

## Sexual Violence Policy

### Policy Statement

Sundance College is committed to promoting the health, safety, and wellness of its Staff, Administrators, Faculty Members and Students whereby Sexual Violence is not acceptable or tolerated.

### Application

This Policy applies to all Staff, Administrators, Faculty Members and Students and prohibits any sexual violence as well as Retaliation, regardless of who engages in it.

### Responsibilities

Sundance College is committed to:

- Maintaining an impairment-free educational and work environment in a culture in which Consent and respect are foundational practices;
- Engaging in public education regarding awareness of sexual violence that also includes sexual violence through the use of social media or other forms of digital communications;
- Recognizing that some individuals or groups may be more vulnerable to sexual violence than others and in different ways. Sundance College will with every effort accommodate those especially;
- Addressing any issues in correlation to Consent in respect to persons engaging in sexual activities;
- Providing appropriate training to all members of Sundance College regarding Sexual Violence such as policies and procedures;
- Actively promoting programs to educate and train;
- Assisting those who have been affected by any form of Sexual Violence with compassion; and
- Monitoring and updating policies and procedures to ensure that they remain effective.

### Prevention and Reporting

- Information regarding Sexual Violence may be disclosed at any time. However, early reporting and intervention are the most effective methods to resolve actual or perceived incidents of Sexual Violence.
- Complaints may be made to any Faculty Member, Staff or Human Resources personnel. The name of the Complainant will not be disclosed except where disclosure is necessary for the purposes of investigating the Complaint and/or taking disciplinary action.
- Respecting the privacy of those impacted by Sexual Violence in accordance with the Policy and not disclosing such activities and/ or results to the public;
- Encouragement of all staff and students who believe they have been subject to any type of Sexual Violence or Retaliation to clearly and firmly make it known to the accused that their conduct is objectionable and must stop. Any individual who believes they have experienced conduct which is contrary to this Policy, or who have concerns, should still file a written complaint.
- No actions can be taken against a person being accused solely on the basis of a Disclosure.
- Ensuring that those who disclose they have been sexually violated are supported and that their right



to dignity and respect is protected throughout the process of Disclosure, investigation and The College's response;

- Providing choices, including detailed information and support, such as provision of and/or referral to counselling and medical care, information about legal options and reporting to police, and appropriate work/academic and other accommodation;
- Ensuring that internal investigation procedures are available even if the individual chooses not to make a report to outside authorities;
- Ensuring coordination and communication among the various departments that are most likely to be involved in the response to a reported Sexual Violence incident and
- Providing options to those impacted by Sexual Violence on how to access supports through academic, non-academic, workplace, medical and other supports or accommodations as required.

### **Training**

All Staff, Administrators, Faculty Members and Students of Sundance College (Manitoba campus) will receive training on the procedures and reporting of this Policy via orientation, on-line learning sessions, workshops, speakers, and/ or other forums to help facilitate training.

### **Investigation Procedures and Response Protocols**

- Sundance College will try to resolve complaints quickly and fairly to stop the violence.
- Any Complaint of Sexual Violence will be investigated quickly, thoroughly, and impartially. The College will notify the accused of the investigation. The investigation may include individual interviews with the parties involved, individuals who observed the alleged conduct, or individuals who have other relevant knowledge. Following the conclusion of the investigation, The College will inform the Complainant and the accused of the results of the investigation.

#### Results of Investigation:

- Where Sexual Violence, or Retaliation has been found, Sundance College will take appropriate corrective and/or disciplinary action.
- Corrective action may include training, referral to counselling, or monitoring.
- Disciplinary action may include: a warning, reprimand, withholding of promotion or pay raise, demotion, reassignment, suspension without pay, or termination for cause.
- Where Sexual Violence, or Retaliation has not been found, no action will be taken against the Complainant who has made a complaint in good faith.
- Where a complaint of Sexual Violence, or Retaliation is found to have been made fraudulently or maliciously, that individual who made the complaint may be subject to disciplinary action up to and including suspension and/ or termination.
- The College will not disclose the identity of the Complainant, the accused, any witnesses, or the circumstances of the Complaint to anyone who is not directly involved in the investigation, except where Disclosure is required by law.
- If the circumstances warrant The College may refer the matter to outside authorities.



## Policy Development and Review

Sundance College is committed to reviewing this Policy every four years, or when legislation changes, in consultation with the President and our students.

### Definitions

Complainant	for the purpose of this Policy means an individual who identifies their experience as Sexual Violence.
Consent	The Criminal Code of Canada defines consent as it relates to sexual assault as the voluntary agreement to engage in sexual activity. An individual must actively and willingly give consent to sexual activity. Simply stated, sexual activity without consent is sexual assault.
Disclosure	is the action of making new or secret information known.
Policy	means Sundance College's Sexual Violence Policy herein.
Retaliation	is the action of harming someone because they have harmed oneself, revenge.
Sexual assault	is any type of unwanted sexual act done by one person to another that violates the sexual integrity of the victim. Sexual assault is characterized by a broad range of behaviours that involve the use of force, threats, or control towards a person, which makes that person feel uncomfortable, distressed, frightened, threatened, carried out in circumstances in which the person has not freely agreed, consented to, or is incapable of consenting to.
Sexual Harassment	includes, but is not limited to, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature such as uninvited touching, offensive comments or innuendos that have the purpose or effect of adversely impacting the Employee's work performance or job benefits, or creating an intimidating, hostile, or offensive working environment.
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.
Stalking	is a crime called criminal harassment. Stalking consists of repeated behavior that is carried out over a period of time, and which causes a person to reasonably fear for their safety.
The College	for the purposes of this policy means Sundance College herein.