

ADMINISTRATIVE OPERATING PROCEDURE

Sexual Violence Prevention	
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Approved by Executive Leaders Team:	<i>Original:</i> March 26, 2015
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Monitoring Responsibility:	Associate Vice-President Student Services
Linked to College Policy:	#3-343 <i>Sexual Violence Prevention</i>

Policy Statement

Sexual assault and sexual violence are unacceptable and will not be tolerated. Fleming College is committed to preventing sexual violence and creating a safe space for everyone in our College community. 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 violence.

All reported incidents of sexual violence will be responded to in a manner that ensures procedural fairness. This policy's intention is to make individuals feel safe and enable them to make a report in good faith about sexual violence that they have experienced or witnessed.

We recognize that sexual violence can occur between individuals regardless of sexual orientation, gender, gender identity or relationship status as articulated in the Ontario Human Rights Code. We also recognize that individuals who have experienced sexual violence may experience emotional, academic or other difficulties.

Definitions

College Community: Any person who studies, teaches, conducts research at or works at or under the auspices of the College, or student governments and includes, without limitation, employees or contractors; appointees (including volunteer board members); students, visiting scholars and any other person while they are acting on behalf of or at the request of the College.

Complainant: The person who reports a policy infraction, in this case, a person who reports sexual violence that they have been affected by.

Respondent: A person who is responding to a report of a policy infraction. In this case, a person who is responding after being named in a report of sexual violence.

Sexual assault: 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 the victim/survivor and involves a range of behaviours from any unwanted touching to penetration. Sexual assault is characterized by a broad range of behaviours that involve the use of force, threats, or control towards a person, which makes that person feel uncomfortable, distressed, frightened, threatened, or that is carried out in circumstances in which the person has not freely agreed, consented to, or is incapable of consenting to.

Sexual violence: 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. Instances of sexual violence covered by this policy include those that occur in person, through a third party, or online.

Sexual consent: The voluntary and explicit agreement to engage in the sexual activity in question. It is the act of willingly agreeing to engage in specific sexual behaviour, and requires that a person is able to freely choose enthusiastically, at multiple stages, in a mutually agreed upon sexual experience. This means that there must be an understandable exchange of affirmative words, acts or gestures which indicates a willingness to participate. It is also imperative that everyone understands the following:

- Silence or non-communication must never be interpreted as consent and a person in a state of diminished judgment cannot consent.
- A person is incapable of giving consent if they are asleep, unconscious or otherwise unable to communicate.
- A person who has been threatened or coerced (i.e. is not agreeing voluntarily) into engaging in the sexual activity is not consenting to it.
- A person who is drugged is unable to consent.
- A person is usually unable to give consent when under the influence of alcohol and/or drugs (including prescription medication and over the counter medications that may interact with other drugs and/or alcohol).
- A person may be unable to give consent if they have an intellectual, developmental or physical disability preventing them from fully understanding the sexual acts.
- The fact that consent was given in the past to a sexual, dating, or domestic relationship does not mean that consent is deemed to exist for all future sexual activity.
- A person can withdraw consent at any time during the course of a sexual encounter.
- A person is incapable of giving consent to a person in a position of trust, power or authority, such as, a faculty member initiating a relationship with a student who they teach, or an administrator in a relationship with anyone who reports to that position.
- Consent cannot be given on behalf of another person.

It is the responsibility of the initiator of sexual activity to ensure clear and affirmative responses are communicated at all stages of sexual engagement. It is also the initiator's responsibility to know if the person they are engaging with sexually is a minor.

Other Relevant Terms

Age of consent for sexual activity: The age at which a person can legally consent to sexual activity. In Canada:

- Children under 12 cannot consent to sexual acts
- 12 and 13 year-olds can consent to sexual activity with youth who are up to 2 years older
- 14 and 15 year-olds can consent to sexual activity with a person who up to 5 years older
- No person under the age of 18 is able to consent to being in sexualized pictures or videos

Coercion: In the context of sexual violence, coercion is unreasonable and persistent pressure for sexual activity. Coercion is the use of emotional manipulation, blackmail, threats, intimidation, or the promise of rewards or special treatment, to persuade someone to do something they do not wish to do, such as being sexual or performing particular sexual acts.

