

Foundation for Montessori Education (FME)

Sexual Violence and Sexual Harassment Policy

In accordance with the regulations under the Private Career Colleges Act, 2015

1. **Policy Application**

The Policy applies to all members of FME's community including students, staff, faculty, administrators, contract service providers, contractors, officers, directors and individuals who are directly connected to any of FME's initiatives, volunteers and visitors.

2. **The Scope**

The Policy applies to complaints of sexual violence or sexual harassment that have occurred on the FME campus or at an FME event and involve members of the career college community as defined in paragraph one, the Policy Application.

3. **Purpose and Intent**

All members of FME's community have a right to study and work in an environment free of sexual violence and sexual harassment. This document sets out our policy on sexual violence and sexual harassment, defines the prohibited behaviours, and outlines our investigative processes for sexual violence and sexual harassment.

4. **Policy Objectives**

FME is committed to providing members of our career college community an educational environment free from sexual violence and sexual harassment and treating those individuals who report incidents of sexual violence or sexual harassment with dignity and respect. To that end FME will provide a copy of the policy to our students, and educate and train faculty, staff and students about this Policy. We will also educate them in 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 or sexual harassment FME will take all reasonable steps to investigate it, including as follows:

- responding promptly to any complaint and providing reasonable updates to the complainant and the respondent about the status of the investigation;
- assisting those who have experienced sexual violence or sexual harassment in obtaining counselling and medical care;
- providing those who have experienced sexual violence or sexual harassment with appropriate academic and other accommodation;

- providing those who have experienced sexual violence or sexual harassment with information about reporting options; and
- providing on-campus investigation procedures for sexual violence and sexual harassment complaints

This sexual violence and sexual harassment policy considers student input to be an important aspect of the development of the policy and also in any review or amendment that will take place from time to time. This will be done through meetings and written communication with students who volunteer to participate in the process.

Definition of Sexual Misconduct

This Policy prohibits sexual misconduct, which includes sexual violence and sexual harassment.

Sexual Violence, without limiting the generality of the foregoing, includes:

- sexual assault which is any type of an unwanted sex act done by one person to another, without that person's consent, that violates the sexual integrity of an individual ranging from unwanted touching to penetration;
- any violence, physical or psychological, carried out through sexual means or by targeting sexuality, including sexual abuse; and
- criminal harassment (including stalking and cyber bullying)

Sexual Harassment, without limiting the generality of the foregoing, includes:

Any course of vexatious comment or conduct of a sexual nature that is known or ought reasonably to have been known to be unwelcome, including:

- offensive jokes or comments of a sexual nature;
- displaying of pornographic or sexist pictures or materials, including online;
- suggestive or offensive remarks;
- unwelcome language related to gender;
- remarks, jokes, innuendoes, propositions, or taunting about a person's body, attire, sex or sexual orientation;
- leering or inappropriate staring;
- bragging about sexual prowess;
- physical contact such as touching, patting, or pinching, with an underlying sexual connotation; and
- sexual solicitation or advance made by a person in a position to confer, grant or deny a benefit or advancement to the person where the person making the solicitation or advance knows or ought reasonably to know that it is unwelcome

Reporting and Responding to Sexual Violence

All members of our career college community will take all reasonable steps to prevent sexual violence on our career college campus, or at FME events, and report immediately to the FME Administrator if they are subject to, witness or have knowledge of sexual violence, or have reason to believe that sexual violence has occurred or may occur. To the extent it is possible FME's Administrator will attempt to keep all information disclosed confidential except in those circumstances it believes an individual is at imminent risk of self-harm, or of harming another, or there are reasonable grounds to believe that others in the FME community are at risk. FME recognizes the right of the complainant to determine whether her or his complaint will be dealt with by the police and/or FME. However, in certain circumstances, FME 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 community are at risk. At all times, FME will do its best to appropriately accommodate the needs of students affected by sexual violence at no cost to the student. In addition, FME community members should be aware that a formal report of an incident of sexual violence is not necessary to access supports, services, or accommodations.

If students, in good faith, report an incident of, or make a complaint about, sexual violence, they will not be subject to discipline or sanctions for violations of the any FME policies relating to drug or alcohol use at the time the alleged sexual violence occurred.

Students who disclose their experience of sexual violence through reporting an incident of, making a complaint about, or accessing supports and services for sexual violence, will not be asked irrelevant questions during the investigation process by FME's staff or investigators, including irrelevant questions relating to the student's sexual expression or past sexual history.

