

Appendix 5: Sexual Violence and Harassment Policy

1. Sexual Violence Policy

- (a) Futures Canadian College of Business, Health & Technology is dedicated to fostering an academic environment free from sexual violence and ensuring that students who report such incidents are treated with the utmost dignity and respect.
- (b) The College has instituted this Sexual Violence Policy, which defines sexual violence and establishes procedures for training, reporting, investigating, and addressing complaints of sexual violence that take place on campus or during college-sponsored events and involve its students.
- (c) The individual accused of sexual violence will be referred to as the “Respondent,” while the individual reporting the incident will be termed 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) Futures Canadian College of Business, Health & Technology shall 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 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 will be made publicly available on the College’s official website.
- (d) College management, instructors, staff, and contractors are required to report any incidents or complaints of sexual violence to the Campus Director upon becoming aware of them.
- (e) Students affected by sexual violence or those seeking support should contact the Campus Director for assistance.

(f) Students who, in good faith, report incidents or file complaints of sexual violence will not be penalized for violations of the College's policies regarding drug or alcohol use at the time of the alleged incident.

(g) Subject to Section 4 below, to the extent it is possible, Futures Canadian College of Business, Health & Technology 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.

(g) Futures Canadian College of Business, Health & Technology 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.

(h) Notwithstanding (g), in certain circumstances, Futures Canadian College of Business, Health & Technology 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.

(i) In all cases, including (g) above, Futures Canadian College of Business, Health & Technology will appropriately accommodate the needs of its students who are affected by sexual violence. Students requiring accommodation should contact the Campus Director.

The College will assist affected students in accessing counseling and medical services and provide information about community resources for sexual violence, as outlined in Appendix 1. Filing a formal complaint is not a requirement for accessing these services.

4. Investigating Reports of Sexual Violence

(a) Under this policy, any student may submit a written report or complaint to the Campus Director. Additional officials involved in the investigation may include the HR Director and Regional Director.

(b) Upon receiving a report or complaint of alleged sexual violence being made, the Campus Director will respond promptly:

(i) Determine whether an investigation should be conducted and whether the Complainant wishes to participate.

(ii) Assign an appropriate investigator based on the severity of the allegation and the parties involved.

(iii) Consider whether the matter should be immediately referred to law enforcement.

In such cases or where civil proceedings are commenced in respect of allegations of sexual violence, Futures Canadian College of Business, Health & Technology may conduct its own independent investigation and make its own determination in accordance with its own policies and procedures; and

(iv) 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.

(c) Once an investigation is initiated, the following will occur:

(i) Both the Complainant and Respondent will have the right to request the presence of another person throughout the process.

(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) The College will ensure that students disclosing their experiences of sexual violence are not asked irrelevant questions, including those about their sexual expression or history.

(iv) The Respondent will be informed of the details of the allegations and given an opportunity to respond, as well as provide any witnesses they believe are necessary to the investigation.

(v) Other individuals with relevant knowledge or witnesses will also be interviewed.

(vi) Both parties will receive periodic updates on the status of the investigation.

(vii) Following the investigation, the Campus Director will:

a. Review all evidence collected during the investigation.

b. Determine whether sexual violence occurred, and if so,

c. Decide on any disciplinary measures, as outlined in Section 5.

5. Disciplinary Measures

(a) If it is determined by Futures Canadian College of Business, Health & Technology that the Respondent did engage in sexual violence, immediate disciplinary or corrective action will be taken. This may include:

- (i) Disciplinary action up to and including termination of employment of instructors or staff; or,
- (ii) Expulsion of a student, and/or
- (iii) Restrictions on the Respondent's access to College premises or facilities; and/or,
- (iv) Any other measures deemed necessary under the circumstances.

6. Appeal

Either the Complainant or Respondent may appeal the decision of the investigation by submitting a written request to the Regional Director within 10 days of the decision, expressing their intent to appeal.

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) Retaliation or threats of retaliation against any individual who has reported an incident, provided information, or participated in the investigation process are violations against this policy.

(b) Those found guilty of retaliation will face disciplinary measures, which may include termination or expulsion.

9. Review

(a) Futures Canadian College of Business, Health & Technology will consider student feedback in the development and review of the Sexual Violence Policy.

(b) The College will review and update the policy every three years, with the next review scheduled for January 2027.

10. Collection of Student Data

Futures Canadian College of Business, Health & Technology will collect and provide data as required under Subsections 32.3 (8), (9), and (10) of Schedule 5 of the Ontario Career Colleges Act, 2005, upon request from the Superintendent of Career Colleges.