Drug-facilitated sexual assault: The use of alcohol and/or drugs (prescription or non-prescription) by a person to control, overpower or subdue a victim/survivor for purposes of sexual assault.

Rape Culture: A culture in which dominant ideas, social practices, media images, and societal institutions implicitly or explicitly condone sexual assault by normalizing, accepting or trivializing sexual violence and by blaming survivors for their experience.

Survivor: Some who have experienced sexual violence may choose to identify as a survivor. Individuals might be more familiar with the term “victim”. We use the term survivor throughout this policy where relevant because some who have experienced sexual assault believe they have overcome the violent experience and do not wish to identify with the victimization. It is the prerogative of the person who has experienced these circumstances to determine how they wish to identify.

Under the Influence of Substances (drugs and/or alcohol):

When the amount of alcohol or drugs consumed (voluntarily or involuntarily) impacts someone’s decision making capacity, awareness of consequences, and ability to make fully formed judgments; this individual lacks the capacity to give consent (to understand the ‘who, what, when, where and why’ of their sexual interaction).

Sexual activity with someone who one knows to be, or based on circumstances should reasonably have known to be, mentally or physically incapacitated (by drug or alcohol use, unconsciousness or a blackout) constitutes sexual assault.

Some signs of a person being under the influence, where they may not be able to consent are overt and others are more subtle, every person will look different. Some evidence of may include:

- Slurred speech;
- Bloodshot eyes;
- The smell of alcohol on one’s breath;
- Shakiness;
- Vomiting;
- Unusual/strange behaviour; and/or
- Unconsciousness.

The initiator of sexual activity (regardless of their level of sobriety) should always err on the side of assuming a party to be under the influence to the point of diminished judgement, rather than risking committing sexual assault. It is the responsibility of the initiator of sexual activity to ensure clear, capable and affirmative responses are communicated at all stages of sexual engagement.

Operating Procedure

1. Immediate Response if you Have Experienced or Been Affected by Sexual Violence

1.1 Go to a safe place

- If you live in residence, you may want to connect with a trusted friend or a member of the Residence Life Staff
- If you do not live in residence or are not a student, you may want to connect with a trusted friend or relative if you feel physically or emotionally unsafe.
- For immediate support by telephone:
 - Contact the confidential crisis support line of Kawartha Sexual Assault Centre **705-741-0260 / 1-866-298-7778** available 24/7 seven (7) days a week.
 - Contact 911 in an emergency situation to be connected with your local police department.

1.2 Get medical attention as needed

- Peterborough Regional Health Centre: 1 Hospital Drive, Peterborough, ON
- Lindsay: Ross Memorial Hospital: 10 Angeline St N, Lindsay, ON
- Cobourg: Northumberland Hills Hospital: 1000 DePalma Dr., Cobourg, ON
- Haliburton: Haliburton Highlands: 7199 Gelert Rd. Haliburton, ON

If you attend at Peterborough Regional Health Centre (PRHC) a specially trained Sexual Assault Nurse Examiner will be called in for your care. If you attend another emergency department they will assist you in transferring to PRHC after you are medically cleared. These Nurses are on-call 24/7.

- **The Sexual Assault Nurse Examiners at PRHC provide the following options for care:**
 - Emergency health care
 - Full physical assessment
 - Forensic evidence collection and photo documentation
 - Free HIV post-exposure medication (within 72hrs)
 - Free testing and treatment for sexually transmitted infections (STI's),
 - Free medication for pregnancy prevention (within 5 days)
 - Immediate and follow-up counselling
 - Risk assessment and safety planning
 - Assistance navigating the complex network of services
 - Comprehensive, evidence based care to victims/survivors within the 4 counties – includes people of all genders and all ages.

