



Policy for Preventing and Responding to Sexual Misconduct

EF International Language Campus

03958

Name of Institution

Institution Number

Sexual Violence & Misconduct

6.01.2019

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Name of Policy

Effective Date

Revision Date

EF International Language Campuses (EF Vancouver and EF Victoria) are committed to ensuring that its students can study and live in an environment free from sexual violence and misconduct both on campus and at all EF affiliated accommodations and activities. This policy communicates EF's commitment to support EF students affected by sexual misconduct. It also outlines definitions of what constitutes sexual misconduct as well as a step-by-step reporting procedure process and available resources for all students.

Sexual misconduct and harassment of any kind are unacceptable at our schools, residences and host families. We are a TELLING school; this means that anyone who knows that sexual misconduct and/or harassment is happening is expected to tell a member of EF staff. Every student at EF, regardless of age, gender, race, sexual orientation, gender expression, or gender identity has a right to freedom from sexual misconduct and harassment. EF will not tolerate any form of sexual misconduct under any circumstances. This includes physical interaction and any kind of written or spoken communication, such as handwritten notes, e-mails, text messages, videos, photographs and/or communication in other online spaces. This policy applies to staff, students and visitors at all of EF's locations, including its Vancouver and Victoria campuses, family members in homestays, and the EF-affiliated residence in Vancouver.

Statement of Purpose

This policy is intended to define sexual misconduct, outline the general approach to disclosures, complaints and reports relating to sexual misconduct, as well as describe the

procedural fairness, including the rights of the alleged perpetrator, confidentiality and information sharing.

What is sexual misconduct?

The Sexual Violence and Misconduct Policy Act defines sexual misconduct as including the following unwanted behaviours – physical, verbal or psychological -- to which consent has not been given: **sexual assault, sexual exploitation, sexual harassment, stalking, indecent exposure, voyeurism, the distribution of sexually explicit photographs or video**, as well as **the attempt or threat to commit any of the above acts**.

Awareness, Education, and Prevention

EF is committed to preventing sexual violence and misconduct for its students, staff, affiliated host families, visitors and vendors through awareness and education.

- Arriving students receive a link to this policy through the student handbook at orientation. It includes the procedure for reporting an incident or making a complaint and to whom the misconduct should be reported. The link to the policy is also available through a QR code throughout the school. In addition, the policy is posted at www.ef.com/ca/ilsd.
- EF will ensure its students are aware of the organizations and services available to assist those individuals who have suffered from sexual violence and misconduct, such as the services offered by the Ending Violence Association of BC, (<http://endingviolence.org/need-help/services>).

Reporting, Receiving and Responding to Disclosure and/or Complaints of Sexual Misconduct

1. Disclosure is different from a formal report. A person may choose to disclose sexual misconduct without making a formal report. In that case, the disclosure/complaint may not result in a report being made, and therefore, may not initiate a formal report.
2. A report is a formal notification of an incident of sexual conduct to someone at the school, school-sponsored event, affiliated residence or host family accompanied by a request for action.
3. Actual processes and procedures may vary in relation to the nature of the disclosure, complaint or report, for example whether or not there has been a police report.
4. EF encourages all who are victims, have knowledge of or have witnessed events of sexual misconduct to report what has happened as soon as possible.
5. Everyone will be treated with dignity and respect.
6. Victims can expect a compassionate and caring response.

