

**CARSON DUNLOP  
SEXUAL VIOLENCE AND HARRASSMENT POLICY  
CURRENT AS OF February 2020 (Version #2)**

**Per Regulation 415/06 (Private Career Colleges Act, 2005)**

**Introduction**

**Carson Dunlop** recognises it is the right of every student to be able to learn without being subjected to any form of discrimination, sexual violence or harassment. Equally it is the obligation and responsibility of every student and employee to ensure that the learning environment is free from discrimination, sexual violence and harassment. **Carson Dunlop** is fully committed to its obligations to eliminate discrimination, sexual violence and harassment in student relations.

**Purpose**

The purpose of this document is to outline **Carson Dunlop's** position on discrimination, sexual violence and harassment and to document the process which is to be followed should any grievances arise. This Sexual Violence and Harassment Policy is included in every enrolment contract.

**Definitions**

*Discrimination* is treating an individual with a particular attribute less favourably than an individual without that attribute or with a different attribute under similar circumstances; also, seeking to impose a condition or requirement on a person with an attribute who does not or cannot comply, while people without that attribute do or can comply.

*Harassment* is uninvited, unwelcome behaviour, which does not have any legitimate function. Harassment includes any written, physical, or verbal conduct that from the perspective of a reasonable person is intimidating, offensive or humiliating against another person.

*Sexual violence* 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.

**Complaints Procedures**

Students who believe they are the subject of discrimination or harassment should take firm, positive and prompt action. If deemed appropriate the student should make the perceived harasser(s) aware that they find their behaviour offensive, unwelcome, unacceptable, and that it needs to stop immediately.

If the behaviour continues, or if the student feels unable to speak to the person(s) directly, they should contact the administrator. Alternatively, a student may contact the Director, an instructor or another administrator with whom they feel comfortable. That person will provide support, ascertain the nature of the complaint and the wishes of the complainant. The complainant does not have to request a full formal investigation if they will be satisfied by less formal treatment of the issue.

### **Informal Intervention**

The administrator will explain the student rights and responsibilities under College policy, procedures and Ontario Human Rights anti-discrimination legislation.

Informal Intervention may be done through a process of either mediation or conciliation. During Informal Intervention the respondent will be made aware of the allegations being made against them and given the right to respond.

This procedure will be complete when the alleged harasser respects the individual's request to cease unwanted and unwelcome behaviour. If this does not occur, the formal procedure should be followed.

### **Formal Complaints Procedure**

Proceeding with a formal complaint requires the consent of the person complaining, particularly as witnesses or senior management may become involved. A formal report of an incident of sexual violence is not necessary to access support, services or accommodations. More information on support and services available in Ontario can be found in Appendix A at the end of this document. The formal procedure will be coordinated by the Director who will be guided by the Human Resources Department. The Human Resources Department does not need to know the specific details of the discrimination or harassment case to provide this guidance.

The Director should clarify the complaint and obtain a step by step account of the incident. In serious cases, more than one interview may be necessary.

The Director will document all such interviews accurately and avoid irrelevant information. This will include parties involved, timing, location, and nature of conduct complained against. Records are to be kept and filed in a confidential and secure place. If no confidential area is available these notes may be sealed and forwarded to the Human Resources Department, where they will be maintained, unopened, in a confidential filing system. These records should be kept for a period of seven years. Under no circumstances will records be placed on the complainant's personnel file.

### **The Director will organise an investigation, which in most cases may involve but is not be limited to:**

- a private interview to ascertain the facts and what the complainant expects to happen as a result of making the complaint;
- an interview with the alleged harasser(s) to ascertain their defence;
- interviews with other students or individuals who may be able to assist;
- examination of any relevant documents;
- determination of previous behaviours or issues.

**All evidence should be forwarded to the person conducting the investigation. Such evidence may include:**

- supporting evidence provided by a medical practitioner, counsellor, family member or friend;
- records kept by the person claiming to have been harassed;
- information on whether the evidence was presented by the parties in a credible and consistent manner;
- information on the absence of evidence where it should logically exist.

