

Canadian College of Educators' Sexual Violence and Sexual Harassment Policy

Policy Application

The Policy applies to all members of Canadian College of Educators' career college community including students, staff, faculty, administrators, contract service providers, contractors, officers, directors and individuals who are directly connected to any of its initiatives, volunteers and visitors.

The Scope

The Policy applies to complaints of sexual violence or sexual harassment that have occurred on the Canadian College of Educators' career college campus or at a Canadian College of Educators career college event and involve members of the career college community as defined in paragraph one, the Policy Application.

Purpose and Intent

All members of Canadian College of Educators career college community have a right to study and work in an environment free of sexual violence and sexual harassment. This document sets out our policy on sexual violence and sexual harassment, defines the prohibited behaviours, and outlines our investigative processes for sexual violence and sexual harassment.

Policy Objectives

Canadian College of Educators is committed to providing members of our career college community an educational environment free from sexual violence and sexual harassment and treating those individuals who report incidents of sexual violence or sexual harassment with dignity and respect. To that end Canadian College of Educators will educate and train faculty, staff and students about this Policy and how to identify situations that involve, or could progress into sexual violence or sexual harassment and how to reduce these forms of prohibited behaviours. Where a complaint has been made, under this Policy, of sexual violence or sexual harassment Canadian College of Educators will take all reasonable steps to investigate it, including as follows:

- a. responding promptly to any complaint and providing reasonable updates to the complainant and the respondent about the status of the investigation;
- b. assisting those who have experienced sexual violence or sexual harassment in obtaining counselling and medical care;

- c. providing those who have experienced sexual violence or sexual harassment with appropriate academic and other accommodation;
- d. providing those who have experienced sexual violence or sexual harassment with information about reporting options; and
- e. providing on-campus investigation procedures for sexual violence and sexual harassment complaints.

Definition of Sexual Misconduct

This Policy prohibits sexual misconduct, which includes sexual violence and sexual harassment. **Sexual Violence**, without limiting the generality of the foregoing, includes:

- a. sexual assault which is any type of an unwanted sex act done by one person to another, without that person's consent, that violates the sexual integrity of an individual ranging from unwanted touching to penetration;
- b. any violence, physical or psychological, carried out through sexual means or by targeting sexuality, including sexual abuse; and
- c. criminal harassment (including stalking and cyber bullying).

Sexual Harassment, without limiting the generality of the foregoing, includes:

- a. Any course of vexatious comment or conduct of a sexual nature that is known or ought reasonably to have been known to be unwelcome, including:
- b. offensive jokes or comments of a sexual nature;
- c. displaying of pornographic or sexist pictures or materials, including online;
- d. suggestive or offensive remarks;
- e. unwelcome language related to gender;
- f. remarks, jokes, innuendoes, propositions, or taunting about a person's body, attire, sex or sexual orientation;
- g. leering or inappropriate staring;
- h. bragging about sexual prowess;
- i. physical contact such as touching, patting, or pinching, with an underlying sexual connotation; and
- j. sexual solicitation or advance made by a person in a position to confer, grant or deny a benefit or advancement to the person where the person making the solicitation or advance knows or ought reasonably to know that it is unwelcome.

Reporting and Responding to Sexual Violence

All members of our career college community will take all reasonable steps to prevent sexual violence on our career college campus or events and report immediately to the Canadian College of Educators' Campus Administrator if they are subject to, witness or have knowledge of sexual violence, or have reason to believe that sexual violence has occurred or

may occur. To the extent it is possible, the Campus Administrator 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 in our career community are at risk. Canadian College of Educators recognizes the right of the complainant to determine whether her or his complaint will be dealt with by the police and/or Canadian College of Educators. However, in certain circumstances, Canadian College of Educators 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 career college community is at risk. At all times, Canadian College of Educators will do its best to approximately accommodate the needs of students affected by sexual violence at no cost to the student. In addition, Canadian College of Educators community members should be aware that a formal report of an incident of sexual violence is not necessary to access supports, services, or accommodations.

