



**Progressive Training
College of Business
and Health**

Statement from the President

Progressive Training Career College of Business & Health values respect for all individuals, civility, diversity, dignity, equality, and freedom. PTC is committed to maintaining a healthy and safe learning, living, social, recreational and working environment. We are committed to maintaining a campus free of discrimination and harassment, and strive to foster an atmosphere of healthy attitudes and behaviours towards sexuality, sex and gender roles. PTC will not tolerate behaviour that contributes to a hostile and inequitable learning and working environment. We take seriously our commitment to supporting those who experience sexual violence, and we work diligently on campus and with community partners on programs, policies and resources to ensure that our campus remains free from sexual violence.

This website provides quick access to the information contained in the Career College's [Sexual Assault and Sexual Violence Policy and Protocol](#). The Policy and Protocol provides procedures and resources to support individuals and groups who may be directly or indirectly involved in working with persons who have experienced sexual violence.

I urge all members of the PTC community to review the Policy and Protocol to learn about options and resources available to those who require support or who wish to support others. Please help to ensure that PTC remains a safe and positive space where members may feel able to work, learn and express themselves in a safe environment that upholds human equality.

Anthony DeMartines
President

Sexual Assault and Sexual Violence Policy and Protocol

PROGRESSIVE TRAINING COLLEGE'S SEXUAL ASSAULT AND SEXUAL VIOLENCE POLICY

Type: Administrative

Responsibility: Head Office/Management

Effective Date: January 1, 2017

Revised:

Review Date: July 1, 2023

This Policy applies to: All members of the Career College community including: all employees, governors, students, contractors, suppliers of services, individuals who are directly connected to any Career College initiatives, volunteers, and visitors.

1. Definitions

Sexual Assault and Sexual Violence

Sexual assault: A criminal offence under the *Criminal Code* of Canada. Sexual assault is any type of unwanted sexual act done by one person to another that violates the sexual integrity of the victim and involves a range of behaviours from any unwanted touching to penetration. 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, or that is carried out in circumstances in which the person has not freely agreed, consented to, or is incapable of consenting to.

Sexual violence: A broad term that describes any violence, physical or psychological, carried out through sexual means or by targeting sexuality. This violence takes different forms including sexual abuse and sexual assault.

Consent: The voluntary and explicit agreement to engage in the sexual activity in question. It is the act of willingly agreeing to engage in specific sexual behaviour, and requires that a person is able to freely choose between two options: yes and no. This means that there must be an understandable exchange of affirmative words, which indicates a willingness to participate in mutually agreed upon sexual activity. It is also imperative that everyone understands the following:

- Silence or non---communication must never be interpreted as consent and a person in a state of diminished judgment cannot consent.
- A person is incapable of giving consent if they are asleep, unconscious or otherwise unable to communicate.
- A person who has been threatened or coerced (i.e. is not agreeing voluntarily) into engaging in the sexual activity is not consenting to it.
- A person who is drugged is unable to consent.
- A person is usually unable to give consent when under the influence of alcohol and/or drugs.
- A person may be unable to give consent if they have a mental disability preventing them from fully understanding the sexual acts.

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- The fact that consent was given in the past to a sexual or dating relationship does not mean that consent is deemed to exist for all future sexual activity.
- A person can withdraw consent at any time during the course of a sexual encounter.
- A person is incapable of giving consent to a person in a position of trust, power or authority, such as, a faculty member initiating a relationship with a student who they teach, an administrator in a relationship with anyone who reports to that position.
- Consent cannot be given on behalf of another person.

It is the responsibility of the initiator of sexual activity to ensure clear and affirmative responses are communicated at all stages of sexual engagement. It is also the initiator's responsibility to know if the person they are engaging with sexually is a minor.

