



Flight 6ix Incorporated o/a Guelph Flight Centre

Policy 32: Sexual Violence Policy

Statement of Supremacy

1. **Primary Authority:** The Ontario Career College Act, 2005 (hereinafter referred to as "the Act") shall serve as the primary authority governing all operations, policies, and procedures of Flight 6ix Incorporated (o/a Guelph Flight Centre) related to career and vocational training.
2. **Supersession Clause:** In the event of any conflict or inconsistency between the provisions of the Act and any internal clauses, policies, or procedures established by Guelph Flight Centre the provisions of the Act shall prevail and take precedence.
3. **Compliance Requirement:** Guelph Flight Centre is committed to full compliance with the Act. All employees, students, and affiliates are required to adhere to the standards and regulations set forth by the Act.
4. **Policy Review and Amendment:** Guelph Flight Centre shall regularly review its internal policies and procedures to ensure alignment with the Act. Any necessary amendments will be made to resolve discrepancies and ensure full compliance.
5. **Notice of Supersession:** This notice serves to inform all stakeholders that any clauses or policies provided by Guelph Flight Centre that contradict or fall short of the standards established by the Act are considered null and void to the extent of the conflict.
6. **Reference:** Please refer to Ontario Career Colleges Act, 2005, ONTARIO REGULATION 415/06, **section 36.0.2 Sexual Violence Policy** under this link:
<https://www.ontario.ca/laws/regulation/060415/v24#BK46>
7. **Student Protections:** In accordance with the Act, Guelph Flight Centre is committed to ensuring the following protections for students:
 - **Inappropriate Questions:** Students shall not be asked inappropriate or intrusive questions that are irrelevant to their educational and professional development. [**Statement:** 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. O. Reg. 132/16, s. 3; O. Reg. 647/21, s. 1 (2); O. Reg. 353/23, s. 22. (reference 36,02(1)(14) of ON Reg 415-06, <https://www.ontario.ca/laws/regulation/060415/v24#BK46>)]
 - **Drug and Alcohol Policies:** Any drug and alcohol policies enforced by Guelph Flight Centre shall align with the standards set forth by the Act. Students shall not be subjected to policies or procedures that contradict the Act or infringe on their rights as outlined in the Act. [**Statement:** Students that if they, 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 (reference S36.02(1)(d.1), ON Reg 415-06, <https://www.ontario.ca/laws/regulation/060415/v24#BK46>)]
8. **Application:** This statement applies to vocational program students only.

Policy Application

This policy applies to all students of **Guelph Flight Centre**.

The Scope

The policy applies to concerns and complaints of sexual violence and harassment that have occurred on the grounds of Guelph Flight Centre or at any Guelph Flight Centre events which

involves any or all of our students and staff.

Purpose

Guelph Flight Centre believes that all students have the right to study, train and participate in Guelph Flight Centre's aviation community in an environment free from sexual violence. Guelph Flight Centre is committed to building and preserving a safe, productive and healthy learning environment free from sexual violence. In this Policy, it is Guelph Flight Centre's objective to make students aware of what constitutes sexual violence, the procedures that are in place for dealing with allegations, incidents and complaints of sexual violence, and the supports and services that are available for students who are affected by sexual violence. It is important to note that nothing in this policy affects the ability of any student to exercise their rights under the Ontario *Human Rights Code* or applicable legislation, within the time limits specified by that legislation. Every student enrollment contract will have a statement of acknowledgement for this policy. We also take the input of our students into account, students will have the ability to provide their feedback to ensure the policy remains accurate and relevant. For that reason, the policy will be reviewed on a yearly basis at the annual management meeting. Guelph Flight Centre is dedicated to provide the necessary training and support on its policy and its effective implementation to owners, managers, staff and students.

Definition of sexual violence

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, including sexual assault, sexual harassment, stalking, indecent exposure, voyeurism and sexual exploitation.

Complaint Process and Investigation

1. A complaint of sexual assault or any other kind of sexual violence can be filed under this Policy by any member of the Guelph Flight Centre.
2. Guelph Flight Centre will seek to achieve procedural fairness in dealing with all complaints. As such, no sanction and/or disciplinary action will be taken against a person or group without their knowledge where there is an alleged breach of this Policy.
3. Respondents will be given reasonable notice, with full detail of the allegations, and provided with an opportunity to answer to the allegations made against them.
4. A complainant has the right to withdraw a complaint at any stage of the process. However, Guelph Flight Centre may continue to act on the issue identified in the complaint in order to comply with its obligation under this Policy and/or its legal obligations.
5. Guelph Flight Centre may also continue to act when there is a threat to the safety of the Guelph Flight Centre students and staff.

Statements for Students Protection- this statement is related to Career College students:

1. Students that if they, 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 (reference S36.02(1)(d.1), ON Reg 415-06, <https://www.ontario.ca/laws/regulation/060415#BK46>)
2. 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. O. Reg. 132/16, s. 3; O. Reg. 647/21, s. 1 (2); O. Reg. 353/23, s. 22. (reference 36,02(1)(14) of ON Reg 415-06, <https://www.ontario.ca/laws/regulation/060415#BK46>)

Confidentiality

Confidentiality is particularly important to those who have disclosed sexual violence.

The confidentiality of all persons involved in a report of sexual violence must be strictly observed and Guelph Flight Centre does its best to respect the confidentiality of all persons, including the complainant, respondent, and witnesses, by restricting routine access to information to individuals with a need for such access, as well as providing education and training to those who are regularly involved in the administration of reports and complaints.

However, confidentiality cannot be assured in the following circumstances:

- An individual is at imminent risk of self-harm
- An individual is at imminent risk of harming another, and/or
- There are reasonable grounds to believe that others in the Guelph Flight Centre or wider community may be at risk of harm.

