

<b>Procedure Title:</b>	Sexual Violence Prevention and Response
<b>Procedure ID:</b>	#3-343
<b>Manual Classification:</b>	Section 5 – Student Experience Section 3 – Organizational Effectiveness and Human Resources (OEHR)
<b>Linked to Policy:</b>	<a href="#">Policy #3-343 Sexual Violence Prevention</a>
<b>Approved by Senior Management Team (SMT):</b>	June 2023
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<b>Contacts for Procedure Interpretation:</b>	Executive Vice President, Academic and Student Experience Vice President, OEHR

## 1.0 – Purpose

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Sexual Misconduct, including Violence and/or Assault, are unacceptable and will not be tolerated. Fleming College is committed to preventing Sexual Violence and creating a safe and positive space for everyone in our College Community to work, learn and express themselves in an environment free from Sexual Violence.

This Procedure outlines how its linked [Policy #3-343 Sexual Violence Prevention](#) (the “Policy”) will be applied.

All College responses to reported incidents of Sexual Violence will apply the principles of Procedural Fairness, intended to protect the rights of individuals. The objective of this Procedure is to provide individuals with guidance on how to respond to and report incidents of Sexual Violence that they have experienced or witnessed.

The College recognizes that while Sexual Violence can impact all members of the community. Sexual Violence may disproportionately affect individuals or groups who experience intersecting forms of systemic discrimination or barriers on grounds, including but not limited to, gender identity and expression, sexual orientation, race, creed, Indigenous identity, ethnicity, disability or socioeconomic status.

The College further recognizes that individuals who have experienced Sexual Violence may experience emotional, mental health, physical health, work, academic, or other difficulties.

In addition, the College recognizes that members of the College Community will, at times, engage with minor children and other vulnerable persons who may be particularly at risk with respect to Sexual Violence. The College acknowledges that additional duties and responsibilities may apply in these cases, over and above those generally applicable under the Policy and this Procedure.

## 2.0 – Definitions and Acronyms

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All definitions in this Procedure include are found in the [College Policy #3-343 Sexual Violence Prevention and Response](#) apply to this Procedure as well.

## 3.0 – Operating Procedures

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### 3.1 - Immediate Response if you Have Experienced or Been Affected by Sexual Violence

- a) 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 connect with your local police department.
- b) 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 team of specially trained Nurses will be available to you for your care. If you attend another emergency department in the service area, they will assist you in transferring to PRHC after you are medically cleared. These services are available 24 hours a day through the Emergency Department. The team provides the following care and support options:

- Emergency and follow up medical care,
- Crisis emotional support,
- Planning for safety for you and your family,
- Testing and treatment for sexually transmitted infections and pregnancy,
- Collection of evidence that could be use in criminal investigation (or while a decision is made to report),
- Assessment for non-visible injury after strangulation, and
- Access to police / law enforcement

None of the preceding actions will occur without your consent. The Nurses can give you the information you need to make informed decisions that are right for you. Police will not be involved without your consent. 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). This [link offers more information about local resources available](#) from PRHC.

- c) Seek out support and counselling through Fleming College Counselling Services for Students or Employee & Family Assistance Plan for staff.
- d) Get advice on available options for reporting (See Section 4 of this document)

### **3.2 - 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, the College encourages 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. There are several other resources on campus that 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. Options for support include:

- a) Office of Student Rights & Responsibilities: 705-749-5530 x 1137
- b) Campus Security: Dial 8000 from a campus phone (24/7 service) or 705-749-5530 x 8000 from an outside line), or the Information Booth.
- c) Counselling services: Sutherland/Cobourg Campus 705-749-5530 x 1527  
Frost/Haliburton Campus 705-324-9144 x 3320
- d) Residence Life Staff (located in every residence building)
- e) Student Government: Sutherland: 705-749-5547  
Frost: (705) 324-9144
- e) Director, Equity, Diversity & Inclusion and Organizational Development (located in Human Resources): 705-749-5530 x1067 (for employee support)
- f) Kawartha Sexual Assault Crisis Line (24/7 service) – 705-741-0260/1-866-298-7778

### **3.2 - 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 to access available services or not, 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, Employee & Family Assistance Plan and/or Campus Security to develop a plan of action to better equip oneself to deal with a situation that potentially puts your safety at risk (Safety Plan), and
- Have reasonable and necessary actions taken to prevent further unwanted contact with the Respondent.

## **4.0 – Filing a Report**

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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.