Note: For information purposes only, the *Criminal Code* defines "consent" as follows:

Consent: The voluntary agreement to engage in the sexual activity in question. No consent is obtained, where

- a) the agreement is expressed by the words or conduct of a person other than the complainant;
- b) the complainant is incapable of consenting to the activity;
- c) the accused induces the complainant to engage in the activity by abusing a position of trust, power or authority;
- d) the complainant expresses, by words or conduct, a lack of agreement to engage in the activity; or
- e) the complainant, having consented to engage in sexual activity, expresses, by words or conduct, a lack of agreement to continue to engage in the activity.

Other Relevant Terms

Acquaintance sexual assault: Sexual contact that is forced, manipulated, or coerced by a partner, friend or acquaintance.

Age of consent for sexual activity: The age at which a person can legally consent to sexual activity. In Canada, children under 12 can never legally consent to sexual acts. Sixteen is the legal age of consent for sexual acts. There are variations on the age of consent for adolescents who are close in age between the ages of 12 and 16. Twelve and 13 year-olds can consent to have sex with other youth who are less than 2 years older than themselves. Youth who are 14 and 15 years old may consent to sexual involvement that is mutual with a person who is less than 5 years older. Youths 16 and 17 years old may legally consent to sexual acts with someone who is not in a position of trust or authority.

Coercion: In the context of sexual violence, coercion is unreasonable and persistent pressure for sexual activity. Coercion is the use of emotional manipulation, blackmail, threats to family or friends, or the promise of rewards or special treatment, to persuade someone to do something they do not wish to do, such as being sexual or performing particular sexual acts.

Drug-facilitated sexual assault: The use of alcohol and/or drugs (prescription or non-prescription) by a perpetrator to control, overpower or subdue a victim for purposes of sexual assault.

Stalking: A form of criminal harassment prohibited by the *Criminal Code* of Canada. It involves behaviours that occur on more than one occasion and which collectively instill fear in the victim or threaten the victim/target's safety or mental health. Stalking can also include threats of harm to the target's friends

and/or family. These behaviours include, but are not limited to non---consensual communications (face to face, phone, email, social media); threatening or obscene gestures; surveillance; sending unsolicited gifts; “creeping” via social media/cyber---stalking; and uttering threats.

Survivor: Some who have experienced sexual violence may choose to identify as a survivor. Individuals might be more familiar with the term “victim”. We use the term survivor throughout this policy where relevant because some who have experienced sexual assault believe they have overcome the violent experience and do not wish to identify with the victimization. It is the prerogative of the person who has experienced these circumstances to determine how they wish to identify.

2. Purpose and Intent of the Policy

All members of the Progressive Training College community have a right to a work and study in an environment that is free from any form of sexual violence. This document sets out our policy and response protocol to sexual violence and ensures that those who experience sexual violence are believed and their rights respected, that the Career College has a process of investigation that protects the rights of individuals and holds individuals who have committed an act of sexual violence accountable.

3. Policy Statement

Sexual assault and sexual violence are unacceptable and will not be tolerated. We are committed to challenging and preventing sexual violence and creating a safe space for anyone in our Career College community who has experienced sexual violence. The Career College is expected to be a safe and positive space where members of the Career College community feel able to work, learn and express themselves in an environment free from sexual violence.

All reported incidents of sexual violence will be investigated to the best of the administration’s ability and in a manner that ensures due process. It is this policy’s intention to make individuals feel comfortable about making a report in good faith about sexual violence that they have experienced or witnessed.

We recognize that sexual violence can occur between individuals regardless of sexual orientation, gender, and gender identity or relationship status as articulated in the Ontario *Human Rights Code*. We also recognize that individuals who have experienced sexual violence may experience emotional, academic or other difficulties.

We are committed to:

- 3.1. assisting those who have experienced sexual violence by providing choices, including detailed information and support, such as provision of and/or referral to counselling and medical care, information about legal options, and appropriate academic and other accommodation;
- 3.2. 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;
- 3.3. 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;

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- 3.4. treating individuals who disclose sexual violence with compassion recognizing that they are the final decision-makers about their own best interests;
- 3.5. 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;
- 3.6. engaging in appropriate procedures for investigation and adjudication of a complaint which are in accordance with Career College policies, standards and applicable collective agreements, and that ensure fairness and due process;
- 3.7. ensuring coordination and communication among the various departments who are most likely to be involved in the response to sexual violence on campus;
- 3.8. engaging in public education and prevention activities;
- 3.9. providing information to the Career College community about our sexual violence policies and protocols;
- 3.10. providing appropriate education and training to the Career College community about responding to the disclosure of sexual violence;
- 3.11. contributing to the creation of a campus atmosphere in which sexual violence is not tolerated; and
- 3.12. monitoring and updating our policies and protocols to ensure that they remain effective and in line with other existing policies and best practices.

