

## **Sexual Violence and Sexual Harassment Policy**

### **1. Policy Application**

The Policy applies to all career college students of CertCana Systems Institute.

### **2. The Scope**

The Policy applies to complaints of sexual violence that have occurred on CertCana Systems Institute career college campus or at a one of our events and involve our students.

### **3. Purpose and Intent**

All of CertCana Systems Institute career college students have a right to study in an environment free of sexual violence. This document sets out our policy on sexual violence involving our students, defines the prohibited behaviours, and outlines our investigative processes for sexual violence.

### **4. Policy Objectives**

CertCana Systems Institute is committed to providing our students with an educational environment free from sexual violence and treating those students who report incidents of sexual violence with dignity and respect.

To that end CertCana Systems Institute will provide a copy of the policy to our students, and educate them together with our career college management, employees and contractors about this Policy and how to identify situations that involve, or could progress into sexual violence against our students and how to reduce it.

Where a complaint has been made, under this Policy, of sexual violence CertCana Systems Institute will take all reasonable steps to investigate it, including as follows:

- (a) providing on-campus investigation procedures to students for sexual violence complaints;
- (b) responding promptly to any complaint and providing reasonable updates to the complainant and the respondent about the status of the investigation;
- (c) assisting students who have experienced sexual violence in obtaining counselling and medical care;
- (d) providing students who have experienced sexual violence with appropriate academic and other accommodation; and

(e) providing students who have experienced sexual violence with information about reporting options as set out in Appendix 1.

## **5. Definition of Sexual Violence**

This Policy prohibits sexual violence which means any sexual act or act targeting a person's sexuality, gender identity or gender expression whether the act is physical or psychological in nature, that is committed, threatened or attempted against a person without the person's consent, and includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism and sexual exploitation.

## **6. Reporting and Responding to Sexual Violence**

Students, faculty and staff of CertCana Systems Institute will take all reasonable steps to prevent sexual violence involving our students on our career college campus or events by reporting immediately to the Principal if our students have been subject to, or they have witnessed or have knowledge of sexual violence involving our students, or have reason to believe that sexual violence has occurred or may occur which involves our students.

Subject to paragraph 7 below, to the extent it is possible, Principal will attempt to keep all information disclosed confidential except in those circumstances it believes an individual is at imminent risk of self-harm, or of harming another, or there are reasonable grounds to believe that others on our campus or the broader community are at risk.

CertCana Systems Institute recognizes the right of the complainant to determine how her or his complaint will be dealt with. However, in certain circumstances, CertCana Systems Institute may be required by law or its internal policies to initiate an internal investigation and/or inform police without the complainant's consent, if it believes the safety of members of its campus or the broader community is at risk.

A complainant seeking accommodation should contact Principal.

## **7. Investigating Reports of Sexual Violence**

A complaint of sexual violence may be filed under this Policy, by any student of our career college, to the Principal in writing.

A complainant may ask another person to be present during the investigation.

Upon a complaint of alleged sexual violence being made the Principal will initiate an investigation, including as follows:

- (a) determining whether the incident should be referred immediately to police;
- (b) determining what interim measures, if any, need to be taken during the investigation;
- (c) meeting with the complainant to determine the date and time of the incident, the persons involved, the names of any person who witnessed the incident and a complete description of what occurred;
- (d) interviewing the complainant, any person involved in the incident and any identified witnesses;
- (e) interviewing any other person who may have knowledge of incidents related to the complaint or any other similar incidents;
- (f) informing the respondent of the complaint, providing details of the allegations and giving the respondent an opportunity to respond to those allegations;
- (g) providing reasonable updates to the complainant and the respondent about the status of the investigation; and
- (h) determining what disciplinary action, if any, should be taken.

## **8. Disciplinary Measures**

If it is determined by CertCana Systems Institute that a student of our career college has been involved in sexual violence, immediate disciplinary or corrective action will be taken up to and including termination of employment of instructors or staff or expulsion of a student.

In cases where criminal proceedings are initiated, CertCana Systems Institute will assist police agencies, lawyers, insurance companies, and courts to the fullest extent.

Where criminal and/or civil proceedings are commenced in respect of allegations of sexual violence CertCana Systems Institute may conduct its own independent investigation and make its own determination in accordance with its own policies and procedures.

## **9. Making False Statements**

It is a violation of this Policy for anyone to knowingly make a false complaint of sexual violence or to provide false information about a complaint. Individuals who violate this Policy are subject to disciplinary and / or corrective action, up to and including termination of employment of instructors or staff or expulsion of a student.

## **10. Reprisal**

It is a violation of this Policy to retaliate or threaten to retaliate against a complainant who has brought forward a complaint of sexual violence, provided information related to a complaint, or otherwise been involved in the complaint investigation process.

### **11. Review**

This policy will be reviewed 3 years after it is first implemented.

### **12. Collection of Student Data**

CertCana Systems Institute shall collect and be prepared to provide upon request by the Superintendent of Private Career Colleges such data and information as required according to Subsections 32.3 (8), (9) and (10) of Schedule 5 of the Private Career Colleges Act, 2005 as amended.

### **13. Resources**

Appendix 1 lists rape crisis centre which could be provided as resources.

#### **Appendix 1**

Canadian Association of Sexual Assault Centres

Ontario

Provincial

English

Assaulted Women's Helpline

Toll Free: 1-866-863-0511

[www.awhl.org](http://www.awhl.org)

Toronto Rape Crisis Centre: Multicultural Women Against Rape

Crisis: 416-597-8808

Office: 416-597-1171

[www.trccmwar.ca](http://www.trccmwar.ca)