

Sexual Violence, Harassment and Abuse Policy
For
DUNDAS VALLEY SCHOOL OF ART (DVSA)

1. Policy Application - The Policy applies to all students and staff of DVSA.

2. The Scope - This policy extends to all persons at DVSA that includes, but is not limited to, employees, students, volunteers, instructors, Board of Governors and other related third parties. This policy prohibits any type of harassment on DVSA premises as well as off-site locations if there are real or implied consequences related to the school (i.e. offsite programs, meetings, events, supplier locations, social situations related to DVSA, contact at home, etc.).

Managing and/or coaching that include counselling, performance appraisals, work assignments and the implementation of disciplinary actions is not a form of harassment and the policy does not restrict DVSA Management's responsibilities within these areas. For the purpose of the policy, harassment includes both sexual and non-sexual harassment.

3. Purpose and Intent - All of DVSA students and staff have a right to study in an environment free of harassment and abuse. This document sets out our policy involving our students and or staff, defines the prohibited behaviours, and outlines our investigative processes for harassment and abuse

4. Policy Objectives - DVSA is committed to providing our students and staff with an educational environment free from harassment and abuse and treating those persons who report incidents with dignity and respect. To that end DVSA will provide a copy of the policy to our students and staff, and educate them together with our school management, employees and contractors about this Policy and how to identify situations that involve, or could progress and how to reduce it.

Where a complaint has been made, DVSA will take all reasonable steps to investigate it, including as follows:

(a) Providing on-campus investigation procedures to students and staff for sexual violence complaints

- (b) Responding promptly to any complaint and providing reasonable updates to the complainant and the respondent about the status of the investigation;
- (c) Assisting students and staff who have experienced harassment and abuse in obtaining counselling and medical care
- (d) Providing students and staff who have experienced harassment and abuse with appropriate academic and other accommodation; and
- (e) Providing students and staff who have experienced harassment and abuse with information about reporting options as set out in Appendix 1.

5. Definition of Sexual Violence - This Policy prohibits sexual violence which 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. Gender expression is how a person publicly presents their gender. This can include behaviour and outward appearance such as dress, hair, make-up, body language and voice. A person's chosen name and pronoun are also common ways of expressing gender.

6. Non Sexual Harassment

DVSA does not to tolerate any physical, psychological, verbal or written harassment of its employees or students. Any employee found guilty following an investigation of committing any of the following acts will be subject to disciplinary action, up to and including termination.

7. Child / Youth / Vulnerable Adult Abuse:

This policy advocates zero tolerance for any form of abuse. This includes abuse that happens to a child / youth /vulnerable adult by a staff member or volunteer. There is also a need for adults within the organization to be sensitive to incidents of abuse that may be happening in the home or social life of a child / youth / vulnerable adult. Any person who has reasonable grounds to suspect that a child / youth / vulnerable adult is (or may be) in need of protection must report that suspicion to a protective

agency or police authority. A volunteer / leader who hears an allegation of abuse should confide this to the DVSA Executive Director or delegate. See Section 9 on the reporting process.

8. What is Abuse?

The term “abuse” refers to the violence, mistreatment or neglect that a child, adolescent or vulnerable adults (e.g. the developmentally challenged), may experience while in the care of someone they either trust or depend on, such as a teacher, parent, sibling, other relative, caregiver or guardian. Abuse may take place anywhere and may occur, for example, at school or within the victim’s home. There are many different forms of abuse and a victim may be subjected to more than one form:

- Physical abuse includes beating, assault with a weapon or use of force or restraint.
- Psychological abuse includes attempts to dehumanize or intimidate. Any verbal or non-verbal act that reduces their sense of self-worth or dignity and threatens their psychological and emotional integrity is abuse.
- Sexual abuse includes fondling, invitation to touching or be touched sexually, intercourse, rape, etc.
- Neglect involves failing to provide for their physical, psychological or emotional development and well-being.
- Emotional abuse involves harming sense of self-worth. It includes acts (or omissions) that result in risk of serious behavioural, cognitive, emotional, or mental health problems.
- It also includes failing to check allegations of abuse against them.