4. Reporting and Responding to Sexual Violence

- 4.1. Members of the Career College community should immediately report sexual violence incidents they witness or have knowledge of, or where they have reason to believe that sexual violence has occurred or may occur. Members who have experienced sexual violence are encouraged to come forward to report as soon as they are able to do so.
- 4.2. Persons in a position of authority, including persons directing the activities of others, shall take immediate action to respond to or to prevent sexual violence from occurring.
- 4.3. Where the Career College becomes aware of incidents of sexual violence by a member of the Career College community or against a member of the Career College community, which occur on or off Career College property and that pose a risk to the safety of members of the Career College community, the Career College shall take all reasonable steps to ensure the safety of the Career College community.
- 4.4. Members of the Career College community 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 Career College's staff or investigators. This includes irrelevant questions relating to the student's sexual expression or past sexual history

5. Complaint Process and Investigations

A complaint of sexual assault or any other kind of sexual violence can be filed under this Policy by any member of the Career College community.

The Career College will seek to achieve procedural fairness in dealing with all complaints. As such, no sanction and/or disciplinary action will be taken against a person or group without their

knowledge where there is an alleged breach of this Policy. Respondents will be given reasonable notice, with full detail of the allegations and provided with an opportunity to answer to the allegations made against them.

5.1. Right to Withdraw a Complaint

A complainant has the right to withdraw a complaint at any stage of the process. However, the Career College may continue to act on the issue identified in the complaint in order to comply with its obligation under this Policy and/or its legal obligations.

5.2. Protection from Reprisals, Retaliation or Threats

It is contrary to this Policy for anyone to retaliate, engage in reprisals or threaten to retaliate against a complainant or other individual for:

- having pursued rights under this Policy or the Ontario *Human Rights Code*;
- having participated or co-operated in an investigation under this Policy or the Ontario *Human Rights Code*; or
- having been associated with someone who has pursued rights under this Policy or the Ontario *Human Rights Code*.

Anyone engaged in such conduct may be subject to sanctions and/or discipline.

5.3. Unsubstantiated or Vexatious Complaints

If a person, in good faith, discloses or files a sexual violence complaint that is not supported by evidence gathered during an investigation, that complaint will be dismissed.

Disclosures or complaints that are found following investigation to be frivolous, vexatious or bad faith complaints, that is, made to purposely annoy, embarrass or harm the respondent, may result in sanctions and/or discipline against the complainant.

5.4 Appeals

The Career College will follow its Formal Complaint Procedure to ensure that all complaints are investigated thoroughly, fairly and consistently. However, in the event that any party deems the investigation resolution unsatisfactory, they may appeal the decision by filling out a formal written complaint form that is escalated to the College's President. The President will arrange a meeting within 2 business days. A summary of the outcome of that meeting as well as any mutually agreed upon resolution plans will be recorded on the Complaint form and cosigned by all parties.

Should a satisfactory resolution not be formed by this meeting with the President, then the College will form a complaint committee within 2 business days to review and discuss a resolution. The committee will consist of a minimum of 3 people including staff members from the Academics department and Campus Administrators. The complainant may choose to send their own representative to speak to or sit in on the committee review.

The President will report back to all related parties regarding the result of the committee's review within 5 business days.

6. Confidentiality

Confidentiality is particularly important to those who have disclosed sexual violence. The confidentiality of all persons involved in a report of sexual violence must be strictly observed, and the Career College

does its best to respect the confidentiality of all persons, including the complainant, respondent, and witnesses.

