



## Ontario Career College Sexual Violence and Harassment Policy

Revision as per Bill 132 as Amended – August 13<sup>th</sup> 2024

### **1. Policy Application**

The Policy applies to all PCC students of the Brantford Flying Club.

### **2. The Scope**

The Policy applies to complaints of sexual violence that have occurred at the Brantford Flying Clubs PCC training facility and events, and involve our students.

If there are conflicts between this policy and the BFC expulsion policy, this policy will prevail.

### **3. Purpose and Intent**

The Brantford Flying Club's PCC students have a right to study in an environment free of sexual violence.

This document sets out our policy on sexual violence involving PCC students, defines the prohibited behaviours, and outlines our investigative processes for sexual violence.

### **4. Policy Objectives**

The Brantford Flying Club is committed to providing our students with an educational environment free from sexual violence and treating those students who report incidents of sexual violence with dignity and respect.

To that end the Brantford Flying Club will provide a copy of the policy to our students, and educate them together with our PCC management, employees and contractors about this Policy and how to identify situations that involve, or could progress into sexual violence against our students and how to reduce it.

Where a complaint has been made, under this Policy, of sexual violence the Brantford Flying Club will take all reasonable steps to investigate it, including as follows:

- [a] providing training facility investigation procedures to students for sexual violence complaints;
- [b] responding promptly to any complaint and providing reasonable updates to the complainant and the respondent about the status of the investigation;
- [c] assisting students who have experienced sexual violence in obtaining counselling and medical care;
- [d] providing students who have experienced sexual violence with appropriate academic and other accommodation; and
- [e] providing students who have experienced sexual violence with information about reporting options as set out in Appendix 1.
- [f] In order to obtain the supports and services referred to in this policy, a student is not required to report an incident or make a complaint about sexual violence.

## **5. Definition of Sexual Violence**

This Policy prohibits sexual violence which means any sexual act or act targeting a person's sexuality, gender identity or gender expression whether the act is physical or psychological in nature that is committed, threatened or attempted against a person without the person's consent, and includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism and sexual exploitation.

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

Students, faculty and staff of Brantford Flying Club will take all reasonable steps to prevent sexual violence involving our students at our training facility or events by reporting immediately to the Brantford Flying Club if our students have been subject to, or they have witnessed or have knowledge of sexual violence involving our students, or have reason to believe that sexual violence has occurred or may occur which involves our students.

Subject to section 7, to the extent it is possible, Brantford Flying Club's CFI will attempt to keep all information disclosed confidential except in those circumstances they believe an individual is at imminent risk of self-harm, or of harming another, or there are reasonable grounds to believe that others at our training facility or the broader community are at risk.

Once Brantford Flying Club has received a report of sexual violence, appropriate support and other resources will be offered to the person who has experienced sexual

violence, as well as to any person or group against whom an allegation of sexual violence is made.

If a student, in good faith, reports an incident of or makes a complaint about sexual violence, they will not be subject to discipline or sanctions for violations of the career colleges policies related to drug or alcohol use at the time the alleged sexual violence occurred.

Brantford Flying Club recognizes the right of the complainant to determine how her or his complaint will be dealt with. However, in certain circumstances, Brantford Flying Club 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 training facility or the broader community is at risk.

A complainant seeking accommodation should contact Brantford Flying Club's CFI.

## **7. Investigating Reports of Sexual Violence**

A complaint of sexual violence may be filed under this Policy, by any student of our PCC, to the Brantford Flying Club's CFI in writing.

A complainant may ask another person to be present during every stage of the investigation.

Upon a complaint of alleged sexual violence being made, the Brantford Flying Club's CFI will initiate an investigation, including the follow:

- [a] determining whether the incident should be referred immediately to police;
- [b] determining what interim measures, if any, need to be taken during the investigation, ie. schedule adjustments, etc;
- [c] meeting with the complainant to determine the date and time of the incident, the persons involved, the names of any person who witnessed the incident and a complete description of what occurred;
- [d] interviewing the complainant, any person involved in the incident and any identified witnesses;
- [e] During the investigation process, students who disclose their experience of sexual violence will not be asked irrelevant questions by BFC staff or investigators, including questions relating to the students sexual expression or past sexual history;
- [f] interviewing any other person who may have knowledge of incidents related to the complaint or any other similar incidents;

- [g] informing the respondent of the complainant, providing details of the allegations and giving the respondent an opportunity to respond to those allegations;
- [h] providing reasonable updates to the complaint and the respondent about the status of the investigation; and
- [i] determining what disciplinary action, if any, should be taken;
- [j] the complainant may choose not to request an investigation by Brantford Flying Club and has the right to not participate in any investigation that may occur.

