

STUDENT SEXUAL VIOLENCE AND SEXUAL MISCONDUCT POLICY

Scope

This policy applies to all students enrolled at the College and addresses incidents of sexual violence and sexual misconduct involving students, whether the alleged conduct occurs on campus, during college-related activities, or in circumstances that may adversely affect the College learning environment.

Legislative Authority

This policy has been established in accordance with the Ontario Career Colleges Act, 2005 and Ontario Regulation 415/06, including the requirements respecting sexual violence policies for career colleges.

Purpose

The College is committed to providing its students with an educational environment free from sexual misconduct and treating its students who report incidents of sexual violence with dignity and respect. The purpose of this policy is to ensure that the rights of those affected by sexual assault/sexual misconduct are respected and appropriately accommodated and to ensure that the College has an investigation process that protects the rights of individuals and holds individuals who commit acts of sexual misconduct accountable. The policy also states how the College will respond to and address incidents and complaints of sexual violence involving students enrolled at the College, and includes the elements specified in the regulations relating to the process.

The Sexual Violence Policy is published on the College website and posted in conspicuous locations on each of its facilities. The College shall ensure that this policy and related information regarding supports, services, reporting options, and complaint procedures are readily accessible to all students.

Sexual Misconduct Prevention

Sexual misconduct involving staff or students is unacceptable and will not be tolerated. The College is committed to challenging and preventing sexual assault/sexual misconduct and creating a safe space for anyone in our college community who has been affected by sexual assault/sexual violence. The College is expected to be a safe and positive space where members of the College community feel able to work, learn, and express themselves in an environment free from sexual misconduct.

CDI College recognizes that students who have experienced sexual violence have the right to:

1. be treated with dignity, respect, and compassion.
2. be informed of available on-campus and community supports.
3. decide whether or not to access available supports and services.
4. decide whether to report the incident to the College and/or police.
5. receive appropriate accommodations and academic or workplace adjustments where reasonably available; and
6. have their personal information protected in accordance with applicable privacy legislation and College policies.
7. to receive academic accommodation and support without being required to file a formal complaint or participate in an investigation.

Definition of Sexual Misconduct

“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.

“Consent” means the voluntary and explicit agreement to engage in sexual activity. Consent may be withdrawn at any time. Consent cannot be obtained where a person is incapable of consenting due to intoxication, unconsciousness, coercion, abuse of a position of trust, power, or authority, or any other circumstance recognized by law.

“Sexual misconduct” 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 exploitation
- sexual assault
- sexual harassment
- stalking
- indecent exposure
- voyeurism
- the distribution of a sexually explicit photograph or video of a person to one or more persons other than the person in the photograph or video without the consent of the person in the photograph or video and with the intent to distress the person in the photograph or video
- the attempt to commit an act of sexual misconduct
- the threat to commit an act of sexual misconduct

Disclosure/Complaints of Sexual Misconduct

A report of sexual misconduct may be filed under the policy by any member of the campus community. All members of the College are expected to report incidents of sexual misconduct they witness or have knowledge of, or they have reason to believe has occurred or may occur, to the Campus Director. Members who have been affected by sexual misconduct are encouraged to come forward to report the incident as soon as they are able to do so.

A person may choose to disclose sexual misconduct without making a formal report. In these circumstances, a disclosure/complaint may not result in a report being made and, therefore, may not initiate a formal process. In such circumstances, appropriate support will be provided on the basis of availability. An individual who discloses an allegation of sexual misconduct should be made aware that there are a range of reporting options available to them and that they may choose any of the options or any combination of the options, including:

- a) Disclosure Only – a victim/survivor may wish to tell someone about the incident in order to seek support but may not want to make a report to police or campus authorities.
- b) Police – a victim/survivor may wish to make a formal report of a sexual assault or other

criminal incident of sexual misconduct to police Victims/ survivors should be offered the services of a campus based sexual assault response worker (where they exist) or a community-based support worker to accompany them and to provide emotional support

For the purposes of this document, a report is a formal notification of an incident of sexual misconduct to someone at the post-secondary institution accompanied by a request for action. The actual process/procedures may vary in relation to the nature of the disclosure/complaint or report (for example, whether or not there has also been a report to law enforcement).

The College will make every reasonable effort to ensure that individuals disclosing or reporting sexual violence are not required to repeatedly recount their experience unnecessarily and will strive to minimize the potential for re-traumatization throughout the reporting and investigation process.

To make a formal complaint to the College, the student should follow the Dispute Resolution Policy in the Student Handbook

It is contrary to the policy for anyone to retaliate, engage in reprisals, or threaten to retaliate in relation to a report.

