

Sexual Violence & Harassment Policy

"Ending sexual violence and harassment requires collective effort. Our comprehensive strategy provides the tools and guidelines necessary to achieve lasting change."

1. Commitment to a Safe and Respectful Educational Environment

(a) OptionTrain College of Management and Technology (the "College") is committed to providing an educational environment that is free from sexual violence. The College is dedicated to treating all students who report incidents of sexual violence with dignity, respect, and sensitivity.

(b) This Sexual Violence Policy defines sexual violence and outlines the College's responsibilities regarding training, reporting, investigation, and disciplinary responses to incidents of sexual violence involving its students. This policy applies to incidents that occur on college premises, during college-organized events, or in connection with activities involving the College community.

(c) For the purposes of this policy:

- The person accused of sexual violence will be referred to as the "Respondent".
- The person reporting or alleging an act of sexual violence will be referred to as the "Complainant".

2. Definition of Sexual Violence

In accordance with Canadian law, sexual violence is defined as any sexual act or act targeting a person's sexuality, gender identity, or gender expression that is committed, threatened, or attempted against a person without their consent. This includes, but is not limited to:

- Sexual assault
- Sexual harassment
- Stalking
- Indecent exposure
- Voyeurism
- Sexual exploitation

For clarity, "consent" must be freely given, informed, and reversible, and cannot be obtained through coercion, threats, or manipulation.

3. Training, Reporting, and Responding to Sexual Violence

(a) The College will provide a copy of this Sexual Violence Policy:

- To every student as part of their enrolment contract.
- To all individuals managing, directing, or employed by the College, including directors, shareholders, instructors, staff, and contractors.

(b) All such individuals will receive training on the policy, including procedures for reporting, investigating, and responding to sexual violence complaints.

- Any organization providing student internships must confirm in writing that they comply with applicable legislation, including the Ontario Human Rights Code and the Occupational Health and Safety Act, and will provide students access to their workplace policies on sexual violence.

(c) The policy will be publicly accessible on the College's website.

(d) All incidents of or complaints about sexual violence reported to college management, instructors, staff, or contractors must be referred to the designated Sexual Violence Response Officer (Kalpesh Patel) without delay.

(e) Students affected by sexual violence or seeking information about support services should contact Kalpesh Patel.

(f) The College will make every effort to maintain the confidentiality of all persons involved in a sexual violence investigation, subject to the following exceptions: (i) If an individual is at imminent risk of self-harm or harm to another. (ii) Where the safety of others within the College or broader community is at risk. Confidentiality will be ensured by restricting access to information only to those involved in the investigation, implementing safety measures, and maintaining separate documentation files for the Complainant and the Respondent.

(g) The College recognizes the Complainant's right not to file a complaint, report an incident, or participate in an investigation.

(h) Notwithstanding subsection (g), the College may be legally required to initiate an internal investigation or notify law enforcement if it believes there is a risk to the broader community.

(i) The College will assist affected students by providing access to counselling, medical care, and community support services as outlined in Appendix 1. Students do not need to file a formal complaint to access these services.

4. Investigating Reports of Sexual Violence

(a) Any student may file a written report of an incident or a complaint with Kalpesh Patel

(b) Upon receiving a report, the designated officer will: (i) Determine if an investigation is warranted and whether the Complainant wishes to participate. (ii) Appoint an investigator based on the nature of the allegations. (iii) Consider referring the matter to law enforcement, where necessary. (iv) Implement interim safety measures, which may include restricting the Respondent's access to college facilities or programs.

(c) The investigation process will involve: (i) Advising both the Complainant and Respondent of their right to have a support person present. (ii) Conducting interviews with all relevant parties and witnesses. (iii) Providing regular updates to both the Complainant and Respondent on the status of the investigation. (iv) Evaluating all evidence and determining whether sexual violence occurred. (v) Deciding appropriate disciplinary or remedial actions.

5. Disciplinary Measures

If the investigation concludes that sexual violence occurred, the College will take immediate action, which may include: (i) Terminating the employment of staff or contractors. (ii) Expelling the Respondent if they are a student. (iii) Restricting the Respondent's access to college premises or facilities. (iv) Implementing other measures appropriate to the situation.

