SEXUAL ASSAULT AND SEXUAL VIOLENCE POLICY

A primary measure undertaken by the Government of Ontario, which seeks to combat sexual violence and harassment in campuses and workplace, is the implementation of the Sexual Violence and Action Plan Act 2016.

In accordance with the mandates of this Action Plan, Chellsey Institute of Beauty & Health Inc. has developed the following Sexual Assault and Sexual Violence Policy. This policy will ensure that all students and personnel at The Institute are provided with the opportunity to make the most of their academic career, in an environment that is free from any form of violence and harassment.

As such, the Sexual Assault and Sexual Violence Policy implemented by The Institute addresses the established protocols and procedures implemented for individuals who have been affected by any form of sexual assault, violence or harassment, in addition to noting the guidance and resources that The Institute will provide all students, faculty and administration.

Through implementation of the tenets and procedures outlined in this policy, The Institute seeks to demonstrate its support towards and accommodation of the needs of all individuals affected by such acts of violence or assault. In particular, the implementation of the tenets of these policies will ensure that students will have their right to a safe academic environment upheld and will be provided with the necessary services if complaints are ever made in regards to incidences wherein such acts of sexual violence or assault have taken place.

While this policy is primarily aimed towards protecting the individual rights of The Institute's students, the scope of this policy extends to all personnel who are members of the Institute community.

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

A. Distribution of Sexual Assault and Sexual Violence Policy

I. Chellsey Institute of Beauty & Health Inc. will ensure compliance with the Ontario Career Colleges Act 2005, and adherence to the Sexual Violence and Harassment Action Plan Act 2016. The Sexual Assault and Sexual Violence Policy will be included in every Student Handbook.

II. Students will be obligated to declare receipt of the policy, which will be acknowledged and declared through student signature.

III. The Sexual Assault and Sexual Violence Policy will also be provided to all faculty and staff members, inclusive of administrative/managerial personnel, instructors, board members, and contracted personnel. Training regarding the Policy will take place as part of the hiring process.

B. Development of the Sexual Assault and Sexual Violence Policy

I. Chellsey Institute of Beauty & Health Inc. will review and if necessary, amend sections of the Sexual Assault and Sexual Violence Policy within a maximum time period of every three years.

II. Students will be informed at the time of orientation that they are encouraged to provide anonymous input in regards to improving the policy.

III. Input from students will be reviewed on a continual basis, and any necessary addendums which reflect the suggestions and/or concerns of the students will be implemented on a basis that is deemed to be necessary. The Institute will ensure compliance with the Ontario Career Colleges Act 2005, and adherence to the Sexual Violence and Harassment Action Plan Act 2016. The Sexual

IV. Assault and Sexual Violence Policy will be included in every Student Handbook. Students will be obligated to declare receipt of the policy, which will be acknowledged and declared through student signature.

V. The Sexual Assault and Sexual Violence Policy will also be provided to all faculty and staff members, inclusive of administrative/managerial personnel, instructors, board members, and contracted personnel. Training regarding the Policy will take place as part of the hiring process by the administration.

VI. Open forums will be held in a given month at the end of each academic year, which will provide students with the opportunity to discuss any concerns, including those concerning sexual assault or sexual violence. In the case where students wish to remain anonymous, an email may be sent in advance to the host of the open forum, with instructions to mention or take into consideration the premise of the concern.

C. Disclosure to Superintendent

Upon the request of the Superintendent, Chellsey Institute of Beauty & Health Inc. will issue a report which outlines:

- The number of times that support services and accommodation relating to sexual violence has been requested and obtained by the students
- The measures The Institute has put into place to ensure that support services and awareness programs are available for students
- The number of complaints and incidences relating to sexual assault and sexual violence that have been reported by students
- The efficiency of the Sexual Assault and Sexual Violence Policy

The Director of Education will ensure that this report does not disclose the names or personal information of any of the students or personnel who have contributed to the report.

D. Key Terminology

The Sexual Violence and Harassment Action Plan Act (Supporting Survivors and Challenging Sexual Violence and Harassment), [SVHAP Act, 2016] defines sexual violence as follows:

"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."