- Individuals chose which services are right for them. Police will not be involved without your consent. To contact a Sexual Assault Nurse Examiner call 706-743-2121 ext. 0 and Switchboard will connect you with them.

- If you need transportation support, please see Residence Life Staff, Security, or Counsellors. If off campus, please contact Victim Services – police will not be involved without your consent: 1-888-822-7729 (Peterborough/Northumberland) 1-800-574-4401 (Kawartha Lakes/Haliburton)

1.3 Seek out support and counselling (see Section 2 of this document)

1.4 Get advice on available options for reporting (See Section 3 of this document)

2. Options for Follow-up Support (after immediate needs are met)

It is often difficult to disclose and report incidents of sexual violence. Although it is entirely up to each survivor (over the age of 16) to report an incident of sexual violence, we encourage survivors to do so. The continuum of choice includes anonymous and informal reporting at the College through to police reporting. By making a report, the College can track similar incidents of violence and vulnerable areas of campus to ensure a safer campus experience. A number of other resources on campus are available to you. Please note, a person making a report can request to speak with a security guard, counsellor, residence life staff or case manager of a specific gender in effort to make them as comfortable as possible when making their report.

Places to go to get support include:

- Student Rights and Responsibilities Officer 705-749-5530 x 1137
- Campus Security (8000 from a campus phone (24/7 service), 705-749-5530 x8000 from an outside line) or the Information Booth.
- Counselling services: Sutherland/Cobourg Campus 705-749-5530 x 1527
Frost/Haliburton Campus 705-324-9144 x 3320
- Residence Life Staff (located in every residence building)
- Student Government: Sutherland: 705-749-5547
Frost: (705) 324-9144
- Human Rights Officer (located in Human Resources): 705-749-5530 x1982
- Kawartha Sexual Assault Crisis Line (24/7 service) – 705-741-0260/1-866-298-7778

Anyone who has experienced or been affected by sexual violence has the right to:

- be treated with dignity and respect,
- be believed,
- be informed about on- and off-campus services and resources,
- decide whether or not to access available services and to choose those services they feel will be most beneficial,
- decide whether to report to the College and/or local police,
- have an on-campus investigation with the institution's full co-operation,
- meet with Counselling Services and/or Campus Security to develop a plan of action in order to better equip oneself to deal with a situation that potentially puts your safety at risk (Safety Plan),
- have reasonable and necessary actions taken to prevent further unwanted contact with the respondent.

3. Filing a Report

There is a range of reporting options, based on the wants/needs of the person who has experienced sexual violence. Anyone receiving a disclosure is encouraged to provide information on the options available, but the decision of which type of report to file is solely the decision of the complainant.

3.1 Informal/Information Report

Informal reports help the College have an informed understanding of occurrences and needs within the College community. Reports work to create a safer environment for everyone. If you report an incident of sexual violence to any College employee, as an employee of the College, they are obligated to report any disclosures; however, you can remain anonymous. **Please note: without a formal report an investigation is unlikely.** Confidentiality is of the utmost importance, but in rare circumstances, confidentiality may not be assured. For more information on confidentiality, please see Section 4 of the Sexual Violence Prevention Policy.

To file an online report, please use the following link:

<https://department.flemingcollege.ca/sexual-assault/reporting-an-incident/>

To file a report in person, please contact:

- The Office of Student Rights and Responsibilities 705-749-5530 x 1137
- Security: (x8000) or go to the information booth and request security
- Human Rights Officer (located in Human Resources) 705-749-5530 x1982

3.2 Formal College Report

If you would like to make a formal report of having experienced sexual violence, please call Campus Security at 8000 (from a campus phone) 705-749-5530 x8000 (from an outside line), contact a Residence Life Staff, the Student Rights and Responsibilities Officer or the Human Rights Officer and they will assist you by providing resources and support. You may wish to bring a supportive person, such as a family member, friend or staff person with you. This report is not anonymous. Respondents will be given notice, with full details of the report. If a complainant is concerned about their safety through this process, please see Section 6 – Accommodations and within Section 8.2 - Interim measures for support and options available.

