



Title: Sexual Violence and Harassment Policy

Policy #: OCOT-SVHP

Effective date: May 1st, 2023

Approved by: Administrative Team

Last Revision: January 1, 2026

Next Review: January 1, 2029

1. Policy Application and Scope

This Policy applies to all individuals associated with the Ontario College of Technology (OCOT), including but not limited to students, employees, faculty, staff, administrators, contractors, service providers, directors, officers, and visitors, as well as anyone involved in OCOT-related activities.

This Policy covers any reports or incidents of sexual violence or sexual harassment that occur on OCOT premises or during OCOT-affiliated events, involving any individuals identified above. Where an OCOT employee is the respondent, OCOT's Employee Sexual Misconduct Policy also applies and governs the disciplinary process for that employee.

2. Overview

OCOT is dedicated to fostering a learning and working environment free from sexual violence and harassment, and ensures that any community member who reports such incidents is treated with respect and dignity. This Policy is established in accordance with Section 32.1 of the Ontario Career Colleges Act, 2005 and Section 36.0.2 of Ontario Regulation 415/06.

This Policy outlines what constitutes sexual violence and sexual harassment, and details the processes for training, reporting, investigation, and disciplinary actions, whether incidents occur on campus or at OCOT-related events.

Community members who report incidents of sexual violence or harassment in good faith will not face disciplinary action solely for making a report, provided they have acted honestly and in good faith.

If a student reports, in good faith, an incident of or complaint about sexual violence, that student will not be subject to discipline or sanctions for a violation of OCOT's drug or alcohol use policies that occurred at the time of the alleged sexual violence.

Individuals who report or seek help for sexual violence or harassment will not be asked irrelevant or inappropriate questions during any investigation, including inquiries into their sexual history or expression.

The individual accused is referred to as the “Respondent,” and the person who files the report is called the “Complainant.”

3. Definitions

Sexual Harassment includes:



- Persistent, unwanted comments or actions of a sexual nature, or those related to sex, sexual orientation, gender identity, or expression;
- Any such behaviour that a reasonable person would recognize as unwelcome, including:
 - Sexually offensive jokes or remarks
 - Displaying pornographic or sexist content, including online
 - Suggestive or inappropriate language
 - Gender-related slurs
 - Derogatory comments or innuendos about someone's appearance, attire, or sexual orientation
 - Inappropriate staring or leering
 - Boasting about sexual activities
 - Unwanted physical contact with a sexual undertone
 - Sexual advances from someone in a position of power, particularly when the person knows or should know the advance is unwelcome

Sexual Violence:

Sexual violence refers to any unwanted sexual act or behaviour, whether physical or psychological, targeting a person's sexuality, gender identity, or gender expression, committed without consent. This includes acts like sexual assault, harassment, stalking, indecent exposure, voyeurism, and exploitation.

Sexual assault is a criminal offense under Canadian law and includes any unwanted sexual activity that infringes on a person's sexual integrity. This can range from unwanted touching to penetration and often involves force, threats, manipulation, or occurs when the victim is unable to consent.

Designated Official:

The **Designated Official** is the individual appointed by Ontario College of Technology to receive reports of sexual violence or sexual harassment, coordinate support services, oversee investigations, maintain confidential records, and ensure compliance with this Policy.

Unless otherwise designated by the President, the Human Resources Manager shall serve as the Designated Official.

4. Consent

Consent means willingly and clearly agreeing to engage in specific sexual activities. It involves an active, affirmative agreement, expressed through words or actions, and must be given freely without pressure.

Key points about consent:

- Silence or lack of resistance is not consent.
- Consent cannot be given when someone is asleep, unconscious, or otherwise unable to communicate.



- Being threatened, coerced, or drugged invalidates consent.
- A person under the influence of alcohol or drugs may not be able to consent.
- Past consent does not imply future consent.
- Individuals in positions of authority (e.g., teachers or administrators) cannot obtain valid consent from those under their power.
- Consent cannot be given on behalf of someone else.
- The person initiating sexual activity is responsible for ensuring that clear, ongoing consent is present and that the other person is legally capable of consenting.

5. Responsibilities of Community Members

All members of the OCOT community are expected to contribute to a safe, respectful environment and to comply with this Policy. Reporting responsibilities differ depending on a person's role.

- OCOT's corporate directors, controlling shareholders, owners, partners, persons who manage or direct the affairs of OCOT, and agents acting on their behalf are responsible for promptly referring any incident or complaint of sexual violence or harassment of which they become aware to the Designated Official; supporting the implementation of this Policy, including interim measures, accommodations and disciplinary decisions; and ensuring that instructors, staff, employees and contractors are aware of and comply with this Policy.
- Instructors, staff, other employees and contractors are responsible for promptly referring any incident or complaint of sexual violence or harassment of which they become aware to the Designated Official and for cooperating with any investigation conducted under this Policy.

Students may report incidents and access supports, services and accommodations as described in this Policy. A student is not required to report an incident, make a complaint, request an investigation, or participate in an investigation in order to receive supports, services or accommodations.