According to the Ontario Human Rights Code, Sexual Harassment is defined as "engaging in a course of vexatious comment or conduct that is known or ought to be known to be unwelcome."

The Ontario Human Rights Commission notes the following examples of actions which constitute as sexual harassment:

- Engaging in unwanted physical interaction/contact that invades personal space
- using language that puts someone down
- leering or inappropriate staring
- making gender-related comments about someone's physical characteristics or mannerisms
- treating someone poorly because they don't fit in stereotypes about gender
- showing or sending sexually implicit or explicit images
- telling or writing and passing around offensive sexual jokes
- engaging in discourteous humour or language related to gender
- engaging gender-related conduct that causes a person to feel uncomfortable
- spreading sexual rumours, whether in person or through other digital mediums
- making suggestive or offensive comments or hints about members of a specific gender
- making sexual propositions
- verbally abusing, intimidating or jeering at someone based on gender
- bragging about sexual prowess
- demanding dates or sexual favours

- making offensive sexual jokes or comments
- asking questions or talking about sexual activities
- making an employee dress in a sexualized or gender-specific way
- acting paternally in a way that undermines self-respect or position of responsibility
- threats to penalize or otherwise punish a person who refuses to comply with sexual advances

E. Sexual Assault and/or Sexual Violence Campus Protocol

I. In the event that an act of sexual assault or sexual violence has taken place, students are encouraged to refer to the Campus Manager, in addition to the services noted in Appendix A of this policy. This situation also applies to incidences where a student has witnessed or has reason to believe that such an incident has occurred in the life of another student

II. The student may also report to any instructor or administrative personnel who they feel can appropriately address their concern. The instructor or administrative personnel will then report the incident to the Campus Manager

III. The staff or Campus Manager will then refer the student to the appropriate services available to the student. The Institute does not require that students provide any formal documentation or report an incident for the purposes of accessing or inquiring about sexual assault or sexual violence support services

IV. In the situation where a student wishes to file a formal complaint, the Campus Manager will begin the process of a formal complaint procedure as outlined in section H.

F. Sexual Assault and/or Sexual Violence Off- Campus Protocol

I. In the case where an act of sexual assault or sexual violence has taken place, including the acts of harassment noted, students are encouraged to take the following measures to facilitate their safety and security:

II. As soon as possible after an assault has taken place, students should try to seek a place which is safe and can offer support. Such places are inclusive of the houses of family, friends, or the office of any staff or faculty member that the student feels comfortable in.

III. Students are encouraged to dial 911 to report any sense of insecurity, threat or danger to themselves or others within their academic, social or professional communities

IV. All students are encouraged to discuss any assault which has taken place with a professional in a registered crisis center (see appendix A), who can offer support and guidance about the social, emotional or physical impact of the assault.

G. Investigation Protocol- Confidentiality Agreement

I. Chellsey Institute of Beauty & Health Inc. will strive to ensure the confidentiality of the parties involved in any particular investigation, and respects the wishes of any student who opts not to make a formal report or participate in the investigation regarding incidences of sexual assault or sexual violence

II. Students are not required to report an incident of, or make a complaint about sexual violence in order to obtain information about and/or assistance from the Institute in accessing support and services

III. In the case where a student refers to any personnel for the purpose of receiving guidance and referral to resources, and expresses the wish to remain anonymous, The Institute personnel will strictly uphold the confidentiality agreement and will not create or disclose any written or verbal account or document that reveals the identity of the student

IV. The exception will take place when The Institute has reason to believe any of the following causes outlined below:

a. There is a probable cause that the student who has come forth will harm themself
b. Any member of the academic community or general public may be at a risk as a result of the actions of the perpetrator or reaction of the victim

c. The student who comes forth is seeking counselling or referral services in order to help cope with or enable the acts of the sexual assaulter or violator
d. The information disclosed is required by the victim for the purposes of retrieving records for litigation in court

In the cases of [IV.a, IV.b, IV.c] The Institute may be obligated to notify the police without the consent of the student and/or respondent.