On completion of the investigation the complainant and the Director will determine a course of action to be taken. In most cases this will involve guidance from the Human Resources Department.

**Possible course of actions may include, but not be limited to, any combination of the following:**

- counselling;
- disciplinary action against the harasser (e.g. demotion, transfer, suspension, probation or dismissal);
- official warnings that are noted in the harasser's student file;
- disciplinary action against the person who complained if there is strong evidence that the complaint was vexatious or malicious;
- formal apologies and undertaking that the behaviour will cease;
- conciliation/mediation conducted by an impartial third party where the parties to the complaint agree to a mutually acceptable resolution;
- reimbursing any costs associated with the discrimination or harassment;
- re-crediting any leave taken as a result of the harassment;

**Outcomes will depend upon factors such as:**

- the severity and frequency of the discrimination or harassment;
- the weight of the evidence;
- the wishes of the person who was subjected to discrimination or harassment;
- whether the harasser could have been expected to know that such behaviour was a breach of policy;
- the level of contrition;
- whether there have been any prior incidents or warnings.

**The Director will advise all relevant parties of the outcome.**

If the investigation determines that discrimination or harassment has occurred, the Director must forward a summary of the complaint and the action taken to the Human Resources Department. A copy may be placed in the respondent's student file by Human Resources, in accordance with Performance Counselling procedures.

**If there is insufficient proof to decide whether or not discrimination or harassment occurred, the Director will:**

- remind those involved of expected standards of conduct;
- conduct further training awareness raising sessions for staff;
- monitor the situation carefully.

The Director will monitor the outcome to ensure that the offensive behaviour has ceased, and that neither party has been victimised. This may involve follow-up interviews. If there has been any substantiated victimisation Disciplinary Procedures will be followed.

## Procedures for Dealing with Criminal Conduct

Some forms of severe harassment, e.g. physical attack, obscene phone calls, may constitute criminal conduct. While **Carson Dunlop** is committed to treat most harassment complaints at a company level as far as possible, this type of conduct is not suited to internal resolution. Such complaints should be treated by the criminal justice system. Students should be advised of the option of police support or intervention. It is not the obligation or duty of the company to report such matters to the police on behalf of the complainant.

## Accommodations

Anyone affected by sexual violence seeking accommodation should contact [training@carsondunlop.com](mailto:training@carsondunlop.com) to notify **Carson Dunlop** that accommodation is needed. The Director will then work with the individual to decide upon the necessary accommodation. The agreed upon accommodation will then be made available to the student at no cost to the individual.

## Review

**Carson Dunlop** will ensure that student input is taken into consideration when developing, reviewing and/or amending the Sexual Violence Policy.

**Carson Dunlop** will review this Sexual Violence Policy at least once every three years and will be amended as appropriate.

## Publication and Training

**Carson Dunlop** is obligated to provide or make available adequate training to all owners, managers, staff and students of the Private Career College and to outline the proper procedures required to address any situation that could contain sexual violence.

This Sexual Violence Policy will be published on our website, available in hardcopy at the Toronto office (120 Carlton Street, Suite 407, Toronto, ON M5A 4K2, and a copy of the policy will be provided to anyone who requests it.

## Collection of Student Data

**Carson Dunlop** will provide information to the Superintendent concerning:

- i. the number of times supports, services, and accommodation relating to sexual violence are requested and obtained by students;
- ii. any initiatives and programs to promote awareness of supports and services available to students and,
- iii. the number of incidents and complaints of sexual violence reported by students, and the implementation and effectiveness of its sexual violence policy.

The information that **Carson Dunlop** provides to the Superintendent does not include personal information within the meaning of the Freedom of Information and Protection of Privacy Act.