However, confidentiality cannot be assured in the following circumstances:

- an individual is at imminent risk of self---harm;
- an individual is at imminent risk of harming another; and/or
- there are reasonable grounds to believe that others in the Career College or wider community may be at risk of harm.

In such circumstances, information would only be shared with necessary services to prevent harm, and the name of the survivor would not be released to the public.

Where the Career College becomes aware of an allegation of sexual violence by a member of the Career College community against another member of the Career College community, the Career College may also have an obligation to take steps to ensure that the matter is dealt within order to comply with the Career College's legal obligation and/or its policies to investigate such allegations. In such cases, certain Career College administrators will be informed about the reported incident on a "need to know" and confidential basis, but not necessarily of the identities of the persons involved.

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1. If You Have Experienced Sexual Violence

If you have experienced sexual violence, please call Head Office at: 1-888-711-3271 (Toll-Free) or 416-410-3550 and we will assist you by providing the resources and support you need.

It is often difficult to disclose and report incidents of sexual violence. It is entirely up to you if you choose to report the incident; however, we strongly encourage you to do so. A number of other resources are available to you, including:

- Campus Manager (See local listing for contact information)
- Human Resources (employee assistance)- Laura- 416-410-3550.

Information about these resources is available below:

Anyone who has experienced sexual violence has the right to:

- be treated with dignity and respect,
- be believed,
- be informed about on--- and off---campus services and resources,
- decide whether or not to access available services and to choose those services they feel will be most beneficial,
- decide whether to report to campus security and/or local police,
- have an on---campus investigation with the institution's full cooperation,

- have a safety plan, and
- have reasonable and necessary actions taken to prevent further unwanted contact with the alleged perpetrator(s).

2. If You Would like to File a Formal Complaint

Head Office or any Campus manager can also assist you with filing a complaint. If the alleged perpetrator is another member of the Career College community, you may file a complaint under this Policy.

Individuals who have experienced sexual violence may also wish to press charges under the *Criminal Code*. Any of the above listed resources can also assist you with contacting the local Police.

More information on filing a complaint. See PTC's Complaint procedure policy.

3. What to Do if You Witnessed Sexual Violence

If you witness sexual violence, please call your Campus Manager or Head office, and we will assist you by providing all the resources and necessary support.

A number of other resources are available to you, including:

- Campus Manager (See local listing for contact information)
- Human Resources (employee assistance)- Laura- 416-410-3550.

Information about these resources is available below:

If a member of faculty or staff of the Career College becomes aware of an allegation of sexual violence against another member of the Career College community, the faculty or staff is required to report the alleged incident to the President immediately.

4. What to Do if Someone Discloses Allegations of Sexual Violence

A person may choose to confide in someone about an act of sexual violence, such as a student, instructor, teaching assistant, coach, or staff from housing, health, counselling or security. An individual who has experienced sexual violence may also disclose to staff or faculty members when seeking support and/or academic accommodation. A supportive response involves:

- listening without judgement and accepting the disclosure as true;
- communicating that sexual violence is never the responsibility of the survivor
- helping the individual identify and/or access available on--- or off---campus services, including emergency medical care and counselling;
- respecting the individual's right to choose the services they feel are most appropriate and to decide whether to report to the police and/or Campus Manager, Head Office, PTC's President.
- recognizing that disclosing can be traumatic and an individual's ability to recall the events may be limited;
- respecting the individual's choices as to what and how much they disclose about their experience; and

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- making every effort to respect confidentiality and anonymity.

If disclosure is made to faculty or staff by a student seeking support or academic accommodation, the faculty or staff should refer the student to the Campus Manager to ensure that the student receives all necessary academic and other accommodations.

As indicated above, if faculty or staff of the Career College becomes aware of an allegation of sexual violence against another member of the Career College community, the faculty or staff is required to report the alleged incident to the President immediately.

