services who can offer an immediate confidential response.
6. The process for making a **Report** of sexual misconduct involving a student is as follows:
- If a student has observed or experienced that themselves, a fellow worker or student is a victim of harassment, they can file a report with the BVC Ballet Master, Ms Andrea Bayne. If the Ballet Master is involved in the complaint, the student can file the report to the alternate contact, the Ballet Victoria Artistic Director.
 - Incidents of harassment may be reported verbally or in writing. When submitting a written report, please use the Sexual Misconduct Report Form. When reporting verbally, the reporting contact, along with the complainant, will fill out the complaint form.
7. The process for responding to a **Report** of sexual misconduct involving a student is as follows:
- Once an incident is reported, an investigation will be initiated in accordance with BV Conservatory's Dismissal Policy.
 - Investigations will be undertaken promptly and as thorough as necessary given the circumstances of each case. Investigations will be fair and impartial, providing both the complainant and the person accused of engaging in harassment with equal treatment in evaluating the allegations. All information received in the course of an investigation will be treated in a confidential manner.
 - Investigations will include interviews with all concerned parties and potential witnesses in order to determine the nature of the incident(s).
 - The Ballet Master will arrange to meet privately with the student in question as soon as possible to discuss the incident or concerns brought forth. Once the meeting has concluded, one of four outcomes will be decided.
 1. The concern(s) were not substantiated.
 2. If conduct is of a serious nature, immediate dismissal will be enforced. The Ballet Master will then issue the student a letter of dismissal. The letter of dismissal will be signed by both the Ballet Master and the student.
 3. The student may be given a warning or placed on a probationary period. The conditions of the warning or probationary period will be outlined in a written report. The report will be signed by both the Ballet Master and the student and placed in the student's file.
 4. If there is no decision made by end of the meeting, the Ballet Master will conduct further investigation into the situation. Once an outcome has been determined, the Ballet Master will arrange a secondary meeting with the student to explain the decided outcome.

B A L L E T *BVC* V I C T O R I A C O N S E R V A T O R Y

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.