

York Construction Academy's Sexual Violence Policy

1. Purpose

This policy affirms York Construction Academy's ongoing commitment to foster a culture that helps prevent sexual violence by:

- a. rejecting attitudes and behaviors that perpetuate sexual violence,
- b. fostering a culture of consent,
- c. supporting survivors,
- d. educating community members about sexual violence, and
- e. ensuring those who commit incidents of sexual violence are held accountable.

This policy outlines the supports and services available to those affected by sexual violence, the processes in place to address reports of sexual violence, the rights and obligations of community members regarding sexual violence, and affirms York Construction Academy's commitment to procedural fairness. **A formal report is not required in order to access support.**

2. Scope and Application

2.1 It is a violation of this policy for a York Construction Academy community member to commit an act of sexual violence against another York Construction Academy community member.

2.2 This policy applies to:

- I. Those persons involved in conducting York Construction Academy affairs including:
 - a. All registered York Construction Academy students,
 - b. York Construction Academy employees including retired employees,
 - c. Volunteers,
 - d. Contract workers,
 - e. Members of the Board, and
 - f. Employees of organizations representing York Construction Academy while they are either on or using York Construction Academy property or participating in York Construction Academy programs and activities, on or off York Construction Academy's premises

- II. where a York Construction Academy Community Member experiences Sexual Violence by a non-member that is alleged to have occurred either on York Construction Academy premises or at a York Construction Academy related event on or off York Construction Academy premises; and
- III. to virtual environments such as any form of electronic or social media.

2.3 Notwithstanding section 2.1 above, York Construction Academy may respond to a complaint in accordance with this policy and associated procedures in any circumstance that York Construction Academy determines may create a risk to the health or safety of any York Construction Academy Community Member, or to public confidence in York Construction Academy.

2.4 For the purposes of internal investigations, consequences and discipline, this policy applies only to sexual violence and misconduct by a York Construction Academy Community Member against another York Construction Academy Community Member that is reported to York Construction Academy, Support and Education and that is alleged to have occurred.

2.5 Any York Construction Academy Community Member who has experienced sexual violence may access supports through York Construction Academy. Supports are available to York Construction Academy Community Members regardless of where or when an incident has taken place. A formal complaint is not necessary in order to access support.

2.6 The complaint process is available whether the sexual violence occurred on campus, off campus or using social media.

2.7 Unless stated otherwise, in the event of any conflict between this policy and other York Construction Academy policies or procedures, this policy will prevail.

2.8 This policy does not and is not intended to replace or interfere with collective agreements or prevailing laws and does not preclude those experiencing sexual violence from seeking recourse through criminal or civil proceedings.

3. Definitions

Complaint:

A formal report of sexual violence filed with the Academy.

Complainant:

A York Construction Academy Community Member directly impacted by sexual violence or a York Construction Academy representative who has filed a report under this policy.

Consent:

- a. Consent means active, ongoing, informed, and voluntary agreement to engage in sexual activity; it cannot be implied or assumed.
- b. Consent cannot be given by someone who is incapacitated, unconscious, intoxicated, or otherwise incapable of consenting;
- c. Consent can be withdrawn anytime;
- d. Consent cannot be obtained through threats, coercion, or other forms of control and intimidation, which includes coercion through abuse of a position of trust, power, or authority;
- e. It is the responsibility of the person who wishes to initiate sexual activity to obtain consent from the other person(s) involved.
- f. The definition of consent does not vary based on a person's sex, sexual orientation, gender identity, gender expression, race, ethnicity, age or abilities.

Disclosure:

When a community member who has experienced sexual violence confides in someone about their experience. Disclosure is presumed to be for the purpose of obtaining support and services and/or to learn about options to make a formal report but is different from reporting.

Imminent Risk:

An assessment that an act of harm to a community member or members is about to occur or that there is a compelling likelihood that an act of harm will occur.

Rape Culture:

A culture which normalizes, trivializes, and excuses sexual violence or blames survivors for having experienced sexual violence; it can be expressed through dominant societal ideas, prevalent attitudes, social practices, media content, or through institutions which condone sexual violence either implicitly or explicitly.

