



## **Sexual Violence and Sexual Harassment Policy & Procedure**

### **1. Policy Application**

The policy applies to all career college students of KnowledgeSurge Institute. The scope of the Policy applies to complaints of sexual violence that have occurred on the KnowledgeSurge Institute career college campus or at a one of our events and involve our students.

### **2. Purpose and Intent**

All KnowledgeSurge Institute career college students have the 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.

### **3. Policy Objectives**

KnowledgeSurge 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, KnowledgeSurge 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. Under this Policy, when a complaint of sexual violence has been made, KnowledgeSurge 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



#### **4. Definition of Sexual Violence**

This Policy prohibits sexual violence which includes 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.

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

Faculty and staff of KnowledgeSurge 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 Campus Manager 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, the Campus Manager will attempt to keep all information disclosed confidential except in those circumstances where they believe 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. KnowledgeSurge Institute recognizes the right of the complainant to determine how her or his complaint will be dealt with. However, in certain circumstances, KnowledgeSurge 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 the Campus Manager. If students, in good faith, report an incident of, or make a complaint about, sexual *violence*, they will not be subject to discipline or sanctions for violations of the private career college's policies relating to drug or alcohol use at the time the alleged sexual violence occurred. Students who disclose their experience of sexual violence through reporting an incident of, making a complaint about, or accessing supports and services for sexual violence, will not be asked irrelevant questions during the investigation process by the private career college's staff or investigators, including irrelevant questions relating to the student's sexual expression or past sexual history.

#### **6. 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 Campus manager in writing. A complainant may ask another person to be present during the investigation. Upon a complaint of alleged sexual violence being made the Campus manager 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.

## **7. Disciplinary Measures**

If it is determined by KnowledgeSurge 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, KnowledgeSurge 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 KnowledgeSurge Institute may conduct its own independent investigation and make its own determination in accordance with its own policies and procedures.

## **8. 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.



## **9. 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.

## **10. Review**

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

## **11. Collection of Student Data**

KnowledgeSurge 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.

## **12. Resources**

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



## Appendix 1 Resources

Canadian Association of Sexual Assault Centres Ontario Provincial

English

Assaulted Women's Help line Toll Free: 1-866-863-0511

#SAFE (#7233) on Bell, Rogers, Fido or Telus mobile TTY: 416-364-8762

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

Français

Fem'aide Telephone toll-free: 1-877-336-2433 ATS: 1 866 860-7082 [www.femaide.ca](http://www.femaide.ca)

Sexual Assault/Domestic Violence Treatment Centres

35 hospital-based centres that provide 24/7 emergency care to women. To locate the Sexual Assault/Domestic Violence Treatment Centre nearest you, go to:

[http://www.satcontario.com/en/locate\\_centre.php](http://www.satcontario.com/en/locate_centre.php).

Local to Barrie campus and in general for Alliston, Barrie, Collingwood, Midland and Orillia

Huronian Transition Homes operates La Maison Rosewood Shelter (Midland) & Athena's Sexual Assault Counselling and Advocacy Centre 24 hour crisis line: Barrie: 705-737-

2008 or 1-800-987-0799 Midland: 705-526-4211 or 1-800-461-175 Office: 705-526-3221

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