7. EF will act in accordance with the principles of procedural fairness in dealing with allegations of sexual misconduct.
8. Staff members with authority to act are committed to immediate action.
9. The person making the report may choose to withdraw the report, but the institution may decide to continue to act on the matter, depending on circumstances.
10. Any member of the campus community may file a report of sexual misconduct.
11. All report warrant an investigation, even those that cannot be supported by evidence.
12. No one may retaliate, engage in reprisals or threaten to retaliate in relation to a report.
13. EF recognizes the importance of confidentiality and privacy of those who have made a disclosure, report or complaint and to the alleged perpetrator. We are committed to doing our best to respect the confidentiality of all persons involved and will be consistent with the *Freedom of Information and Protection of Privacy Act* and/or the *Personal Information Protection Act* regarding sharing of information and public disclosure.
14. Confidentiality may be limited if there is imminent risk that an individual will harm themselves or others in the campus community and where reporting is required by law, e.g., in the case of a minor under the *Child, Family and Community Services Act*.
15. Those who report an incident have the right to make their own decisions about accessing support services, making an official report, or pursuing external processes such as a criminal or civil action.
16. EF commits to respect the confidentiality of those who have made the disclosure, complaint or report, as well as the alleged perpetrator.
17. Alleged perpetrators have a right to a fair investigation, with reasonable notice and full details of the allegations. They also have the right to respond to allegations.
18. Victims and alleged perpetrators will receive procedural fairness, paying attention to the circumstances and safety of the victim/survivor whose plight could be made worse by the disclosure, particularly if no police report is being filed.

Whom to Report and Make a Complaint to

1. If a student feels they are in **immediate DANGER or fear for their safety, please CALL 911**. If there is no immediate danger, call [VictimLink BC](#) at 1-800-563-0808 for information about all services that are available throughout BC.
2. Seek immediate (within 5 days) medical care if health may be of concern. Call the emergency phone at the school. School staff will escort you to the nearest hospital which will administer appropriate procedures, including a rape kit if necessary.
3. If a student feels they have been sexually violated in any way they should report this to their school director or student services manager or anyone in the campus community, including other students. Some students may also feel more comfortable going to a teacher who they see every day.

Receiving a Report or Complaint of Sexual Misconduct

Remembering that sexual misconduct is defined broadly, the response may vary. In most cases, the individual receiving the report or complaint will:

1. Listen without judgement and make every effort to respect confidentiality and anonymity.
2. Respect the right of the individual to choose the services they feel are most appropriate and to decide whether to make a formal report to the institution or police.
3. Recognize that disclosing can be traumatic and it may be difficult to recall events.
4. Respect the choice of the individual about how much they disclose about their experience.

Responding to Disclosures/Complaints/Reports of Sexual Misconduct

EF will take the following steps when responding to reports or complaints of sexual violence or misconduct:

1. The school director will be the primary person following up with sexual misconduct complaint, assisted by the student services manager.
2. We will do our utmost to ensure the safety of the victim (immediate safety first, followed by ongoing safety). Whether a victim chooses to disclosure or officially report misconduct, they may seek accommodations on campus. These measures aim to support the person who has experienced sexual violence and not to investigate or determine guilt of a respondent. Various informal measures may include moving residence rooms or host family, switching course sections, deferring exams, or other academic accommodations. We will seek to accommodate the victim as soon as possible but maximally within 24 hours of having received a notification.
3. We will provide emergency numbers for law enforcement, medical assistance and treatment if necessary, mental health services, and qualified counsellors/victim services support.
4. We will make the victim aware of the different reporting options listed below.
5. As required and if necessary, EF will pass on information, reports, and documentation to the police, community-based victim service programs or experts once permission is given by the victim.
6. EF can arrange to have a police officer meet with the victim on campus to discuss the possibility of making a criminal report.
7. The designated EF officials can liaise with and accompany the victim to the local sexual assault centre, police, and/or other justice system partners as appropriate.
8. If a victim decides to make a criminal report, the designated EF officials will accompany them to the police station or have police attend the school.

EF does not have a mandate to conduct criminal investigations, but we do have a responsibility to provide a safe environment for our students, regardless of whether a particular incident results in a criminal investigation and/or charges.

Reporting Options

There are various reporting options available:

1. **Disclosure only:** A victim may wish to tell someone, including another student, about the incident in order to seek support, but may not want to make a report to police.
2. **Police:** a victim may wish to make a formal report of sexual assault or other incident of sexual misconduct to the police.
3. **Third Party Report to Police via Community Victim Agency:** the victim may wish to make an anonymous report through a community-based victim support worker. Reports are sent to police by an intermediary agency to provide detailed information about the incident and the alleged perpetrator, but do not include the name or contact information of the victim.

As noted above, victims of sexual misconduct may choose one or more of the criminal and non-criminal reporting options.