

# Sexual Violence and Harassment Policy

## Introduction

1. Academy of Learning Career College is committed to providing its students with an educational environment free from sexual violence and treating its students who report incidents of sexual violence with dignity and respect.
2. Academy of Learning Career College adopted this Sexual Violence Policy, which defines sexual violence and outlines its training, reporting, investigative and disciplinary responses to complaints of sexual violence made by its students that have occurred on its facilities, or at one of its events and involve its students.
3. The person accused of engaging in sexual violence will be referred to as the “Respondent” and the person making the allegation as the “Complainant.”

## Definition

Sexual violence 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.

## Training, Reporting, and Responding to Sexual Violence

1. Academy of Learning Career College shall include a copy of the Sexual Violence Policy in every contract made between it and its students, and provide a copy of the Sexual Violence Policy to career college management (corporate directors, controlling shareholders, owners, partners, other persons who manage or direct the career college’s affairs, and their agents), instructors, staff, other employees and contractors and train them about the policy and its processes of reporting, investigating and responding to complaints of sexual violence involving its students. \*Any company participating in offering student internships on their premises must provide an undertaking in writing that it follows all applicable legislation, including the Ontario Human Rights Code and the Occupational Health and Safety Act and will provide students access to those policies should they encounter issues relating to sexual violence in the workplace.
2. The Sexual Violence Policy shall be published on its website as well as in conspicuous location on each of its current and future facilities.
3. Career college management, instructors, staff, other employees, and contractors of Academy of Learning Career College will report incidents of or complaints of sexual violence to the Director upon becoming aware of them.
4. Students who have been affected by sexual violence or who need information about supports and services available at the Academy of Learning Career College should contact the Director, Nasir Kashem, at aolnasir@gmail.com or via phone at 416-754-4456 ext.16, or make an in-person appointment to speak via the instructor, facilitator, or receptionist.
5. Subject to Section 4 below, to the extent it is possible, Academy of Learning Career College will attempt to keep all personal information of persons involved in the investigation confidential except in those

circumstances where 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 its campus or the broader community are at risk.

6. This will be done by:
  - a. Ensuring that all complaints/reports and information gathered because of the complaint/reports will be only available to those who need to know for purposes of investigation, implementing safety measures and other circumstances that arise from any given case; and
  - b. Ensuring that the documentation is kept in a separate file from that of the Complainant/student or the Respondent.
7. The Academy of Learning Career College will appropriately accommodate the needs of students affected by sexual violence.
8. Academy of Learning Career College recognizes the right of the Complainant not to report an incident of or make a complaint about sexual violence or not request an investigation and not to participate in any investigation that may occur.
9. Notwithstanding (8), in certain circumstances, Academy of Learning Career College 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.
10. In all cases, including (8) above, Academy of Learning Career College will appropriately accommodate the needs of its students who are affected by sexual violence. Students seeking accommodation should contact the Director.

In this regard, Academy of Learning Career College will assist students who have experienced sexual violence in obtaining counselling and medical care and provide them with information about sexual violence supports and services available in the community listed in the **Appendix**. Students are not required to file a formal complaint to access supports and services.

***Please note that a formal report of an incident of sexual violence is NOT necessary to access supports, services, or accommodations.***

### **Investigating Reports of Sexual Violence**

1. Under this Sexual Violence Policy, any student of Academy of Learning Career College may file a report of an incident or a complaint to the Director, Nasir Kashem, at aolnasir@gmail.com, in writing.
2. Upon receipt of a report of an incident or a complaint of alleged sexual violence being made, the Director will respond promptly and:
  - (i) determine whether an investigation should proceed and if the Complainant wishes to participate in an investigation;
  - (ii) determine who should conduct the investigation having regard to the seriousness of the allegation and the parties involved;
  - (iii) determine whether the incident should be referred immediately to the police;

In such cases or where civil proceedings are commenced in respect of allegations of sexual violence, Academy of Learning Career College may conduct its own independent investigation and make its own determination in

accordance with its own policies and procedures and determine what interim measures ought to be put in place pending the investigation process such as removal of the Respondent or seeking alternate methods of providing necessary course studies.

3. 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.
4. During the institution's investigative process, 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. Examples of such irrelevant questions would include those relating to past sexual history or sexual expression.