To file an online report, please use the following link:

<https://department.flemingcollege.ca/sexual-assault/reporting-an-incident/>

To file a report in person, please contact:

- The Office of Student Rights and Responsibilities 705-749-5530 x 1137
- Security: (x8000) or go to the information booth and request security
- Human Rights Officer (located in Human Resources) 705-749-5530 x1982

3.3 Police Report

Individuals who have experienced sexual violence may also wish to report this to their local police. Residence Life Staff, Counsellors, the Student Rights and Responsibilities Officer and Campus Security can all assist you with contacting the local police and will inform you about what to expect. You may make both a College Report as well as a Police Report.

Please note: You can access Victim Services without having to make a police report. They can inform you about what to expect when making a police report, and the justice system process, so you understand all legal options available to you.

- Victim Services Peterborough and Northumberland: 1-888-822-7729
- Victim Services Kawartha and Haliburton: 1-800-574-4401

If you choose to contact police, you have the following rights:

- the right to ask for a male or female officer when making your report
- the right to have a support person with you when you make a report
- the right to withdraw a report at any time in the process (this may or may not mean the police discontinue the investigation – but you can always choose to not be a part of it)
- the right to make a confidential report, where you want to give the police information and access supports, but you do not want them to pursue a formal investigation (like the College, in certain circumstances they may continue without having to name you or indicate your involvement until a later date if they choose to pursue a charge. This assists police in tracking the behaviours and trends of possible perpetrators of sexual assault).

4. What to do if you witness or receive a disclosure of Sexual Violence

A supportive response includes:

- Listening without judgment and accepting the disclosure as true;
- Communicating that sexual violence is never the responsibility of the survivor;
- Helping the individual identify and/or access available on- or off-campus services, including emergency medical care and counseling;
- Respecting the individual's right to choose the services they feel are most appropriate and to decide whether to report to the police and/or the College.

Any employee at Fleming Community that becomes aware of, or witnesses an incident of sexual violence has a responsibility to report that behaviour to their Supervisor, via the online report form, to College Security and/or the Police as appropriate for the circumstances (Please see section 3.1). Other members of the College community are strongly encouraged to report sexual violence incidents they witness or have knowledge of, or where they have reason to believe that sexual violence has occurred or may occur. It is important to remember, that a complainant's identity will remain anonymous unless you have their consent to disclose this information. Employees will operate within the limitations outlined in Section 4 "Confidentiality" of College Policy #3-343, *Sexual Violence Prevention*, which states that "we will treat individuals who disclose sexual violence with compassion, recognizing that they are the final decision-makers about their own best interests".

If you need support in understanding reporting options, please see Section 3 of this document, contact Campus Security at x 8000 (from a campus phone), 705-749-5530 x8000 (from an outside line) or see the educational website information at: <https://department.flemingcollege.ca/sexual-assault/>.

5. Accommodations

Students seeking accommodations can connect with Counselling Services to ensure that they receive all necessary accommodations and supports. Counselling Services will liaise with appropriate campus partners to assist in identifying the most appropriate accommodations and supports for the complainant. Accommodations may include, but not be limited to, extended time on assignments, changing classroom, work or living proximity of the complainant and respondent, or implementing scheduling of service access times for the complainant to ensure the respondent is not present. Please note, you are not required to file a formal complaint to obtain supports, services, or appropriate accommodation from the College.

Employees who require accommodation as a result of sexual violence can make an appointment with the Human Rights Officer who will liaise with Human Resources to facilitate the appropriate accommodation.

