

Policy Name:	SEXUAL VIOLENCE PREVENTION AND RESPONSE	
Approved By:	Board of Governors	
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Policy Holder:	VP, Academic, Students, and International and VP, Corporate Services & CFO	
Operational Lead:	Director, Student Health Services and Director, Human Resources	
Policy Number:	ADM-007	

SEXUAL VIOLENCE PREVENTION AND RESPONSE POLICY

1.00 PURPOSE

- 1.1 The purpose of this policy is to establish Coast Mountain College's (the College's) commitment to providing a safe, secure, and respectful learning, living, and working environment that is free from Sexual Violence.
- 1.2 This policy defines roles and responsibilities of individuals in implementing and carrying out programs and practices for the prevention of, and in response to, Sexual Violence.

2.00 DEFINITIONS

- 2.1 **College Community:** Students, applicants, alumni, Employees, contractors, subcontractors, volunteers, visitors, and members of the Board of Governors, the First Nations Council, and the Coast Mountain College Foundation Board.
- 2.2 **Consent:** The clear, voluntary, and ongoing agreement to engage in, and continue to engage in, sexual activity. Consent must be freely given, informed, and affirmatively communicated through words or conduct. Silence, passivity, or lack of resistance does not constitute consent. Consent may be withdrawn at any time, and once withdrawn, the sexual activity must stop immediately.
- 2.3 **Disclosing Party:** An individual who has made a Disclosure about an experience of Sexual Violence that occurred or may have occurred.
- 2.4 **Disclosure:** A communication, other than a Formal Allegation, that Sexual Violence occurred or may have occurred. This does not initiate a formal reporting process, unlike a Formal Allegation, but does allow the Disclosing Party access to support services.
- 2.5 **Employee:** An individual employed by the College in any capacity, including administrators, faculty, and staff. Employment may be full-time, part-time, regular, term, or on-call. Individuals who are employed by the College in any capacity and are also registered in a College program or course are considered Employees for the purposes of this policy and related procedures.

- 2.6 **Formal Allegation:** A report to the College, alleging that Sexual Violence occurred, and requesting that the College take action in response to the alleged Sexual Violence.
- 2.7 **Procedural Fairness:** A fair, impartial, and transparent process that provides individuals with a meaningful opportunity to be heard and to respond before decisions are made.
- 2.8 **Reporting Party:** An individual who has submitted a Formal Allegation, alleging that Sexual Violence occurred.
- 2.9 **Respondent:** A person or persons alleged to have caused or contributed to an act of Sexual Violence and against whom a Formal Allegation is made.
- 2.10 **Retaliation:** Any adverse action or threat of adverse action taken against an individual because they have made a Disclosure, filed a Formal Allegation, participated in an investigation or resolution process, or sought or received support related to Sexual Violence. Retaliation may be direct or indirect and can include, but is not limited to, intimidation, harassment, coercion, threats, exclusion, negative academic or employment consequences, or damage to reputation.
- 2.11 **Sexual Violence:** Is a broad term that encompasses any sexual act or act targeting an individual's sex, sexuality, gender identity, or gender expression, whether the act is physical or psychological in nature, that is committed, threatened, or attempted against an individual without that individual's Consent. It can be perpetrated by anyone – an acquaintance, a classmate, a teacher, a family member, a colleague, a friend, a dating partner, a spouse, or a stranger. It can occur in person or by other means, including through the use of technology. It includes, but is not limited to:
 - a. Sexual assault: any non-consensual, forced, or coerced sexual act or physical contact of a sexual nature, including, but not limited to, kissing, touching, and sexual penetration.
 - b. Sexual exploitation: any actual or attempted abuse of a position of power, authority, trust, or influence or exploitation of another's vulnerability, for sexual purposes, including, but not limited to, profiting monetarily, socially, or politically.
 - c. Sexual harassment: any unwelcome conduct of a sexual nature that makes someone feel intimidated, humiliated, or offended and creates a hostile environment. It includes, but is not limited to, sexual jokes, comments about body/clothing, staring, catcalling, displaying or sharing offensive material, unwanted propositioning, or unwanted repeated requests for dates.
 - d. Stalking or cyber-stalking: a pattern of persistent, unwanted behaviours that cause a person to fear for their safety or wellbeing. This includes, but is not limited to, physical surveillance, unwanted communication, monitoring, unauthorized tracking, threats, and digital harassment.
 - e. Indecent exposure: the intentional, non-consensual display of one's genitals or intimate body parts in a public or private place with the intent to cause alarm or distress to another person, or for the purpose of sexual gratification.
 - f. Voyeurism: the non-consensual observation or recording of another person in a location where there is reasonable expectation of privacy and where the observation or recording is done for a sexual purpose.