## **8. Disciplinary Measures**

If it is determined by Brantford Flying Club that a student of our PCC has been involved in sexual violence, immediate disciplinary or corrective action will be taken up to and including termination of employment of instructors or staff or expulsion of a student.

In cases where criminal proceedings are initiated, Brantford Flying Club will assist police agencies, lawyers, insurance companies, and courts to the fullest extent.

Where criminal and/or civil proceedings are commenced of allegations of sexual violence, Brantford Flying Club may conduct its own independent investigation and make its own determination in accordance with its own policies and procedures.

## **9. Confidentiality**

Confidentiality is an important principal in creating an environment where those who have experienced sexual violence feel safe to disclose and seek support and accommodation. The privacy and confidentiality of all members of Brantford Flying Club's community involved in any complaint, will be protected to the extent possible, but may be precluded where an individual may be at risk of self-harm or harming another, reporting is required by law or when Brantford Flying Club has an obligation to investigate.

## **10. Making False Statements**

It is a violation of this Policy for anyone to knowingly make a false complaint of sexual violence or to provide false information about a complaint. Individuals who violate this Policy are subject to disciplinary and / or corrective action, up to and including termination of employment of instructors or staff or expulsion of a student.

## **11. Reprisal**

It is a violation of this Policy to retaliate or threaten to retaliate against a complainant who has brought forward a complaint of sexual violence, provided information related to a complaint, or otherwise been involved in the complaint investigation process.

Measures taken to protect against retaliation may include protecting anonymity, adjusting schedules, contacting police, etc.

## **12. Appeal Process**

### **[a] Right to Appeal**

The accused party has the right to appeal any decision made by the college regarding findings of responsibility or disciplinary actions imposed following an investigation into an allegation of sexual violence. The appeal must be based on one or more of the following grounds:

- A procedural error occurred during the investigation or adjudication process that significantly affected the outcome.
- New evidence has come to light that was not reasonably available during the investigation and that could materially affect the outcome.
- The sanctions imposed are disproportionate to the severity of the violation.

### **[b] Filing an Appeal**

- Notice of Appeal: The accused party must submit a written notice of appeal within 7 days of receiving the final decision. The notice should clearly state the grounds for the appeal and include any supporting documentation or evidence.
- Submission to: The notice of appeal should be submitted to the CFI

### **[c] Review of Appeal**

- Initial Review: Upon receipt of the notice of appeal, the CFI will conduct an initial review to determine if the appeal meets the criteria for further consideration.
- If the appeal is accepted for further review, it will be forwarded to the board of directors. The board of directors will review the case, including the grounds for appeal, the evidence presented, and the original decision.

### **[d] Hearing**

- Format: The board of directors may choose to conduct a hearing, which may be in-person, virtual, or based on written submissions. Both the accused party and the complainant will have the opportunity to present their positions.
- Representation: Both parties have the right to be accompanied by a support person or advisor during the hearing, but legal representation may be limited based on college policy.
- Confidentiality: The hearing process will maintain the confidentiality of all parties to the fullest extent possible, in accordance with applicable laws and college policies.

#### [e] Decision on Appeal

- Outcome: After reviewing the appeal, the board of directors will issue a written decision, which may:
  - Uphold the original decision and sanctions.
  - Overturn the original decision.
  - Modify the sanctions imposed.
  - Remand the case for further investigation or a new hearing.
- Finality: The decision of the board of directors is final and binding, with no further appeal available within the college.

#### [f] Communication of Decision

The accused party and the complainant will be notified in writing of the outcome of the appeal, including the reasons for the decision, within 7 days of the board of director's final determination.

#### [g] Record of Appeal

All documentation related to the appeal, including the final decision, will be maintained in a confidential file by the college in accordance with its record-keeping policies and applicable privacy laws.

### **13. Training**

This policy is accessible on the Brantford Flying Club's website and will be made available to all corporate directors, controlling shareholders, owners, partners and other persons who direct the affairs of the career college, and their agents. It will also be made available to all instructors, staff, or other employees and contractors, and all students enrolled at the PCC.

The CFI is able to provide any clarification on this policy if needed.

#### **14. Review**

This policy will be reviewed 3 years after it is first implemented. Brantford Flying Club shall ensure that student input is considered, in accordance with any regulations, every time the policy is renewed or amended.

#### **15. Maintenance of Statistics**

Brantford Flying Club will maintain annual statistics, without identifying information, on disclosed and reported incidents of sexual violence on campus in accordance with Ontario Career Colleges Act and provincial regulations.

#### **16. Collection of Student Data**

Brantford Flying Club shall collect and be prepared to provide upon request by the Superintendent of Ontario Career Colleges such data and information as required according to Subsections 32.3 (8), (9) and (10) of Schedule 5 of the Ontario Career Colleges Act, 2005 as amended.