Report:

When a community member who has experienced sexual violence informs York Construction Academy about their experience through a formal process that involves an expectation that formal action will be taken against the respondent. A report includes particulars of the sexual violence (e.g. names, date, details of what occurred). Reports can be made internally to York Construction Academy or externally to bodies such as police services, the Criminal Injuries Compensation Board, the Human Rights Commission, or through civil actions.

Respondent:

The community member whose actions are reported to constitute sexual violence.

Sexual Assault:

Any sexual contact made by a person towards another where consent is not first obtained. It is characterized by a broad range of sexual acts, carried out in circumstances in which the person has not freely consented to or is incapable of consenting to sexual activity. Under the Criminal Code of Canada, it has been interpreted as an actual or threatened advance, gesture, touch, or any other sexual act to which an individual has not consented. It includes a person being forced to perform sexual acts against their will. It is determined by a lack of consent, and not by the act itself.

Sexual Harassment:

- a. Unwanted sexual attention of a persistent or abusive nature, made by a person who knows or ought reasonably to know that such attention is unwanted;
- b. The making of an implied or express promise of reward for complying with a sexually oriented request;
- c. The making of an implied or express threat of reprisal, in the form of actual reprisal or the denial of opportunity, for refusal to comply with a sexually oriented request; and/or
- d. Sexually oriented remarks and behaviour which may reasonably be perceived to create a negative psychological and emotional environment for work and study.

Sexual Violence:

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.

Director:

A group of York Construction Academy personnel that ensures appropriate support and services are provided and coordinates effective responses to incidents of sexual violence and conducts risk assessments related to sexual violence.

Support person:

A union representative, legal counsel, friend, relative or other person who accompanies an individual reporting sexual violence during the investigation and/or adjudication process.

Survivor:

Someone who has experienced sexual violence. Although the term survivor is used throughout the Policy, the individual who has experienced sexual violence has the right to determine how they choose to identify and recognize their own experience.

York Construction Academy Community Member/Community Member:

All registered York Construction Academy students, York Construction Academy employees including retired or emeritus employees, Volunteers, Contract workers, and employees of organizations representing York Construction Academy while they are either on or using York Construction Academy property or participating in York Construction Academy programs and activities, on or off York Construction Academy's premise

Workplace Sexual Harassment:

- a. engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, and/or
- b. making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

4. Commitment and Statement of Principles

4.1 York Construction Academy recognizes that colleges can play a significant role in preventing sexual violence, supporting survivors, and holding perpetrators accountable. York Construction Academy is committed to providing and maintaining an environment in which sexual violence is recognized to be unacceptable and is not tolerated.

4.2 York Construction Academy recognizes that anyone can experience sexual violence. Individuals may encounter increased vulnerabilities based on intersectional aspects of their identity or perceived identity including such factors as race, Indigeneity, economic status, gender identity, gender expression, sexual orientation, language, age, ancestry, ethnicity, ability, faith and/or immigration status. Survivors can also experience many barriers to disclosing, reporting, and/or seeking support; barriers can differ based on the lived experience of the survivor. York Construction Academy strives to reduce these barriers in order to better support survivors in the community. Some acts of sexual violence are motivated by sexism, racism, colonialism, ableism, homophobia and transphobia, as part of a wider societal context that includes patriarchy, whiteness, and colonization as contributors to acts of sexual violence. York Construction Academy will work with survivors to determine the appropriate supports and accommodations required based on the individual survivor's experiences and expressed needs.

4.3 York Construction Academy will provide a range of supports and services to community members affected by sexual violence regardless of where or when such incidents occur and will, to the extent possible, ensure survivors can self-determine the supports and services they wish to access and whether they wish to contact police.

4.4 York Construction Academy will appropriately accommodate the needs of individuals affected by sexual violence, relating to study.

4.5 York Construction Academy recognizes that confidentiality is key to create an environment and culture where survivors feel safe to disclose and seek support and accommodation.

4.6 York Construction Academy is committed to providing on-going training, education, and initiatives aimed at changing attitudes and behaviors that perpetuate sexual violence. York Construction Academy will support these initiatives York Construction Academy resources. York Construction Academy will broadly communicate these initiatives and effectively respond to the needs of the diverse members of York Construction Academy community.

4.7 York Construction Academy recognizes the extreme impact that rape culture has on society and will work collaboratively with its community to develop educational programs around this serious systemic issue.

