



POLICY ON SEXUAL VIOLENCE

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sexual violence and could affect their needs and choices with regard to recourses. These circumstances will be taken into account when providing support and assistance.

Dawson College has other policies in place that are relevant to issues of sexual violence and harassment such as the Policy to Stem Violence, Discrimination, Harassment and the Abuse of Power, as well as the Code of Conduct. This policy complements those and other related college policies and is not intended to supersede or interfere with any applicable college policy, or the provisions of any collective agreements or contracts applicable to employees, or the justice system. In addition, nothing in this policy precludes individuals from exercising their rights under a collective agreement, management agreement, or from seeking alternate routes such as the justice system and the Quebec Human Rights Commission.

Article 3 Definitions

People

College community consists of all students, employees, members of the Board of Governors, employees of associations at the college, interns, mentors, and volunteers.

Employee is any full-time, part-time, permanent or occasional employee in any category of employment at Dawson College (teachers, professionals, support personnel, coaches, contractual staff, and management personnel).

Discloser is a

- x A person who has been threatened or coerced into engaging in a sexual activity is not giving consent.
- x Consent given in a previous sexual or dating relationship does not mean consent has been given for any future sexual activities.
- x A person can withdraw consent at any time during the course of a sexual encounter.

Relationships of authority exist between individuals who occupy different hierarchical positions in the college. For example, the relationship between an immediate superior and a member of their team or an employee-student relationship.

Intimate relationships include amorous as well as sexual relationships.

Sexual violence

Sexual violence means any violence, physical or psychological, carried out through sexual means or by targeting sexuality. This includes, but is not limited to sexual assault, sexual harassment, sexual exploitation, stalking, indecent exposure, voyeurism, degrading sexual imagery, distribution of sexual images or video of a community member without the individual's consent, and cyber harassment or cyber stalking of a sexual nature or related to a person's sexual orientation, gender identity and/or presentation.

Sexual assault is a criminal offence under the Criminal Code of Canada. Sexual assault is any unwanted act of a sexual nature imposed upon a person and includes such activities as kissing, fondling, oral, vaginal or anal sex, or other forms of penetration, without consent. Sexual assault can occur between strangers, acquaintances or be perpetrated by someone known to the individual. It can also occur in a dating relationship, between spouses, or in any other relationship.

Sexual harassment is a course of inappropriate remarks, behaviours, innuendo, taunting or communications of a sexual nature and/or a course of inappropriate remarks, behaviours or communications based on gender and/or sexual orientation. Sexual harassment may consist of unwanted attention of a sexual nature such as personal questions about one's sex life, unwelcome sexual invitations or requests, or unwelcome remarks about someone's appearance. Sexual harassment may also consist of unwelcome remarks based on gender, gender identity or sexual orientation where such remarks may not be of a sexual nature but are nevertheless demeaning such as derogatory gender-based

Complaint is a formal statement concerning sexual violence made by a discloser to the appropriate person or authority for the purpose of pursuing internal and/or external

4.9 Teachers

Teachers must:

- x Provide individuals with appropriate academic accommodations, in discussion with their dean, in response to an incident of sexual violence;
- x Participate in the mandatory training sessions offered by the College;
- x Look for opportunities to inform students about information related to sexual violence and training and awareness activities.

Article 5 Standing Committee

The College must maintain a Standing Committee to develop and review the policy, and to ensure it is followed. This committee will meet a minimum of once each semester.

The committee is responsible for: ~~EWB3966 (t)1.1 (i93CID 5 92le)T di.685 Td [Tw96 (e (t)1.1 (i98)T 5 92le)TTJ~~

External partners, resources, and support may be invited to assist with these activities, as necessary.

6.2 Committee for the Prevention of Sexual Violence

To assist the College in developing awareness-raising, prevention, and training activities for members of the college community, the Standing Committee oversees a Committee for the Prevention of Sexual Violence. This committee will meet at least once per semester.

The committee is responsible for:

- x Developing and implementing prevention,

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10.1 Student Primary Contact Person

The Student Primary Contact Person for sexual violence is a counselor who is under the purview of Student Services.

The Student Primary Contact Person is responsible for:

- x Receiving the discloser or anyone else choosing to report an incident of sexual violence
- x Providing the discloser and/or witness with the support and guidance they need following the disclosure, report or complaint of sexual violence;
- x Following up with the discloser for emergencies reported to 911 or to Campus Security;

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reported incident of sexual violence, and will act together to provide a coordinated, timely and appropriate response. It is composed of the most relevant resources, depending on each case, as determined by the Primary Contact Person in accordance with the needs and consent of the discloser.

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Disclosure of an incident of sexual violence is confidential, subject to the limits set out in this policy (article 12).

10.5.2 Reports

An individual who has experienced, witnessed or is concerned about an incident of sexual

repetitive nature of the alleged acts will be considered when deciding whether to impose sanctions and the form those sanctions must take.

As part of its contractual relationship with a third party, the College may terminate any contract, without notice, for non-compliance with this policy. This policy will be presented to all third party contractors with the College and the third party must agree to abide by it.