The following Policies may be referred to or used for Policy administration when reports are received regarding harassment or discrimination:

- [College Policy #3-311 Harassment and Discrimination Prevention](#) which addresses Sexual Misconduct etc. between employees;

- [College Policy #5-506, Student Rights and Responsibilities.](#)

Issues related to other violent or threatening behaviour are addressed through [College Policy #4-420, Violence Prevention.](#)

In some cases, the College may have to take steps to ensure the matter is dealt with to meet its legal and/or internal policy obligations. In such circumstances, certain College administrators will be informed about the reported incident on a “need-to-know” and confidential basis where the identity of the persons involved may not be shared. The College will do this by restricting access to information for individuals without a need for such access, and by providing education and training to those who are regularly involved in the administration of reports and complaints to ensure they understand their obligation to respect confidentiality.

The College will treat individuals who disclose Sexual Violence with compassion, recognizing that they are the final decision-makers about their own best interests, and will keep the Survivor informed in situations where third parties may need to be engaged.

There are two types of internal reports that may be filed with the College relative to this Procedure:

- a) An informational documentation of the experience that is not associated with the fact-finding process.
- b) A formal report associated with the fact-finding process.

The decision-making power is with the Survivor about whether they would like to report to anyone. If they choose to, they also decide which type of report they would like to make. This includes the choice to file an informal, formal and/or police report.

#### **4.1 - Informal/Information Report**

Informal reports help the College understand occurrences and needs within the College Community, and these reports may be made anonymously. If you report an incident of Sexual Violence to any College employee, as an employee of the College they are obligated to notify the appropriate member of the leadership team, but you can remain anonymous in such a situation. Please note that 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 7 of [College Policy #3-343 Sexual Violence Prevention](#). To file an online report about Sexual Violence, 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
- \*Director, Equity, Diversity and Inclusion and Organizational Development 705-749-5530 x1982

\*These options are not available on a 24 x 7 basis.

There may be situations where a College member raises a concern about Sexual Violence or Sexual Misconduct but does not file a formal Complaint. In some cases, depending on the nature and seriousness of the allegation, the College may have a statutory obligation under law to respond to, and possibly formally investigate, the concerns raised in an informal report.

#### **4.2 – Formal College Report**

If you would like to make a formal report of having experienced Sexual Violence, please call Campus Security at x 8000 (from a campus phone) or from 705-749-5530 x 8000 (from an outside line), contact a Residence Life Staff, the Student Rights and Responsibilities Office or the Director, Equity, Diversity and Inclusion and Organizational Development 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 4.5 – Accommodations and, within Section 6.5 - Interim Measures for support and options available. An online report can be filed using this 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
- Director, Equity, Diversity and Inclusion and Organizational Development 705-749-5530 x 1982

#### **4.3 – Police Report**

Individuals who have experienced Sexual Violence may also wish to report this to their local police. Residence Life Staff, Counsellors, the Office of Student Rights and Responsibilities 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 and a Police Report.

Please note that Victim Services can be accessed 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

#### **4.4 – What to do if you witness or receive a disclosure of Sexual Violence**

A supportive response includes:

- a) Listening without judgment and accepting the disclosure as true;
- b) Communicating that Sexual Violence is never the responsibility of the Survivor;
- c) Helping the individual identify and/or access available on- or off-campus services, including emergency medical care and counseling;
- d) 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 7 “Confidentiality” of [College Policy #3-343, Sexual Violence Prevention](#), which states that “the College is committed to treating 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 4 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/>.

#### **4.5 – Accommodations**

Students seeking accommodations related to Sexual Violence should connect with Fleming Counselling Services to ensure that they receive all necessary accommodations and supports.

Fleming Counselling Services will liaise with appropriate campus partners to assist in identifying optimal accommodations and supports for the Complainant. Accommodations may include, but not be limited to extended time on assignments; changing a 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, a formal complaint is not required for an individual to obtain supports, services, or appropriate accommodation from the College.

Employees who require accommodation resulting from Sexual Violence can make an appointment with the Director, Diversity, Equity and Inclusion, and Organizational Development.

#### **5.0 – Roles and Responsibilities of the College Community**

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

- a) **On-Campus Counselling and Health Supports** provide psychological and emotional support, assist with safety planning, and make referrals to other services, including medical services;
- b) **Faculty, Staff and Administrators** facilitate academic accommodations and other academic needs of those who have been affected by Sexual Violence (see section 4.5);
- c) **Residence Staff** facilitate safe living arrangements to the best of their abilities;
- d) **Human Resources** assist with any incidents relating to employees;
- e) **Managers and Deans** 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;
- f) **Security** assist with gathering evidence, to implement measures to reduce Sexual Violence on campus, and to collaborate with police as appropriate;
- g) **Case Managers** follow procedural fairness principles while engaging in the fact finding and decision-making process. This includes treating all parties involved with dignity and respect;
- h) **All College Community Members** 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.

