

## GLOW College STUDENT SEXUAL VIOLENCE & HARASSMENT POLICY

### 1. Introduction

GLOW College (hereafter referred to as “the College”) is committed to the elimination of sexual violence and sexual harassment for all diverse members of the College’s community. The College is dedicated to supporting those affected by sexual violence and sexual harassment, ensuring an environment where all members can study, work, and live free from such behavior. This policy and related procedures outline how the College addresses incidents of sexual violence and sexual harassment, including a process that protects the rights of both complainants and respondents.

### 2. Purpose

This Policy applies to all members of the College, including students, employees, governors, contractors, suppliers of services, individuals connected to College initiatives, volunteers, and visitors.

The College acknowledges that anyone can be a target or perpetrator of sexual violence and sexual harassment, but recognizes the heightened vulnerability of specific groups, including:

- Women and girls, including Trans women and girls, Indigenous women, racialized women, women with disabilities, and both young and senior women.
- Males, who can also be targets and survivors of sexual violence.

### 3. Definitions

- **Sexual Violence:** Any sexual act or act targeting a person’s sexuality, gender identity, or gender expression, whether physical or psychological, committed, threatened, or attempted against a person without consent. It includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism, and sexual exploitation.
- **Sexual Assault:** A criminal offense under the Criminal Code of Canada, involving unwanted sexual acts that violate the sexual integrity of the person.
- **Sexual Harassment:** Unwelcome sexual comments or behavior that create a hostile or uncomfortable environment, as defined by the Ontario Human Rights Code and the Ontario Occupational Health and Safety Act (OHSA).
- **Consent:** The voluntary agreement to engage in the sexual activity in question. Consent cannot be obtained if a person is incapable of consenting, coerced, or under duress.
- **Coercion:** The use of pressure, manipulation, threats, or promises to persuade someone to engage in sexual acts.

## 4. Policy

### 4.1. Policy Statement

The College has zero tolerance for sexual violence and sexual harassment. The College is committed to:

- Supporting those affected by providing information, medical care, counselling, and academic accommodations.
- Ensuring those who disclose incidents are treated with dignity and respect.
- Investigating all reported incidents while ensuring fairness and due process.

### 4.2. Reporting Process

In accordance with the Ministry of Education requirements, the College provides a clear process for reporting incidents and making complaints:

1. **Process for Reporting:**
  - Students can report incidents to the Office of Student Conduct at 905.453.9456.
  - Employees and other members can report to their respective manager/supervisor, Human Resources Business Partner, or College Director.
2. **Protection Against Retaliation:**
  - Examples of protective measures include academic accommodations, adjustments to work or class schedules, and no-contact orders.
3. **Investigation Decision Process:**
  - The College will determine whether an incident will be investigated based on the circumstances and the wishes of the complainant.
4. **Right Not to Participate:**
  - Victims may choose not to request an investigation and have the right not to participate in any investigation.
5. **Investigation Process:**
  - Complaints are handled in accordance with the College's established procedures, ensuring fairness and due process.
6. **Officials Involved:**
  - Specific officials involved include the Office of Student Conduct, Human Resources, and College management.
7. **Procedural Fairness:**
  - The investigation will be conducted impartially, with opportunities for both parties to present evidence and respond.
8. **Support Person:**
  - Parties have the right to have a support person present at every stage of the process.
9. **Interim Measures:**

- Examples include temporary restrictions on movement or contact, changes to academic or work arrangements, and suspension.

#### **10. Post-Investigation Measures:**

- Decisions may include disciplinary actions, academic accommodations, or other sanctions as appropriate.

#### **11. Confidentiality:**

- The College will protect the personal information of those involved, with disclosures limited to those necessary for the investigation.

#### **12. Appeal Process:**

- A description of available appeal processes is provided below, allowing for review of decisions made.

#### **13. Roles and Responsibilities:**

- All members of the College community are responsible for reporting incidents and participating in creating a safe environment.

#### **14. No Irrelevant Questions:**

- Students will not be asked irrelevant questions during the investigation, including those about their sexual expression or past sexual history.

### **4.3. Complaint Process and Investigations**

The College commits to a fair investigation process, with respect for the rights of both complainant and respondent. The right to withdraw a complaint is recognized, but the College may continue an investigation if there is a risk to others.