#### **17. Resources**

Appendix 1 lists provincial crisis centres.

## **Appendix 1**

Assaulted Women's Helpline

Toll Free: 1-866-863-0511

#SAFE (#7233) on Bell, Rogers, Fido or Telus mobile

TTY: 416-364-8762

[www.awhl.org](http://www.awhl.org)

Français

Fem'aide

Telephone toll-free: 1-877-336-2433

ATS: 1 866 860-7082

[www.femaide.ca](http://www.femaide.ca)

Sexual Assault/Domestic Violence Treatment Centres

Alliston, Barrie, Collingwood, Midland and Orillia

Huronian Transition Homes operates La Maison Rosewood Shelter (Midland) & Athena's Sexual Assault Counselling and Advocacy Centre

24 hour crisis line:

Barrie: 705-737-2008 or 1-800-987-0799

Midland: 705-526-4211 or 1-800-461-175

Office: 705-526-3221

[www.huroniatrtransitionhomes.ca](http://www.huroniatrtransitionhomes.ca)

Belleville

Sexual Assault Centre for Quinte and District

Toll-Free: 1-877-544-6424

Office: 613-967-6300

[www.sacqd.com](http://www.sacqd.com)

Bracebridge

Muskoka/Parry Sound Sexual Assault Services

Parry Sound District Office

Office: (705) 774-9083 or 1-877-851-6662

[www.daphnewymn.com](http://www.daphnewymn.com)

Muskoka District Office

Office: (705) 646-2122 or 1-877-406-1268

[www.daphnewymn.com](http://www.daphnewymn.com)

Brantford

Sexual Assault Centre of Brantford

Crisis: 519-751-3471

Office: 519-751-1164

[sexualassaultcentre@sacbrant.ca](mailto:sexualassaultcentre@sacbrant.ca)

<http://sacbrant.ca/>

Brockville

Assault Response & Care Centre

Office: (613) 345-3881 or 1-800-567-7415

[arcc@bgh-on.ca](mailto:arcc@bgh-on.ca)

[www.arc-c.ca](http://www.arc-c.ca)

Chatham

Chatham-Kent Sexual Assault Crisis Centre

24 Hour Crisis Line: 519-354-8688

Office/TTY: 519-354-8908

<http://cksacc.org/>

Cornwall

Sexual Assault Support Services for Women

Office: 613-932-1755

<http://sassforwomen.ca/>

Iethinisten:ha Women's Shelter

Akwesasne Family Violence Program.

24 Hour Crisis: 1-800-480-4208

Phone: 613-937-4322

[www.akwesasne.ca/iethinistenha-women's-shelter](http://www.akwesasne.ca/iethinistenha-women's-shelter)

Durham Region

Durham Rape Crisis Centre

Crisis: 905-668-9200

Office: 905-444-9672

[info@drcc.ca](mailto:info@drcc.ca)

[www.drcc.ca](http://www.drcc.ca)

Eganville

Women's Sexual Assault Centre of Renfrew County

24 hour crisis: 1-800-663-3060

Office: 613-735-5551

[www.wsac.ca](http://www.wsac.ca)

Guelph

Guelph-Wellington Women in Crisis

Crisis: 519-836-5710

1-800-265-7233

Office: 519-823-5806

[www.gwwomenincrisis.org](http://www.gwwomenincrisis.org)

Hamilton

Sexual Assault Centre (Hamilton and Area)

Crisis: (905) 525-4162

Office: (905) 525-4573

TTY: 905-525-4592

[www.sacha.ca](http://www.sacha.ca)

Kenora

Kenora Sexual Assault Centre

Crisis: (807) 468-7233 or 1-800-565-6161

Office: (807) 468- 7958

[www.kenoralsexualassaultcentre.com](http://www.kenoralsexualassaultcentre.com)

Kingston

Sexual Assault Centre Kingston

Crisis: 613-544-6424 or 1-877-544-6424

Office: 613-545-0762

[sack@sackington.com](mailto:sack@sackington.com)

[www.sackington.com](http://www.sackington.com)

Kitchener-Waterloo

Sexual Assault Support Centre of Waterloo Region

Crisis: 519-741-8633

Office: 519-571-0121

[info@sascwr.org](mailto:info@sascwr.org)

[www.sascwr.org](http://www.sascwr.org)

London

Sexual Assault Centre London

Crisis: 519-642-3000

Office: 519-439-0844

TTY: 519-439-0690

[sacl@sacl.ca](mailto:sacl@sacl.ca)

[www.sacl.ca](http://www.sacl.ca)

London Abused Women's Centre

Office: 519-432-2204

E-Mail: [info@lawc.on.ca](mailto:info@lawc.on.ca)

<http://lawc.on.ca/>

Peel Region

Hope 24/7 (formerly the sexual Assault/Rape Crisis Centre of Peel)