4.8 Reports of sexual violence made pursuant to the policy will be dealt with through York Construction Academy complaint procedures and any community member who is found to have committed sexual violence shall be held accountable and subject to sanctions and discipline up to and including notice of trespass, expulsion and/or termination of employment where appropriate.

4.9 All York Construction Academy employees in any way associated with the implementation of this policy are required to ensure timeliness of response in order to reduce the time required to access supports, services, and accommodations, as well as to ensure the timely resolution of complaints.

4.10 York Construction Academy is committed to ensuring that its processes for addressing sexual violence are designed to promote fair, just and timely resolution for complainants and respondents. Both parties will be provided with information explaining the process.

4.11 York Construction Academy recognizes the traumatic effects of sexual violence and is committed to providing appropriate support and information about options available to survivors. York strives for survivors to:

- Be treated with compassion, dignity, and respect;
- Be provided with non-judgmental and empathic support;
- Have confidentiality maintained and any limits to confidentiality explained;
- Be informed of the procedures in place to address sexual violence;
- Be provided with timely safety planning assistance;
- Be informed about on and off-campus supports and services available to them;
- Decide whether to pursue criminal or non-criminal reporting options subject to the limits described in this policy;
- Determine what and how much they choose to disclose and to whom;

- Have reasonable and necessary actions taken to prevent further unwanted contact with the respondent;
- Have options for reporting and/or filing a complaint outlined clearly including the option to withdraw a complaint after commencing it or to decline to participate in the investigation of a complaint; and
- Wherever possible, retain control over the matter and any decisions pertaining to their experience including reporting to police.

5. Confidentiality

5.1 York Construction Academy recognizes the importance of protecting confidentiality in order to provide an environment in which survivors can disclose sexual violence and obtain support and to ensure reports of sexual violence can be addressed in a fair manner.

5.2 York Construction Academy will make every reasonable effort to maintain confidentiality when it becomes aware of an incident of sexual violence. It will limit disclosure of information to those within York Construction Academy who need to know for the purposes of providing support and addressing incidents.

5.3 Disclosures and reports of sexual violence made to York Construction Academy are considered confidential and are treated in accordance with the *Freedom of Information and Protection of Privacy Act* and relevant collective agreements. Information regarding disclosures and reports will only be shared with those individuals who have a critical need to know to carry out functions appropriate to an individual's or unit's responsibility to properly address an incidence of sexual violence or as required by law.

5.4 To the extent possible, the identity of the survivor and the responding person will be anonymized.

5.5 York Construction Academy may be unable to guarantee complete confidentiality if:

- a. an individual is assessed to be at imminent risk of harm to self;
- b. an individual is assessed to be at imminent risk of harming an identified person;
- c. there is reason to believe that members of York Construction Academy community or the broader community may be at imminent risk of harm; and/or
- d. York Construction Academy is obligated to investigate or some other reporting/action is required by law (e.g. incidents involving a minor, or requirements under occupational health and safety or human rights legislation).

5.6 This list is the exception to the foundational rule of confidentiality and is necessary to ensure York Construction Academy can act in the interests of the safety of the community and to meet related legal obligations.

5.7 In cases where complete confidentiality cannot be maintained, the community member will be informed as soon as possible. Further, efforts will be made to limit the amount of information that is shared and the number of individuals with whom it is shared.

5.8 York Construction Academy will treat complaints and their investigation as confidential and will not release any information unless required to do so by law or as indicated in this policy. Provision of information to witnesses during investigations will be limited to what is reasonably necessary to conduct a fair and thorough investigation. Participants in an investigation including witnesses and support persons will be advised of the need to maintain confidentiality to protect the integrity of the investigation and will be advised to refrain from discussing the matter during the investigation and adjudication process. The obligation to keep information confidential does not prevent a person from pursuing counselling and/or other support services, including personal support networks for either the complainant or respondent.

5.9 York Construction Academy will collect data with respect to the number and types of incidents of sexual violence and the supports and services sought for the purpose of developing best practices, compliance with statutory reporting requirements or similar purposes.