## Appendix A - Support and Services

There is help available in the community for students affected by sexual violence. Some resources include:

### Ontario-wide

Canadian Association of Sexual Assault Centres

Toll Free: 1-866-863-0511 or text #SAFE (#7233) on Bell, Rogers, Fido, or Telus mobile

TTY: 416-364-8762

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

### By City

<p><b>Belleville</b> Sexual Assault Centre for Quinte and District Crisis: 1-877-544-6424 Office: 613-967-6300 <a href="http://www.sacqd.com">www.sacqd.com</a></p>	<p><b>Bracebridge</b> Muskoka/Parry Sound Sexual Assault Services Parry Sound District Office Crisis: 1-800-461-2929 Office: 1-877-851-6662 <a href="http://www.daphnewymn.com">www.daphnewymn.com</a></p>	<p><b>Brantford</b> Sexual Assault Centre of Brantford Crisis: 519-751-3471 Office: 519-751-1164 <a href="http://www.sacbrant.ca">www.sacbrant.ca</a></p>
<p><b>Bruce County</b> Women's House Serving Bruce and Grey: Sexual Assault Services Crisis: 1-866-578-5566 Office: 519-372-1113 <a href="http://www.whsbg.on.ca">www.whsbg.on.ca</a></p>	<p><b>Chatham</b> Chatham-Kent Sexual Assault Crisis Centre Crisis: 519-354-8688 Office: 519-354-8908 <a href="https://cksacc.org/">https://cksacc.org/</a></p>	<p><b>Cornwall</b> Sexual Assault Support Services for Women Crisis: 1-877-544-6424 Office: 613-932-1755 <a href="http://sassforwomen.ca/">http://sassforwomen.ca/</a></p>
<p><b>Durham</b> Rape Crisis Centre Crisis: 905-668-9200 Office: 905-444-9672 info@drcc.ca <a href="http://www.drcc.ca">www.drcc.ca</a></p>	<p><b>Guelph</b> Guelph-Wellington Women in Crisis Crisis: 519-836-5710 /1-800-265-7233 Office: 519-823-5806 <a href="http://www.gwwomenincrisis.org">www.gwwomenincrisis.org</a></p>	<p><b>Hamilton</b> Sexual Assault Centre (Hamilton and Area) Crisis: 905-525-4162 Office 905-525-4573 TTY: 905-525-4592 <a href="http://www.sacha.ca">www.sacha.ca</a></p>
<p><b>Kingston</b> Sexual Assault Centre Kingston Crisis: 613-544-6424/1-877-544-6424 Office: 613-545-0762 <a href="mailto:sack@sackington.com">sack@sackington.com</a> <a href="http://www.sackington.com">www.sackington.com</a></p>	<p><b>Kitchener-Waterloo</b> Sexual Assault Support Centre of Waterloo Region Crisis: 519-741-8633 Office: 519-571-0121 <a href="mailto:info@sascwr.org">info@sascwr.org</a> <a href="http://www.kwsasc.org">www.kwsasc.org</a></p>	<p><b>London</b> Sexual Assault Centre London Crisis: 519-438-2272 Office 519-439-0844 TTY: 519-439-0690 <a href="mailto:sacl@sacl.ca">sacl@sacl.ca</a> <a href="http://www.sacl.ca">www.sacl.ca</a></p>
<p><b>Newmarket</b> Women's Support Network of York Region Crisis: 1-800-263-6734/905-895-6734 Office: 905-895-3646 <a href="http://www.womenssupportnetwork.ca">www.womenssupportnetwork.ca</a></p>	<p><b>North Bay</b> Amelia Rising Women's Sexual Assault Centre of Nipissing Crisis: 705-476-3355 Office: 705-840-2403 TTY: (705) 840-5877 <a href="mailto:info@ameliarising.ca">info@ameliarising.ca</a> <a href="http://www.ameliarising.ca">www.ameliarising.ca</a></p>	<p><b>Oakville</b> Sexual Assault &amp; Violence Intervention Services of Halton Crisis: 905-875-1555/1-877-268-8416 Office: 905-825-3622 <a href="http://www.savisofhalton.org">www.savisofhalton.org</a></p>

