



# York Construction Academy's Sexual Violence Policy

## 1. Purpose

This policy demonstrates York Construction Academy's commitment to:

- Rejecting behaviors that perpetuate sexual violence.
- Fostering a culture of consent.
- Supporting survivors.
- Educating the community on sexual violence.
- Holding perpetrators accountable.

It provides support for those affected by sexual violence, outlines reporting processes, and ensures procedural fairness. A formal report is not required to access support.

## 2. Scope and Application

**2.1 Violations:** Any community member committing sexual violence against another is in violation of this policy.

### 2.2 Who This Policy Applies To:

- All registered students, employees (including retired), volunteers, contractors, Board members, and representatives of the Academy, on or off Academy property, or during Academy events.
- Sexual violence by non-members at Academy-related events or on Academy premises.
- Virtual environments, including social media.

**2.3 Risk to Safety:** The Academy may respond to any situation threatening the health, safety, or public confidence of the community.

**2.4 Application for Internal Investigations:** This policy applies to reported sexual violence by a community member against another.

**2.5 Accessing Support:** Survivors can access support, regardless of the timing or location of the incident, and without filing a formal complaint.

**2.6 Complaint Process:** Applies to incidents occurring on campus, off-campus, or via social media.

**2.7 Policy Precedence:** This policy takes precedence in the event of a conflict with other policies.

**2.8 No Replacement of Laws:** This policy does not replace collective agreements or laws, nor does it stop individuals from pursuing criminal or civil action.

## 3. Definitions

- **Complaint:** A formal report of sexual violence filed with the Academy.
- **Complainant:** The individual affected by sexual violence, or their representative.
- **Consent:** Active, informed, voluntary agreement to sexual activity, revocable at any time.

- **Disclosure:** Sharing an experience of sexual violence for support, without filing a formal report.
- **Imminent Risk:** Harm about to occur to a community member.
- **Rape Culture:** Societal attitudes that normalize or trivialize sexual violence.
- **Report:** Formal process of informing the Academy about sexual violence.
- **Respondent:** The individual accused of sexual violence.
- **Sexual Assault:** Any sexual contact without consent, including threats or forced acts, as defined by the Criminal Code of Canada.
- **Sexual Harassment:** Unwanted sexual attention, coercive behavior, or sexually inappropriate actions.
- **Sexual Violence:** Any sexual act or act targeting a person's sexuality, gender identity, or expression without consent, including assault, harassment, stalking, voyeurism, and exploitation.
- **Director:** Academy personnel coordinating responses to sexual violence and conducting risk assessments.
- **Support Person:** A person who supports the individual during investigations, such as a union rep or legal counsel.
- **Survivor:** An individual who has experienced sexual violence, with the choice to identify their experience.
- **York Construction Academy Community Member:** Students, employees, volunteers, contractors, and affiliated personnel on Academy property or involved in Academy activities.
- **Workplace Sexual Harassment:** Persistent, unwelcome sexual conduct or advances, often by those in positions of power.

#### 4. Commitment and Statement of Principle

**4.1 Prevention and Accountability:** The Academy is committed to preventing sexual violence and supporting survivors.

**4.2 Acknowledging Vulnerabilities:** Sexual violence affects individuals based on identity, such as race, gender, and sexual orientation, and the Academy works to reduce barriers to disclosure and provide tailored support.

**4.3 Support Access:** Support services are available regardless of the timing or location of the incident, and survivors can choose what services to access.

**4.4 Accommodations:** The Academy will accommodate survivors' needs related to studies.

**4.5 Confidentiality:** The Academy ensures confidentiality when survivors disclose incidents safely.

**4.6 Ongoing Education:** The Academy provides education to address rape culture and combat sexual violence.

**4.7 Responding to Reports:** Reports will be addressed promptly, with perpetrators facing disciplinary actions, including expulsion or termination.

**4.8 Timely Response:** Employees ensure quick access to support and timely resolution of complaints.

**4.9 Fair and Just Process:** The Academy ensures a fair resolution for both complainants and respondents.

**4.10 Trauma-Informed Support:** Survivors are treated with dignity and respect and given reporting and support options.

