



Don Mills Career College For Health, Business and Technology
747 Don Mills Road Unit # 204 & 220 Toronto, ON M3C 1T2
Tel: 647 348 3622 Fax: 647 348 1770
www.donmillscollege.com

Sexual Violence Policy and Accommodation

Don Mills Career College for Health and Business Technology have a stand-alone policy to address sexual violence and harassment involving students. In addition, Don Mills Career College appropriately accommodate the needs of students affected by sexual violence or harassment. The sexual violence policy is included in every enrolment contract between a student and a Don Mills career college and it is posted in a conspicuous location at Don Mills career college.

Accommodation re sexual violence

36.0.1 (1) Don Mills career college appropriately accommodate the needs of students who are affected by sexual violence. O. Reg. 132/16, s. 3.

(2) Don Mills career college do not charge a fee for the provision of supports, services or accommodation to students who are affected by sexual violence, or for referring a student to any such supports or services that are available off-campus. O. Reg. 132/16, s. 3.

Don Mills Career College accommodate the needs of students affected by sexual violence or harassment and identify the specific official, office or department at the college that students should contact for accommodation...

Sexual Violence policy

36.0.2 (1) Don Mills career college will ensure that its sexual violence policy,

- (a) provides information about the supports and services available at the Don Mills Career College or through its agent for students who are affected by sexual violence, and identifies the specific official, office or department at the college that should be contacted to obtain such supports and services.
- (b) provides information about the supports and services available in the community for students who are affected by sexual violence.
- (c) informs students that the Don Mills Career College will appropriately accommodate the needs of students who are affected by sexual violence, and identifies the specific official, office or department at the college that should be contacted to obtain such accommodations.



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- (d) informs students that they are not required to report an incident of, or make a complaint about, sexual violence under the process referred to in paragraph 1 of subsection (2) in order to obtain the supports and services referred to in clause (a) or the accommodation referred to in clause (c);
- (d.1) informs students that if they, 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 Don Mills Career College's policies relating to drug or alcohol use at the time the alleged sexual violence occurred; and
- (e) includes the information set out in subsection (2) respecting the Don Mills Career College's process for responding to and addressing incidents and complaints of sexual violence, as required by clause 32.1 (2) (b) of the Act. O. Reg. 132/16, s. 3; O. Reg. 647/21, s. 1 (1).

(2) Don Mills Career College Sexual Violence Policy will include the following information:

1. Don Mills Career College will develop a process if a person who wish to report an incident of, or make a complaint about, sexual violence including the specific official, office or department to whom the incident should be reported, or the complaint should be made.
2. Don Mills Career College will measure and implement a proper process by protecting a person who is reporting an incident of, or making a complaint about, sexual violence from retaliation and the threat of retaliation.
3. The process for deciding whether an incident or complaint of sexual violence will be investigated by the college.
4. The statement that a victim may choose not to request an investigation by the college and has the right not to participate in any investigation that may occur.
5. The investigation and decision-making processes at the college that will take place if an incident or complaint of sexual violence is investigated.
6. The specific officials, offices or departments that will be involved in each stage of the investigation and decision-making processes.
7. A description of the elements of procedural fairness that will be part of the investigation and decision-making processes.
8. The statement that a party to an investigation or decision-making process has the right to have a person present with him or her at every stage of the process.
9. Examples of the interim measures that may be implemented while an incident or complaint is being investigated or a decision is being made regarding the incident or complaint.



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10. Examples of the decisions that may be made and measures that may be imposed after an incident or complaint is investigated.
11. The measures that will be implemented to protect and keep confidential the personal information of the persons involved in the investigation of an incident or complaint.
12. A description of the appeal processes that may be available related to decisions resulting from the investigation process.
13. The roles and responsibilities of the owners, partners, other persons who manage or direct the affairs of the college, agents, students, instructors and other employees upon becoming aware of incidents or complaints of sexual violence.
14. A statement that 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 private career college's staff or investigators, including irrelevant questions relating to the student's sexual expression or past sexual history. O. Reg. 132/16, s. 3; O. Reg. 647/21, s. 1 (2).

(3) The sexual violence policy will be published on the Don Mills Career College's website and posted in a conspicuous location at each of its campuses. O. Reg. 132/16, s. 3.

(4) Don Mills Career College will provide or make available training on its sexual violence policy to the following persons:

1. Corporate directors, controlling shareholders, owners, partners and other persons who manage or direct the affairs of the Don Mills Career College, and their agents.
2. Instructors, staff and other employees and contractors of the Don Mills Career College.
3. Students enrolled at the don Mills Career College O. Reg. 132/16, s. 3.

(5) The training will include training on the Don Mills Career College's process for responding to and addressing incidents and complaints of sexual violence, including the elements set out in subsection (2). O. Reg. 132/16, s. 3

Discrimination and Harassment Policy:

Don Mills Career College for Health Business and Technology is committed to a collegial work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere in which equal opportunities are promoted and discriminatory practices, including harassment, are prohibited. It is defined by the Ontario Human Rights Code and the Occupational Health & Safety Act as engaging in a course of



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vexatious comment. The College interprets this to include any behaviour that is known or ought reasonably to be known to the perpetrator to be offensive, embarrassing or humiliating to other individuals. Such conduct may include visual representations, electronic messages, written messages, verbal and/or physical conduct, and may relate to any of the grounds of discrimination prohibited. Sexual harassment and other forms of harassment are a form of discrimination and are prohibited by law. Don Mills Career College will not tolerate harassment engaged in by any individual of the college.