## **6.0 – How the College Responds to Reports of Sexual Violence**

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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 as stated in subsection 6.2 of the Sexual Violence Prevention Policy. 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 College 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. Complainants who were Under the Influence of Alcohol and/or Drugs when they experienced Sexual Violence will not face sanctions from the College. The College will not pursue an investigation or disciplinary measures if the alcohol or drug use of the Complainant was in violation of [College Policy #5-506 Student Rights and Responsibilities](#) or the Residence Student Handbook.

### **6.1 – Informal Report Response**

The College will log the information and may engage in preventative or responsive measures on a global scale. Examples of this approach include increasing security presence or doing educational work in a particular area of the college. In rare situations, if there is an immediate threat present, the College may have to act in the best interest of public safety, which can include informing the police. In some cases, the College may have an obligation under law to respond using a formal report response due to severity and risk to the community.

Confidentiality is of the utmost importance; however, in rare circumstances, confidentiality may not be assured. For more information on confidentiality, please see Section 7 of [College Policy #3-343 Sexual Violence Prevention](#).

### **6.2 – Formal Report Response – Where all parties involved are students**

- a) 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.
- b) A Case Manager will be assigned as the one main contact person for the case. This ensures that a person only makes their report to one person, and that there is no unnecessary repetition of the facts.
- c) 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.

- d) 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 regarding information they have received during the fact-finding process. The Case Manager may request documents or other resources that are relevant to the fact-finding process.
- e) The Case Manager will share details of the report with the Respondent.
- f) 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 in many situations, where only pertinent details of the case are discussed. (see Appendix B in [College Operating Procedure #4- 420 OP Violence Prevention](#) for more information)
- g) 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. Reasons for a report to be delayed may include limited availability of people involved or police involvement. The College's fact-finding process may have to be paused until the conclusion of any police investigation.

Complainants, Respondents and other people interviewed as part of this process may attend meetings with a (non-participating) support person and/or with a union representative if applicable and if they choose. The College will consider requests to attend meetings with additional support persons and with legal or other representation on a case-by-case basis, with a view to promoting a fair and expeditious process. The College will still question and expect direct answers from the interviewees.

### **6.3 – Formal Report Response – Where all parties involved are employees**

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. The administrator will refer to the [College Policy #3-311, Harassment and Discrimination Prevention & Operating Procedures](#) to conduct a fact finding process up to or including an external investigation to the College.

### **6.4 – Formal Report Response – Where the parties involved are both student & employee**

The College will conduct an initial assessment in collaboration with Director, Equity, Diversity and Inclusion and Organizational Development and the Office of Student Rights & Responsibilities to determine the formal report response in accordance with sections 6.2 & 6.3 of this Procedure.

### **6.5 – Interim Measures**

Interim measures are measures taken by the College to ensure the safety of all participants involved during the fact-finding 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. Complainants or 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 and/or accommodations based on the outcome of the investigation.

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

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

### **6.6 – Determination and Resolution**

At the conclusion of the fact-finding process, the Case Manager will draft an initial report stating whether the report is substantiated or not based on the Balance of Probabilities (meaning that it is either more likely or not likely that the incident(s) of Sexual Violence occurred as defined by this Procedure and its linked Policy). This is consistent with the burden of proof required in civil proceedings. The Balance of Probabilities is different from the criminal burden of proof which requires that allegations be proven “Beyond a Reasonable Doubt.” If information gathered is found to not be reliable during the fact-finding process, the allegations may not be substantiated.

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 relative to the complaint. This report will not provide specific details of disciplinary action or sanctions issued.

### **6.7 – Record-Keeping & Data Reporting**

Pursuant to the Freedom of Information and Protection of Privacy Act (FIPPA), the College will maintain secured, confidential records relating to each process brought forward under the Harassment and Discrimination Prevention and Response Policy, including internal and external investigations, and informal resolution options. Records will be maintained for seven (7) years from the date of resolution, then destroyed. In the event of a recurrence, if the resolution is breached, or if there is an external action (for example, an application to the Human Rights Tribunal of Ontario or a court case), the seven-year period will be extended as required.

Statistical information on the number, nature, and type of reports will be maintained by the College. The Administrator of the Sexual Violence Prevention Policy will file reports annually. This information may be shared with the Ministry of Advanced Education and Skills Development in accordance with Schedule 3, section 17.7 of Bill 132 *Sexual Violence and Harassment Action Plan Act (Supporting Survivors and Challenging Sexual Violence and Harassment)*, 2016.