INVESTIGATING AND RESPONDING TO DISCLOSURE/COMPLAINTS AND REPORTS OF SEXUAL MISCONDUCT

Where a complaint of sexual misconduct has been reported to the College, the College will exercise care to protect and respect the rights and confidentiality and privacy of both the complainant and the respondent. Persons in a position of authority, including persons directing the activities of others, shall take immediate action to respond to or to prevent sexual assault/sexual misconduct from occurring. The College understands that individuals who have experienced or been affected by sexual misconduct may wish to control whether and how their experience will be dealt with by the police and/or the College. In most circumstances, the person will retain this control. However, in certain circumstances, the College may be required to initiate an internal investigation and/or inform the police of the need for a criminal investigation, even without the survivor's consent, if the College believes that the safety of other members of the College community is at risk.

The College will respond to reports and complaints of sexual violence in a timely, fair, and impartial manner. All parties involved will be treated with dignity and respect throughout the process. The College will ensure that complainants and respondents are informed of the investigation process, applicable timelines, and the outcome of any investigation, subject to privacy and legal requirements.

All reported incidents of sexual misconduct will be investigated in a manner that ensures due process as outlined in the procedures below.

1. Under this Sexual Misconduct Policy, any student of the College may file a report of an incident or a complaint to the Campus Director in writing. The other officials, offices, or departments that may be involved in the investigation include the Campus Director, Regional Director, Compliance Director, Human Resources Department (where an employee is involved), and any other appropriate College representative.
2. Students who have been affected by sexual violence or who need information about supports and services available at the COLLEGE should contact Lara Bachaalani, Regional Vice-President of Operations Central region by e-mail lara.bachaalani@colleqedci.ca cc.

ONRegulatoryAffairs@campus-support.ca , or make an in-person appointment to speak to her via the instructor or receptionist.

3. Subject to Section 4 below, to the extent it is possible, the College will attempt to protect and 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.
4. 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.
5. The College will appropriately accommodate the needs of students affected by sexual violence.
6. The 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.
7. Notwithstanding (3), in certain circumstances, the 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.
8. In all cases, including (3) above, the 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, the College will assist students who have experienced sexual violence in obtaining counselling and medical care and will provide them with information about sexual violence supports and services available in the community, including those listed in the Appendix. Students are not required to report an incident of or make a complaint about sexual violence to obtain the support and services or obtain accommodation referred to in (8). Students who disclose or report sexual violence will be provided with information about available internal and external support services, including counselling services, community-based sexual assault centres, health care providers, victim support organizations, emergency services, and other relevant resources, as available.

9. Upon receipt of a report of an incident or a complaint of alleged sexual misconduct being made, the Campus Director will respond promptly and:
 - a. Determine whether an investigation should proceed and if the Complainant wishes to participate in an investigation.
 - b. 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 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.
- c. Determine who should conduct the investigation having regard to the seriousness of the allegation and the parties involved.
 - d. Determine whether the incident should be referred immediately to the police.
10. Once an investigation is initiated, the following will occur:
- a. The Complainant and the Respondent will be advised that they may ask another person to be present throughout the investigation.
 - b. A party to an investigation or decision-making process has the right to have a person present with him or her at every stage of the process.
 - c. The victim may choose not to request an investigation by the career college and has the right not to participate in any investigation that may occur.
 - d. The Complainant will be interviewed to ensure a complete understanding of the allegation and gather additional information that may not have been included in the written complaint such as the date and time of the incident, the people involved, the names of any person who witnessed the incident and a complete description of what occurred.
 - e. The Respondent will be informed of the complaint and interviewed, 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.
 - f. Interviews will be conducted with any person involved or who has, or may have, knowledge of the incident and any identified witnesses.
 - g. Reasonable updates will be provided to the Complainant and the Respondent about the status of the investigation.
 - h. Where appropriate, the College may implement interim measures to protect the health, safety, and well-being of the parties involved while an investigation is ongoing. Such measures may include schedule adjustments, academic accommodations, no-contact directives, restrictions on access to certain facilities, or other reasonable accommodations.
 - i. The implementation of interim measures does not constitute a finding of responsibility or wrongdoing.

Students who, in good faith, disclose, report, or make a complaint regarding sexual violence shall not be subject to disciplinary action or sanctions solely for violations of the College's drug or alcohol policies that occurred at the time of the alleged incident.

11. Following the investigation, the Campus Director will:
- a. Review all of the evidence collected during the investigation.
 - b. Determine whether sexual misconduct occurred; and if so
 - c. Determine what disciplinary action, if any, should be taken.
 - d. Subject to applicable privacy legislation, the College will communicate the outcome of the investigation and any resulting decisions to the complainant and respondent in a timely manner.

