



SEXUAL MISCONDUCT POLICY

Background:

The **West Coast Institute for Studies in Anthroposophy (WCI)** is committed to ensuring that its learning environment promotes the respectful and fair treatment of all students. WCI endeavours to realize this commitment by establishing employment and educational practices that respect the dignity of individuals and make it possible for everyone to live, work, and study in a positive and supportive environment, free from harmful behaviours such as sexual harassment, assault or any other form of sexual misconduct.

The best possible environment for working, learning and living is one in which respect, civility, diversity, opportunity and inclusion are respected. All WCI community members are required to conduct themselves in a manner that upholds these principles in all communications and interactions with fellow WCI community members, students and the public in all WCI-related settings.

Principles and Commitments:

WCI will not tolerate sexual harassment, assault or any other Sexual Misconduct during training sessions or Intensive Courses at the **Sunrise Waldorf School** or **Vancouver Waldorf School**.

WCI recognizes the diversity of the WCI community and that each person will be affected differently by Sexual Misconduct or violence in considerations such as: sexual orientation, gender identity, racial or ethnic background, faith, age, socio-economic status and previous experiences of trauma. WCI commits to taking this into account while carrying out its responsibilities under this Policy.

WCI is committed to respecting the rights of those who Disclose to make their own decisions about accessing support services and accommodations or pursuing external processes such as a criminal or civil action.

If the Board Chair or any investigator has a real or apparent conflict of interest in a particular matter, then that individual will not continue with their involvement and an appropriate alternative individual will be identified.

Similarly, WCI will provide support to members of the WCI Community who have had reports of Sexual Misconduct of any nature made against them.

WCI is committed to procedural fairness and will respond to and address Disclosures or Reports in a timely manner according to the procedures laid down in this Policy.

Disclosures

The decision to Disclose and the decision to Report are separate decisions. An individual may choose to Disclose Sexual Misconduct without making a Report. Consequently, Disclosure does not necessarily result in a Report being made, nor might it initiate an investigation.

WCI will make appropriate support services and accommodations available to members of the WCI Community on the basis of a Disclosure, regardless of whether or not they decide to make a Report.

Accommodations may include:

- Change of housing
- Class schedule changes
- Safety planning
- Academic accommodations

WCI recognizes that disclosures of Sexual Misconduct are most often made to someone the individual making the Disclosure already knows. If a Disclosure is made to a member of the WCI Community who is not trained to receive Disclosures, that member is encouraged to contact the Board Chair for support and information on how best to respond to a Disclosure.

WCI commits to respecting the individual's right not to make a Report and will keep the Disclosure confidential. In exceptional circumstances, where required by law or where there is a risk of significant harm to anyone's health or safety and, at the discretion of the Board Chair, WCI may notify third parties such as the police.

If WCI notifies a third party the Board Chair will inform the individual who made the Disclosure and will ensure that appropriate support services are made available.

Reports

Anyone directly subjected to Sexual Misconduct can make a formal, written Report against a member of the WCI Community under this Policy. The Report should include the name of the respondent, dates and names of witnesses (if any) and particulars of the alleged sexual misconduct.

Reports must be submitted to the Board Chair who will address them in accordance with the Procedures to this Policy.

Definitions

Sexual Misconduct is any sexual act or act targeting an individual's 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. This includes but is not limited to:

sexual assault, sexual exploitation, sexual harassment, stalking, indecent exposure, voyeurism and the distribution of sexually explicit photographs or videos of a person without their Consent.

Consent is the voluntary agreement to the act or acts in question and to continue to engage in the act or acts. Consent cannot be implied, and it can be revoked at any time during the act or acts in question.

WCI Community are students, employees, independent contractors, holders of teaching appointments, housing providers or anyone involved in WCI business.

Investigation of a Formal Report

Records concerning the investigation of a formal complaint will be maintained in a separate confidential file under the jurisdiction of the Business Administrator. To the extent reasonably possible, the complaint, the names of the relevant parties and witnesses, and the circumstances surrounding the complaint, will be kept confidential.

Investigation will be conducted by a Special Committee that will consist of four of the following, to be determined by the Board Chair:

- WCI Board Chair or delegate from the Board of Directors
- Program Director
- Business Administrator
- One faculty member selected by WCI Program Directors

The Special Committee's role is to attempt to determine if a violation of this policy has occurred and, if it has, to recommend appropriate action to the Board Chair. The committee may investigate in any manner they deem appropriate in order to obtain the information required. This may include, but is not limited to:

- Requesting a written response to the Report from the Respondent, including a list of any potential witnesses along with a description of the information those witnesses are expected to provide, and any relevant documents, including any social media communications
- Meeting with or requesting further information from the Complainant
- Meeting with or requesting further information from the Respondent
- Meeting with or requesting further information from any other individuals who may have information relevant to the investigation, including any witnesses identified by the Complainant or the Respondent
- Inviting the Complainant and the Respondent to submit questions they believe should be asked of the other party or any witness, although the decision as to whether to ask such questions is entirely within the discretion of the Special Committee

Except in exceptional circumstances, investigations will be completed within 60 calendar days of the receipt of the Report.

In all investigations the Respondent will be fully informed of the allegations made against them and will be given the opportunity to respond.

Following completion of the investigation, the Special Committee shall report in writing, with recommendations for disposition of the complaint, to the WCI Board Chair. The Report will normally include:

- A summary of the evidence considered
- Any assessment of credibility that is required to render a determination and
- The findings of fact, and a determination as to whether, on a balance of probabilities, Sexual Misconduct has occurred.

A copy of the report shall be provided to both the Complainant and the Respondent. The Complainant and the Respondent may submit written representations to the Special Committee with respect to their report.

All records relating to the complaint shall be filed separately from employee's files and will be maintained in the office of the Business Administrator. The decision of the Board Chair is final and binding.

Disciplinary Procedures

Violations of any provisions of this policy may be subject to actions as follows:

- a) Employees: disciplinary action up to, and including, termination and/or legal sanctions
- b) Other members of the WCI Community: possible loss of privileges or participation in any programs, access to the facilities or removal from any volunteer position and/or legal sanctions.

Allegations that prove to be unsubstantiated and made maliciously or knowingly to be false will be viewed as a serious disciplinary offense and dealt with appropriately.

Any Complainant who has acted in accordance with the requirements of this policy is protected against reprisal.