## 7.0 – Possible Sanctions

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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 the appropriate Administrator of the Sexual Assault and Sexual Violence Policy. It is possible for a Complainant to request a mediation or restorative process, including a grievance under a collective bargaining agreement for employees who are members of a collective bargaining unit. To do so, they must make this known to the Case Manager.

Sanctions and remedies applied based on findings outlined in this Procedure and its linked Policy will consider the outcome(s) requested by the Complainant.

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

- a) The seriousness/severity of the incident(s)
- b) The documented history of the Respondent (or the Complainant in the case of vexatious reports) regarding related issues or incidents.

### 7.1 – Possible sanctions for students include:

- a) **Written Reprimand:** a formal letter to the student who has been found by investigation to have conducted some form of Sexual Violence 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 that, if violated, may be cause for more severe disciplinary action within a specific period of time. Access to resources within the College that students can access for assistance will be provided.
- b) **Behaviour Contract:** a written agreement between the College and the student which specifies certain behaviours with which the student agrees they will comply. A Behaviour Contract typically limits 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 specific period of time. Suspension will normally include exclusion from the campus and property belonging to the College for the stated period of time. Any sanction calling for the suspension of the student for more than five days must be approved by the Executive Vice President, Academic and Student Experience. Readmission may be sought under conditions established with the student by the College at the time of suspension. Readmission conditions will be documented in writing to 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 Executive Vice-President, Academic and Student Experience.

### 7.2 – Adherence to Sanctions

Failure to adhere to imposed sanctions means the student will face further disciplinary action, including and up to expulsion from the College and will forfeit any refunds of tuition fees or any other payments in accordance with College policies.

### 7.3 – Response – When an employee is involved

Where a report of Sexual Misconduct is substantiated and the Respondent is an employee, there will be disciplinary consequences up to and including termination of employment. Where

an employee receiving sanctions is a member of a collective bargaining unit, all sanctions will be applied in accordance with the appropriate collective bargaining agreement associated with the employee's position.

#### **7.4 – Response – When the Respondent is not a student or an employee**

Contractors, suppliers, volunteers, or visitors who attend campus will be subject to complaints if they engage in conduct that is found to violate the Sexual Violence Prevention Policy. Where a complaint against the Respondent is substantiated, the College will take appropriate action.

All contractual relationships with 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, see [College Operating Procedure #3-311 Harassment and Discrimination Prevention and Response](#).

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

#### **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:

- a) Ensure that the Complainant and Respondent are provided with reasonable updates about the status of the College's process, when a process is undertaken;
- b) 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; and
- c) Ensure designated employees respond in a prompt, compassionate and personalized fashion.

### **8.0 – Training**

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**8.1** – The College will ensure that the Policy and this Procedure are made available to any existing and new members of the College. The full document will be posted on the Fleming website.

**8.2** – The College will provide training to all employees regarding the Policy and this Procedure, and will ensure that those persons with managing, supervising, and leadership responsibilities are aware of their obligations under the Policy and this Procedure and can capably implement its requirements. Training content will be tailored to the audience and relevant to their roles and responsibilities in responding to and addressing Sexual Violence.

**8.3** – The College will provide training to employees and student groups on the process for responding to and addressing incidents of Sexual Violence, including specifics on bystander intervention.

**8.5** – Other resources and supports are available at [Fleming College's Sexual Violence Support Services website](#).

## **9.0 – Related Documents**

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- *Ministry of Training, Colleges and Universities Act*, R.S.O. 1990, c. M.19
- *Occupational Health and Safety Act*, R.S.O. 1990, C. O.1
- *Ontario Human Rights Code* R.S.O. 1990, C. H.19
- *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 #1-110, *Honouring the Rights of Indigenous Peoples*
- College Policy #3-311, Harassment and Discrimination Prevention
- College Policy #3-343, Sexual Violence Prevention
- College Policy #4-412, Safety
- College Policy #4-420, Violence Prevention
- College Policy #5-506, Student Rights and Responsibilities
- College Policy #6-601, Information and Communication Technology Appropriate Use Policy
- College Policy #6-603, College Data Record Retention and Disposition
- College Operating Procedure #3-311, Harassment and Discrimination Prevention
- College Operating Procedure #4-420 OP, Violence Prevention
- College Operating Procedure #5-506 OP, Student Rights and Responsibilities
- Academic Collective Agreement
- Support Staff Collective Agreements
- Residence Community Standards (In Student Handbook)

## **10.0 – History of Amendments and Reviews**

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<b>Date</b>	<b>Actions</b>
March 2016	Original policy approved by Board of Governors Framework endorsed by Committee of Presidents
August 2016	Reviewed and updated in accordance with updated legislation
December 2016	Policy Renamed
September 2019	Statutory review per legislation
May 2023	Reviewed and updated to align with updated legislation