Harassment

A person subjects another to harassment where s/he engages in unwanted and unwarranted conduct which has the purpose or effect of:

- violating that other's dignity, or
- creating an intimidating, hostile, degrading, humiliating or offensive environment for that other.

Harassment may involve repeated forms of unwanted and unwarranted behaviour. Harassment on grounds of sex (including gender re-assignment), race, religion or belief, disability, sexual orientation or age may amount to unlawful discrimination. Harassment may also breach other legislation and may in some circumstances be a criminal offence, e.g. under the provisions of the Protection from Harassment Act 1997.

Bullying

Bullying is a form of harassment. It may be characterized by offensive, intimidating, malicious or insulting behaviour, or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.

Behaviour

Examples of behaviour which may amount to harassment and bullying include (but are not limited to) the following:

- offensive comments or body language
- verbal or physical threats
- insulting, abusive, embarrassing or patronizing behaviour or comments
- humiliating, intimidating, and/or demeaning criticism
- open hostility
- deliberately undermining a competent person by overloading with work and constant criticism
- isolation from normal work or study place, conversations, or social events



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- publishing, circulating or displaying pornographic, racist, homophobic, sexually suggestive or otherwise offensive pictures or other materials
- unwanted physical contact, ranging from an invasion of space to a serious assault.

Many of these examples of behaviour may occur through the use of the Internet, email, social networking sites, or telephone. All of the examples above may amount to bullying, particularly when the conduct is coupled with the inappropriate exercise of power or authority over another person. Being under the influence of alcohol, illegal drugs or otherwise intoxicated is not an excuse for harassment, and may be regarded as an aggravating feature.

Harassment is a serious offence which is subject to the Don Mills Career College disciplinary procedures. Where necessary, complaints of harassment, bullying or other inappropriate behaviour will be investigated in line with the appropriate procedures. Allegations of harassment or bullying which arise within the college environment will normally be dealt with under the appropriate college procedure

Harassment complaints are dealt seriously from the Don Mills Career College-

Some examples of harassment are:

- unwelcome remarks, jokes, slurs, innuendoes or taunting;
- hazing, stalking or shunning;
- the repeated mistreatment of one employee, targeted by one or more employees with a malicious mix of humiliation, intimidation and sabotage of performance (bullying);
- displaying derogatory or offensive pictures, graffiti or materials either through printed copy or personal computer;
- verbal abuse;
- insulting gestures or practical jokes which cause embarrassment or awkwardness;
- unauthorized and/or unnecessary physical contact;
- an impassioned, collective campaign by co-workers to exclude, punish and humiliate a targeted worker.

All information concerning allegations of harassment are treated in the strictest confidence and breaches of confidentiality may give rise to disciplinary action. All parties involved in a complaint including any witnesses who may be interviewed as part of any investigation, and maintain the confidentiality of the process.

The Don Mills Career College is committed to maintaining a working, learning and social environment in which the rights and dignity of all members of the community are respected. This includes staff, students, and visitors to the College. The Don Mills Career College expects all members to treat each other with respect, courtesy and consideration. All members of the college have the right to expect professional behaviour from others, and a corresponding responsibility to



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behave professionally towards others. All members of the Don Mills Career College have a personal responsibility for complying with this code; have particular responsibilities under this policy, including setting a good personal example, to have regard to the principles of the policy, and to familiarize themselves with the procedures.

The objectives of these procedures are:

- to stop harassment or discrimination as soon as it occurs;
- to provide a fair and equitable process for the resolution of complaints of harassment and discrimination.

DMCC believes that all members of the DMCC are entitled to work and learn in an environment free from harassment and discrimination. To promote anti-harassment and anti-discrimination environment DMCC:

- Is committed to providing a learning environment where the individual differences of all students and employees are valued and respected.
- Will not condone and will not tolerate any discrimination or harassing behaviour which undermines the dignity, self-esteem and productivity of any student or employee.
- Considers harassment and /or discrimination by any employee or student to be a serious breach of human rights which requires immediate resolution. Such resolution may include disciplinary measures up to and including dismissal or expulsion.

Don Mills Career College is committed to:

- assisting those who have experienced sexual violence by providing detailed information and support, including provision of and/or referral to counselling and medical care, and appropriate academic and other accommodation.
- ensuring that those who disclose that they have been sexually assaulted 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 behaviours (e.g. adhering to myths of sexual violence) that reinforce that the person who experienced sexual violence is somehow to blame for what happened
- treating individuals who disclose sexual violence 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, 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



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- ensuring coordination and communication among the various departments who are most likely to be involved in the response to sexual violence on campus.
- engaging in public education and prevention activities
- providing information to the College community about our sexual violence policies and procedures
- providing appropriate education and training to the College community about responding to the disclosure of sexual violence
- contributing to the creation of a campus atmosphere in which sexual violence is not tolerated; and
- monitoring and updating our policies and protocols to ensure that they remain effective and in line with other existing policies and best practices.

All members of the DMCC are expected to promote learning and a working environment of mutual trust and respect. Nothing in this policy or procedures derogates from the responsibility or the role of directors of DMCC to ensure a work and educational environment that is free from harassment and discrimination.

This policy will be reviewed every 3 years.