A person who believes they have experienced sexual harassment or sexual violence may report the matter directly to the Designated Official and may request supports or accommodations at any time, whether or not they make a formal complaint.

- A person may, only if they freely choose and feel safe doing so, tell the other person that the behaviour is unwelcome and must stop. Direct confrontation is never required before reporting an incident, requesting supports or accommodations, or making a complaint.
- A report or complaint may be submitted to the Designated Official using the reporting methods described in Section 7.

6. Training, Reporting, and Response

OCOT will make this Policy publicly available on its website and reference it in student Enrolment Agreements. The Policy will also be accessible to OCOT leadership, faculty, staff, contractors, students and relevant third parties.



OCOT will provide or make available training on this Policy to: (i) OCOT's corporate directors, controlling shareholders, owners, partners, persons who manage or direct the affairs of OCOT, and agents acting on their behalf; (ii) instructors, staff, other employees and contractors of OCOT; and (iii) students enrolled at OCOT. Training will cover OCOT's process for responding to and addressing incidents and complaints of sexual violence, including the reporting process, anti-retaliation measures, investigation and decision-making processes, procedural fairness, interim measures, confidentiality protections, available supports and accommodations, and the appeal process described in this Policy.

Any partner organizations hosting student clinics must confirm in writing that they comply with relevant laws such as the Ontario Human Rights Code and Occupational Health and Safety Act, and provide access to their own policies on sexual violence.

Students affected by sexual violence are entitled to seek supports, services and appropriate accommodations from OCOT regardless of whether they report an incident, make a formal complaint, request an investigation, or participate in an investigation.

To request supports, services or accommodations, students should contact the Designated Official (Human Resources Manager, unless otherwise designated by the President) at hr@octech.ca.

OCOT is committed to protecting personal information and will maintain confidentiality unless:

- There is a risk of harm to anyone involved; or
- Legal or policy obligations require disclosure.

To maintain privacy:

- Only individuals directly involved in managing the case will have access to information.
- All documentation will be stored separately from academic, personnel, or general records.

Individuals have the right not to report an incident, not to file a complaint, not to request an investigation, and not to take part in an investigation. Access to supports, services and accommodations is not conditional on making a formal report or complaint. However, in certain cases, OCOT may be legally obligated to act, including where required by law or where there is an immediate and serious safety concern. Where legally permitted, OCOT will inform the affected person before taking such action.

Regardless of whether a formal complaint is made, OCOT will offer or facilitate appropriate supports and accommodations, which may include:

- Academic accommodations, such as reasonable extensions, alternate assessment arrangements, or other temporary academic adjustments;
- Changes to class schedules, work schedules, seating, clinical placements, or other arrangements to reduce contact between the parties;
- Safety planning, no-contact arrangements, and assistance accessing counselling, medical services and community-based sexual violence supports.

7. Investigating Reports



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Ontario College of Technology is committed to responding promptly to reports of sexual violence and harassment.

Under this Policy, any OCOT community member may submit a written report or complaint regarding sexual violence or harassment by:

- Emailing: hr@octech.ca; or
- Delivering a hard copy to: Ontario College of Technology, 2450 Victoria Park Ave, 5th Floor, Toronto, Ontario, M2J 4A2, Attention: HR.

Upon receiving a report, the Designated Official will:

- acknowledge receipt of the complaint within **five (5) business days**, where practicable;
- conduct an initial assessment to determine whether the matter falls within the scope of this Policy;
- assess any immediate health or safety concerns;
- determine whether interim protective measures are necessary; and
- explain available support services and reporting options.

Where an investigation is initiated, OCOT will make reasonable efforts to complete the investigation within **sixty (60) calendar days**. If additional time is required due to the complexity of the matter or other circumstances, both parties will be informed of the delay and provided with periodic updates.

The Designated Official will coordinate the investigation process. An investigator who is impartial and free from conflicts of interest will be appointed based on the circumstances and seriousness of the matter. The investigator may be the Designated Official, another qualified OCOT administrator, or a qualified external investigator. A separate decision-maker, appointed by the President and not involved in conducting the investigation, will review the investigation findings and determine the outcome and any measures under this Policy.

When a report or complaint is received, OCOT will act promptly and:

- Decide whether an investigation should begin, taking into account the nature of the allegations, any immediate safety concerns, applicable legal obligations, and the wishes of the complainant. A complainant may choose not to request an investigation and has the right not to participate in an investigation that may occur;
- Appoint an impartial investigator who is free from conflicts of interest and is appropriate to the seriousness and complexity of the matter;
- Explain that a person affected by sexual violence may choose whether to make a report to police. OCOT will not require a police report as a condition of receiving supports or of proceeding with an internal process. Where OCOT has a legal obligation to contact police or another authority, or where there is an immediate and serious safety concern, OCOT may do so and will, where legally permitted, inform the affected person;



- Identify any temporary measures needed during the investigation, such as removing the respondent or offering alternative arrangements.