Crisis: 1-800-810-0180

Office: (905) 792-0821

<http://hope247.ca/>

Newmarket

Women's Support Network of York Region

Crisis: 1-800-263-6734 or 905-895-7313

Office: (905) 895-3646

[www.womenssupportnetwork.ca](http://www.womenssupportnetwork.ca)

## North Bay

Amelia Rising Women's Sexual Assault Centre of Nippising/centre d'agressions sexuelles de nippising

Crisis: 705-476-3355

Office: 705-840-2403

[info@ameliarising.ca](mailto:info@ameliarising.ca)

[www.ameliarising.ca](http://www.ameliarising.ca)

## Oakville

Sexual Assault & Violence Intervention Services of Halton

Crisis: 905-875-1555 or 1-877-268-8416

Office: 905-825-3622

Text: 905-691-4873

[www.savisofhalton.org](http://www.savisofhalton.org)

## Orangeville

Family Transition Place

Crisis: 1-800-265-9178

Office: 519-942-4122

[www.familytransitionplace.ca](http://www.familytransitionplace.ca)

## Ottawa

Sexual Assault Support Centre

Crisis: 613-234-2266

Phone: 613-725-2160

TTY: 613-725-1657

[info@sascottawa.com](mailto:info@sascottawa.com)   <http://sascottawa.com>

Ottawa Rape Crisis Centre

Crisis: 613-562-2333

Office: 613-562-2334

<http://orcc.net/>

Email: [sakinna@orcc.net](mailto:sakinna@orcc.net)

Peterborough & Kawarthas

Kawartha Sexual Assault Centre

Crisis: (705) 741-0260 or 1-866-298-7778

Office/TTY: (705) 741-0260

[www.kawarthasexualassaultcentre.com](http://www.kawarthasexualassaultcentre.com)

Email: [ksac@nexicom.net](mailto:ksac@nexicom.net)

YWCA Peterborough Haliburton

Crisis: 1-800-461-7656

Office: 705-743-3526 x 130

Text: 705-991-0110

[www.ywcapeterborough.org](http://www.ywcapeterborough.org)

Sault Ste. Marie

Women in Crisis (Algoma) Inc.

Crisis: 705-759-1230 or 1-877-759-1230

[www.womenincrisis.ca](http://www.womenincrisis.ca)

Sarnia-Lambton

Sexual Assault Survivors Centre Sarnia-Lambton

Crisis: 519-337-3320 or 1-888-231-0536

Office: (519) 337-3154

[www.sexualassaultsarnia.ca](http://www.sexualassaultsarnia.ca)

Simcoe

Haldimand & Norfolk Women's Service

Crisis: 1-800-265-8076

TTY: 1-800-815-6419

Office: 519-426-8048

[hnws@hnws.on.ca](mailto:hnws@hnws.on.ca)

[www.hnws.on.ca](http://www.hnws.on.ca)

St. Catharines

Niagara Region Sexual Assault Centre

Crisis: (905) 682-4584

Office: (905) 682-7258

[carsa@sexualassaultniagara.org](mailto:carsa@sexualassaultniagara.org)

<http://sexualassaultniagara.org/>

Thunder Bay

Thunder Bay Sexual Assault and Sexual Abuse Crisis and Counselling Centre

Office: (807) 345-0894

[tbcounselling@tbsasa.org](mailto:tbcounselling@tbsasa.org)

[www.tbsasa.org](http://www.tbsasa.org)

Timmins

Timmins and Area Women in Crisis

Crisis: 1-877-268-8380 (sexual assault)

Crisis: 1-855-827-7233 (shelter)

Office: (705) 268-8381

[info@tawc.ca](mailto:info@tawc.ca)

<http://www.tawc.ca/>

Toronto

Oasis Centre des Femmes

Téléphone: 416-591-6565

Courriel: [services@oasisfemmes.org](mailto:services@oasisfemmes.org)

<http://oasisfemmes.org/>

Toronto Rape Crisis Centre: Multicultural Women Against Rape

Crisis: 416-597-8808

Office: 416-597-1171

[info@trccmwar.ca](mailto:info@trccmwar.ca)

[crisis@trccmwar.ca](mailto:crisis@trccmwar.ca)

[www.trccmwar.ca](http://www.trccmwar.ca)

Windsor:

Sexual Assault Crisis Centre of Essex County

Crisis: 519-253-9667

Office: 519-253-3100

[www.saccwindsor.net](http://www.saccwindsor.net)

Woodstock

Domestic Abuse Services Oxford

Crisis: 519 539-4811 or 1-800-265-1938

Text: 519-788-9993

[info@daso.ca](mailto:info@daso.ca)    [www.daso.ca](http://www.daso.ca)