

Sexual Violence Policy

Policy Statement

Sundance College is committed to fostering a safe, inclusive, and respectful environment that promotes the health, safety, and well-being of all members of its community. The College maintains a zero-tolerance stance toward sexual violence in any form, recognizing that such behavior is harmful, unacceptable, and incompatible with the values and standards of the College. This Policy outlines prohibited behaviours, sets procedures and the resources in place to prevent, respond to and investigate incidents of sexual violence and sexual harassment.

Application

This Policy applies to the College's online and in-campus communities including all staff, administrators, faculty members, and students.

Definitions

Complaint	means a formal report of an incidence of Sexual Violence.
Complainant	for the purpose of this Policy means an individual who makes a Complaint alleging a violation of this Sexual Violence Policy.
Consent	The Criminal Code of Canada defines consent as it relates to sexual assault as the voluntary agreement to engage in sexual activity. Consent must be an active, ongoing, informed and 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. Specifically, Consent: cannot be assumed or implied; is not silence, no communication or the absence of "no"; cannot be given if the victim is impaired by alcohol or drugs, or is unconscious; should not be obtained through threats or coercion; can be revoked at any time, regardless of whether it was previously granted; and cannot be obtained if the perpetrator abuses a position of trust, power or authority.
Disclosure	means informing another individual or the College about an incidence of sexual violence.



Policy	means this Sexual Violence Policy.
Respondent	means a person(s) against whom a Complaint is made.
Retaliation	means any adverse action taken against a person for disclosing, making a Complaint under this Policy, participating or cooperating with an investigation under this Policy. 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 is known or might reasonably be known to be unwelcome/unwanted, offensive, intimidating, hostile or inappropriate.
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 and mental health.
College	for the purposes of this policy means Sundance College herein.

College Responsibilities

Sundance College is committed to maintaining a safe and respectful educational and work environment, free from sexual violence. The College is therefore committed to:

- Maintaining an environment free from harm, where respect and informed Consent are core values in all interactions.
- Promoting and engaging in public education and awareness with internal and external stakeholders about Sexual Violence, including its occurrence through social media and digital communication.
- Recognizing and addressing the needs of individuals and groups who may be more vulnerable to Sexual Violence and making every effort to accommodate and support them.

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- Raising awareness about the meaning and importance of Consent and addressing related concerns in the context of sexual activity.
- Providing comprehensive training to all members of the College community on Sexual Violence, including this Policy and related procedures.
- Actively promoting education and prevention programs to empower and inform the community and curb the occurrence of Sexual Violence.
- Offering compassionate support and accommodation to individuals who disclose an incidence of Sexual Violence by informing on available choices including information and support, referral to counselling, medical care, legal options, academic, non-academic and work appropriate accommodations.
- Conducting investigations into Sexual Violence complaints with fairness and sensitivity to minimize trauma for those affected.
- Monitoring and updating policies and procedures to ensure their continued relevance and effectiveness.

Education, Awareness and Training

Every member of the College committee is responsible for advancing efforts and initiatives in creating awareness, responding to and the prevention of Sexual Violence.

All staff, administrators, faculty members and students at Sundance College's Manitoba campus will have access to and receive on-going training on the procedures for response to disclosure, investigation of Complaints and accommodation of Complainants under this Policy via orientation, on-line learning sessions, workshops, speakers, and other forums to help facilitate the implementation of this Policy.

Disclosure Procedure and Response Protocol

- Individuals who disclose or file a Complaint on the occurrence of Sexual Violence can expect a response that is non-judgmental, respectful, compassionate and supportive.
- Any person who witnesses or who receive a disclosure of Sexual Violence is encouraged to immediately report the incidence to the College.
- Complaints may be made to any faculty member, staff or human resources personnel. The College is committed to addressing Complaints fairly and promptly and in accordance with this Policy.
- A Complainant retain the right at all times to decide whether to make a formal Complaint, pursue the matter through law enforcement, and access available support and accommodations. Individuals are entitled to receive support and accommodation under this Policy, irrespective of whether they file a formal Complaint.
- Upon receiving a complaint, the College will ensure prompt coordination between internal departments to facilitate its resolution.



- A Complainant may choose not to request or participate in an investigation; however, the College may still initiate or continue an investigation to fulfill its obligations under this Policy or if the Complaint poses a threat to the safety of the College community.
- The College will provide support and accommodation to all staff and students immediately they disclose conduct which is contrary to this Policy, 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 academic and non-academic accommodation.

Confidentiality

The College respects and will observe strict confidentiality of all individuals involved in a Complaint. The College will not disclose information regarding a Complaint and all parties whose interest are affected except as may be necessary for the purposes of investigating the Complaint and/or taking disciplinary action; in order to address safety concerns and as may be required by law.

Retaliation

Retaliation against any individual for exercising their rights under this Policy, participating in or cooperating with an investigation, or being associated with someone who has disclosed an incident or filed a complaint, is strictly prohibited and constitutes a violation of this Policy.

Making False Statements

Knowingly making a false complaint of sexual violence or sexual harassment, or knowingly providing false information during the complaint process, is a violation of this Policy. Individuals who engage in such conduct may be subject to disciplinary and/or corrective action.

Investigation Procedure

- The College will resolve Complaints quickly and ensuring fairness during the process.
- The College will notify the affected parties of the Complaint, and they will be given a reasonable opportunity to answer the Complaint.
- Investigative procedures may include interviews with the parties involved, individuals who observed the alleged conduct, or individuals who have relevant knowledge regarding the Complaint.
- All parties are entitled to bring a support person to meetings.
- Complainants who report sexual violence in good faith will not be asked irrelevant or inappropriate questions during the College's investigation process.
- The College may impose interim measures while an investigation is ongoing. These measures are precautionary and not disciplinary, and do not represent a finding of misconduct. Interim measures

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will be implemented only when necessary to ensure a safe environment for Complainants and those who report incidents of sexual violence.

- Following the conclusion of the investigation, the College will inform the Complainant and the Respondent of the investigation's outcome, and any disciplinary measures imposed.

Disciplinary Measures

- Where findings of Sexual Violence or Retaliation are made, the College will determine and implement the appropriate corrective and disciplinary action including but not limited to expulsion for students and termination for staff.
- If an investigation does not result in a finding of Sexual Violence or Retaliation, no disciplinary action will be taken against the parties. The College may, however, take steps to restore a safe and respectful environment, which could include offering support services or implementing non-disciplinary measures to address any ongoing concerns.
- Following an investigation, Disclosures or Complaints that are found to be frivolous, vexatious, or made in bad faith may result in sanctions and/or discipline against the Complainant.
- When an investigation is referred to external authorities, the College will fully cooperate with the investigation and will apply disciplinary measures as outlined in its policies and procedures.

Public Reporting

The College is committed to transparency and accountability in its efforts to prevent Sexual Violence and will report related activities and outcomes.

Policy Development and Review

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