#### 5. Confidentiality

**5.1 Protecting Confidentiality:** The Academy ensures confidentiality to create a safe environment for survivors to disclose sexual violence.

**5.2 Disclosure:** Information about disclosures is shared only with those necessary to support the investigation and legal requirements.

**5.3 Exceptions:** Confidentiality may not be guaranteed if there's imminent risk of harm or legal obligations require disclosure.

**5.4 Maintaining Confidentiality:** Efforts will be made to anonymize survivor and respondent identities, and survivors will be informed if confidentiality cannot be maintained.

**5.5 Data Collection:** The Academy will collect data on sexual violence incidents for legal compliance and to improve practices.

## **6. Supports and Services**

### **6.1 Access to Support:**

- A range of support services is available to survivors, regardless of when or where the incident occurred.
- Support can be accessed without filing a formal report.

### **6.2 For Respondents:**

- Respondents have access to support services via the Academy.

## **7. Disclosure**

**7.1 Disclosure:** Survivors decide what, when, and how much to share when accessing support or exploring options.

**7.2 Survivor Rights:** Survivors can choose whether to disclose or report, with confidentiality respected within legal limits.

**7.3 Alcohol or Drug Use:** Survivors will not be penalized for alcohol or drug use during the incident.

**7.4 Disclosures:** Disclosures can be made to any community member, regardless of whether the respondent is part of the Academy, and can relate to past or current incidents.

**7.5 Information on Policy:** All who receive disclosures must inform the survivor about this policy and available resources.

**7.6 Encouraging Direct Contact:** Survivors are encouraged to contact the Academy directly for confidential support and resources.

**Special Provision Related to Drug and Alcohol Use:** Survivors will not face penalties for drug or alcohol use when reporting sexual violence in good faith, prioritizing support and safety.

## **8. Reporting**

### **8.1 Emergency Reporting:**

- Call 911, then contact Security Services at 416-736-5333 if at immediate risk.

### **8.2 General Reporting:**

- Reporting to the Academy involves formal action.
- Reporting does not prevent legal or external reporting.
- Reporting is voluntary, and complainants can withdraw at any time.
- Retaliation is prohibited.
- Interim actions may be taken to prevent retaliation.
- Police reports require consent, unless there's an immediate risk of harm.

### **8.3 Informal Resolution:**

- Mediation or restorative justice can be pursued voluntarily by both parties at any stage.

## **9. Complaint Process**

**9.1** The Academy handles non-emergency reports.

**9.2** Complaints must be submitted in writing, signed, and include details of the incident.

**9.3** The complainant receives a copy of the complaint.

**9.4** Complaints are investigated promptly.

**9.5** Complaints involving staff or faculty are handled per policies or collective agreements.

**9.6** Both parties may have a support person.

**9.7** Both parties are entitled to procedural fairness.

**9.8** The complaint process applies if the respondent was a community member at the time.

**9.9** The process is independent of criminal investigations, though interim measures may be taken.

**9.10** Complaints can be withdrawn, but the Academy may continue the investigation in some cases.

## **10. Complaints Against Students**

### **10.1 Preliminary Assessment:**

- The Director assesses if the complaint falls within policy and notifies the complainant if it does not.
- Complainants can request reconsideration within 45 days.

### **10.2 Complaint Resolution:**

- Complaints are referred to the Office of Human Rights and Inclusion (REI) for investigation.
- Interim measures may be taken for safety.
- REI will forward the complaint to the respondent for a written response.

## **11. Grounds for Appeal**

- Respondents can appeal if there's a procedural error or unreasonable decision.
- Complainants can appeal if the decision is unreasonable or there's a procedural error.

## **12. Complaints Against Staff or Faculty**

Complaints are processed per collective agreements and Academy policies.

### **13. Authority to Amend Policy**

- The Director can amend the policy without Board approval.
- The Director can establish or amend procedures related to the policy.

### **14. Policy Review**

The policy will be reviewed at least every three years.

#### 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-violencecare-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.ius.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.ius.gov.on.ca/english/ovss/male\\_support\\_services/](http://www.attorneygeneral.ius.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>