Investigating Reports of Sexual Harassment

If a member of our career college community believes she/he has been sexually harassed by a member of our career college community, she/he may confront the harasser personally or in writing pointing out the unwelcome behaviour and requesting that it stop; or Report the complaint to Canadian College of Educators' Campus Administrator in writing. A complaint of sexual violence may be filed under this Policy, by any member of our career college community, to the Canadian College of Educators' Campus Administrator in writing using the Canadian College of Educators' Sexual Violence and Harassment Reporting Form. Upon a complaint of alleged sexual harassment being made to Grade Learning's Campus Administrator, the Campus Administrator will initiate an investigation, including as follows:

- a. determining whether the incident should be referred immediately to police;
- b. 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;
- c. interviewing the complainant, any person involved in the incident and any identified witnesses;
- d. interviewing any other person who may have knowledge of incidents related to the complaint or any other similar incidents;
- e. informing the respondent of the complaint, providing details of the allegations and giving the individual an opportunity to respond to those allegations;
- f. providing reasonable updates to the complainant and the respondent about the status of the investigation; and
- g. determining what disciplinary action, if any, should be taken.

Disciplinary Measures

If it is determined by Canadian College of Educators that a member of our career college community has been involved in sexual violence or sexual harassment of a member of our career college community, immediate disciplinary or corrective action will be taken up to and including termination of employment or expulsion of a student. In cases where criminal proceedings are initiated, Canadian College of Educators 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 or sexual harassment, Canadian College of Educators may conduct its own independent investigation and make its own determination in accordance with its own policies and procedures.

Making False Statements

It is a violation of this Policy for anyone to knowingly make a false complaint of sexual violence or sexual harassment 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 or expulsion.

Statements Regarding Drugs and Alcohol and Inappropriate Questions

With this policy complainants are not subject to disciplinary actions for violations of any student Code of Conduct or institutional drug and alcohol use policies at the time the alleged sexual violence took place. In addition, complainants may not be asked any inappropriate questions such as irrelevant questioning about their sexual history.

Students will not be subject to discipline or sanctions for violations of the career college's policies relating to drug or alcohol use at the time the alleged sexual violence occurred according to Section 36.0.2(1)(d.1) of Ontario Regulation 415/06 in the Ontario Career Colleges Act.

Students will not be asked irrelevant questions during the investigation process by the career college's staff or investigators, including irrelevant questions relating to the student's sexual expression or past sexual history, according to Section 36.0.2(2)(14) of Ontario Regulation 415/06 of the Ontario Career Colleges Act, 2005.

Reprisal

It is a violation of this Policy to retaliate or threaten to retaliate against a complainant, acting in good faith, who has brought forward a complaint of sexual violence or sexual

harassment, provided information related to a complaint, or otherwise been involved in the complaint investigation process.

Right to Withdraw a Complaint

A complainant has the right to withdraw a complaint at any stage of the process. However Canadian College of Educators may continue to act on the issue identified in the complaint in order to comply with its obligation under this Policy and/or its legal obligations.

Appeal

An appeal is not an opportunity for the Complainant or the Respondent to repeat the information already provided. In the case of an appeal the college will set up an Appeal Board.

The right to an appeal is not automatic and an appeal will only be considered if it meets the following requirements:

- a) The appeal is conducted in writing to the college Dean;
- b) The appeal is submitted by either the Complainant or the Respondent;
- c) The appeal must be made within 15 calendar days after the date of the final decision that is the subject of the appeal;
- d) The appeal includes the reasons for the appeal, the reasons why the appeal should be granted, the arguments in support of the appeal and the outcome sought;
- e) The appeal must demonstrate that: - There has been a fundamental procedural error in the making of the final decision and that such error has caused or will cause actual prejudice to the person seeking the appeal, or - There are new facts relevant to the final decision that were not available and could not have been provided previously.

Appeal Decision

- a) The Complainant or Respondent, as the case may be, will be advised of the appeal and do not need to respond to the appeal unless the Appeal Board sends a letter requesting them to do so.
- b) The Appeal Board reviews the appeal, determines whether the appeal meets the requirements of an appeal.
- c) Following review of the written submissions, the Appeal Board may in its sole discretion convene a hearing to determine the matter.
- d) All decisions of the Appeal Board are final.

