

SUBJECT**SEXUAL VIOLENCE AND SEXUAL HARASSMENT POLICY****BACKGROUND**

All members of the Northern College community have a right to work and study in an environment that is free from any form of sexual violence and sexual harassment. This policy and its related procedure sets out the way in which the College address sexual violence and sexual harassment. It ensures that those affected by sexual violence and sexual harassment are believed and appropriately accommodated and ensures that the College has a process of investigation that protects the rights of individuals and holds individuals who have committed an act of sexual violence or sexual harassment accountable.

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 and sexual harassment.

POLICY

Sexual violence and sexual harassment are unacceptable and will not be tolerated. The College is committed to preventing sexual violence and sexual harassment and creating a safe space for anyone in our College community who has been affected by sexual violence and sexual harassment.

SCOPE

This Policy applies to all members of the College community including: all employees, governors, students, contractors, suppliers of services, individuals who are directly connected to any College initiatives, volunteers, and visitors.

DEFINITIONS

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 and involves a range of behaviors from any unwanted touching to penetration. Sexual assault is characterized by a broad range of behaviors 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.

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Sexual Violence - A broad term that describes any violence, physical or psychological, carried out through sexual means or by targeting sexuality, gender identity or gender expression. This violence takes different forms including sexual abuse and sexual assault.

Sexual Harassment -

- a) engaging in a course of vexatious comment or conduct against a College Community Member in a college setting, including virtually through the use of information and communications technology, because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known, or ought reasonably to be known, to be unwelcome; or
- b) making a sexual solicitation or advance where the individual making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the College Community Member and the individual knows, or ought reasonably to know, that the solicitation or advance is unwelcome.

PRINCIPLES

All reported incidents of sexual violence and sexual harassment will be investigated to the best of the administration's ability and in a manner that ensures due process. It is this policy's intention to make individuals feel comfortable about making a report in good faith about sexual violence that they have experienced or witnessed.

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

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

Northern College is committed to:

- assisting those who have been affected by sexual violence and sexual harassment by providing choices, including detailed information and support, such as referral to counselling and medical care, information about legal options, and appropriate work, academic and other accommodation;

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- ensuring that those who disclose that they have been sexually assaulted and/or harassed are believed, and that their right to dignity and respect is protected throughout the process of disclosure, investigation, and institutional response;
- addressing harmful attitudes and behaviors (e.g., adhering to myths of sexual violence/harassment) that reinforce that the person who experienced sexual violence/harassment is somehow to blame for what happened;
- treating individuals who disclose sexual violence/harassment with compassion recognizing that they are the final decision-makers about their own best interests;
- ensuring that on-campus (internal) investigation procedures are available in the case of sexual violence/harassment, even when the individual chooses not to make a report to the police;
- engaging in appropriate procedures for investigation and adjudication of a complaint which are in accordance with College policies, standards and applicable collective agreements, and that ensure fairness and due process;
- ensuring coordination and communication among the various departments who are most likely to be involved in the response to sexual violence/harassment on campus;
- engaging in public education and prevention activities;
- providing information to the College community about the College's sexual violence/harassment policies and protocols;
- providing appropriate education and training to the College community about responding to the disclosure of sexual violence/harassment;
- contributing to the creation of a campus atmosphere in which sexual violence/harassment is not tolerated;
- monitoring and updating policies and procedures to ensure that they remain effective and in line with other existing policies and best practices and;
- informing the complainant and respondent of the results of its investigation in writing.

REFERENCE

HR-9 PR-1 Sexual Violence and Sexual Harassment Procedure

APPROVAL BY PRESIDENT



Mitch Dumas

April 8, 2025

Date

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