



## **Sexual Violence Policy**

In this Sexual Violence Policy, we have highlighted prohibited behaviors, the complaint process, how we will respond in addressing incidents and complaints of sexual violence involving students enrolled as well as available outside resources.

### **Intent**

Genesis Flight College is committed to building and preserving for its Ontario Career College students at Genesis Flight College a safe, productive and healthy learning environment free of sexual violence. In pursuit of this goal, Genesis Flight College does not condone, tolerate or promote acts of violence, harassment, or bullying against any student.

### **Definition of Prohibited Behaviours**

32.1 (1) "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. 2016, c. 2, Sched. 5, s. 1.

**Violence or Bullying:** violence or bullying is the exercise, statement, or behaviour of physical force by a person against a person that causes or could cause physical injury to the person, such as:

- Physical acts (e.g., hitting, shoving, pushing, kicking, sexual assault)
- Any threat, behaviour, or action which is interpreted to carry the potential to harm or endanger the safety of others, result in an act of aggression or destroy/damage a students' personal property; or
- Disruptive behaviour that is not appropriate

**Personal Harassment:** any unsolicited, unwelcome, disrespectful, or offensive behaviour that has an underlying sexual, bigoted, ethnic, or racial connotation and can be typified as:

- Behaviour that is hostile in nature, or intends to degrade an individual based on personal attributes including: age, race, nationality, ancestry, disability, family status, religion, gender, sexual orientation, gender identity, gender expression, or any other protected ground under human rights legislation;
- Sexual solicitation or advance made where the person making the solicitation or advance knows or ought reasonably to know that it is unwelcome;
- Unwelcome remarks, jokes, innuendos, propositions, or taunting about a person's body, sex or sexual orientation or religion;
- Displaying of pornographic or sexist pictures or materials;
- Displaying racist or derogatory pictures or other offensive material;
- Leering (suggestive persistent staring);
- Physical contact such as touching, patting or pinching, with an underlying sexual connotation;
- Sexual assault



### **Education**

A copy of this policy will be made available on the Genesis Flight College website as well it will be provided to all Ontario Career College students in their contract with Genesis Flight College.

We will train board members, employees and Ontario Career College students about the Sexual Violence policy.

### **Reporting Sexual Violence**

Please note that students are not required to report an incident of, or make a complaint about, sexual violence. Reporting an incident of, or making a complaint about, sexual violence, students will not be subject to discipline or sanctions for violations of the career college's policies relating to drug or alcohol use at the time the alleged sexual violence occurred,

Should you wish to report, the procedures are noted below:

#### **Informal Procedure**

If you believe you have been a victim of Sexual Violence you may:

- Confront the accused personally or in writing pointing out the unwelcome behaviour and requesting that it stop; or
- Discuss the situation with the President in person or over the phone (416-822-6144).

#### **Formal Procedure**

If you believe you have been a victim of Sexual Violence you may make a written complaint. The written complaint must be delivered to the General Manager.

David Gascoine  
President  
Genesis Flight College  
PO Box 312  
Collingwood, ON  
L9Y 3Z7  
hr@flygenesis.ca

Your complaint should include:

- the approximate date and time of the incident(s) you wish to report;
- the name of the person or persons involved in the incident(s);
- the name of any person or persons who witnessed the incident(s); and
- a full description of what occurred in the incident(s).

#### **Special Circumstances**

If any visitor to Genesis Flight College is seen with a weapon (or is known to possess one), witnesses are required to immediately contact the police and a Genesis Flight College manager.



### **Confidentiality and Protection**

Genesis Flight College will do everything it can to protect the privacy of the individuals involved and to ensure that complainants and respondents are treated fairly and respectfully. Neither the name of the person reporting the facts nor the circumstances surrounding them will be disclosed, unless such disclosure is necessary for an investigation or disciplinary action. Genesis Flight College will protect this privacy so long as doing so remains consistent with the enforcement of this policy and adherence to the law.

### **Complaint Received**

Once Genesis Flight College has received a report (informal or formal) of Sexual Violence, Genesis Flight College will take all reasonable steps to investigate but in the interim Genesis Flight College will:

- offer resources to the victim as well as to any person(s) against whom an allegation of sexual violence was made. Additional resource options are listed at the very end of this policy;
- assist as necessary with medical care or counselling;
- respond efficiently to any complaint and will provide the complainant and respondent with updates.

### **Investigating Report(s) of Sexual Violence**

Once a complaint has been received, Genesis Flight College will initiate an investigation unless the victim requests otherwise. The victim has the right not to participate in the Genesis Flight College investigation.