- g. Stealthing: the act of intentionally removing or damaging a condom or other protective device during sexual activity without Consent, or deliberately misrepresenting the use of contraception.
- h. Image-based sexual abuse: the distribution of an intimate image or video, within the meaning of the *Intimate Images Protection Act*, without the consent of the individual depicted in the image or video.

- 2.12 **Student:** An individual who is registered in any course or program at the College. This includes individuals enrolled in part time studies, individuals participating in Continuing Education and Workforce Training, and individuals registered through contract services or partnership arrangements such as dual credit or dual admission. This definition applies to Students engaged in College activities on site or off site.
- 2.13 **Support Person:** An individual, either internal or external to the College, who provides emotional, cultural, accessibility, informational, advisory, advocacy, or representative support to a person involved in an incident of Sexual Violence. A Support Person may include, but is not limited to, a family member, legal guardian, friend, Elder, translator, legal counsel, union representative, students' union representative, or another trusted individual chosen by the person receiving support.
- 2.14 **The College:** Coast Mountain College (CMTN).
- 2.15 **Trauma-Informed:** An approach that recognizes the impacts of trauma on individuals and responds in a manner that promotes empowerment and recovery, while minimizing re-traumatization.
- 2.16 **Vulnerable Person:** An individual who, due to age, disability, or other temporary or permanent circumstances, is in a position of dependency on others or is at a greater risk, compared to the general population, of being harmed by someone in a position of trust or authority.

3.00 SCOPE AND APPLICATION

- 3.1 This policy applies to all incidents of Sexual Violence involving a member of the College Community that are disclosed or for which a Formal Allegation has been reported. This includes incidents that occur:
 - a. on College property or in College housing facilities
 - b. during College activities, including College-sponsored events, practicums, field education, off-site training and education, work terms required by a program of study at the College, and other activities connected to the College
 - c. in online or virtual environments connected to the College, including online classes, virtual meetings, College email, messaging applications, learning platforms, and College-managed social media platforms
 - d. in other circumstances where the conduct has the potential to impact the safety, wellbeing, participation, learning, working, or living environment of the College Community.

4.00 POLICY STATEMENT

- 4.1 Coast Mountain College does not tolerate or condone any form of violence, including Sexual Violence. The College is committed to providing and maintaining a safe, secure,

and a respectful learning, living, and working environment that is free from violence, including Sexual Violence.

- 4.2 The College acknowledges the profound and lasting impacts that Sexual Violence can have on individuals and those around them, including impacts on a person's wellbeing, sense of safety, trust, and ability to function as they did prior to the incident. The College recognizes that Sexual Violence may disproportionately impact certain individuals and groups and is committed to responding in a manner that is trauma-Informed, compassionate, respectful, and responsive to the diverse needs and experiences of those affected.
- 4.3 The College will respond to Disclosures and Formal Allegations of Sexual Violence in accordance with this policy and related procedures, ensuring that all parties involved are treated with dignity, respect, and Procedural Fairness throughout the process.
- 4.4 The College will make reasonable efforts to ensure supports, resources, and accommodations are available to all parties involved in a Disclosure or Formal Allegation of Sexual Violence, recognizing that individuals may have different needs based on their circumstances, experiences, and barriers to accessing support, and that these needs may vary throughout the process.
- 4.5 Members of the College Community who are alleged to have committed an act of Sexual Violence may be subject to College administrative processes and may also be subject to the criminal justice system.

