

Truck Training Academy of Stoney Creek



Truck Training Academy of Stoney Creek Sexual Violence and Sexual Harassment Policy

Sexual assault and sexual violence are unacceptable and will not be tolerated at Truck Training Academy of Stoney Creek. We are committed to challenging and preventing sexual violence and creating a safe environment for anyone in our college community who has experienced sexual violence. Truck Training Academy of Stoney Creek is expected to be a safe place where members of the college community feel able to work, learn and express themselves in an environment free from sexual violence.

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 career college's staff or investigators, including irrelevant questions relating to the student's sexual expression or past sexual history.

1. Policy Application

The Policy applies to all career college students of Truck Training Academy of Stoney Creek.

2. The Scope

The Policy applies to complaints of sexual violence that have occurred or may occur on Truck Training Academy of Stoney Creek campus or at a one of our events and involve our students.

3. Purpose and Intent

All of Truck Training Academy of Stoney Creek students have a 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 behaviors, and outlines our investigative processes for sexual violence.

4. Policy Objectives

Truck Training Academy of Stoney Creek 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. Students are not required to report an incident of or make a

complaint about, sexual violence in order to obtain the support and services, or accommodation. To report sexual harassment or violence, please contact the college designate, Tanya Smajlagic at tta@cogeco.net To that end, Truck Training Academy of Stoney Creek 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.

Students and staff of Truck Training Academy of Stoney Creek will take all reasonable steps to prevent sexual violence involving our students on our career college campus or events by reporting immediately to the Truck Training Academy of Stoney Creek

Where a complaint has been made or a student or staff of Truck Training Academy of Stoney Creek have a reason to believe that sexual violence may occur, under this Policy, of sexual violence Truck Training Academy of Stoney Creek 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.

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.

Sexual violence is defined as a sexual act committed against someone without that person's freely given consent. It is a broad term that describes any violence, physical or psychological, carried out through sexual means or by targeting sexuality.

Sexual Harassment is prohibited by Ontario Human Rights Code and may be based on gender, including transgendered persons, or may involve the

use of overt sexual language or sexual innuendo which makes an individual feel uncomfortable.

Sexual assault is a form of sexual violence and is a criminal offence under the Criminal Code of Canada. Sexual assault is any type of unwanted sexual act done by one person to another that violates the sexual integrity of that person and involves a range of behaviours from any unwanted touching to penetration.

6. Reporting and Responding to Sexual Violence

Students and staff of Truck Training Academy of Stoney Creek will take all reasonable steps to prevent sexual violence involving our students on our career college campus or events by reporting immediately to the Truck Training Academy of Stoney Creek 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, Truck Training Academy of Stoney Creek 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.

Truck Training Academy of Stoney Creek recognizes the right of the complainant to determine how her or his complaint will be dealt with. However, in certain circumstances, Truck Training Academy of Stoney Creek 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 Truck Training Academy of Stoney Creek.

Students are not required to report an incident of, or file a formal complaint about sexual violence in order to access supports and services.

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 truck Training Academy of Stoney Creek designate in writing. A complainant may ask another person to be present during the investigation. During investigation:

1. 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.
2. 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.

Upon a complaint of alleged sexual violence being made, Tanya Smajlagic, Operations Manager of Truck Training Academy of Stoney 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.

8. Disciplinary Measures

If it is determined by Truck Training Academy of Stoney 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, Truck Training Academy of Stoney Creek will assist police agencies, lawyers, insurance companies, and courts to the fullest extent.

In cases where criminal proceedings are initiated, Truck Training Academy of Stoney Creek 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 Truck Training Academy of Stoney Creek 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.

11. Review: This policy is subject to review and update as required, and, or necessary

12. Collection of Student Data: Truck Training Academy of Stoney Creek shall collect and be prepared to provide upon request by the Superintendent of Ontario Career Colleges such data and information as required according to Subsections 32. 3 (8), (9) and (10) of Schedule 5 of the Ontario Career Colleges Act, 2005 as amended.

13. Resources

Appendix A lists provincial rape crisis centres available to our students in the event of any act of sexual violence and harassment.

Appendix A

**Canadian Association of Sexual Assault Centres Ontario Provincial
English
Assaulted Women's Helpline
Toll Free: 1-866-863-0511**

**#SAFE (#7233) on Bell, Rogers, Fido or Telus mobile
TTY: 416-364-876**