

Niagara & Halton Skilled Trades Academy

Sexual Violence and Harassment Action Plan

1) Policy Application

The Policy applies to all career college students of Niagara & Halton Skilled Trades Academy

2) Scope

The Policy applies to complaints of sexual violence that have occurred on Niagara & Halton Skilled Trades Academy campus' and involve our students, staff or guests visiting the school.

3) Purpose and Intent

All of Niagara & Halton Skilled Trades Academy Students have a right to study in an environment free of sexual violence

This document sets out or policy on sexual violence involving our students, staff and guests, defines the prohibited behaviours, and outlines our investigative process for sexual violence.

4) Policy Objectives

Niagara & Halton Skilled Trades Academy 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 Niagara & Halton Skilled Trades Academy 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 Niagara & Halton Skilled Trades Academy will take all reasonable steps to investigate it, including as follows:

1. providing on-campus investigation procedures to students for sexual violence complaints;

2. responding promptly to any complaint and providing reasonable updates to the complainant and the respondent about the status of the investigation;
3. assisting students who have experienced sexual violence in obtaining counselling and medical care;
4. providing students who have experienced sexual violence with appropriate academic and other accommodation; and
5. providing students who have experienced sexual violence with information about reporting options as set out below.

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 Niagara & Halton Skilled Trades Academy will take all reasonable steps to prevent sexual violence involving our students on our career college campus by reporting immediately to the Niagara & Halton Skilled Trades Academy Director of Administration 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, Niagara & Halton Skilled Trades Academy Director of Administration 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.

Niagara & Halton Skilled Trades Academy recognizes the right of the complainant to determine how her or his complaint will be dealt with. However, in certain circumstances, Niagara & Halton Skilled Trades Academy 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.

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, including irrelevant questions relating to the student's sexual expression or past sexual history

Students are not required to report an incident of, or make a complaint about, sexual violence under the process referred to above in order to obtain the supports and services referred to in section 14 and Appendix 1.

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, may choose not to request an investigation, and have the right not to participate in any investigation that may occur.

A complainant of sexual violence or someone seeking accommodation or support should contact:

Mr. Brad Dixon
Director of Administration

Mr. Carl Wayland
President

Niagara & Halton Skilled Trades Academies

Head office:

227 Bunting Rd
St Catharines ON
L2M3Y2

Phone - 905 685 9393

Fax - 905 685 4672

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 Niagara & Halton Skilled Trades Academy Director of Administration in writing.

Any person involved in the investigation or decision making process has the right to have a person present with him or her at every stage of the investigation and decision making process.

Niagara & Halton Skilled Trades Academy will treat both the person disclosing the complaint and the respondent equally with respect to confidentiality and fairness throughout the investigation process.

Interim measures such as those set out in section 8 and section 14 may be implemented while an incident or complaint is being investigated or while a decision is being made.

Upon a complaint of alleged sexual violence being made the Niagara & Halton Skilled Trades Academy Director of Administration will initiate an investigation, including as follows:

1. determining whether the incident should be referred immediately to police;
2. determining what interim measures, if any, need to be taken during the investigation;

3. 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;
4. interviewing the complainant, any person involved in the incident and any identified witnesses;
5. interviewing any other person who may have knowledge of incidents related to the complaint or any other similar incidents;
6. informing the respondent of the complaint, providing details of the allegations and giving the respondent an opportunity to respond to those allegations;
7. providing reasonable updates to the complainant and the respondent about the status of the investigation; and
8. determining what disciplinary action, if any, should be taken.

All parties to a complaint of sexual violence will have the right to appeal in writing to the Director of Administration regarding any decision made or action taken. Upon receipt of an appeal the Director of Administration will reply in writing to the individual appealing, to indicate the receipt of the appeal and the fact that the decisions will be reviewed. The Director of Administration will then consult with the President to determine the final outcome. This final decision will then be communicated in writing to the person appealing.

8) Disciplinary Measures

If it is determined by Niagara & Halton Skilled Trades Academy 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, Niagara & Halton Skilled Trades Academy 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 Niagara & Halton Skilled Trades Academy 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. Niagara & Halton Skilled Trades Academy will ensure that all students involved in the investigation process are aware the accommodations set out in section 14.

11) Review

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

13) Collection of Student Data

Niagara & Halton Skilled Trades Academy 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.

14) Accommodations

Niagara & Halton Skilled Trades Academy will accommodate the complainants needs during an investigation where possible such as; providing the complainant with an escort to their vehicle / mode of transportation, transferring to another class, course or campus.

Appendix 1 - Resources

If you are in danger call 911 immediately

Know your rights by visiting the following website:

https://www.ohrc.on.ca/en/news_centre/sexual-harassment-and-ontario-human-rights-code

Niagara Region Sexual Assault Centre

Crisis: (905) 682-4584

Office: (905) 682-7258

carsa@sexualassaultniagara.org

<http://sexualassaultniagara.org/>

Sexual Assault & Violence Intervention Services of Halton

Crisis: 905-875-1555 or 1-877-268-8416

Office: 905-825-3622
www.savisofhalton.org

Sexual Assault Centre (Hamilton and Area)

Crisis: (905) 525-4162
Office (905) 525-4573
TTY: 905-525-4592
www.sacha.ca

Toronto Rape Crisis Centre: Multicultural Women Against Rape

Crisis: 416-597-8808
Office: 416-597-1171
info@trccmwar.ca
crisis@trccmwar.ca
www.trccmwar.ca