6. Roles and Responsibilities of the College Community

While everyone on campus has a role to play in responding to incidents of sexual violence, some campus members have specific responsibilities, which include:

- On campus counselling and health supports to provide psychological and emotional support, assist with safety planning, and make referrals to other services, including medical services;
- Faculty, staff and administrators to facilitate academic accommodations and other academic needs of those who have been affected by sexual violence (see section 6);
- Residence staff to facilitate safe living arrangements to the best of their abilities
- Human resources to assist with any incidents relating to employees;
- Managers and Deans to ensure, as much as reasonably practical, that no employees are subjected to workplace sexual violence. To take reports of sexual violence seriously, and follow-up appropriately. Take corrective action with anyone under their direction who subjects another Fleming College community member to sexual violence;
- Security to assist with gathering evidence, to implement measures to reduce sexual violence on campus, and to collaborate with police as appropriate;
- Case managers to follow procedural fairness principles while engaging in the fact finding and decision making process. This includes treating all parties involved with dignity and respect;
- All community members to recognize, understand and be proactive against rape culture, and demeaning myths around sexual assault. It is all community member's responsibility to create a respectful, safe environment for the students and employees at Fleming College.

7. How the College Responds to Reports of Sexual Violence

Where a complaint of sexual violence has been reported to the College, the College will exercise care to protect and respect the rights of both the complainant and the respondent. The College understands that individuals who have experienced sexual violence 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, even without the complainant's consent, if the College believes that the safety of other members of the College community is at risk. The confidentiality and anonymity of the person(s) affected will be prioritized

in these circumstances. The complainant also has the right to not participate in any investigative process.

A report of sexual violence may also be referred to the police or to other community resources at the complainant's request.

Sexual violence is a violation of the Sexual Assault and Sexual Violence Policy; it is considered a serious offence and will be addressed in a manner which is consistent with other serious offences.

As creating open and accessible options for reporting is a priority, amnesty will be provided to complainants who were under the influence of alcohol and/or drugs when they experienced sexual violence. The College will not pursue an investigation or disciplinary measures if the alcohol or drug use of the complainant was in violation of the Student Rights and Responsibilities Policy, or Residence Student Handbook.

7.1 Informal Report Response

The College will log the information, and may engage in preventative or responsive measures on a global scale (examples include increasing security presence, or doing educational work in a particular area of the college). In rare situations, if there is a threat present, the College may have to act in the best interest of public safety, which can include informing the police. Confidentiality is of the utmost importance, but in rare circumstances, confidentiality may not be assured. For more information on confidentiality, please see Section 4 of College Policy#3-343, *Sexual Violence Prevention*.

7.2 Formal Report Response – Where the complainant is a student

The Administrator of the Sexual Violence Prevention policy will acknowledge receipt of the report to the contact information provided in the report, within two (2) business days, except in exceptional circumstances.

A Case Manager will be assigned as the one main contact person for the case. This ensures that a person only has to make their report to one person and there is no unnecessary repetition of the facts. The Case Manager hearing the report shall ensure that there is procedural fairness, taking care to see that all persons affected by the report are given a reasonable opportunity to present their case and that the Case Manager listens fairly to all sides and reaches a decision without bias. Within ten (10) days, of receiving the report the complainant and respondent will be met with separately and follow-up meetings with witnesses may also take place, if applicable. Depending on the situation, the Case Manager may also have to have additional meetings with the complainant and/or respondent to gain further clarity. The Case Manager may request documents or other resources that are relevant to the fact finding process. The Case Manager will share details of the report with the respondent. Information provided by the respondent may be reviewed by the complainant and vice versa as necessary. The Case Manager may consult with the Behaviour Assessment Management Team (see Administrative Operating Procedure #4-420 OP, *Violence Prevention Appendix B* for more information) in many situations, where only pertinent details of the case are discussed. The Case Manager will provide a written response to the complainant and the respondent within fifteen (15) business days (except in exceptional circumstances) from receipt of the report.