5.00 AGE OF CONSENT

- 5.1 In British Columbia, the statutory age of consent to sexual activity is 16.
 - a. Limited exceptions apply for individuals under the age of 16 where the individuals involved are close in age and the relationship meets the requirements of the close-in-age provisions under federal law.
- 5.2 Although the statutory age of consent in British Columbia is 16 years of age, sexual activity with an individual who is 16 or 17 years old may be prohibited where the relationship involves exploitation arising from a position of trust, authority, dependency, or another power imbalance. This includes circumstances where:
 - a. the other individual is in a position of trust or authority, such as a teacher, coach, caregiver, or another individual in a similar role
 - b. the individual who is 16 or 17 years old is dependent on the other individual for care, support, or basic needs
 - c. the relationship is exploitative due to an actual or perceived power imbalance, vulnerability, or the nature of the relationship.
- 5.3 The College may address concerns involving sexual activity involving individuals under the age of 18 in accordance with this policy, College procedures, and applicable legislation.

6.00 OBTAINING CONSENT TO SEXUAL ACTIVITY

- 6.1 The College recognizes that Consent is a fundamental component of healthy and respectful interactions and relationships. Consent must be present throughout all sexual activity and must be obtained in a manner that is voluntary, informed, and ongoing.

- 6.2 Consent is specific to each sexual activity and each instance of sexual activity. The responsibility for obtaining Consent rests with the initiator. Consent can be withdrawn at any time, and if withdrawn, the sexual activity must stop. For clarity:
 - a. Consent is required for all forms of sexual activity and cannot be assumed based on the nature of the sexual activity (including kissing or other forms of physical contact of a sexual nature), relationship status, or previous sexual activity or Consent.
 - b. Consent to one type of sexual activity does not imply Consent to another.
 - c. Consent cannot be obtained through coercion, pressure, threats, manipulation, fraud, fear of consequences, or abuse of a position of trust, power, or authority.
 - d. An individual cannot give Consent if, at the time of the sexual activity, they are incapable of understanding the nature of the activity or making a voluntary decision, including when they are asleep, unconscious, incapacitated by alcohol or drugs, or under the legal age of Consent as provided in the [Criminal Code of Canada](#).
 - e. In situations involving vulnerable adults, consent may be invalid where the vulnerability is exploited or where there is an abuse of trust, power, or dependency.
 - f. An individual's sexual history or reputation is not relevant to determining whether Consent was given.
- 6.3 The [Criminal Code of Canada](#) requires Consent for sexual activity. Sexual activity without Consent is prohibited under this policy and may constitute a criminal offence.
- 7.00 OFF-CAMPUS AND ONLINE INCIDENTS OF SEXUAL VIOLENCE
 - 7.1 The College recognizes that Sexual Violence may occur in a variety of contexts, including on campus, off campus, and in online or virtual environments.
 - 7.2 Incidents of Sexual Violence that occur outside of College property, activities, or online environments connected to the College may still fall within the scope of this policy where the conduct has the potential to impact the safety, wellbeing, participation, learning, working, or living environment of the College Community.
 - 7.3 In determining whether to respond to an incident occurring outside of College property, activities, or online environments connected to the College, the College will consider the nature of the conduct and its potential impact on the College Community.
- 8.00 COLLEGE ROLES AND RESPONSIBILITIES
 - 8.1 The College is committed to responding to all Disclosures and Formal Allegations of Sexual Violence in a manner that is Trauma-Informed, timely, supportive, compassionate, and consistent with the principles of Procedural Fairness.
 - 8.2 The College will:
 - a. respond promptly and in accordance with this policy and related procedures when made aware of an incident of Sexual Violence
 - b. take reasonable steps to support the safety and wellbeing of individuals involved and the broader College Community
 - c. provide access to appropriate supports, services, and accommodations to individuals involved in or affected by a Disclosure or Formal Allegation of Sexual Violence, recognizing that the needs of individuals may vary throughout the process.