Investigating Reports of Sexual Harassment

If a member of the FME community believes she/he has been sexually harassed by a member of our community, she/he may confront the harasser personally or in writing pointing out the unwelcome behaviour and requesting that it stop; or report the complaint to FME's Administrator in writing. A complaint of sexual violence may be filed under this Policy, by any member of FME's community, to the FME Administrator in writing. Upon a complaint of alleged sexual harassment being made to FME's Administrator, the Administrator will initiate an investigation, including as follows:

- determining whether the incident should be referred immediately to police;

- 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;
- interviewing the complainant, any person involved in the incident and any identified witnesses;
- interviewing any other person who may have knowledge of incidents related to the complaint or any other similar incidents;
- informing the respondent of the complaint, providing details of the allegations and giving the individual an opportunity to respond to those allegations;
- providing reasonable updates to the complainant and the respondent about the status of the investigation; and
- determining what disciplinary action, if any, should be taken

Disciplinary Measures

If it is determined by FME that a member of our community has been involved in sexual violence or sexual harassment of a member of our community, immediate disciplinary or corrective action will be taken up to and including termination of employment or expulsion of a student. In cases where criminal proceedings are initiated, FME will assist police agencies, lawyers, insurance companies, and courts to the fullest extent. Where criminal and/or civil proceedings are commenced in respect of allegations of sexual violence or sexual harassment, FME may conduct its own independent investigation and make its own determination in accordance with its own policies and procedures.

Making False Statements

It is a violation of this Policy for anyone to knowingly make a false complaint of sexual violence or sexual harassment 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 or expulsion.

Reprisal

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

Right to Withdraw a Complaint

A complainant has the right to withdraw a complaint at any stage of the process. However FME may

continue to act on the issue identified in the complaint in order to comply with its obligation under this Policy and/or its legal obligations.

Review

This policy will be reviewed at least once every three years and will be amended as appropriate.

Collection of Student Data

The Foundation for Montessori Education shall collect and be prepared to provide upon written request by the Superintendent of Private Career Colleges such data and information as required according to subsection 32.3 (8), (9) and (10) of Schedule 5 of the private Career Colleges Act, 2005 as amended such as:

- The number of times supports, services and accommodation relating to sexual violence are requested and obtained by students,
- Any initiatives and programs to promote awareness of supports and services available to students,
- The number of incidents and complaints of sexual violence reported by students, and
- The implementation and effectiveness of its sexual violence policy.

FME will ensure that the information provided to the Superintendent does not include personal information within the meaning of the Freedom of Information and Protection of Privacy Act, and to conduct a survey of its students relating to sexual violence as directed by the Superintendent and to disclose the results of the survey to the Superintendent.

Training

Training will be made available to staff, students, faculty and directors at the beginning of each academic year.

Resources

Appendix 1 lists provincial sexual violence and harassment centres which could be provided as resources.ⁱ

Appendix 1

SEXUAL ASSAULT CENTRES (ONTARIO)

Region in Ontario	Sexual Assault Centre	24-hr Crisis Line	Office Phone Number
Algoma (Sault Ste. Marie)	Women In Crisis Algoma	1-877-759-1230	705-759-1230
Belleville-Quinte	Sexual Assault Centre for Quinte & District	1-877-544-6424	613-967-6300
Brant	Sexual Assault Centre of Brant	519-751-3471	519-751-1164
Bruce County	Women's House Serving Bruce and Grey: Sexual Assault Services	1-866-578-5566	519-372-1113
Chatham-Kent	Chatham-Kent Sexual Assault Crisis Centre	519-354-8688	519-354-8908
Cornwall	Sexual Assault Support Services for Women, Cornwall	English: 613-932-1603 French: 613-932-1705	613-932-1755
Durham	Durham Rape Crisis Centre	905-668-9200	905-444.9672
East Algoma (Elliott Lake)	Counselling Centre of East Algoma	1-800-721-0077	705-848-2585
Guelph-Wellington	Guelph-Wellington Women in Crisis	519-836-5710 1-800-265-7233	519-836-1110
Halton (Oakville)	Sexual Assault & Violence Intervention Services of Halton	905-875-1555	906-825-3622
Hamilton	Sexual Assault Centre Hamilton & Area (SACHA)	905-525-4162	905-525-4573

Kawartha (Peterborough & Area)	<u>Kawartha Sexual Assault Centre</u>	705-741-0260	705-748-5901
Kenora	<u>Kenora Sexual Assault Centre</u>	807-468-7233 1-800-565-6161	807-468-7958
Kingston	<u>Sexual Assault Centre Kingston</u>	613-544-6424 1-877-544-6424	613-545-0762
Waterloo	<u>Sexual Assault Support Centre of Waterloo Region</u>	519-741-8633	519-571-0121
London-Middlesex	<u>Sexual Assault Centre London</u>	519-438-2272 1-877-529-2272	519-439-0844
Muskoka Parry Sound	<u>Muskoka Parry Sound Sexual Assault Services</u>	1-800-461-2929	Parry Sound: 705-774-9083 Toll free: 1-877- 851-6662 Muskoka: 1 877 406-1268
Niagara	<u>Niagara Region Sexual Assault Centre</u>	905-682-4584	905-682-7258
Nipissing	<u>Amelia Rising Sexual Assault Centre of Nipissing</u>	705-476-3355	705-840-2403
Oshawa-Durham	<u>Oshawa-Durham Rape Crisis Centre</u>	905-668-9200	905-444-9672
Ottawa SASC	<u>Sexual Assault Support Centre of Ottawa</u>	613-234-2266	613-725-2160
Ottawa RCC	<u>Ottawa Rape Crisis Centre</u>	613-562-2333	613-562-2334
Peel	<u>Hope 24/7: Sexual Assault Centre of Peel</u>	1-800-810-0180	905-792-0821