6. Supports and Services

6.1 For Those Affected by Sexual Violence

6.1.1 A number of supports and services are available to community members affected by sexual violence, irrespective of when or where the incident(s) occurred. York Construction Academy will maintain an up-to-date list of supports and services offered by York Construction Academy and in the community. York Construction Academy will publicize the availability of this information broadly to members of York Construction Academy community.

6.1.2 A list of supports and services currently available at York Construction Academy and in the community is found in the Supports and Services section of this Policy.

6.1.3 It is not necessary to file a report or complaint in order to access the services provided by York Construction Academy. Equally, accessing these services does not constitute filing a report or complaint to York Construction Academy.

6.2 For Respondents

6.2.1 Supports and services are also available to respondents through the Office of York Construction Academy.

7. Disclosure

7.1 Disclosure occurs when an individual who has experienced sexual violence confides in someone about the experience. Disclosure can assist an individual in seeking out support and services and to learn about options available to assist them including options to make a formal report. Survivors determine when, what, and how much they choose to disclose.

7.2 Every survivor is entitled to decide whether or not to disclose or report an experience of sexual violence. Subject to the limits of confidentiality described in the Confidentiality section of

this policy, York Construction Academy will support a survivor's right to decide whether to pursue a complaint.

7.3 York Construction Academy recognizes that some individuals may be hesitant to disclose or report sexual violence in cases where they have been drinking or using drugs while under age at the time the sexual violence took place. A survivor or community member acting in good faith who discloses or reports sexual violence will not be subject to actions for violations of York Construction Academy's policies related to drug and alcohol use at or around the time that the sexual violence took place.

7.4 Disclosures may be made to any community member. Disclosures may relate to a respondent who is or is not a member of York Construction Academy community and may relate to incidents that are current or that occurred at any time in the past.

7.5 All members of York Construction Academy community to whom sexual violence is disclosed have a duty to advise the individual disclosing of this Policy and the existence of York Construction Academy. Any community member other than a professional counsellor receiving a disclosure should contact York Construction Academy to inform the office that they have received a disclosure and may do so without sharing the identity of the individual making the disclosure if they do not have the consent of the survivor. York Construction Academy can also provide support and resources to community members receiving a disclosure.

7.6 While disclosure may be made to any community member, survivors are encouraged to contact York Construction Academy directly. York Construction Academy will provide, on a confidential basis, assistance in obtaining supports and services as well as information regarding options for reporting the incident.

8. Reporting

8.1 Emergency Reporting

8.1.1. If someone is at **immediate risk** of harm, community members are encouraged to call emergency services at **911 immediately**, and **then contact Security Services at 416-736-5333 or ex. 33333.**

8.2 Reporting Generally

8.2.1 Reporting to York Construction Academy occurs when a York Construction Academy community member who has experienced sexual violence pursues a formal process through York Construction Academy that involves an expectation that action be taken against the respondent.

8.2.2 Reporting sexual violence to York Construction Academy does not prevent a person from reporting through the criminal justice system (i.e. police) or through other available processes such as to the Human Rights Tribunal of Ontario, the Criminal Injuries Compensation Board or through the civil courts. Equally, reporting through police or other mechanisms does not prevent a person from also reporting to York Construction Academy.

8.2.3 The decision to report sexual violence is the choice of the community member affected. In addition, a community member who files a complaint has the right to subsequently withdraw the complaint at any time and has the right not to participate in any York Construction Academy investigation. In such cases, the Director will determine how to address the complaint in the interest of protecting the larger community. If a complaint is withdrawn, York Construction Academy supports and accommodations are still available for both the complainant and respondent.

8.2.4 No one is entitled to either directly or indirectly intimidate, threaten, coerce, discriminate against, harass, retaliate, or engage in reprisals against an individual who is:

- a. reporting an incident of, or making a complaint about sexual violence, or
- b. participating in or has co-operated with an investigation under this Policy.

8.2.5 York Construction Academy may institute measures it considers appropriate to prevent reprisal such as separating the parties to a complaint in the academic, work or housing environment or prohibiting communication between the parties pending the complaint process. Anyone engaged in reprisal or who violates York Construction Academy's direction may be subject to sanctions and/or discipline including possible termination or expulsion from York Construction Academy.

8.2.6 Reporting to police services will only be made with the informed consent of the survivor, unless there has been an assessed imminent risk of harm as outlined in Section 5. Reporting to the police or to other external agencies (e.g. Ontario Human Rights Tribunal) is the only way to formally seek redress against a respondent who is not a member of York Construction Academy community.

