



## Career College Sexual Violence Policy

### 1. Sexual Violence Policy

- (a) PHOENIX DRIVER TRAINING is committed to providing its students with an educational environment free from sexual violence and treating its students who report incidents of sexual violence with dignity and respect.
- (b) PHOENIX DRIVER TRAINING has adopted this Sexual Violence Policy, which defines sexual violence and outlines its training, reporting, investigative, and disciplinary responses to complaints of sexual violence made by its students that have occurred on its campus, or at one of its events and involve its students.
- (c) The person accused of engaging in sexual violence will be referred to as the “Respondent” and the person making the allegation as the “Complainant”.

### 2. Definition of Sexual Violence

Sexual violence means 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.

### 3. Training, Reporting and Responding to Sexual Violence

- (a) PHOENIX DRIVER TRAINING will include a copy of the Sexual Violence Policy in every contract made between it and its students, and provide a copy of the Sexual Violence Policy to career college students, management (corporate directors, controlling shareholders, owners, partners, other persons who manage or direct the career college’s affairs, and their agents), instructors, staff, other employees and contractors and train them about the policy and its processes of reporting, investigating and responding to complaints of sexual violence involving its students. \*Any company participating in offering student internships on their premises must provide an undertaking in writing that it is in compliance with all applicable legislation, including the Ontario Human Rights Code and the Occupational Health and Safety Act and will provide students access to those policies should they encounter issues relating to sexual violence in the workplace.
- (b) The Sexual Violence Policy shall be published on its website (or where the Career College does not have a website in a conspicuous location on each of its campuses). Career college management, instructors, staff, other employees and contractors of PHOENIX DRIVER TRAINING will report incidents of or complaints of sexual violence to Bharbhoo Gill at PHOENIX DRIVER TRAINING (905-550-4400) upon becoming aware of them.
- (c) Students who have been affected by sexual violence or who need information about support services should contact Bharbhoo Gill at PHOENIX DRIVER TRAINING (905-550-4400)
- (d) Subject to Section 4 below, to the extent it is possible, PHOENIX DRIVER TRAINING will attempt to keep all personal information of persons involved in the investigation confidential except in those circumstances where it believes an individual is at imminent risk of self-harm, or of harming another, or there are reasonable grounds to believe that others on its campus or the broader community are at risk. This will be done by:

- (i) ensuring that all complaints/reports and information gathered as a result of the complaint/reports will be only available to those who need to know for purposes of investigation, implementing safety measures and other circumstances that arise from any given case; and
  - (ii) ensuring that the documentation is kept in a separate file from that of the Complainant/Student or the Respondent.
- (e) PHOENIX DRIVER TRAINING recognizes the right of the Complainant not to report an incident of or make a complaint about sexual violence or not request an investigation and not to participate in any investigation that may occur.
- (f) Notwithstanding (e) above, in certain circumstances, PHOENIX DRIVER TRAINING may be required by law or its internal policies to initiate an internal investigation and/or inform police without the complainant's consent if it believes the safety of members of its campus or the broader community is at risk.
- (g) In all cases, including (e & f) above and (h) below, PHOENIX DRIVER TRAINING will appropriately accommodate the needs of its students who are affected by sexual violence. Students seeking accommodation should contact Bharbhoor Gill at 905-550-4400.
- (h) In this regard, PHOENIX DRIVER TRAINING will assist students who have experienced sexual violence in obtaining counselling and medical care and provide them with information about sexual violence supports and services available in the community as set out in Appendix 1 attached hereto. Students are not required to file a formal complaint in order to access supports and services.
- (i) If students, in good faith, report an incident of, or make a complaint about, sexual violence, they will not be subject to discipline or sanctions for violations of the career college's policies relating to drug or alcohol use at the time the alleged sexual violence occurred.
- (j) Students 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, including irrelevant questions relating to the student's sexual expression or past sexual history.