9. Reporting and Responding to Harassment or Abuse – The DVSA Executive Director (executivedirector@dvsa.ca) is the first contact for reporting any harassment or abuse. If the Executive Director is unavailable or is implicated by the situation, then the report should be made to the Chair and Vice-Chair of the board of DVSA at chair@dvsa.ca . If our students or staff have been subject to, or they have witnessed or have knowledge of harassment and abuse or have reason to believe that it has occurred or may occur which involves our students or staff, Subject to paragraph 10 below, to the extent it is possible, DVSA Executive Director will attempt to keep all information disclosed confidential except in those circumstances 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 our campus or the broader community are at risk.

DVSA recognizes the right of the complainant to determine how her or his complaint will be dealt with. However, in certain circumstances, DVSA 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.

10. Investigating Reports of Harassment/Abuse - The person accused of engaging in harassment will be referred to as the "Respondent" and the person making the allegation as the "Complainant". A complaint of harassment and abuse may be filed under this Policy, by any student or staff of our school to the DVSA Executive Director in writing. A complainant may ask another person to be present during the investigation. Upon a complaint of alleged harassment and abuse being made, the DVSA Executive Director will initiate an investigation, including as follows:

- (a) Determining whether the incident should be referred immediately to police;
- (b) Determining what interim measures, if any, need to be taken during the investigation;
- (c) Meeting with the complainant to determine 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;
- (d) Ensuring that the complainant will not be asked irrelevant questions during the investigation process by the DVSA's staff or investigators, including irrelevant questions relating to the complainant's sexual expression or past sexual history.
- (e) Interviewing the respondent involved in the incident and any identified witnesses;
- (f) Interviewing any other person who may have knowledge of incidents related to the complaint or any other similar incidents;
- (g) Informing the respondent, providing details of the allegations and giving the respondent an opportunity to respond to those allegations;
- (h) Providing reasonable updates to the complainant and the respondent about the status of the investigation; and
- (i) Determining what disciplinary action, if any, should be taken.

11. Disciplinary Measures - If it is determined by DVSA that a student or staff of our school has been involved in harassment and abuse, immediate disciplinary or corrective action will be taken up to and including termination of employment of instructors or staff or expulsion of a student. In cases where criminal proceedings are initiated, DVSA will assist police agencies, lawyers, insurance companies, and courts to the fullest extent. Where criminal and/or civil proceedings are commenced in respect of allegations of harassment and abuse DVSA may conduct its own independent investigation and make its own determination in accordance with its own policies and procedures.

12. Making False Statements - It is a violation of this Policy for anyone to knowingly make a false complaint of harassment and abuse or to provide false information about a complaint. Individuals who violate this 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.

13. Reprisal - It is a violation of this Policy to retaliate or threaten to retaliate against a complainant who has brought forward a complaint of harassment and abuse, provided information related to a complaint, or otherwise been involved in the complaint investigation process.

In addition, when complainants, 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 DVSA's policies relating to drug or alcohol use at the time the alleged sexual violence occurred.

14. Appeal - Should the Complainant or the Respondent not agree with the decision resulting from the investigation, he or she may appeal the decision to the DVSA Executive Director within (5) days by submitting a letter addressed to DVSA Executive Director advising of the person's intent to appeal the decision.

15. Review - This policy will be reviewed 3 years after it is first implemented.

16. Collection of Student Data – For students enrolled in the Studio Fine Art Practice and Theory Diploma program, DVSA shall collect and be prepared to provide upon request by the Superintendent of Ontario 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.

17. Community Support Services:

Hamilton Health Sciences – Sexual Assault and Domestic Violence Care Centre

<https://www.hamiltonhealthsciences.ca/areas-of-care/emergency-care/sexual-assault-domestic-violence/> Call: 905-521-2100 ext: 73557

211 Ontario - Dial 211 for helpline answered by real people 24/7 with service available in 150 languages.

https://211ontario.ca/211-topics/browse-all-topics/?gclid=CjwKCAjw3POhBhBQEIwAqTCuBnBjhU8LQ6yuNjLss4pMEq2XVaPMZI4leoF-RLRe9qUkJzjepZAxtBoC1gwQAvD_BwE

WAWG - Sexual Assault Counselling and Support

<https://wawg.ca/services-in-hamilton/sexual-assault-counselling-support/>

OCRCC – Ontario Coalition of Rape Crisis Centres:

<https://sexualassaultsupport.ca/supporting-sexual-violence-survivors/>