Resources

Appendix 1 lists provincial sexual violence and harassment centres which could be provided as resources.

Appendix 1

SEXUAL ASSAULT CENTRES (ONTARIO)

| Region in Ontario | Sexual Assault Centre | 24-hr Crisis Line | Office Phone Number |
|-------------------|-----------------------|-------------------|---------------------|
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|---|---|---|---|
| Algoma (Sault Ste. Marie) | Women In Crisis Algoma | 1-877-759-1230 | 705-759-1230 |
| Belleville-Quinte | Sexual Assault Centre for Quinte & District | 1-877-544-6424 | 613-967-6300 |
| Brant | Sexual Assault Centre of Brant | 519-751-3471 | 519-751-1164 |
| Bruce County | Women's House Serving Bruce and Grey: Sexual Assault Services | 1-866-578-5566 | 519-372-1113 |
| Chatham-Kent | Chatham-Kent Sexual Assault Crisis Centre | 519-354-8688 | 519-354-8908 |
| Cornwall | Sexual Assault Support Services for Women, Cornwall | English: 613-932-1603 French: 613-932-1705 | 613-932-1755 |
| Durham | Durham Rape Crisis Centre | 905-668-9200 | 905-444-9672 |
| East Algoma (Elloit Lake) | Counselling Centre of East Algoma | 1-800-721-0077 | 705-848-2585 |
| Guelph-Wellington | Guelph-Wellington Women in Crisis | 519-836-5710 1-800-265-7233 | 519-836-1110 |
| Halton (Oakville) | Sexual Assault & Violence Intervention Services of Halton | 905-875-1555 | 906-825-3622 |
| Hamilton | Sexual Assault Centre Hamilton & Area (SACHA) | 905-525-4162 | 905-525-4573 |
| Kawartha (Peterborough & Area) | Kawartha Sexual Assault Centre | 705-741-0260 | 705-748-5901 |
| Kenora | Kenora Sexual Assault Centre | 807-468-7233 1-800-565-6161 | 807-468-7958 |
| Kingston | Sexual Assault Centre Kingston | 613-544-6424 1-877-544-6424 | 613-545-0762 |
| Waterloo | Sexual Assault Support Centre of Waterloo Region | 519-741-8633 | 519-571-0121 |
| London-Middlesex | Sexual Assault Centre London | 519-438-2272 1-877-529-2272 | 519-439-0844 |
| Muskoka Parry Sound | Muskoka Parry Sound Sexual Assault Services | 1-800-461-2929 | Parry Sound: 705-774-9083 Toll free: 1-877-851-6662 Muskoka: 1 877 406-1268 |
| Niagara | Niagara Region Sexual Assault Centre | 905-682-4584 | 905-682-7258 |

| | | | |
|----------------|---|--------------------------------|---------------------------|
| Nipissing | Amelia Rising Sexual Assault Centre of Nipissing | 705-476-3355 | 705-840-2403 |
| Oshawa-Durham | Oshawa-Durham Rape Crisis Centre | 905-668-9200 | 905-444-9672 |
| Ottawa SASC | Sexual Assault Support Centre of Ottawa | 613-234-2266 | 613-725-2160 |
| Ottawa RCC | Ottawa Rape Crisis Centre | 613-562-2333 | 613-562-2334 |
| Peel | Hope 24/7: Sexual Assault Centre of Peel | 1-800-810-0180 | 905-792-0821 |
| Renfrew | Women's Sexual Assault Centre of Renfrew County | 1-800-663-3060 | 613-735 – 5551 |
| Sarnia-Lambton | Sexual Assault Survivors' Centre Sarnia-Lambton | 519-337-3320 | 519-337-3154 |
| Simcoe | Athena's Sexual Assault Services | 705-737-2008 1-800-987-0799 | 705-737-2884 |
| Sudbury | Voices for Women Sudbury | | 705-523-7100 ext. 2647 |
| Thunder Bay | Thunder Bay Sexual Abuse & Sexual Assault Counselling & Crisis Centre | 807-344-4502 | 807-345-0894 |
| Timmins | Timmins and Area Women in Crisis | 1-877-268-8380 | 705-268-8381 |
| Toronto | Toronto Rape Crisis Centre | (416) 597-8808 | 416-597-1171 |
| Windsor-Essex | Sexual Assault Crisis Centre of Essex County | 519-253-9667 | 519-253-3100 |
| York | Women's Support Network of York Region | 1-800-263-6734 905-895-7313 | 905-895-3646 |