#### **4. Investigating Reports of Sexual Violence**

- (a) Under this Sexual Violence Policy, any student of PHOENIX DRIVER TRAINING may file a report of an incident or a complaint to Bharbhoor Gill in writing.
- (b) Upon receipt of a report of an incident or a complaint of alleged sexual violence being made, Bharbhoor Gill will respond promptly and: determine whether an investigation should proceed and if the Complainant wishes to participate in an investigation.
- (i) determine who should conduct the investigation having regard to the seriousness of the allegation and the parties involved.
  - (ii) determine whether the incident should be referred immediately to the police.

In such cases or where civil proceedings are commenced in respect of allegations of sexual violence, PHOENIX DRIVER TRAINING may conduct its own independent investigation and make its own determination in accordance with its own policies and procedures; and

- (c) determine what interim measures ought to be put in place pending the investigation process such as removal of the Respondent or seeking alternate methods of providing necessary course studies.
- (d) Once an investigation is initiated, the following will occur:
  - (i) the Complainant and the Respondent will be advised that they may ask another person to be present throughout the investigation.
  - (ii) interviewing the Complainant to ensure a complete understanding of the allegation and gathering additional information that may not have been included in the written complaint such as the date and time of the incident, the persons involved, the names of any person who witnessed the incident and a complete description of what occurred.
  - (iii) informing and interviewing the Respondent of the complaint, providing details of the allegations and giving the Respondent an opportunity to respond to those allegations and to provide any witnesses the Respondent feels are essential to the investigation.
  - (iv) interviewing any person involved or who has, or may have, knowledge of the incident and any identified witnesses.
  - (v) providing reasonable updates to the Complainant and the Respondent about the status of the investigation; and
  - (vi) following the investigation, Bharbhoo Gill will:
    - (A) review all of the evidence collected during the investigation.
    - (B) determine whether sexual violence occurred; and if so
    - (C) determine what disciplinary action, if any, should be taken as set out in Section 5 below.

## **5. Disciplinary Measures**

If it is determined by PHOENIX DRIVER TRAINING that the Respondent did engage in sexual violence, immediate disciplinary or corrective action will be taken. This may include:

- (a) disciplinary action up to and including termination of employment of instructors or staff; or
- (b) expulsion of a student; and /or
- (c) the placement of certain restrictions on the Respondent's ability to access certain premises or facilities; and/or
- (d) any other actions that may be appropriate in the circumstances.

## **6. Appeal**

Should the Complainant or the Respondent not agree with the decision resulting from the investigation, he or she may appeal the decision to Bharbhoo Gill, Director of Appeals within 10 days by submitting a letter addressed to Bharbhoo Gill at PHOENIX DRIVER TRAINING, 1515 Britannia Rd. East, Unit 228 - 229, Mississauga, ON, L4W 4K1 advising of the person's intent to appeal the decision.

## **7. Making False Statements**

- (a) It is a violation of this Sexual Violence Policy for anyone to knowingly make a false complaint of sexual violence or to provide false information about a complaint.
- (b) Individuals who violate this Sexual Violence Policy are subject to disciplinary and/or corrective action up to and including termination of employment of instructors or staff or expulsion of a student.

## **8. Reprisal**

- (a) It is a violation of this Sexual Violence Policy to retaliate or threaten to retaliate against a complainant who has brought forward a complaint of sexual violence, provided information related to a complaint, or otherwise been involved in the complaint investigation process.
- (b) Individuals who violate the Sexual Violence Policy are subject to disciplinary and/or corrective action, up to and including termination of employment of instructors or staff or expulsion of a student.

## **9. Review**

- (a) PHOENIX DRIVER TRAINING shall ensure that student input is considered in the development of its Sexual Violence Policy and every time it is reviewed or amended.
- (b) PHOENIX DRIVER TRAINING shall review its Sexual Violence Policy 3 years after it is first implemented and amend it where appropriate. The review date will be June 30, 2027.