6. Appeals

Both the Complainant and the Respondent may appeal the investigation outcome by submitting a written appeal to the College President (Kalpesh Patel, email id : info@optiontrain.com, Phone : 416.486.6555) within five (5) days of the decision.

7. False Statements

Knowingly making false complaints or providing false information about an incident of sexual violence is a violation of this policy. Individuals found to have made false statements may face disciplinary action, including termination or expulsion.

8. Reprisal

Retaliation or threats of retaliation against individuals involved in reporting or investigating sexual violence complaints are strictly prohibited. Violators will face disciplinary action, up to and including termination or expulsion.

9. Review of Policy

The College will: (a) Solicit student input when developing, reviewing, or amending this policy. (b) Review and amend this policy as necessary, with the first review scheduled three years from its implementation date (December 31, 2027).

10. Collection of Data

OptionTrain College will collect data related to supports, services, and accommodations requested by students affected by sexual violence, the number of incidents reported, and the effectiveness of its sexual violence policy as required by Ontario Regulation 415/06 and provide this data to the Superintendent of Private Career Colleges upon request.

Amendments:

As per Subsection 36.0.2 of Ontario Regulation 415/06 under the Ontario Career Colleges Act, 2005, the OptionTrain College of Information Technology Sexual Assault/Sexual Violence Policy has been updated to reflect the following amendments, effective March 1st, 2022:

a) S36.0.2(1) (d.1) 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 OptionTrain College of Management and Technology's policies relating to drug or alcohol use at the time the alleged sexual violence occurred.

b) S36.0.2(2)14 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 OptionTrain College's staff or investigators, including irrelevant questions relating to the student's sexual expression or past sexual history.

c) Bill 26 Amendment

Bill 26 stipulates that if an employee of an institution engages in sexual misconduct toward a student, the institution is authorized to take disciplinary action, including termination of employment. Furthermore, under Bill 26, the following provisions apply:

- The discharge or disciplinary measure will be deemed to be for just cause for all purposes,
- The employee will not be entitled to any notice of termination or termination pay or any other compensation or restitution because of the discharge or disciplinary measure, and
- Despite subsection 48(17) of the Labour Relations Act, 1995 and subsection 14(17) of the Colleges Collective Bargaining Act, 2008, and despite any provision of a collective agreement or employment contract specifying a penalty for the infraction, no arbitrator, arbitration board or other adjudicator will be permitted to substitute any other penalty for the discharge or disciplinary measure imposed by the institution.

This effectively restricts employees' ability to appeal a discharge, or any disciplinary action imposed by the institution in cases involving sexual misconduct.

Disclosure to the Superintendent:

At the request of the Superintendent, OptionTrain College of Management and Technology will prepare and submit a comprehensive report detailing the following:

1. Support Services and Accommodations: The frequency with which students have requested and accessed support services and accommodations related to incidents of sexual violence.
2. Preventative and Supportive Measures: The initiatives and measures implemented by OptionTrain College of Management and Technology to ensure the availability of support services and to promote awareness programs addressing sexual violence among students.
3. Reported Complaints and Incidents: The number of complaints and incidents related to sexual assault and sexual violence that have been reported by students.

The Director of Education will oversee the preparation of this report, ensuring that it adheres to strict confidentiality standards and does not disclose the identities or personal information of students or personnel involved. This approach prioritizes the protection of individual privacy while maintaining transparency and accountability in addressing these critical matters.