In such circumstances, information would only be shared with necessary services to prevent harm, and the name of the survivor would not be released to the public.

Investigative Reports

A complaint of sexual violence may be filed under this policy, by any Private Career College student, to the General Manager in writing. A complainant may ask another person to be present during the investigation.

Upon a complaint of alleged sexual violence being made the General Manager will initiate an investigation, including as follows:

- determine whether the incident should be referred immediately to the police;
- determine what interim measures, if any, need to be taken during the investigation;
- meet 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;
- interview the complainant, any person involved in the incident and any identified witnesses;
- interview any other person who may have knowledge of incidents related to the complaint or any other similar incidents;
- inform the respondent of the complaint, providing details of the allegations and giving the respondent an opportunity to respond to those allegations;
- provide reasonable updates to the complainant and the respondents about the status of the investigation;
- Determine what disciplinary action, if any, should be taken.
- Where a complaint of sexual violence has been reported to Guelph Flight Centre, the institution will exercise care to protect and respect the rights of both the complainant and the respondent. Guelph Flight Centre understands that individuals who have experienced sexual violence may wish to control whether and how their experience will be dealt with by the police and/or Guelph Flight Centre. In most circumstances, the person will retain this control.
- A person who has experienced sexual violence may choose not to request an investigation and has the right not to participate in any investigation that may occur.
- In certain circumstances, however, Guelph Flight Centre may be required to initiate an internal investigation and/or inform the police of the need for a criminal investigation, even without the survivor's consent, if Guelph Flight Centre believes that the safety of other members of the Guelph Flight Centre and/or the vulnerable sector is at risk. The confidentiality and anonymity of the person(s) affected will be prioritized in these circumstances.
- A report of sexual violence may also be referred to the police or to other community resources, at the complainant's request, where the person(s) involved are not members of the Guelph Flight Centre, or where otherwise appropriate in circumstances when Guelph Flight Centre is unable to initiate an internal investigation under this Policy.
- Sexual violence is a violation of Guelph Flight Centre's Safety and Security Threat and, Discrimination and Harassment policies. It is considered a serious offence and will be addressed in a manner which is consistent with other serious offences.

- Appeals of student violations may be pursued based on limited grounds and are heard by the General Manager and Chief Administrative Officer.
- Where the respondent is an employee: The perpetration of sexual violence is a violation of an employee's duty to their employer.
- Human Resources is responsible for the intake, investigation, and decision-making on a report of sexual violence. Guelph Flight Centre may also decide to use an external investigator when appropriate in the circumstances. Allegations against employees will be addressed in accordance with the Sexual Violence Policy.
- There is no formal appeal process for employee violations, though Guelph Flight Centre employees may file a complaint to the general manager and necessary action will be taken to address the situation.

Outcomes

- Guelph Flight Centre will determine, based on its investigation, what happened and whether it constitutes sexual violence or another form of misconduct.
- If Guelph Flight Centre finds there has been misconduct, it will determine the appropriate sanction. Students may face discipline, up to and including expulsion. Employees may face discipline, up to and including discharge. Guelph Flight Centre may also impose non-punitive measures such as:
 - No contact orders
 - Alternative Flight training arrangements.
- Guelph Flight Centre may offer internal and/or external services to those affected by sexual violence, including:
 - Counselling
 - Advising
 - Legal Aid

Guelph Flight Centre will provide full accommodation to students impacted through referrals and such services will bear no costs on the students. A student does not need to directly or indirectly have involvement in an incident to receive support, services or accommodation. The health and wellbeing of every person who visits, studies, and works at Guelph Flight Centre is our utmost priority hence these services can be availed at any time.

Written decision

- Guelph Flight Centre will inform the complainant(s) and respondent(s) of its investigation findings in writing.
- The written decision summary will include a brief description of any corrective action that Guelph Flight Centre has taken or will take as a result of its investigation.

Duty to Report

Guelph Flight Centre is dedicated to ensure that the Private Career College branch through the Superintendent receives information regarding the numbers and frequency of incidents of sexual violence, times accommodation or support services(last page) were requested and obtained by students, any initiatives and programs which Guelph Flight Centre participates in, which are available to students. This is done to ensure that all incidents are taken with the utmost regard and the policy is implemented and effective in its function. At times when the Superintendent does receive notification about the abovementioned information, personal information is not shared as defined by the Freedoms of Information & Privacy protection Act, Ontario.

SUPPORT SERVICES

Guelph Police Services

Emergency: 911

519-824-1212

TTY: 519-824-1466

Confidential unless it is a case of Partner Violence.

Distress Line

519-821-3760

1-888-821-3760

Confidential and anonymous.

Here 24/7

Regional crisis line

1-844-437-3247

TTY: 1-877-688-5501

Confidential and anonymous.

Guelph-Wellington Care & Treatment Centre for Sexual Assault & Domestic Violence (Guelph General Hospital)

Daytime: 519-837-6440 ext 2728

After Hours*: 519-837-6440 ext 2210

Guelph Wellington Women in Crisis and Sexual Assault Centre

People of all genders are welcome to call for support.

519-836-5710 or 1-800-265-SAFE (7233)

Confidential and anonymous.

Good2Talk

Support for Ontario post-secondary students

1-866-925-5454

Confidential and anonymous.

Support Services for Male Survivors of Sexual Abuse (Ministry of the Attorney General)

Multilingual phone line for immediate crisis and referral services.

1-866-887-0015

Confidential and anonymous.

For more information please contact us: 50 Skyway Dr, Guelph, ON

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Website: www.flight6ix.ca

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