Disciplinary Measures

If it is determined by the College that a student respondent engaged in sexual violence or sexual

misconduct, disciplinary action may be imposed in accordance with the Student Code of Conduct. Where the respondent is an employee, disciplinary action will be taken in accordance with applicable employment policies and procedures.

If the complaint is sustained following an investigation, the College will decide on the appropriate disciplinary actions. This may include:

- a) disciplinary action up to and including termination of employment of instructors or staff; or
- b) expulsion of a student; and /or
- c) the placement of certain restrictions on the Respondent's ability to access certain premises or facilities; and/or
- d) any other actions that may be appropriate in the circumstances, including additional training as required.

Appeal

The appeal must be submitted in writing and include the grounds for appeal and any supporting documentation.

A student complainant or student respondent who disagrees with a decision resulting from an investigation may submit an appeal to the National Director within ten (10) calendar days of receiving 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 College, he or she may appeal the decision to the Ministry of Colleges, Universities, Research Excellence and Security 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.

Making False Statements

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

Reprisal

It is a violation of this Sexual Misconduct Policy to

1. Retaliate, threaten to retaliate, intimidate, coerce, or discriminate against any person because they have disclosed an incident of sexual violence, made a complaint, participated in an investigation, acted as a witness, or sought support under this policy.
2. Discipline or sanction a complainant for violations of College policies relating to drug or alcohol use that may have occurred at the time of the alleged sexual violence, unless there is a serious risk to health or safety requiring separate intervention.
3. Interfere with, obstruct, or attempt to influence an investigation conducted under this policy.

Confidentiality and Further Support

The College's ability to investigate anonymous disclosures is hampered by the anonymous nature of the report. The College cannot investigate or follow up on an anonymous disclosure. It is this policy's intention

to make individuals feel comfortable about making a report in good faith about sexual assault/sexual Misconduct that they have been affected by or witnessed. Confidentiality is particularly important to those who have disclosed sexual assault/sexual violence. The confidentiality of all persons involved in a report of sexual assault/sexual misconduct or in subsequent disciplinary proceedings must be strictly observed, and the College does its best to respect the confidentiality of all persons, including the complainant, respondent, and witnesses. The College will regard all information as unique and private and ensure it is maintained in a secured, controlled environment, following the College’s file storage policy.

To the extent it is possible, the 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. This will be done by:

- a) Ensuring that all complaints/reports and information gathered as a result 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.

The College recognizes the right of the Complainant not to report an incident of or make a complaint about sexual misconduct or not request an investigation and not to participate in any investigation that may occur.

In certain circumstances, the 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.

In all cases, the College will appropriately accommodate the needs of its students who are affected by sexual violence. Students who have been affected by sexual violence, as well as members of the College community to whom a student has disclosed an incident of sexual violence, are encouraged to access information and support from the Campus Director.

The College shall not require a student who discloses or reports sexual violence to enter into a non-disclosure agreement relating to the incident as a condition of receiving services, accommodation, support, or any other assistance from the College.

APPENDIX

Helplines:

1	Assaulted Women’s Helpline (AWLH)	GTA: 416-863-0511; Toll-free: 1-866-863-0511; TTY: 416-364-8762. Available 24/7, multilingual. Ontario+2https://www.awhl.org+2
2	Toronto Rape Crisis Centre / Multicultural Women Against Rape (TRCC/MWAR)	24-hour crisis line: 416-597-8808. Services for survivors of sexual violence including peer support, referrals. Toronto Rape Crisis Centre+1