Call or Email the College President:

Kalpesh Patel | Call : 416-486-6555 | Email :info@optiontrain.ca

Appendix 1

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

Canadian Association of Sexual Assault Centres, Ontario Provincial	
<p>English Assaulted Women’s Helpline Toll Free: 1-866-863-0511 #SAFE (#7233) on Bell, Rogers, Fido or Telus mobile TTY: 416-364-8762 www.awhl.org</p>	<p>Français Fem’aide Telephone Toll-Free: 1-877-336-2433 ATS: 1 866 860-7082 www.femaide.ca</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>Alliston, Barrie, Collingwood, Midland and Orillia Huronian Transition Homes operates La Maison Rosewood Shelter (Midland) & 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 www.huroniatransitionhomes.ca</p>	
<p>Belleville Sexual Assault Centre for Quinte and District Toll-Free: 1-877-544-6424 Office: 613-967-6300 www.sacqd.com</p>	<p>Bracebridge 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 www.daphnewymn.com</p>
<p>Brantford Sexual Assault Centre of Brantford Crisis: 519-751-3471 Office: 519-751-1164 sexualassaultcentre@sacbrant.ca http://sacbrant.ca/</p>	<p>Brockville Assault Response & Care Centre Office: (613) 345-3881 or 1-800-567-7415 arcc@bgh-on.ca www.arc-c.ca</p>
<p>Chatham Chatham-Kent Sexual Assault Crisis Centre 24-Hour Crisis Line: 519-354-8688 Office/TTY: 519-354-8908 http://cksacc.org/</p>	<p>Cornwall Sexual Assault Support Services for Women Office: 613-932-1755 http://sassforwomen.ca/</p> <p>Iethinisten: ha Women’s Shelter Akwasasne Family Violence Program 24-Hour Crisis: 1-800-480-4208 Phone: 613-937-4322 www.akwasasne.ca/iethinistenha-women’s-shelter</p>

<p>Durham Region Durham Rape Crisis Centre Crisis: 905-668-9200 Office: 905-444.9672 info@drcc.ca www.drcc.ca</p>	<p>Eganville Women’s Sexual Assault Centre of Renfrew County 24-Hour Crisis: 1-800-663-3060 Office: 613-735-5551 www.wsac.ca</p>
<p>Guelph Guelph-Wellington Women in Crisis Crisis: 519-836-5710 1-800-265-7233 Office: 519-823-5806 www.gwwomenincrisis.org</p>	<p>Hamilton Sexual Assault Centre (Hamilton and Area) Crisis: (905) 525-4162 Office (905) 525-4573 TTY: 905-525-4592 www.sacha.ca</p>
<p>Kenora Kenora Sexual Assault Centre Crisis: (807) 468-7233 or 1-800-565-6161 Office: (807) 468-7958 www.kenoralsexualassaultcentre.com</p>	<p>Kingston Sexual Assault Centre Kingston Crisis: 613-544-6424 or 1-877-544-6424 Office: 613-545-0762 sack@sackington.com www.sackington.com</p>
<p>Kitchener-Waterloo Sexual Assault Support Centre of Waterloo Region Crisis: 519.741.8633 Office: 519.571.0121 info@sascwr.org www.kwsasc.org</p>	<p>London Sexual Assault Centre London Crisis: 519-438-2272 Office 519-439-0844 TTY: 519-439-0690 sacl@sacl.ca www.sacl.ca London Abused Women’s Centre Office: 519-432-2204 E-Mail: info@lawc.on.ca http://lawc.on.ca/</p>
<p>Peel Region Hope 24/7 (formerly the Sexual Assault/Rape Crisis Centre of Peel) Crisis:1-800-810-0180 Office: (905) 792-0821 http://hope247.ca/</p>	<p>Newmarket Women’s Support Network of York Region Crisis: 1-800-263-6734 or 905-895-6734 Office: (905) 895-3646 www.womenssupportnetwork.ca</p>
<p>North Bay 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 info@ameliarising.ca www.ameliarising.ca</p>	<p>Oakville Sexual Assault & Violence Intervention Services of Halton Crisis: 905-875-1555 or 1-877-268-8416 Office: 905-825-3622 www.savisofhalton.org</p>
<p>Orangeville Family Transition Place Crisis: 1-800-265-9178 Office: 519-942-4122 www.familytransitionplace.ca</p>	<p>Ottawa Sexual Assault Support Centre Crisis: 613-234-2266 Phone: 613-725-2160 TTY: 613-725-1657 info@sascottawa.com http://sascottawa.com Ottawa Rape Crisis Centre Crisis: 613-562-2333 Office: 613-562-2334 http://orcc.net/</p>

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