- 8.3 Employees who experience, witness, receive a Disclosure of, or otherwise become aware of an incident of Sexual Violence must report the matter without delay in accordance with the procedures established under this policy.
- 8.4 The College will designate appropriate officials responsible for receiving, reviewing, responding to, and coordinating the resolution of Disclosures and Formal Allegations of Sexual Violence. Designated officials may conduct investigations or assign investigations to qualified internal or external investigators, where appropriate.
- 8.5 The College will fulfill all applicable legal and regulatory reporting obligations, including obligations related to child protection, vulnerable adults, and suspected criminal offences.
- 8.6 Concerns about potential violations of College policies related to drugs, alcohol, smoking, Student housing, Student non-academic conduct, or similar matters should not deter or prevent an individual from seeking support, making a Disclosure, or submitting a Formal Allegation of Sexual Violence.
 - a. Where such policy violations are identified solely as a result of an individual seeking support, making a Disclosure, or submitting a Formal Allegation of Sexual Violence, punitive action will not be taken.

9.00 WELLBEING FOR INDIVIDUALS INVOLVED IN SEXUAL VIOLENCE RESPONSES

- 9.1 The College recognizes that responding to a Disclosure or participating in a process related to a Formal Allegation of Sexual Violence can be stressful and emotionally challenging. Individuals involved in these processes may experience a range of impacts, including stress, emotional distress, or secondary trauma responses.
- 9.2 Individuals who receive Disclosures or participate in responding to Formal Allegations are encouraged to prioritize their own wellbeing while taking reasonable steps to ensure that the individual making the Disclosure or Formal Allegation is connected with appropriate supports, resources, or designated College officials.
- 9.3 The College will provide reasonable access to supports, services, resources, and accommodations as needed for individuals involved in responding to or participating in a Disclosure or Formal Allegation of Sexual Violence. Individuals are encouraged to seek support through available College and external resources.

10.00 COLLEGE INITIATED PROCESS

- 10.1 The College may initiate a response process under this policy and related procedures, including an investigation, without a Formal Allegation where:
 - a. there is a significant risk to the health, safety, or wellbeing of one or more College Community members
 - b. action is necessary to address concerns that may significantly impact the safety or learning, working, or living environment of the College Community
 - c. an investigation is required by legislation, another College policy, collective agreement, or other applicable agreement.
- 10.2 In determining whether to initiate an investigation without a Formal Allegation, the College will consider relevant factors, including:
 - a. the nature and severity of the alleged conduct

- b. any potential risk to the College Community
- c. whether there is a pattern of similar concerns or allegations.

11.00 RIGHTS OF INDIVIDUALS INVOLVED IN A DISCLOSURE OR FORMAL ALLEGATION

- 11.1 The College is committed to ensuring that all parties involved in a Disclosure or Formal Allegation of Sexual Violence are treated in a manner that is respectful, Trauma-Informed, and consistent with the principles of Procedural Fairness.
- 11.2 All parties involved in a Formal Allegation of Sexual Violence have the right to:
 - a. be treated with dignity and respect throughout the process
 - b. be informed of available supports, services, accommodations, and resources that may assist them throughout the process and support their wellbeing
 - c. receive information about the process and have access to this policy and its accompanying procedures
 - d. have the matter addressed in a timely manner
 - e. be accompanied by one Support Person of their choosing during meetings related to the Formal Allegation.
 - i. A party may have legal counsel present at any meeting. A minimum of seven business days notice should be provided where possible. Where sufficient notice cannot be provided, the meeting may be delayed.
- 11.3 The Reporting Party has the right to:
 - a. have their Formal Allegation reviewed and addressed in accordance with this policy and related procedures
 - b. present relevant information and respond to information gathered during the investigation, where appropriate
 - c. be informed of the status of the Formal Allegation and, where appropriate, interim measures the College has taken or plans on taking, and the outcome of the process, subject to privacy and confidentiality obligations
 - d. be protected from Retaliation for making a Disclosure or Formal Allegation.
- 11.4 The Respondent has the right to:
 - a. receive reasonable notice of the allegations and sufficient information to understand and respond to them, consistent with the requirements of Procedural Fairness
 - i. The information provided will depend on the circumstances of the matter and may be limited where necessary to protect privacy, maintain confidentiality, comply with legal obligations, preserve the integrity of the process, or address health, safety, or other significant concerns.
 - b. present relevant information and respond to the allegations and information gathered during the investigation
 - c. be informed of any interim measures and the outcome of the process, subject to privacy and confidentiality obligations.
- 11.5 The College will balance the rights of all parties while taking reasonable steps to safeguard the safety, wellbeing, and privacy of those involved and the broader College Community.