In cases where the report has not been dealt with within fifteen (15) business days in the manner described above, the complainant or respondent can take their complaint to the Associate Vice-President Student Services. This complaint must be made in writing. The Associate Vice-President Student Services will investigate the reasons for the delay and respond in writing within three (3) business days with a course of action. Some reasons a

report may be delayed can include if people involved are not available, making it not possible for a full and fair fact finding process. Or if police become involved, their process must occur before the College can begin/complete the fact finding process about the policy violation.

Interim Measures:

Interim measures are measures taken to ensure the safety of all participants involved during the investigation process. Interim measures are not punishment and do not represent a finding of misconduct, but rather work to reduce the possible impacts of further harm to both the complainant and respondent. The College may impose interim measures immediately, without a hearing. Respondents may ask the College to review a decision to impose interim measures, but only to address the impact of the imposed measure and the preference for other alternatives. These measures are temporary for the duration of the investigative process and may be removed or replaced by sanctions based on the outcome of the investigation.

Some examples of possible interim measures may include, but are not limited to:

- A behavioural contract outlining specific conditions, such as no contact;
- A student being moved from one section of their program to another;
- A student being moved within residence, or removed from residence;
- A student being asked to participate in their academics online or from home;
- A temporary dismissal or suspension of academic or work privileges, including access to College campuses and/or residence.

7.2.1 Determination and Resolution

At the conclusion of the fact finding process, the Case Manager will write a draft report stating whether or not the report is substantiated based on the balance of probabilities (which means it is either more likely or not likely that the incident(s) of sexual violence occurred as defined by this operating procedure). This is consistent with the burden of proof required by civil law and is different from the beyond a reasonable doubt burden required by criminal law. After a decision has been made, the Case Manager will send a written decision to the respondent outlining the decision and what action is to be taken, if any, within fifteen (15) business days of the completion of the meetings, except in exceptional circumstances. The complainant will receive the determination of findings and corrective action that has and will be taken. This report will not provide specific details of disciplinary action or sanctions issued.

7.2.2 Possible Sanctions

If a person is deemed to have violated the Sexual Violence Prevention Policy, sanctions may be imposed by the Case Manager under the direction of Administrator of the Sexual Assault and Sexual Violence Policy. It is possible for a complainant to request a mediation or restorative process, to do so, they must make this known to the Case Manager.

Sanctions and remedies applied as a result of the processes outlined in this policy will take into account the outcome(s) requested by the complainant.

The following criteria will be considered in determining the appropriate level of sanction:

- The seriousness/severity of the incident(s),
- The reliability of the information gathered,
- The documented history of the respondent (or the complainant in the case of vexatious reports) regarding related issues or incidents

Possible sanctions for students include:

- a) **Written Reprimand:** a formal letter to the student that will remain on file for the duration of a student's time at the College. The letter includes a description of the behaviour in question, a description of the consequences if the behaviour is repeated, or other policies are violated may be cause for more severe disciplinary action within a stated time period, and information regarding resources within the College that students can access for assistance.
- b) **Behaviour Contract:** a written agreement between the College and the student which specifies certain behaviours that the student must comply with. It will normally limit campus activities and may include specific terms and conditions.
- c) **Suspension:** refers to exclusion from classes, field placement and other privileges or activities for a stated period of time. Suspension will normally include exclusion from the campus and property belonging to the College for a stated period of time. Any sanction calling for the suspension of the student for more than five days must be approved by the Associate Vice-President Student Services. Readmission may be sought under conditions established by the College at the time of suspension. Readmission conditions will be documented in writing or the student at the time of the suspension. Students who have been given an extended suspension will be required to meet with the Associate Vice-President Student Services if they wish to re-apply for admission as outlined in the suspension letter.
- d) **Expulsion:** refers to the termination of a student's access to academic instruction, including access to College campuses for non-academic conduct. Any sanction calling for the expulsion of a student must be approved by the Associate Vice-President Student Services

7.2.3 Adherence to Sanctions

Failure to adhere to imposed sanctions means the student will face further disciplinary action, including up to expulsion from the College. No refunds or fees will be issued for any College related activities in accordance to College policies.