If an investigation proceeds:

- Both the complainant and respondent have the right to have a support person of their choice present at every stage of the investigation and decision-making process;
- The complainant will be interviewed to fully understand the allegations, including the date, time, people involved, witnesses, and what occurred;
- The respondent will be informed of the complaint, given the chance to respond, and can provide witness information;
- Witnesses and anyone with relevant knowledge will be interviewed;
- Both parties will receive reasonable updates on the investigation's progress.

The investigation and decision-making process will be conducted in a manner that is procedurally fair to both parties. This includes: providing the respondent with notice of the allegations and a meaningful opportunity to respond; ensuring the investigation and decision are conducted by individuals who are impartial and free from conflicts of interest; giving both parties an opportunity to present relevant evidence and identify witnesses; basing findings and decisions on the evidence gathered during the investigation; and providing both parties with timely notice of the outcome.

After the investigation, the designated decision-maker will:

- Review all gathered evidence;
- Determine, based on the evidence gathered during the investigation, whether sexual violence or harassment occurred; and
- Determine any necessary disciplinary or corrective measures (see Section 8) and provide both parties with timely written notice of the outcome, subject to applicable privacy requirements.

8. Disciplinary Measures

If the respondent is found responsible for sexual violence or harassment, OCOT may take immediate disciplinary or corrective steps, including:

- Termination of employment for instructors or staff (in accordance with OCOT's Employee Sexual Misconduct Policy where the respondent is an employee);
- Expulsion for students;
- Limiting the respondent's access to certain facilities;
- Any other appropriate measures based on the situation.

9. Appeals

Either party may appeal a decision resulting from the investigation process within five (5) business days of receiving the written outcome. The appeal must be submitted in writing to the President at:

Ontario College of Technology



2450 Victoria Park Ave, 5th Floor, Toronto, Ontario, M2J 4A2

Attention: President

The appeal should identify the decision being appealed and explain the ground(s) for appeal. Grounds may include a significant procedural fairness issue that could have affected the outcome; new relevant evidence that could not reasonably have been provided earlier; a reasonable concern about bias or conflict of interest; or a decision or measure that is materially inconsistent with the evidence or this Policy.

The President will review the appeal. If the President was involved in the investigation or decision, or has a conflict of interest, an impartial alternate senior decision-maker will be appointed. The appeal decision-maker may confirm or vary the decision or measures, or return the matter for further investigation or reconsideration.

OCOT will make reasonable efforts to provide the parties with a written appeal decision within fifteen (15) business days. If more time is required, the parties will be advised of the delay and the reason for it. Each party may have a support person present during any appeal meeting or interview.

10. False Statements

Filing a knowingly false complaint or providing false information about a report is a serious violation. Such actions may lead to termination of employment (for staff/instructors) or student expulsion, as applicable.

11. Reprisal (Retaliation)

Retaliating against anyone who files a complaint, provides information, or participates in an investigation is strictly prohibited. Violators may face termination (staff/instructors) or expulsion (students), as applicable.

To protect a person who reports an incident of, or makes a complaint about, sexual violence from retaliation or the threat of retaliation, OCOT may implement measures such as: issuing a no-contact directive between the parties; adjusting class schedules, work schedules, or seating/work locations to limit contact between the parties; monitoring the conduct of the respondent during and after the investigation; providing the complainant with a safety plan; and taking prompt corrective action, up to and including discipline, against any individual found to have engaged in retaliation.

12. Policy Review

Ontario College of Technology is committed to ensuring that this Policy remains current and effective.

This Policy shall be reviewed **every 3 years**, or more frequently if required by legislative amendments, Ministry directives, or institutional needs.



Students shall be provided with opportunities to participate in the review and revision of this Policy, in accordance with the Ontario Career Colleges Act, 2005 and Ontario Regulation 415/06 made thereunder.

This Policy was originally approved by the Administrative Team. Any subsequent revisions shall be approved by the President prior to implementation.

13. Student Data Collection

OCOT will collect and provide required data to the Superintendent, following Subsection 32.3 (8), (9), and (10) of Schedule 5 of the Ontario Career Colleges Act, 2005.

OCOT will also take reasonable steps to ensure that any submitted data does not include personal information as defined in Section 38 of the Freedom of Information and Protection of Privacy Act.

14. Conflict with Other Policies

If this Policy conflicts with OCOT's expulsion policy, this Policy prevails.

Community Resources

Scarborough

Sexual Assault/Domestic Violence Care Centre

Scarborough and Rouge Hospital

3030 Birchmount Rd., Scarborough, ON M1W 3W3

Toronto

Sexual Assault/Domestic Violence Care Centre

Women's College Hospital – 416-323-6040

76 Grenville St., Toronto, ON M5S 1B2

York Region (Toronto, Richmond Hill)

Domestic Abuse and Sexual Assault Care Centre

Cortellucci Vaughan Hospital - Mackenzie Health – 905-883-1212 ext. 7395

3200 Major Mackenzie Dr. W., Vaughan, ON L6A 4Z3

Students may contact the Designated Official for assistance identifying additional community-based supports and services.