## **10. Collection of Student Data**

PHOENIX DRIVER TRAINING shall collect and be prepared to provide upon request by the Superintendent of Career Colleges such data and information as required according to Subsections 32.3 (8), (9) and (10) of Schedule 5 of the Ontario Career Colleges Act, 2005 as amended.

## Appendix 1

The following represents a list of Provincial Rape Crisis Centers that could be provided as resources:

<b>Canadian Association of Sexual Assault Centres, Ontario</b>	
<b>Provincial</b>	
<p><b>English</b>            Assaulted Women’s Helpline Toll Free: 1- 866-863-0511            #SAFE (#7233) on Bell, Rogers, Fido or TELUS mobile            TTY: 416-364-8762  <a href="http://www.awhl.org">www.awhl.org</a></p>	<p><b>Français</b>            Fem’aide            Telephone Toll-Free: 1-877-336-2433            ATS: 1 866 860-7082  <a href="http://www.femaide.ca">www.femaide.ca</a></p>

### **Sexual Assault/Domestic Violence Treatment Centres**

35 [hospital-based centres that provide](#) 24/7 emergency care to women.

To locate the Sexual Assault/Domestic Violence Treatment Centre nearest you, follow [this link](#).

<p><b>Alliston, Barrie, Collingwood, Midland and Orillia</b>            Huronia Transition Homes operates La Maison Rosewood Shelter (Midland) &amp; Athena's Sexual Assault Counselling and Advocacy Centre            24-Hour Crisis Line:                Barrie: 705-737-2008 or 1-800-987-0799                Midland: 705-526-4211 or 1-800-461-175            Office: 705-526-3221  <a href="http://www.huroniatrtransitionhomes.ca">www.huroniatrtransitionhomes.ca</a></p>	
<p><b>Belleville</b>            Sexual Assault Centre for Quinte and District            Toll-Free: 1-877-544-6424            Office: 613-967-6300  <a href="http://www.sacqd.com">www.sacqd.com</a></p>	<p><b>Bracebridge</b>            Muskoka/Parry Sound Sexual Assault Services            Parry Sound District Office:            Office: (705) 774-9083 or 1-877-851-6662            Muskoka District Office:            Office: (705) 646-2122 or 1-877-406-1268  <a href="http://www.daphnewymn.com">www.daphnewymn.com</a></p>
<p><b>Brantford</b>            Sexual Assault Centre of Brantford Crisis: 519-751-3471            Office: 519-751-1164  <a href="mailto:sexualassaultcentre@sacbrant.ca">sexualassaultcentre@sacbrant.ca</a>  <a href="http://sacbrant.ca/">http://sacbrant.ca/</a></p>	<p><b>Brockville</b>  <b>Assault Response &amp; Care Centre</b>  <b>Office: (613) 345-3881 or 1-800-567-7415</b>  <a href="mailto:arcc@bgh-on.ca">arcc@bgh-on.ca</a>  <a href="http://www.arc-c.ca">www.arc-c.ca</a></p>
<p><b>Chatham</b>            Chatham-Kent Sexual Assault Crisis Centre 24-Hour Crisis Line: 519-354-8688 Office/TTY: 519-354-8908  <a href="http://cksacc.org/">http://cksacc.org/</a></p>	<p><b>Cornwall</b>  <b>Sexual Assault Support Services for Women Office: 613-932-1755</b>  <a href="http://sassforwomen.ca/">http://sassforwomen.ca/</a>             Iethinisten: ha Women’s Shelter Akwasasne Family Violence Program 24-Hour Crisis: 1-800-480-4208            Phone: 613-937-4322  <a href="http://www.akwasasne.ca/iethinistenha-women’s-shelter">www.akwasasne.ca/iethinistenha-women’s-shelter</a></p>
<p><b>Durham Region</b>            Durham Rape Crisis Centre Crisis: 905-668-9200            Office: 905-444.9672  <a href="mailto:info@drcc.ca">info@drcc.ca</a>  <a href="http://www.drcc.ca">www.drcc.ca</a></p>	<p><b>Eganville</b>            Women’s Sexual Assault Centre of Renfrew County            24-Hour Crisis: 1-800-663-3060            Office: 613-735-5551  <a href="http://www.wsac.ca">www.wsac.ca</a></p>