11.6 In certain circumstances, the College may implement interim measures or take steps to address immediate safety concerns before notifying the Respondent of a Formal Allegation.

- a. This may occur where immediate notification could place the Reporting Party or members of the College Community at increased risk of harm or compromise the integrity of the process.

12.00 PROTECTION FROM RETALIATION

12.1 Retaliation against any individual who makes a Disclosure or Formal Allegation of Sexual Violence, participates in a process under this policy, or seeks or receives support related to Sexual Violence is strictly prohibited.

12.2 The College will review and address allegations of Retaliation in accordance with applicable legislation, collective agreements, contracts, governance documents, and College policies.

12.3 Individuals who engage in Retaliation may be subject to disciplinary or other appropriate action.

13.00 CONFIDENTIALITY AND PRIVACY

13.1 The College is committed to protecting the privacy and confidentiality of Disclosing Parties, Reporting Parties, Respondents, and others involved in matters arising under this policy, in accordance with the [Freedom of Information and Protection of Privacy Act](#) (FOIPPA) and other applicable legislation.

13.2 Information will be collected, used, disclosed, and retained only as necessary to:

- a. support the safety and wellbeing of individuals
- b. provide supports, services, or accommodations
- c. administer this policy and related procedures
- d. comply with legal obligations
- e. ensure a fair and effective process

13.3 The College will make every reasonable effort to maintain the confidentiality of information received under this policy; however, information may be disclosed without an individual's authorization, where necessary to:

- a. address an imminent or significant risk of harm to self, another individual, or the College Community
- b. comply with legal obligations
- c. ensure Procedural Fairness in an investigation or response process
- d. obtain legal advice.

13.4 Maintaining confidentiality does not necessarily mean that anonymity can be preserved. Depending on the circumstances, it may be necessary to disclose sufficient information to respond appropriately to a Disclosure or Formal Allegation, ensure Procedural Fairness in a response or investigation, or comply with legal obligations.

13.5 Except where disclosure is authorized or required under Section 13.3 or by law, the College will seek an individual's authorization before sharing personal information

beyond those individuals who require the information to fulfill their responsibilities under this policy.

- 13.6 Any decision to share information with the broader College Community or the media will be made with careful consideration of individual privacy, safety, and the College's legal obligations.
- a. Communication will occur only when necessary to address safety concerns or to fulfill public accountability requirements and will only be made by the College President and Chief Executive Officer (CEO) or their delegate.

14.00 SEXUAL VIOLENCE PREVENTION AND RESPONSE ADVISORY COMMITTEE

14.1 The College will establish and maintain a Sexual Violence Prevention and Response Advisory Committee to provide advice and recommendations regarding:

- a. the Sexual Violence Prevention and Response policy and procedure
- b. efforts to prevent, respond to, and raise awareness about Sexual Violence.

14.2 The committee will include:

- a. the Director of Student Health Services
- b. the Director of Human Resources
- c. the Director of Indigenization
- d. the Director of the President's Office, and
- e. at least one Student of the College.

14.3 The College must make reasonable efforts to ensure that the membership of the committee reflects the diversity of persons in BC.

15.00 COMMITMENT TO TRAINING, AWARENESS, AND PREVENTION

15.1 The College is committed to addressing and preventing Sexual Violence by making awareness, education, and training opportunities related to Sexual Violence available to members of the College Community and by actively promoting participation in these opportunities.

15.2 The College will identify awareness, education, and training programs related to Sexual Violence, including required training for designated members of the College Community.

15.3 The College will monitor and review best practices in Sexual Violence prevention and response across the post-secondary sector and identify opportunities to enhance awareness programs, campaigns, workshops, and printed and online resources related to the prevention of Sexual Violence within the College Community.