Once an investigation is initiated, the following will occur:

- i. The Complainant and the Respondent will be advised that they may ask another person to be present throughout the investigation.
- ii. Interviewing the Complainant to ensure a complete understanding of the allegation and gathering additional information that may not have been included in the written complaint such as 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.
- iii. Informing and interviewing the Respondent of the complaint, providing details of the allegations, and giving the Respondent an opportunity to respond to those allegations and to provide any witnesses the Respondent feels are essential to the investigation.
- iv. Interviewing any person involved or who has, or may have, knowledge of the incident and any identified witnesses.
- v. Providing reasonable updates to the Complainant and the Respondent about the status of the investigation; and
- vi. following the investigation, the Director will:
  - (A) review all the evidence collected during the investigation.
  - (B) determine whether sexual violence occurred; and if so
  - (C) determine what disciplinary action, if any, should be taken as set out in Section 5 below.

## **Disciplinary Measures**

If it is determined by Academy of Learning Career College that the Respondent did engage in sexual violence, immediate disciplinary or corrective action will be taken.

This may include:

- i. disciplinary action up to and including termination of employment of instructors or staff; or
- ii. expulsion of a student; and /or
- iii. the placement of certain restrictions on the Respondent's ability to access certain premises or facilities; and/or
- iv. any other actions that may be appropriate in the circumstances.

## Appeal

Should the Complainant or the Respondent not agree with the decision resulting from the investigation, he or she may appeal the decision to the Owner of the Academy of Learning Career College, Nasir Kashem, by contacting via email at [aolnasir@gmail.com](mailto:aolnasir@gmail.com) or call at 416-754-4456 ext.16.

OR  
within 10 business days by submitting a letter addressed to the Director of the Academy of Learning Career College, advising of the person's intent to appeal against the decision.

OR

Immediately contact one of the following organizations in the **Appendix**.

Should the Complainant or the Respondent not agree with the decision resulting from the investigation of the Director of the Academy of Learning Career College, he or she may appeal the decision to the Ministry of Colleges and Universities by submitting the ***inquiry at the Program Approval & Registration Information System (PARIS)***. Students shall register in PARIS at this link:

<https://www.pcc.tcu.gov.on.ca/PARISExtWeb/public/register.xhtml> with a "Student" type profile. Once they login, students shall click on Inquiry.

For any issues with the PARIS profile, students shall contact the Ministry of Colleges and Universities at [PCC@ontario.ca](mailto:PCC@ontario.ca)

## Making False Statements

It is a violation of this Sexual Violence Policy for anyone to knowingly make a false complaint of sexual violence or to provide false information about a complaint.

Individuals who violate this Sexual Violence 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.

## Reprisal

It is a violation of this Sexual Violence 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.

Individuals who violate the Sexual Violence 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.

## Review

Academy of Learning Career College shall ensure that student input is considered in the development of its Sexual Violence Policy and every time it is reviewed or amended.

Academy of Learning Career College shall review its Sexual Violence Policy 3 years after it is first implemented and amend it where appropriate. This date is January 30<sup>th</sup>.

## Collection of Student Data

Academy of Learning Career College 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.

Academy of Learning Career College shall provide information to the Superintendent concerning:

- the number of times supports the number of times supports, services, and accommodation relating to sexual violence are requested and obtained by students
- any initiatives and programs to promote awareness of supports and services available to students
- the number of incidents and complaints of sexual violence reported by students
- the implementation and effectiveness of its sexual violence policy

Academy of Learning Career College shall ensure that the information it provides to the Superintendent does not include personal information within the meaning of the Freedom of Information and Protection of Privacy Act.

Academy of Learning Career College shall conduct a survey of its students relating to sexual violence as directed by the Superintendent and to disclose the results of the survey to the Superintendent.

## APPENDIX (CAN BE UPDATED)

**Assaulted Women's Helpline** at 1-866-863-0511. This is a 24-hour crisis line. [www.awhl.org](http://www.awhl.org)

**Interim Place** (Women who experienced domestic violence)

Phone: 905-676-8517, 905-403-0864

### **Victim Witness Assistance Program (VWAP)**

The Victim Witness Assistance Program provides information, assistance and support to victims and witnesses of crime to increase their understanding of, and participation in, the criminal court process. VWAP provides crisis intervention, emotional support, case specific information (court dates, bail conditions), court preparation and orientation information, needs assessment and referrals to community agencies. This agency is funded by the Ministry of the Attorney General.

<http://www.attorneygeneral.ius.gov.on.ca/english/ovss/programs.asp#vwap>

### **Family Transition Place**

Family Transition Place is working to raise respect in relationships and eliminate violence in the community. This is done by providing shelter and counselling to abused women and their children as well as through skill-building education for youth, women, and men to help them build healthy relationships.

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