V. In the case of an exemption to the confidentiality agreement, The Institute will ensure that only parties who are involved with the implementation of medical or psychological safety or litigation are privy to the contents of any case report created regarding the student
VI. The Institute will not disclose any information regarding any confidential case to any other parties with regard to the sexual assault or sexual violence report, with the exception of a Formal Complaint Procedure outlined in Section V.III or through the explicit written consent of victim.
VII. All formal complaint files will be kept in a specific folder, in a secure filing cabinet in the office of the Campus Manager. No copies will be made.

H. Formal Complaint Procedure

I. A student may opt to file a formal complaint or incident report regarding an act of sexual assault or sexual violence committed by a fellow student or any member of the Chellsey Institute of Beauty & Health Inc. community.
II. In this situation, the student should refer to the Campus Manager in order to begin the formal complaint process
III. The Campus Manager will discuss the situation with the student and then fill out a Sexual Assault and Sexual Violence incident form which outlines the details of the assault or violence being reported
IV. The student will sign Section II of the Incident Form which provides expressed consent for the Campus Manager to investigate the incident, which will be conducted in collaboration with the Director of Education
V. During the course of the investigation, the Campus Manager will ensure that the student feels comfortable and safe in their academic settings and will accommodate any socio-emotional or physical needs that the student may have, such as arranging for an action plan which removes the student from any situation where he or she would be in the same vicinity as the alleged perpetrator. The student will not incur any costs for these measures.
VI. The Campus Manager and Director of Education will conduct an interview with the alleged perpetrator, in order to provide the individual with the opportunity to detail and defend him or herself regarding the allegation
VII. The Campus Manager and Director of Education will determine if this is a matter that necessitates immediate referral to the police, as outlined in section VII.III, and in the case where it is determined that the sexual assault or violence incident has taken place,
VIII. Chellsey Institute of Beauty & Health Inc. will take the necessary disciplinary measures to ensure campus safety

IX. The victim will then be informed of any measures taken. The Campus Manager will also discuss any further measures that need to be considered based on the feedback provided by the victim, in order to ensure that his or her mental and physical health needs are being addressed.

I. Disciplinary Measures

I. If the Campus Manager and Director of Education at Chellsey Institute of Beauty & Health Inc. determine through the course of their investigation that any personnel or student has committed an act of sexual assault or sexual violence, their academic or employment contract will immediately be terminated

II. In addition, The Institute will take measures to ensure that the student or personnel is barred from accessing any The Institute facilities

III. If it has been determined that a false statement or falsehood has been made regarding a fellow student or Chellsey Institute of Beauty & Health Inc. personnel, the student who has lied will also face disciplinary measures, including expulsion

During the course of the investigation, The Institute reserves the right to take necessary measures to ensure the safety and security of its staff and students. Disciplinary measures may include temporary suspension of the alleged perpetrator, pending the outcome of the investigation.

Referral Resources

The Ontario Network of Sexual Assault/Domestic Violence Treatment Centers provides 24/7 emergency care to victim's sexual assault, violence or abuse. In addition to emergency medical care, all the 35 centers provide counselling and referral to community agencies and resources.

The center closest to the Chellsey Institute of Beauty & Health Inc. campus has been listed below. For more information regarding all centers across Ontario and nationally, students may visit https://www.sadvtreatmentcentres.ca/about-the-network.html

Mississauga centers:
Mississauga Sexual Assault/Domestic Violence Program Sexual Assault Care and Counselling Centre (Chantel's Center) The Trillium Health Centre 100 The Queensway W. 905-848-7580, ext. 2142

Other centers in the region:
Website with searchable listing of available resource centers: https://www.sadvtreatmentcentres.ca/

Nina's Place, **Joseph Brant Hospital, 1245 Lakeshore Road, Burlington ON L7S 0A2 Tel** 905.632.3737x5708

Sexual Assault/Domestic Violence Care Center, Women's College Hospital, 76 Grenville St Toronto ON M5S 1B2 Tel. 416.323.6040

To become better aware of contemporary issues and resources regarding sexual assault and sexual violence, students may refer to the following resources:
Myths about Sexual Assault: https://www.ontario.ca/page/dispelling-myths-about-sexual-assault

Canadian Victim's Rights: http://laws-lois.justice.gc.ca/eng/acts/C-23.7/

Mental Health Helpline: http://www.mentalhealthhelpline.ca