Sexual Violence should not be ignored, as silence can and often is interpreted as acceptance. For the purposes of this section the following definitions apply:

**Complainant** – The person who has made a complaint about another individual whom they believe committed an act of violence, discrimination, or harassment against them.

**Respondent** – The person whom another individual has accused of committing an act of violence, discrimination, or harassment.

The investigation will include at a minimum the President and CFI:

- Interviewing the complainant (the complainant has the right to have a person accompany them at every stage of the process);
- Interviewing any person involved in the incident,
- Interviewing any identified witnesses;
- Interviewing any other person(s) who may have knowledge of the incidents related to the complaint or any other similar incidents; and
- Informing the respondent of the complaint.

A copy of the complaint, detailing the complainant's allegations, is then provided to the respondent.

The respondent is invited to reply in writing to the complainant's allegations, and the reply will be made known to the complainant before the investigation proceeds further.



If necessary, the company may employ outside assistance or request the use of legal counsel. Upon completion of the investigation, Genesis Flight College will inform both the complainant and respondent in writing of the findings of the investigation and any corrective action that has been or will be taken as a result of the investigation (if any).

If the complainant decides not to lay a formal complaint, an internal investigation may have to be carried out or police notified regardless of the complainant's wishes if required by law or internal policies. This action may be required if there is reason to believe the safety of associates or the surrounding community are at risk.

### **Corrective Action**

If it is determined that a Genesis Flight College Ontario Career College student or employee was the respondent of a sexual violence incident, immediate corrective action will be taken. This can result in expulsion of a student or termination of employment for an employee.

In the event that this Sexual Violence Policy conflicts with our Expulsion Policy, the Sexual Violence Policy will prevail.

In the event that criminal proceedings are initiated, Genesis Flight College will assist with law and enforcement agencies such as the police and courts.

Where criminal/civil proceedings are commenced, Genesis Flight College will continue to conduct its own internal investigation and make a conclusion in accordance with Genesis Flight College's policies and procedures.

### **Appeal**

Ontario Career College students have the right to appeal the outcome of an investigation. To appeal students will need to document in writing their concerns to the General Manager. The General Manager will review the concerns with the HR representative and will reach out to the Accountable Executive as required.

### **Managing and Mentoring**

Counselling, constructive criticism, remedial training, and implementation of disciplinary actions are not forms of sexual violence. Therefore, this policy does not restrict employees' responsibilities in these areas.

### **Fraudulent or Malicious Complaints**

This Sexual Violence Policy must never be used to bring fraudulent or malicious complaints. It is important to realize that unfounded or frivolous allegations of personal harassment may cause both the accused person significant damage. If it is determined by Genesis Flight College that any Ontario Career College student has knowingly made false statements regarding an allegation of sexual violence, immediate disciplinary action will be taken.

### **Collection of Data and Information**

Genesis Flight College will collect and upon request by the Superintendent of Ontario Career Colleges provide data and information according to requirements in Subsection 32.3(8), (9) and (10) of Schedule 5 of the Ontario Career Colleges Act, 2005 as amended.



### **Review and Revision**

At least once every three (3) years Genesis Flight College shall review and amend this Sexual Violence Policy as necessary taking student input into consideration.

### **Last Review and Revision**

October 10, 2017

### **Resources**

Ontario Provincial Police  
1-888-310-1122 or 911 for emergency reasons  
[www.opp.ca](http://www.opp.ca)

Assaulted Women's Helpline  
Toll-Free: 1-866-863-0511 or  
Dial #7233 (SAFE) on your Bell, Rogers, Fido or Telus mobile phone <http://www.awhl.org>

Caledon\Dufferin Victim Services  
905-951-3838  
Toll-Free: 1-888-743-6496 [www.cdvs.ca](http://www.cdvs.ca)

Orangeville Family Transition Place  
Toll-Free: 1-800-265-9178  
[www.familytransitionplace.ca](http://www.familytransitionplace.ca)

Durham Region  
Distress Centre Durham  
905-430-2522  
Toll-Free: 1-800-452-0688  
[www.distresscentredurham.com](http://www.distresscentredurham.com)

Peel Region  
Hope 24/7  
Toll-Free: 1-800-810-0180  
[www.hope247.ca](http://www.hope247.ca)

Oakville  
Sexual Assault and Violence Intervention Services of Halton  
905-875-1555  
<http://www.savisofhalton.org>

Men's Services: Support Services for Male Survivors of Sexual Abuse  
Toll-Free: 1-866-887-0015  
[www.attorneygeneral.jus.gov.on.ca/english/ovss/male\\_support\\_services/](http://www.attorneygeneral.jus.gov.on.ca/english/ovss/male_support_services/)