5. Communicating with Individuals who have Experienced Sexual Violence

Sensitive and timely communication with individuals who have experienced sexual violence and their family members (when an individual consents to this communication) is a central part of the Career College's first response to sexual violence. To facilitate communication the Career College will:

- Ensure that designated employees who are knowledgeable about sexual violence, are responsible for advocacy on campus on behalf of employees, students or any other member of the Career College community who have experienced sexual violence;
- Ensure designated employees respond in a prompt, compassionate, and personalized fashion; and
- Ensure that the person who has experienced sexual violence and the respondent are provided with reasonable updates about the status of the Career College's investigation of the incident when such investigations are undertaken.

6. Roles and Responsibilities of the Career College Community

While everyone on campus has a role to play in responding to incidents of sexual violence, some campus members will have specific responsibilities which might include:

- On campus health supports to provide psychological and emotional support, assist with safety planning and make referrals to other services, including medical services;
- Faculty, staff and administrators to facilitate academic accommodations and other academic needs of those who have experienced sexual violence, e.g., extensions on assignments, continuing studies from home, and dropping courses;
- Human Resources to assist with any incidents relating to employees; and
- Assistance with investigations and gathering evidence, to implement measures to reduce sexual violence on campus, and to collaborate with local police where appropriate.

Information about these resources is available below:

7. How Will the Career College Respond to a Report of Sexual Violence?

Where a complaint of sexual violence has been reported to the Career College, the Career College will exercise care to protect and respect the rights of both the complainant and the respondent. The Career College understands that individuals who have experienced sexual violence may wish to control whether and how their experience will be dealt with by the police and/or the Career College. In most circumstances, the person will retain this control. However, in certain circumstances, the Career College may be required to initiate an internal investigation and/or inform the police of the need for a criminal investigation, even without the person's consent, if the Career College believes that the safety of other members of the Career College community is at risk. The confidentiality and anonymity of the person(s) affected will be prioritized in these circumstances.

A report of sexual violence may also be referred to the police, or to other community resources at the complainant's request, where the persons involved are not members of the Career College community or in circumstances where the Career College is unable to initiate an internal investigation under this Policy.

7.1. Where the Respondent is a Student

Sexual violence is a violation of the Sexual Assault and Sexual Violence Policy. It is considered a serious offence and will be addressed in a manner which is consistent with other serious offences. Please see the Campus Manager or Head Office for more details on each disciplinary process.

7.2. Where the Respondent is an Employee

Sexual violence is a violation of Sexual Assault and Sexual Violence Policy. Allegations against employees will be addressed in accordance with the procedures set out in this Policy, and in any applicable collective agreement, and/or other Career College policies. If the complaint is sustained following an investigation, the Career College will decide on the appropriate disciplinary actions consistent with any applicable collective agreement and/or policies regarding discipline.

7.3. Where the Respondent is not a Student or Employee

Contractors, suppliers, volunteers or visitors who attend on campus will be subject to complaints if they engage in prohibited conduct. Where a complaint against the respondent is substantiated, the Career College will take appropriate action.

All contractual relationships entered into by the Career College will be governed by a standard contract compliance clause stating that contractors must comply with this Policy and the Ontario *Human Rights Code*, including co---operating in investigations. Breach of the clause may result in penalties, cancellation, or other sanctions.

7.4. Multiple Proceedings

Where criminal and/or civil proceedings are commenced in respect of the allegations of sexual violence, the Career College shall conduct its own independent investigation into such allegations, and will make its own determination in accordance with its policies and procedures. Where there is an ongoing criminal investigation, the Career College will cooperate with the local police.

8. Other Resources and Supports Available to You

In addition to confidential services on Campus and at Head Office, there are a number of external resources available in your community. See Appendix I for more details on what is available in your area.