8.3 Informal Resolution

8.3.1 Many cases of sexual violence are not well suited to alternative or informal resolution. However, there are instances in which the complainant and respondent wish to pursue informal resolution through mediation/facilitation, restorative justice, or similar methods.

8.3.2 York Construction Academy will provide information to the complainant regarding informal resolution options and the Office of Student Community Relations (OSCR) will provide information to the respondent regarding informal resolution options. Participation in informal resolution is voluntary and either party may withdraw from the process at any time.

9. Complaint Process

9.1 York Construction Academy is responsible for receiving all non-emergency reports of sexual violence. Any community member who experienced sexual violence by another community member may commence the reporting process by contacting York Construction Academy in person or electronically.

9.2 A complaint is finalized on the date on which it is received by York Construction Academy in writing and signed by the complainant. The complaint will include the following:

- a. name of the Complainant
- b. name of the Respondent (if known); and
- c. a description of the particulars including but not limited to date(s), time and location where the incident(s) occurred.

9.3 The Complainant will be provided with a copy of the complaint.

9.4 York Construction Academy has the jurisdiction to investigate reports made against a community member and will do so as expeditiously as possible.

9.5 Complaints involving staff or faculty respondents will be processed in accordance with the applicable collective agreement and/or York Construction Academy policy or program.

9.6 Throughout the complaint process, complainants, and respondents have the right to be accompanied by a support person, who must also adhere to the confidentiality requirements of the process.

9.7 Complainants and respondents will be provided with appropriate procedural fairness throughout the process.

9.8 A complaint may be filed if the respondent is a community member at the time of the incident reported in the complaint. A complaint process may continue after the complainant's relationship to or with York Construction Academy ends if the respondent continues to be a member of York Construction Academy community. If the respondent's relationship to or with York Construction Academy ends before the complaint process has been completed, the

process may be suspended. The process may resume if the respondent returns to York Construction Academy at a future date.

9.9 The filing of a complaint under this Policy is independent of any criminal investigation or proceeding (i.e. a person may report an incident to both York Construction Academy and the police). York Construction Academy's investigation and decision-making may be suspended pending in the outcome of the criminal proceeding. However, York Construction Academy may take interim measures as it considers necessary to protect the complainant and/or York Construction Academy community pending the outcome. Interim measures may include "no contact" orders, and/or other arrangements.

9.10 A complainant may withdraw a complaint at any time throughout the complaints process. The complainant may choose not to participate in the complaint process. However, it is recognized that York Construction Academy may determine that it must or should continue with the investigation and that the complainant's non-participation may impact the scope of the investigation.

10. Complaints Against Students

10.1 Preliminary Assessment

10.1.1 After a complaint is filed, it will be transmitted to the Director for preliminary assessment. The Director will assess whether the complaint falls within the jurisdiction of this policy. If the Director determines that the complaint is outside the jurisdiction of the policy or that the matter should not be investigated, it will provide written notice of that decision and reasons for the decision to the complainant.

10.1.2 A Complainant may request reconsideration of a decision by the Director that a complaint will not be investigated. A request for reconsideration must be made in writing within 45 calendar days of receipt of the written notice of decision and must be submitted to the Director for decision.

10.1.3 Requests for reconsideration may be facilitated through York Construction Academy.

10. 2 Complaint Resolution

10.2.1 If the Director determines that the complaint should be processed through the complaint procedure of this policy, it will refer the complaint to York Construction Academy for Human Rights and Inclusion (REI) to appoint an investigator.

10.2.2 The Director may impose interim measures as it considers necessary to ensure safety of the person reporting or others in the community, to reduce contact between the parties, to prevent retaliation or to avoid a hostile environment. Interim measures may include "no contact" orders, and/or other arrangements.

10.2.3 Centre for Human Rights Equity and Inclusion (REI) will ensure a copy of the complaint is promptly forwarded to the respondent who will be provided with an opportunity to submit a written response.

10.3 Informal Resolution

10.3.1 Efforts to resolve a complaint informally may be undertaken at any time either before a complaint is filed or throughout the complaints process up to the point when a decision is rendered.