Renfrew	<u>Women's Sexual Assault Centre of Renfrew County</u>	1-800-663-3060	613-735 – 5551
Sarnia-Lambton	<u>Sexual Assault Survivors' Centre Sarnia-Lambton</u>	519-337-3320	519-337-3154
Simcoe	<u>Athena's Sexual Assault Services</u>	705-737-2008 1-800-987-0799	705-737-2884
Sudbury	<u>Voices for Women Sudbury</u>		705-523-7100 ext. 2647
Thunder Bay	<u>Thunder Bay Sexual Abuse & Sexual Assault Counselling & Crisis Centre</u>	807-344-4502	807-345-0894
Timmins	<u>Timmins and Area Women in Crisis</u>	1-877-268-8380	705-268-8381
Toronto	<u>Toronto Rape Crisis Centre</u>	(416) 597-8808	416-597-1171
Windsor-Essex	<u>Sexual Assault Crisis Centre of Essex County</u>	519-253-9667	519-253-3100
York	<u>Women's Support Network of York Region</u>	1-800-263-6734 905-895-7313	905-895-3646

Other Resources and Supports Available to You

Good to Talk

Post-Secondary Student Helpline– Free 24/7/365 professional, anonymous support for students

1-866-925-5454

<http://www.good2talk.ca/>

Student Lifeline

Professional support for maintaining a healthy balance between school, work and everyday life.
Confidential consultations, counselling, community referrals, resources (articles, CD's, booklets), and
online tools (blogs, podcasts, Depression and Stop Smoking Centres) 1-877-418-1537
Tty/tdd 1-877-371-9978
LifeWorks.com

Pour le support francophone aux femmes victimes d'agression sexuelle:

CALACS (Francophone Sexual Assault Centres) in Ontario

Centre Passerelle pour femmes: CALACS du Nord de l'Ontario
C.P. 849 Timmins (Ontario) P4N 7G7
705 360-5657 www.centrepasserelle.ca

Centre francophone d'aide et de lutte contre les agressions à caractère sexuel d'Ottawa

www.calacs.ca
40, rue Cobourg
Ottawa (Ontario) K1N 8Z6
613 789-8096 calacs@calacs.ca

Centre Novas : Centre francophone d'aide et de lutte contre les agressions à caractère sexuel de Prescott-Russell

C.P. 410
Casselman (ON) K0A 1M0
613 764-5700
1 866 772-9922 poste 221 www.centrenovas.ca
administration@centrenovas.ca

Carrefour des femmes du Sud-Ouest de l'Ontario: CALACS de la région du Sud-Ouest

Casier Postal 774, London (ON) N6A 4Y8
519 858-0954
1 888 858-0954 www.carrefourfemmes.on.ca
bienvenue@carrefourfemmes.on.ca

Centre Victoria pour femmes

www.centrevictoria.ca
C.P. 308
Sudbury (ON) P3E 4P2
705 670-2517
info@centrevictoria.ca

Centr'Elles, centre des Femmes Francophones du Nord-Ouest de l'Ontario

P.O. Box 26058
Thunder Bay (Ontario)
P7B 0B2
807 684-1955 www.centrelles.com
1 888 415-4156
admin@centrelles.com

Oasis Centre des femmes

465 Yonge Street PO Box 73022 Wood Street PO Toronto ON M4Y 2W5
Toronto
416 591-6565 www.oasisfemmes.org
services@oasisfemmes.org

Colibri – Centre des femmes francophones du comté de Simcoe

80, rue Bradford, bureau 340
Barrie (ON) L4N 6S7
Barrie
705 797-2060 www.centrecolibri.ca
1 877 797-2050
admin@centrecolibri.ca

Centre de santé communautaire Hamilton/Niagara – Espace entre Elles

1320 rue Barton Est
Hamilton (Ontario) L8H 2W1
905 528-0163
1 866 437-7606 www.centredesantecommunautaire.com
cschn@cschn.ca

Pour le support francophone aux femmes victimes d'agression sexuelle, se il vous plaît visitez (*for French-language support to women victims of sexual assault, please also visit*): Action ontarienne contre la violence faite aux femmes.

ⁱ **Acknowledgements:**

A number of resources contributed to the development of this document, including the sexual assault policies and procedures from several colleges, PCCs and universities in Ontario, notably, Durham College, Grade Learning, University of Guelph and Lakehead University. The Ontario Women's Directorate resource, "Developing a Response to Sexual Violence: A Resource Guide for Ontario's Colleges and Universities" served as a reference. In addition, the Ontario Coalition of Rape Crisis Centres provided a list of sexual assault centres in Ontario and their hotline numbers.