<p><b>Guelph</b> Guelph-Wellington Women in Crisis Crisis: 519-836-5710 1-800-265-7233 Office: 519-823-5806 <a href="http://www.gwwomenincrisis.org">www.gwwomenincrisis.org</a></p>	<p><b>Hamilton</b> Sexual Assault Centre (Hamilton and Area) Crisis: (905) 525-4162 Office (905) 525-4573 TTY: 905-525-4592 <a href="http://www.sacha.ca">www.sacha.ca</a></p>
<p><b>Kenora</b> Kenora Sexual Assault Centre Crisis: (807) 468-7233 or 1-800-565-6161 Office: (807) 468-7958 <a href="http://www.kenoralsexualassaultcentre.com">www.kenoralsexualassaultcentre.com</a></p>	<p><b>Kingston</b> Sexual Assault Centre Kingston Crisis: 613-544-6424 or 1-877-544-6424 Office: 613-545-0762 <a href="mailto:sack@sackington.com">sack@sackington.com</a> <a href="http://www.sackington.com">www.sackington.com</a></p>
<p><b>Kitchener-Waterloo</b> Sexual Assault Support Centre of Waterloo Region Crisis: 519.741.8633 Office: 519.571.0121 <a href="mailto:info@sascwr.org">info@sascwr.org</a> <a href="http://www.kwsasc.org">www.kwsasc.org</a></p>	<p><b>London</b> Sexual Assault Centre London Crisis: 519-438-2272 Office 519-439-0844 TTY: 519-439-0690 <a href="mailto:sacl@sacl.ca">sacl@sacl.ca</a> <a href="http://www.sacl.ca">www.sacl.ca</a> London Abused Women's Centre Office: 519-432-2204 E-Mail: <a href="mailto:info@lawc.on.ca">info@lawc.on.ca</a> <a href="http://lawc.on.ca/">http://lawc.on.ca/</a></p>
<p><b>Peel Region</b> Hope 24/7 (formerly the Sexual Assault/Rape Crisis Centre of Peel) Crisis: 1-800-810-0180 Office: (905) 792-0821 <a href="http://hope247.ca/">http://hope247.ca/</a></p>	<p><b>Newmarket</b> Women's Support Network of York Region Crisis: 1- 800-263-6734 or 905-895-6734 Office: (905) 895-3646 <a href="http://www.womenssupportnetwork.ca">www.womenssupportnetwork.ca</a></p>
<p><b>North Bay</b> Amelia Rising Women's Sexual Assault Centre of Nipissing/centre d'alobalressions sexuelles de Nipissing. Crisis: 705-476-3355 Office: 705-840-2403 TTY: (705) 840-5877 <a href="mailto:info@ameliarising.ca">info@ameliarising.ca</a> <a href="http://www.ameliarising.ca">www.ameliarising.ca</a></p>	<p><b>Oakville</b> Sexual Assault &amp; Violence Intervention Services of Halton Crisis: 905-875-1555 or 1-877-268-8416 Office: 905-825-3622 <a href="http://www.savisofhalton.org">www.savisofhalton.org</a></p>
<p><b>Orangeville</b> Family Transition Place Crisis: 1-800-265-9178 Office: 519-942-4122 <a href="http://www.familytransitionplace.ca">www.familytransitionplace.ca</a></p>	<p><b>Ottawa</b> Sexual Assault Support Centre Crisis: 613-234-2266 Phone: 613-725-2160 TTY: 613-725-1657 <a href="mailto:info@sascottawa.com">info@sascottawa.com</a> <a href="http://sascottawa.com">http://sascottawa.com</a> Ottawa Rape Crisis Centre Crisis: 613-562-2333 Office: 613-562-2334 <a href="http://orcc.net/">http://orcc.net/</a></p>