10.4 Formal Resolution

10.4.1 When a decision is made that formal resolution is the appropriate course of action York Construction Academy for Human Rights Equity and Inclusion (REI) will appoint an investigator to conduct a full investigation. The investigator may be an individual internal to REI or an external person retained for this purpose. The investigator will be properly trained to conduct investigations into sexual violence complaints, trauma-informed investigations, and the potential impact of intersectional identities on how sexual violence is experienced. The complainant and the respondent will be informed that they may have a support person present during the investigation process.

10.4.2 The steps taken to investigate a complaint may vary but will generally involve the following:

- a. the complainant and the respondent are informed in writing that an investigation is being undertaken, describing the allegations and the possible sanctions.
- b. the respondent is given the opportunity to provide a written response to the complaint and the complainant has the opportunity to reply to the written response;
- c. the investigator conducts one or more separate interviews with the complainant and respondent to obtain any additional information, documents, names of witnesses and other evidence that may be considered relevant; both parties will never be interviewed at the same time;
- d. relevant documentary and other evidence are compiled;
- e. the complainant, respondent or witnesses will not be asked irrelevant questions particularly as they relate to sexual expression or past sexual history; and
- f. interviews are conducted with witnesses or other individuals who may have relevant evidence.

10.4.3 Either party may decline to be interviewed by the investigator and/or to provide relevant evidence. The investigation report will reflect that a party was given the opportunity to participate in the investigation but did not do so.

10.4.4 During the course of investigation, the investigator will keep the parties apprised of the status of the investigation and the expected time to completion. While the time to investigate and complete an investigation report will vary depending on the circumstances of the case, it is expected that investigation reports will be finalized within 60 calendar days.

10.4.5 Following completion of the investigation, the investigator will prepare a written report containing a detailed summary of the facts and evidence gathered. A complete copy of the investigation report will be provided to the complainant and respondent.

10.4.6 The complainant and respondent will be provided an opportunity to make written submissions with respect to the investigation report. Any submissions received by either party will be disclosed to the other.

10.4.7 At any time prior to the investigation report being forwarded to the Director, either party may request informal resolution. Once the report has been submitted to the Director, requests for informal resolution must be submitted directly the Director.

10.4.8 The investigation report and the submissions of the parties will be presented to the Director for a decision as to whether based on a balance of probabilities there has been a breach of the policy. The role of the Director throughout this policy may be performed by a delegate appointed by the Director.

10.4.9 Prior to a decision being made, oral submissions may be undertaken as follows:

- a. At the request of one or both of the parties or at the discretion of the Director.
- b. If oral submissions occur, the parties will not be required to be in the same room together when making submissions if they elect to provide oral submissions.
- c. The parties may have a support person present.
- d. The Director may request to meet with the investigator and/or any witnesses prior to making a decision.
- e. If either party declines to participate in an oral submission, they will be provided with questions in writing from the Director and will have the opportunity to provide written answers.
- f. If any new evidence is presented either orally or in writing, both parties may be given the opportunity to respond in writing prior to a decision being rendered.

10.4.10 Based on the investigation report and the submissions of the parties, the Director will make one of the following decisions on a balance of probabilities:

- a. That the evidence supports a finding that the respondent violated this policy and that a particular sanction or penalty is imposed; or
- b. That the evidence does not support a finding that the respondent violated the policy and the complaint is therefore dismissed.

10.4.11 The Director will set out a decision, in writing including a summary of the information relied upon in making the decision and the reasons for the decision. This written decision will be provided to the complainant and respondent.

10.4.12 If the Director determines that the policy has been breached and issues a penalty or sanction, the complainant will be provided with sufficient information regarding the precise nature of the penalty or sanction so as to maintain the complainant's ongoing safety and/or to reduce the possibility of contact between the parties.

11. Appeals of Decisions of the Director

11.1 Grounds for Appeal

11.1.1 A respondent subject to sanctions following a decision under the policy may appeal the finding of breach of the policy and/or the sanctions imposed by the Director if one or both of the following applies:

- a. A serious procedural error was made during processing of the complaint that caused prejudice to the respondent and/or might have affected the final outcome;
- b. The decision is clearly unreasonable or unsupportable on the evidence; and/or
- c. The sanction is unreasonable or unsupportable in the circumstances of the case.

