



## Sexual Misconduct Policy

Nimbus School of Recording & Media is committed to the prevention of and appropriate response to Sexual Misconduct. Further, it is committed to providing comprehensive and inclusive education, prevention, and response initiatives to address Sexual Misconduct.

The school recognizes its responsibility to respond to complaints or reports of Sexual Misconduct immediately upon becoming aware of an incident in a just and effective manner, and encourages the immediate reporting of all incidents of Sexual Misconduct.

A Reporting Person may choose to pursue one or both of the reporting processes outlined below; making a Complaint or a Report. Reports can be made by anyone regarding a student, staff member, visitor and/or others identified by the institution within the campus community. The Reporting Person does not have to be a student or an employee in order for the school to take steps as described below.

A. 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.

B. 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.

C. A student making a **Complaint** will be provided with resolution options and, if appropriate, accommodation(s), and will not be required or pressured to make a **Report**.

- D. The process for making a **Complaint** about sexual misconduct involving a student is as follows:
- The student may submit a written Complaint or make an appointment to meet with the Campus Director (Courtney Beharrell, [campusdirector@nimbusrecording.com](mailto:campusdirector@nimbusrecording.com)) who is responsible for making determinations in respect of complaints. In the instance that the Campus Director is absent and/or named in the Complaint, the student may reach out to the Student Finance and Compliance Manager (Alison Cuvier, [alison@nimbusrecording.com](mailto:alison@nimbusrecording.com)).
- E. The process for responding to a **Complaint** of sexual misconduct involving a student is as follows:
- The school will acknowledge receipt of the Complaint within 1 business day. At such time, a meeting will be set with the student to discuss the Complaint.
  - During the meeting, the student will be offered appropriate support(s). This may include but is not limited to, ensuring that the student has the appropriate resources for immediate safety and ongoing safety, receive medical attention, information to report an allegation of sexual misconduct through the criminal justice system (reporting to the police) or civil action (including a complaint under the BC Human Rights Code), provide contact information for trained counsellors or victim services supports, give comprehensive information about the school's policies and procedures and associated steps or actions that may be taken.
- F. The process for making a **Report** of sexual misconduct involving a student is as follows:
- The student is to provide a written statement including a request for action to the Campus Director (Courtney Beharrell, [campusdirector@nimbusrecording.com](mailto:campusdirector@nimbusrecording.com)) who is responsible for making determinations in respect of reports of sexual misconduct. If the Campus Director is absent or is named in a complaint, the student must provide the complaint to the Student Finance and Compliance Manager (Alison Cuvier, [alison@nimbusrecording.com](mailto:alison@nimbusrecording.com)).
- G. The process for responding to a **Report** of sexual misconduct involving a student is as follows:
- The school will acknowledge receipt of the Report within 1 business day. At such time, a meeting will be set with the student to discuss the Report.
  - During the meeting, the student will be offered appropriate support(s). This may include but is not limited to, ensuring that the student has the appropriate resources for immediate safety and ongoing safety, receive medical attention, information to report an allegation of sexual misconduct through the criminal justice system (reporting to the police) or civil action (including a complaint under the BC Human Rights Code), provide contact information for trained counsellors or victim services supports, give comprehensive information about the school's policies and procedures and associated steps or actions that may be taken.

- A thorough review will be conducted by the Campus Director and submitted to the President, as follows:
- i. All parties who are involved in, or witnesses to, the situation will be interviewed. All interviews will be kept confidential, with only the results incorporated into a final report of the findings to be submitted to the President for review.
- Written reasons for determination and/or subsequent action will be provided to the student within 14 days after the date on which the Report was made. The student will be provided with resolution options if appropriate, followed by accommodations, if required, to their program.
  - A student who pursues a Report has the right to withdraw a report at any stage of the process. However, the school may continue to act on the issue identified in the report in order to comply with the school's legal obligations.
- H. 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.
- I. 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.
- J. 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.