APPENDIX I
Sexual Assault Centres (Ontario)

Region in Ontario	Sexual Assault Centre	24-hr Crisis Line	Office Phone
Algoma (Sault Ste. Marie)	Women In Crisis Algoma	1-877-759-1230	705-759-1230
Belleville-Quinte	Sexual Assault Centre for Quinte & District	1-877-544-6424	613-967-6300
Brant	Sexual Assault Centre of Brant	519-751-3471	519-751-1164
Bruce County	Women's House Serving Bruce and Grey: Sexual Assault Services	1-866-578-5566	519-372-1113
Chatham-Kent	Chatham-Kent Sexual Assault Crisis Centre	519-354-8688	519-354-8908
Cornwall	Sexual Assault Support Services for Women, Cornwall	English: 613-932-1603 French: 613-932-1705	613-932-1755
East Algoma (Elliot Lake)	Counselling Centre of East Algoma	1-800-721-0077	705-848-2585
Guelph-Wellington	Guelph-Wellington Women in Crisis	519-836-5710 1-800-265-7233	519-836-1110
Halton (Oakville)	Sexual Assault & Violence Intervention Services of Halton	905-875-1555	906-825-3622
Hamilton	Sexual Assault Centre Hamilton & Area (SACHA)	905-525-4162	905-525-4573
Kawartha (Peterborough & Area)	Kawartha Sexual Assault Centre	705-741-0260	705-748-5901
Kenora	Kenora Sexual Assault Centre	807-468-7233 1-800-565-6161	807-468-7958
Kingston	Sexual Assault Centre Kingston	613-544-6424 1-877-544-6424	613-545-0762
Waterloo	Sexual Assault Support Centre of Waterloo Region	519-741-8633	519-571-0121
London-Middlesex	Sexual Assault Centre London	519-438-2272 1-877-529-2272	519-439-0844
Muskoka	Athena's Sexual Assault Counselling & Advocacy Centre	705-737-2008 1-800-987-0799	705-737-2884
Niagara	Niagara Region Sexual Assault Centre	905-682-4584	905-682-7258
Nipissing	Amelia Rising Sexual Assault Centre of Nipissing	705-476-3355	705-840-2403
Oshawa-Durham	Oshawa-Durham Rape Crisis Centre	905-668-9200	905-444-9672
Ottawa SASC	Sexual Assault Support Centre of Ottawa	613-234-2266	613-725-2160
Ottawa RCC	Ottawa Rape Crisis Centre	613-562-2333	613-562-2334
Peel	Hope 24/7: Sexual Assault Centre of Peel	1-800-810-0180	905-792-0821

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Renfrew	Women's Sexual Assault Centre	1-800-663-3060	613-735-5551
Sarnia-Lambton	Sexual Assault Survivors' Centre Sarnia-Lambton	519-337-3320	519-337-3154
Sudbury	Voices for Women Sudbury		705-523-7100 ext. 2647
Thunder Bay	Thunder Bay Sexual Abuse & Sexual Assault Counselling & Crisis Centre	807-344-4502	807-345-0894
Timmins	Timmins and Area Women in Crisis	1-877-268-8380	705-268-8381
Toronto	Multicultural Women Against Rape/Toronto Rape Crisis Centre	(416) 597-8808	416-597-1171
Windsor-Essex	Sexual Assault Crisis Centre of Essex County	519-253-9667	519-253-3100
York	Women's Support Network of York Region	1-800-263-6734 905-895-7313	905-895-3646

**Pour le support francophone aux femmes victimes d'agression sexuelle:
CALACS (Francophone Sexual Assault Centres) in Ontario**

Centre Passerelle pour femmes: CALACS du Nord de l'Ontario	Centrepasserelle.ca 705-360-5657
Centre francophone d'aide et de lutte contre les agressions à caractère sexuel d'Ottawa	Calacs.ca 613-789-8096 calacs@calacs.ca
Centre Novas: Centre francophone d'aide et de lutte contre les agressions a caractere sexuel de Prescott-Russell	Centrenovas.ca 613-764-5700 administration@centrenovas.ca
Carrefour des femmes du Sud-Ouest de l'Ontario: CALACS de la région du Sud-Ouest	Carrefourfemmes.on.ca 1-888-858-0954 bienvenue@carrefourfemmes.on.ca
Centre Victoria pour femmes	Centrevictoria.ca 705-670-2517 info@centrevictoria.ca

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