7.3 Formal Report Response – When an employee is involved

Reports involving employees will be addressed in accordance with College Policy #3-343, *Sexual Violence Prevention* by following the procedures set out in Administrative Operating Procedure #3-311 OP, *Harassment and Discrimination Prevention*, and in any applicable collective agreement. If the complaint is sustained following an investigation, the College will decide on the appropriate disciplinary actions consistent with any applicable collective agreement and the Harassment and Discrimination Prevention Policy regarding discipline.

7.4 Formal Report Response – When the Respondent is not a student nor an employee

Contractors, suppliers, volunteers or visitors who attend on campus will be subject to complaints if they engage in prohibited conduct. Where a complaint against the respondent is substantiated, the College will take appropriate action.

All contractual relationships entered into by the College will be governed by a standard contract compliance clause stating that contractors must comply with the Sexual Violence Prevention Policy and the Ontario *Human Rights Code*, including co-operating in investigations. Breach of the clause may result in penalties, cancellation, or other sanctions.

7.5 Appeal Procedure

For all student appeals related to this policy, please see the process online at: <https://department.flemingcollege.ca/srr/appeal-process/>.

For all employee appeals, please see Appendix C of Administrative Operating Procedure #3-311 OP, *Harassment and Discrimination Prevention*:

<https://department.flemingcollege.ca/hr/working-at-fleming/policies-and-procedures/>

There is no formal appeal process for supplier, volunteer or visitor violations.

7.6 Communicating with Individuals who have Experienced Sexual Violence

Sensitive and timely communication with individuals who have experienced sexual violence and their family members (when individuals consent to this communication) is a central part of the College's first response to sexual violence. To facilitate communication, the College will:

- Ensure that designated employees in Security, Counselling, Human Resources, Residence, the office of Student Rights and Responsibilities, and Student Government, who are knowledgeable about sexual violence, are responsible for advocacy on campus on behalf of employees, students or any other member of the College community who have experienced sexual violence;
- Ensure designated employees respond in a prompt, compassionate and personalized fashion;
- Ensure that the complainant and respondent are provided with reasonable updates about the status of the College's process, when a process is undertaken.

8. Other Resources and Supports Available

Information and resources are available online at <https://department.flemingcollege.ca/sexual-assault/>.

Related Documents

- *Sexual Violence and Harassment Action Plan Act (Supporting Survivors and Challenging Sexual Violence and Harassment), 2016* and O.Reg. 131/16, *Sexual Violence at Colleges and Universities*
- College Policy #3-343, *Sexual Violence Prevention*
- College Policy #5-506, *Student Rights and Responsibilities*
- Administrative Operating Procedure #5-506 OP, *Student Rights and Responsibilities*
- College Policy #4-420, *Violence Prevention*
- Administrative Operating Procedure #4-420 OP, *Violence Prevention*
- College Policy #3-311, *Harassment and Discrimination Prevention*
- Administrative Operating Procedure #3-311, *Harassment and Discrimination Prevention*
- College Policy #4-412, *Safety*
- College Policy #6-601, *Information and Communication Technology Appropriate Use Policy*
- College Policy #6-603, *College Data Record Retention and Disposition*
- Academic Collective Agreement
- Support Staff Collective Agreement
- Ontario Human Rights Code
- Occupational Health and Safety Act
- Residence Community Standards (In Student Handbook)

Appendices

N/A

History of Amendments/Reviews:

Section(s)	Date	Comments
New	March 2015	Framework endorsed by Committee of Presidents

Review
- procedure renamed
- definitions updated
- section 8 re-written

April through August
2016

Required as a result of new legislative requirements
• ELT approval of revisions to procedure (September 13, 2016 meeting and email feedback)

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A number of resources contributed to the development of this document, including the sexual assault policies and procedures from several colleges and universities in Ontario, notably, Durham College, University of Guelph and Lakehead University, as well as the METRAC discussion paper on sexual assault policies on campuses.