

# **HCPT COLLEGE Sexual Violence and Sexual Harassment Policy**

On September 16, 2021, the ministry announced regulatory changes to support post-secondary students reporting sexual violence or harassment. As a result, Subsection 36.0.2 of Ontario Regulation 415/06 (General) under the Ontario Career Colleges Act, 2005 has been amended. The following regulation amendment will come into effect on March 1, 2022:

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 Ontario 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 Ontario 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 HCPT College of Health, Business & Technology

## **2. The Scope**

The Policy applies to complaints of sexual violence that have occurred on HCPT College Campus or at a one of our events and involve our students.

## **3. Purpose and Intent**

All of HCPT College 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 behaviours, and outlines our investigative processes for sexual violence.

## **4. Policy Objectives**

HCPT College 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 HCPT College 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 Summit College 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) Students are not required to report an incident of, or make a complaint about, sexual violence in order to obtain the supports and services
- (f) 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.

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

Students, faculty and staff of HCPT College will take all reasonable steps to prevent sexual violence involving our students on our career college campus or events by reporting immediately to the General 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 College Office Manager 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.

HCPT College recognizes the right of the complainant to determine how her or his complaint will be dealt with. However, in certain circumstances, HCPT 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.

HCPT College's **Sexual Violence and Sexual Harassment Policy** provides students with access to supports and services without requiring them to report incidents of sexual violence. For assistance, students can contact the **Office Manager** or **Dean**. This policy ensures students receive the necessary resources, including counseling and academic accommodations, while respecting their privacy and autonomy in handling such incidents.

## **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 Office 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 Office 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.

## **8. Disciplinary Measures**

If it is determined by HCPT College 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, HCPT College 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 Summit College 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 will be reviewed within at least 3 years after it is first implemented.

#### **12. Collection of Student Data**

HCPT College 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 1 lists provincial rape crisis centers for additional support.

## **Appendix 1**

### **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: 416-364-8762

[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**

Local

Scarborough

Sexual Assault/Domestic Violence Care Centre

**Scarborough and Rouge Hospital**

416-495-2555

[Website](#)

**Toronto**

Sexual Assault/Domestic Violence Care Centre

**Women's College Hospital**

416-323-6040

[Website](#)