<p><b>Orangeville</b> Family Transition Place Crisis: 1-800-265-9178 Office: 519-942-4122 <a href="http://www.familytransitionplace.ca">www.familytransitionplace.ca</a></p>	<p><b>Ottawa</b> Sexual Assault Support Centre Crisis: 613-234-2266 Office: 613-725-2160 TTY: 613-725-1657 info@sascottawa.com <a href="http://sascottawa.com">http://sascottawa.com</a></p>	<p><b>Ottawa</b> Rape Crisis Centre Crisis: 613-562-2333 Office: 613-562-2334 <a href="http://orcc.net/">http://orcc.net/</a></p>
<p><b>Peterborough &amp; Kawarthas</b> Kawartha Sexual Assault Centre Crisis: 705-741-0260/1-866-298-7778 Office/TTY: 705-741-0260 <a href="http://www.kawarthasexualassaultcentre.com">www.kawarthasexualassaultcentre.com</a></p>	<p><b>Sault Ste Marie</b> Women in Crisis (Algoma) Inc. Crisis: 1-877-759-1230 Office: 1-877-759-1230 <a href="http://www.womenincrisis.ca">www.womenincrisis.ca</a></p>	<p><b>Sarnia-Lambton</b> Sexual Assault Survivors Centre Sarnia-Lambton Crisis: 519 337-3320/1-888-231-0536 Office: 519-337-3154 <a href="http://www.sexualassaultsarnia.on.ca">www.sexualassaultsarnia.on.ca</a></p>
<p><b>Simcoe</b> Haldimand &amp; Norfolk Women's Service Crisis: 1-800-265-8076 Office: 519-426-8048 TTY: 1-800-815-6419 <a href="mailto:hnws@hnws.on.ca">hnws@hnws.on.ca</a> <a href="http://www.hnws.on.ca">www.hnws.on.ca</a></p>	<p><b>St. Catherines</b> Niagara Region Sexual Assault Centre Crisis: 905-682-4584 Office: 905-682-7258 <a href="mailto:carsa@sexualassaultniagara.org">carsa@sexualassaultniagara.org</a> <a href="http://sexualassaultniagara.org/">http://sexualassaultniagara.org/</a></p>	<p><b>Thunder Bay</b> Sexual Assault and Sexual Abuse Crisis and Counselling Centre Office: 807-345-0894/1-866-311-5927 <a href="mailto:tbcounselling@tbsasa.org">tbcounselling@tbsasa.org</a> <a href="http://www.tbsasa.org">www.tbsasa.org</a></p>
<p><b>Timmins and Area</b> Women in Crisis Crisis: 1-877-268-8380 (sexual assault) Crisis: 1-855-827-7233 (shelter) Office: (705) 268-8381 <a href="mailto:info@tawc.ca">info@tawc.ca</a></p>	<p><b>Toronto</b> Oasis Centre des Femmes Téléphone: 416-591-6565 <a href="mailto:services@oasisfemmes.org">services@oasisfemmes.org</a> <a href="http://oasisfemmes.org/">http://oasisfemmes.org/</a></p>	<p><b>Toronto</b> Rape Crisis Centre: Multicultural Women Against Rape Crisis: 416-597-8808 Office: 416-597-1171 <a href="mailto:info@trccmwar.ca">info@trccmwar.ca</a> <a href="mailto:crisis@trccmwar.ca">crisis@trccmwar.ca</a> <a href="http://www.trccmwar.ca">www.trccmwar.ca</a></p>
<p><b>Windsor</b> Sexual Assault Crisis Centre of Essex County Crisis: 519-253-9667 <a href="http://www.saccwindsor.net">www.saccwindsor.net</a></p>	<p><b>Woodstock</b> Domestic Abuse Services Oxford Crisis: 519 539-4811/1-800-265-1938 <a href="mailto:info@daso.ca">info@daso.ca</a> <a href="http://www.daso.ca">www.daso.ca</a></p>	