<p><b>Sarnia-Lambton</b> Sexual Assault Survivors Centre Sarnia-Lambton Crisis: 519 337-3320 or 1-888-231-0536 Office: (519) 337-3154 <a href="http://www.sexualassaultsarnia.on.ca">www.sexualassaultsarnia.on.ca</a></p>	<p><b>Simcoe</b> Haldimand &amp; Norfolk Women's Service Crisis: 1-800-265-8076 TTY: 1-800-815-6419 Office: 519-426-8048 <a href="mailto:hnws@hnws.on.ca">hnws@hnws.on.ca</a> <a href="http://www.hnws.on.ca">www.hnws.on.ca</a></p>
<p><b>St. Catharines</b> Niagara Region Sexual Assault Centre Crisis: (905) 682-4584 Office: (905) 682-7258 <a href="mailto:carsa@sexualassaultniagara.org">carsa@sexualassaultniagara.org</a> <a href="http://sexualassaultniagara.org/">http://sexualassaultniagara.org/</a></p>	<p><b>Thunder Bay</b> Thunder Bay Sexual Assault and Sexual Abuse Crisis and Counselling Centre Office: (807) 345-0894 or 1-866-311-5927 <a href="mailto:tbcounselling@tbsasa.org">tbcounselling@tbsasa.org</a> <a href="http://www.tbsasa.org">www.tbsasa.org</a></p>
<p><b>Timmins</b> Timmins and Area Women in Crisis Crisis: 1-877-268-8380 (sexual assault) Crisis: 1-855-827-7233 (shelter) Office: (705) 268-8381 <a href="mailto:info@tawc.ca">info@tawc.ca</a> <a href="http://www.tawc.ca/">http://www.tawc.ca/</a></p>	<p><b>Toronto</b> Oasis Centre des Femmes Téléphone: 416-591-6565 Courriel: <a href="mailto:services@oasisfemmes.org">services@oasisfemmes.org</a> <a href="http://oasisfemmes.org/">http://oasisfemmes.org/</a> <b>Toronto Rape Crisis Centre:</b> Multicultural Women Against Rape Crisis: 416-597-8808 Office: 416-597-1171 <a href="mailto:info@trccmwar.ca">info@trccmwar.ca</a> <a href="mailto:crisis@trccmwar.ca">crisis@trccmwar.ca</a> <a href="http://www.trccmwar.ca">www.trccmwar.ca</a></p>
<p><b>Windsor</b> Sexual Assault Crisis Centre of Essex County Crisis: 519-253-9667 <a href="http://www.saccwindsor.net">www.saccwindsor.net</a></p>	<p><b>Woodstock</b> Domestic Abuse Services Oxford Crisis: 519 539-4811 or 1-800-265-1938 <a href="mailto:info@daso.c">info@daso.c</a> <a href="http://www.daso.ca">www.daso.ca</a></p>
<p><b>Peterborough &amp; Kawartha Kawartha</b> Sexual Assault Centre Crisis: (705) 741-0260 or 1-866-298-7778 Office/TTY: (705) 741-0260 <a href="http://www.kawarthasexualassaultcentre.com">www.kawarthasexualassaultcentre.com</a> YWCA Peterborough Haliburton Crisis: 1-800-461-7656 Office: 705.743.3526 x 130 <a href="http://www.ywcapeterborough.org">www.ywcapeterborough.org</a></p>	<p><b>Sault Ste Marie</b> Women in Crisis (Algoma) Inc. Crisis: 705-759-1230 or 1-877-759-1230 <a href="http://www.womenincrisis.ca">www.womenincrisis.ca</a></p>