### **4.4. Confidentiality**

The College prioritizes confidentiality in all cases, with exceptions made only when necessary to prevent harm or comply with legal obligations.

### **4.5. Support and Representation**

Parties may have a support person present, and requests for additional representation will be considered on a case-by-case basis.

### **4.6. Interim Measures**

The College may implement interim measures as necessary to protect all parties involved during the investigation.

#### **4.7. Outcomes**

The College will determine appropriate actions based on the investigation's findings, including possible disciplinary measures.

#### **4.8. Training**

Ongoing education and training will be provided to the College community to prevent and respond to sexual violence and harassment.

#### **4.9. Collection and Reporting of Sexual Violence and Sexual Harassment Statistics**

The College will report aggregate data on student disclosures to the Ministry of Advanced Education and Skills Development, as required.

#### **4.10. Policy Review**

This policy will be reviewed annually, with input from the College community to ensure its effectiveness.

#### **References**

- Criminal Code of Canada
- Ontario Human Rights Code
- Ontario Occupational Health and Safety Act

### **Reporting Procedure for Incidents of Sexual Violence and Harassment at GLOW College**

#### **1. Immediate Response and Safety**

- **Emergency Situations:**
  - If you are in immediate danger, call 911.
  - Seek a safe place and ask for help from those around you.
- **Non-Emergency Situations:**
  - If the situation is not urgent, but you need assistance, seek support from a trusted friend, family member, or colleague.

#### **2. Initial Disclosure**

- **Confidential Support Services:**
  - Contact the College's confidential support services for guidance, emotional support, and information on available options.

### 3. Reporting the Incident

- **Students:**
  - Reports can be made to the **Office of Student Conduct** by calling 905.453.9456 or by visiting their office.
- **Employees and Other Members of the College Community:**
  - Reports can be made to your **manager or supervisor, Human Resources Business Partner, or College Director.**
- **Anonymous Reporting:**
  - The College allows anonymous reporting, though this may limit the College's ability to investigate or take action.

### 4. Intake and Initial Assessment

- The official receiving the report will provide a clear explanation of the process, including confidentiality and the complainant's rights.
- An initial assessment will determine if immediate safety measures or accommodations are needed.

### 5. Protection Against Retaliation

- The College will implement measures to protect the complainant from retaliation, such as:
  - Academic accommodations
  - Adjustments to work or class schedules
  - No-contact orders

### 6. Decision on Investigation

- The College will decide whether to proceed with an investigation based on the complainant's wishes and the circumstances of the case.
- The complainant has the right to decline an investigation and not participate.

### 7. Investigation Process

- If an investigation is initiated, it will be conducted impartially and fairly, ensuring the rights of both parties are respected.
- Both the complainant and the respondent will be informed of their rights and the process.

### 8. Involvement of Officials

- Specific officials involved may include:
  - **Office of Student Conduct**
  - **Human Resources**
  - **College management**

## **9. Interim Measures**

- While the investigation is ongoing, interim measures may be implemented, such as:
  - Changes to academic or work arrangements
  - Temporary restrictions on movement or contact

## **10. Investigation Outcome and Post-Investigation Measures**

- The investigation will conclude with a determination of findings and recommended actions.
- Possible outcomes may include:
  - Disciplinary actions
  - Academic accommodations
  - Other appropriate measures

## **11. Confidentiality and Data Protection**

- The College will maintain confidentiality throughout the process, disclosing information only as necessary to conduct the investigation or as required by law.

## **12. Appeal Process**

- Both parties have the right to appeal the decision or any disciplinary actions. Details on the appeal process will be provided to both parties.

## **13. Support and Representation**

- Parties may have a support person present at every stage of the process.
- Requests for additional representation (e.g., legal counsel) will be considered on a case-by-case basis.

## **14. Follow-Up and Support**

- The College will provide ongoing support to both the complainant and respondent, including access to counselling and other resources.

## **15. Documentation and Reporting**

- All incidents and investigations will be documented, and the College will report aggregate data to the Ministry of Advanced Education and Skills Development as required.

## **16. Review and Updates**

- The reporting procedure will be reviewed annually and updated as necessary to reflect changes in the law, best practices, and feedback from the College community.

This reporting procedure aims to ensure that all members of the College community have access to a clear, fair, and confidential process for reporting and addressing incidents of sexual violence and harassment. The College is committed to supporting all parties involved and maintaining a safe and respectful environment for everyone.