11.1.2 A complainant may appeal a finding that no breach has occurred and/or the sanctions imposed by the Director if one or both of the following applies:

- a. A serious procedural error was made during processing of the complaint that caused prejudice to the complainant and/or might have affected the final outcome;
- b. The decision and/or sanction are clearly unreasonable or unsupportable on the evidence.

12. Complaints Against Staff or Faculty

12.1 In cases where the respondent is a faculty or staff member a complaint may be initiated through York Construction Academy, which will ensure that the complaint is provided to the appropriate office under applicable collective agreements and York Construction Academy policies. The Academy will outline respective processes for the complainant.

13. Records of Investigations and Outcomes

13.1 Written records will be retained by the Academy with respect to a complaint investigation and its resolution. York Construction Academy will comply with all criminal legal subpoenas, civil court ordered requests for records, or as required under FIPPA.

14. Authority to Amend Policy and Create Procedures

14.1 The Director or appointed delegate is authorized to amend the following aspects of this policy without the prior approval of the Board:

- a. the supports and services available at York Construction Academy or in the community;
- b. the identity of officials, offices and departments at York Construction Academy who can provide supports, services and/or accommodation; and
- c. the identity of officials, offices and departments at York Construction Academy to whom reports of sexual violence should be made or who are involved in each stage of the investigation and decision-making processes.

14.2 The Director or appointed delegate is authorized to establish and amend procedures, protocols, or guidelines pursuant to this policy

15. Policy Review and Amendment

15.1 This policy will be reviewed at least once every three years commencing from the date of its approval.

15.2 The review and amendment process will include consultation with representatives of York Construction Academy's elected student governments and with consideration of input from a diverse selection of students as well as input from faculty and staff, including staff and faculty associations.

Support and Services

Toronto Rape Crisis Centre/Multicultural Women Against Rape (TRCC/ MWAR)

416- 597-8808 (24/7 Crisis Line)

crisis@trccmwar.ca

<http://trccmwar.ca/>

Assaulted Women's Helpline

416-863-0511(24/7), TTY: 416-364-8762

Toll-Free: 1-866-863-0511, TTY: 1-866-863-7868

Fem'aide

1-877-336-2433

info@femaide.ca

<http://www.femaide.ca>

Good2Talk

1-866-925-5454

info@good2talk.ca

<http://www.good2talk.ca/>

Hassle Free Clinic

416-922-0566, Fax: 416-922-2018

66 Gerrard Street East, 2nd Floor, Toronto, ON

<http://hasslefreeclinic.org/>

Lesbian Gay Bi Trans Youth Line

1-800-268-9688, Text: 647-694-4275

<http://www.youthline.ca/>

Women's College Hospital Sexual Assault/Domestic Violence Care Centre (SA/DVCC)

416-323-6040, Fax: 416-323-6489

76 Grenville Street, Main floor, Toronto, ON

The Women's College Hospital SA/DV centre is located in the Acute Ambulatory Care Unit (AACU) on the 1st floor in Room 1305.

<http://www.womenscollegehospital.ca/programs-and-services/sexual-assault-domestic-violence-care-centre/>

Sunnybrook Hospital Bayview Campus

416-480-6100

2075 Bayview Avenue, Toronto, ON

York Central Hospital Domestic Abuse and Sexual Assault Care Centre (DASA)

905-883-1212

905-832-1406 – DASA ext. 2 (Information)

955 Major MacKenzie Dr, Richmond Hill, Ontario

<http://www.yorkcentral.com/main/contact.htm>

Independent Legal Advice for Sexual Assault Survivors Pilot Program

1-855-226-3904

<https://www.attorneygeneral.jus.gov.on.ca/english/ovss/ila.php>

Support Services for Male Survivors of Sexual Abuse Program

1-866-887-0015 – Information 1-888-579-2888

http://www.attorneygeneral.jus.gov.on.ca/english/ovss/male_support_services/

Oasis Centre des femmes (Francophone)

416-591-6565

services@oasisfemmes.org

<http://www.oasisfemmes.org/>

External Resources

Toronto Police Services

416-808-2222

<http://www.torontopolice.on.ca/>

York Region Police Services

1-866-876-5423

<https://www.yrp.ca/en/index.asp>