Other Resources and Supports Available to You

Good to Talk

Post-Secondary Student Helpline– Free 24/7/365 professional, anonymous support for students 1-866-925-5454 <http://www.good2talk.ca/>

Student Lifeline

Professional support for maintaining a healthy balance between school, work and everyday life. Confidential consultations, counselling, community referrals, resources (articles, CD's, booklets), and online tools (blogs, podcasts, Depression and Stop Smoking Centres) 1-877-418-1537

Tty/tdd 1-877-371-9978

LifeWorks.com

Pour le support francophone aux femmes victimes d'agression sexuelle:

CALACS (Francophone Sexual Assault Centres) in

Ontario Centre Passerelle pour femmes: CALACS du Nord
de l'Ontario www.centrepasserelle.ca
C.P. 849 Timmins (Ontario) P4N 7G7
705 360-5657

**Centre francophone d'aide et de lutte contre les agressions à caractère
sexuel d'Ottawa** www.calacs.ca 40, rue Cobourg

Ottawa (Ontario) K1N 8Z6
613 789-8096
calacs@calacs.ca

**Centre Novas : Centre francophone d'aide et de lutte contre les agressions à caractère sexuel
de Prescott-Russell** www.centrenovas.ca

C.P. 410
Casselman (ON) K0A 1M0 613
764-5700
1 866 772-9922 poste 221
administration@centrenovas.ca

Carrefour des femmes du Sud-Ouest de l'Ontario: CALACS de la région du Sud-Ouest

www.carrefourfemmes.on.ca
Casier Postal 774, London (ON) N6A 4Y8
519 8580954 1 888 858-0954
[bienvenue@carrefourfemmes.on.c](mailto:bienvenue@carrefourfemmes.on.ca)
a

Centre Victoria pour femmes

www.centrevictoria.ca
C.P. 308
Sudbury (ON) P3E 4P2
705 670-2517
[info@centrevictoria.](mailto:info@centrevictoria.ca)
ca

**Centr'Elles, centre des Femmes Francophones du NordOuest
de l'Ontario** www.centrelles.com P.O. Box 26058

Thunder Bay (Ontario)
P7B 0B2

807 6841955 1 888
415-4156
admin@centrelles.co
m

Oasis Centre des femmes

www.oasisfemmes.org
465 Yonge Street PO Box 73022 Wood Street PO Toronto ON M4Y 2W5
Toronto
416 5916565
services@oasisfemmes.or
g

Colibri – Centre des femmes francophones du

comté de Simcoe www.centrecolibri.ca 80, rue
Bradford, bureau 340
Barrie (ON) L4N 6S7
Barrie
705 797-2060 1 877
797-2050
admin@centrecoli
bri.ca

Centre de santé communautaire Hamilton/Niagara – Espace entre Elles

www.centredesantecommunautaire.com
1320 rue Barton Est
Hamilton (Ontario) L8H 2W1
905 5280163
1 866 437-
7606
cschn@csch
n.ca

Pour le support francophone aux femmes victimes d'agression sexuelle, se il vous plaît visitez
(for French-language support to women victims of sexual assault, please also visit): Action
ontarienne contre la violence faite aux femmes.

Canadian College of Educators Contact for Assistance:

Carmen Valero, Dean
cvalero@canadiancollegeofeducators.ca
(905) 896-0000

Grant Bunke, Registrar gbunke@canadiancollegeofeducators.ca
(905) 896-0000