3	Victim Services Toronto	24-hour crisis line: 416-808-7066 (Toronto) – free, confidential. victimsvictories.com
4	Centre for Safer Sex and Sexual Violence Support (C3SVS — at TMU)	Free peer-support for survivors of sexual violence: WhatsApp/text (437) 600-7575 (10 am-12 am) c3svs.ca+1
5	Victim Services of Peel (Peel Region: Brampton/Mississauga/Caledon)	Crisis line: 905-568-1068 (24/7) for survivors of sexual violence/human trafficking. Victim Services
6	Hope 24/7 – Sexual Assault Centre of Peel	Helpline for Peel Region: 1-800-810-0180 (24/7) SVP Support Centre+1
7	Ontario Coalition of Rape Crisis Centres (OCRCC)	Province-wide network; includes resources for GTA. Crisis lines: Male survivors: 1-866-887-0015. sexualassaultsupport.ca+1
8	Barbara Schlifer Commemorative Clinic	Free counselling, legal aid, info & referral for marginalized and racialized women survivors of violence in Toronto: 416-323-9149 secutoronto.org
9	Ontario Network of Sexual Assault and Domestic Violence Treatment Centres (ON SADVTC)	Network of hospital-based programs; maps and info via website for GTA. General info: Victim Support Line: GTA 416-314-2447 / Toll-free 1-888-579-2888. Leap21+1
10	Women’s College Hospital – Sexual Assault / Domestic Violence Care Centre (SA/DVCC)	Serves survivors 14+ for sexual assault/domestic violence; Toronto hospital location listed via City site. City of Toronto
11	Trillium Health Partners – Sexual Assault & Domestic Violence Services (Mississauga)	Free counselling for those in Peel Region; location: Mississauga Hospital. thp.ca+1
12	YWCA Women’s Shelter (Toronto)	For women & children fleeing violence; includes supports linked to sexual/intimate partner violence. Crisis line: 416-693-7342. heron-lime-5bdw.squarespace.com
13	Women’s Support Network of York Region	Free/confidential counselling for survivors of childhood sexual abuse, sexual assault, marital rape in York Region. Crisis line: 905-895-7313 / Toll-free 1-800-263-6734. NOW Toronto
14	Legal Aid Ontario (GTA Contact for victims of sexual assault)	For legal advice: GTA # 416-979-1446 / Toll-free 1-800-668-8258. Ontario
15	Sexual Health Infoline (Peel Region)	Contact: 905-799-7700 (for Peel region sexual health queries including support/referral) thp.ca
16	Ontario 211 Helpline	Free, 24/7 service connecting to community/social supports across Ontario: Phone or text 211 (or toll-free 1-877-330-3213) Ontario+1
17	Trans Lifeline	24/7 crisis/support line staffed by trans people: 1-877-330-6366 (serves trans survivors including of sexual violence)

Support and Services

1	Consent Comes First (TMU)	The Office of Sexual Violence Support & Education at Toronto Metropolitan University offers trauma-informed, confidential support, advocacy, academic accommodations, safety planning, and referrals. https://www.torontomu.ca/sexual-violence/get-support/connect-to-services/
2	Centre for Safer Sex & Sexual Violence Support (C3SVS)	Peer-run support at TMU (TMSU). They offer a sexual assault survivor support line (WhatsApp/text) as well as drop-in peer support. C3SVS
3	Barbara Schlifer Commemorative Clinic	<ul style="list-style-type: none"> • Provides free counselling (individual and group) for women, gender-diverse, non-binary, and Two-Spirit people who have experienced sexual violence. https://www.schliferclinic.com/counselling-services/ • Also offers free legal services, including up to 4 hours of independent legal advice (phone/video) for survivors. https://www.schliferclinic.com/independent-legal-advice-for-survivors-of-sexual-assault-in-ontario/
4	Toronto Rape Crisis Centre / Multicultural Women Against Rape (TRCC/MWAR)	<ul style="list-style-type: none"> • Provides 24/7 crisis support, peer counselling (individual), group support, court/medical accompaniment, advocacy, etc. https://trccmwar.ca/ • Their Group Support includes identity-based peer groups (e.g., Black women’s group, Latinx women’s program) for survivors 16+. https://trccmwar.ca/group-support/
5	Victim Services Toronto	• 24-hour crisis line for victims of crime, including sexual assault. Offers crisis intervention, safety planning, referrals, ongoing emotional support, and accompaniment (even if you don’t report to police). Victim Services Toronto Victim Services Toronto
6	Ontario Coalition of Rape Crisis Centres (OCRCC)	• A province-wide network (which includes Toronto) of sexual assault centres that provide free counselling, peer support, information, and referrals. https://sexualassaultsupport.ca/
7	Hospital-Based Sexual Assault / Domestic Violence Treatment Centers	• Through the Ontario Network of Sexual Assault / Domestic Violence Treatment Centres, there are several hospital-based centres in the GTA that offer medical care, forensic support, and follow-up counselling. https://ocpinfo.com/wp-content/uploads/2025/05/Community-Resources-for-Victims-of-Sexual-Abuse.pdf
8	Ontario’s Independent Legal Advice Program for Survivors	• Even outside a clinic, survivors in Ontario may be eligible for up to 4 hours of free legal advice (phone or video) via Legal Aid / Barbra Schlifer Clinic. Independent legal advice for survivors of sexual assault ontario.ca
9	Ontario.ca – Support for Survivors of Violence	The provincial website provides a directory of supports including legal referral, counselling, victim services, and 211 Ontario. https://www.ontario.ca/page/connect-supports-survivors-violence