16.00 SURVEY

16.1 The Minister of Post-Secondary Education and Future Skills may direct the College to conduct a survey for the purpose of assessing the effectiveness of the College's:

- a. Sexual Violence Prevention and Response policy
- b. other efforts to prevent, respond to, and raise awareness about Sexual Violence.

16.2 When directing the College to conduct a survey, the minister may specify:

- a. who the College must include in the survey
- b. questions that the College must include in the survey
- c. the manner in which the College must conduct the survey
- d. the date by which the College must submit the survey results to the minister.

16.3 When the minister directs the College to conduct a survey, the College must:

- a. conduct the survey
- b. comply with any matters specified by the minister under section 16.2
- c. submit the survey results to the minister on or before the date, if any, specified by the minister under section 16.2.

17.00 ANNUAL REPORT

17.1 Each year, the President & CEO must submit an annual report to the Coast Mountain College Board of Governors on the implementation of the College's Sexual Violence Prevention and Response policy.

17.2 The annual report must include a summary of the College's:

- a. responses to Sexual Violence
- b. efforts to prevent and raise awareness about Sexual Violence
- c. consultations conducted in relation to the Sexual Violence Prevention and Response policy
- d. changes to the Sexual Violence Prevention and Response policy in response to those consultations
- e. prescribed information.

17.3 The College must make annual reports publicly available on its website.

18.00 COMPLIANCE

18.1 Compliance with this policy and its related procedures is a condition of employment, enrolment, and participation in College activities.

18.2 All members of the College Community are expected to understand and comply with this policy and its related procedures, including their responsibilities regarding the prevention of, response to, Disclosure of, and reporting of Sexual Violence.

18.3 Failure to comply with this policy or its related procedures may result in corrective, disciplinary, or other appropriate action in accordance with applicable legislation, collective agreements, contracts, and College policies.

18.4 Members of the College Community are expected to take reasonable steps to familiarize themselves with this policy and its related procedures. A lack of awareness of the policy or procedures will not relieve an individual of their responsibilities under them.

19.00 REVIEW

19.1 This policy and its associated procedure, [ADM-007P, Sexual Violence Prevention and Response Procedure](#), will be reviewed at least every three years, or sooner if required due to legislative, regulatory, operational, or organizational changes.

- 19.2 The review process will be led jointly by the Director of Student Health Services and the Director of Human Resources and will include consultation with Students, Employees, and the broader College Community.

20.00 RELATED POLICIES, PROCEDURES, AND GUIDELINES

- 20.1 [ADM-003, Freedom of Information and Protection of Privacy Policy](#)
20.2 [ADM-009, Student Non-Academic Conduct Policy](#)
20.3 [ADM-007P, Sexual Violence Prevention and Response Procedure](#)
20.4 [EDU-015, Student Complaints Referral Policy](#)
20.5 [HMR-001, Employee Code of Conduct Policy](#)
20.6 [HMR-003, Bullying, Harassment, and Discrimination Policy](#)
20.7 [HMR-003P, Bullying, Harassment, and Discrimination Procedure](#)

21.00 OTHER SUPPORTING DOCUMENTS

- 21.1 [Bill 18 – 2025: Sexual Violence Policy Act](#)
21.2 [BC Adult Guardianship Act](#)
21.3 [BC Child, Family and Community Services Act](#)
21.4 [BC College and Institute Act](#)
21.5 BC *Freedom of Information and Protection of Privacy Act*, [RSBC 1996, c165](#)
21.6 BC *Human Rights Code*, [RSBC 1996, c210](#)
21.7 [BC Intimate Images Protection Act](#)
21.8 BC *Sexual Violence and Misconduct Policy Act*, [SBC 2016, c23](#)
21.9 [BC Workers Compensation Act](#)
21.10 CMTN [Formal Sexual Violence Complaint](#)
21.11 CMTN [Sexual Violence Anonymous Incident Disclosure](#)
21.12 [Criminal Code of Canada](#)

22.00 HISTORY

Created/Revised/ Reviewed	Approval Date	Author's Name and Role	Approved By
Created	June 6, 2021	Dean Student Success	President's Council
Revised	September 25, 2026	Director, Student Health Services and Director, Human Resources & Payroll	Board of Governors