Article 14 Appeals

A discloser or a respondent may request an appeal of the process or the outcome of an internal investigation into sexual violence.

A request for an appeal should be submitted in writing to the Director General who will convene an Appeals Committee. In the case of an allegation against the Director General, the appeal will be submitted to the Chair and Vice-chair of the Board.

14.1 Grounds for appeal: procedural error

An appeal can be made on the grounds of a major procedural error that has caused or will cause prejudice to the person seeking the appeal. This appeal must be made within 10 days of receiving the findings of the investigation.

14.2 Grounds for appeal: new evidence

New evidence deemed relevant to the investigation can be submitted within 20 days of discovery to initiate an appeal.

Article 15 Dissemination

This policy is available on the College's website to all members of the college community. It will be transmitted to students prior to the start of their first semester and to all new employees upon their hiring, and it will be disseminated at the beginning of each semester. This policy will be communicated to all individuals and bodies with whom the College maintains a contractual relation so that they are aware of their roles and responsibilities.

Article 16 Accountability to the Minister of Education

In accordance with the Act to prevent and fight sexual violence in higher education institutions, the College will report on the application of this policy in its annual report, or in another document determined by the Minister. For the purposes of this reporting, all the data collected will be reported in an aggregated form to maintain confidentiality.

Article 17 Policy application and review

The overall responsibility for the application of this policy rests with the Director General.

The Standing Committee will be responsible for reviewing this policy each year for the first three years following its implementation, and at least every five years thereafter. The committee will make any necessary recommendations to the Director General.

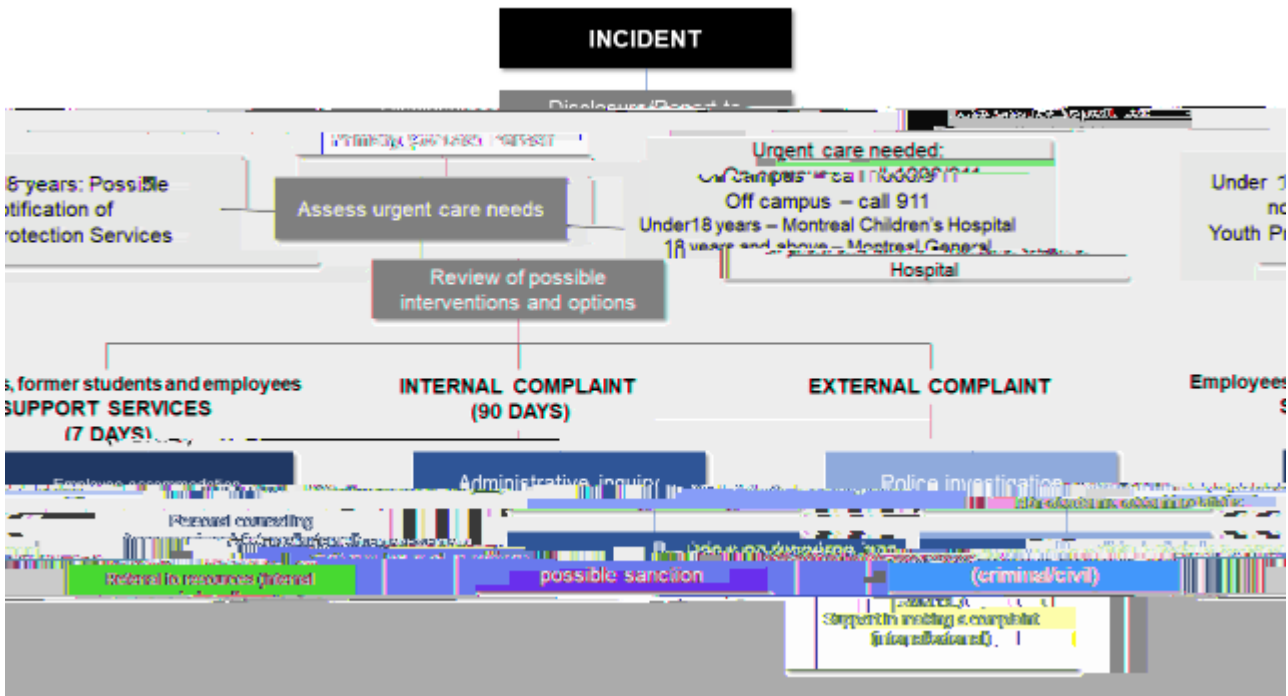
This policy will be adopted by the Board of Governors. It replaces and repeals any previous policy.

ANNEX 1 – FLOWCHARTS

Flowchart to assist students dealing with an incident of sexual violence



Flowchart to assist employees, former students and employees dealing with an incident of sexual violence



Note:

The Single-Contact Service is the point of service for immediate and comprehensive response to disclosures, reports and complaints of sexual violence. Students will meet a Primary Contact Person who is a psychologist. Employees, former students and former employees will meet an external counselor from a firm hired by the College.

ANNEX 2 – CONFIDENTIALITY FORMS

