

The School of Toronto Dance Theatre

80 Winchester Street
Toronto, Ontario, M4X 1B2

SEXUAL VIOLENCE POLICY

1. Policy Objectives

- a) The School of Toronto Dance Theatre (the "School") 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) The School has adopted this Sexual Violence Policy (the "Policy"), which defines sexual violence and outlines its training, reporting, investigative and disciplinary responses to complaints of sexual violence made by its students.

2. Scope

- a) This Policy applies to all students and members of the School community including but not limited to: persons who direct or manage school affairs, instructors, staff, contractors, and volunteers (the "School Members").
- b) This Policy applies to complaints of sexual violence that have occurred on the School college campus. The Policy may also apply off-campus if the incident in question affects the safety, integrity and/or other interests of the School community and/or any member of the School community.
 - i. Off campus – With respect to the adjudication of reports or complaints, the scope includes incidents of sexual violence that occur off campus where the respondent is a member of The School of Toronto Dance Theatre community and:
 - ii. When the incident is part of School of Toronto Dance Theatre course or organized class activity;
 - iii. When the incident is part of a School event that has been defined as such; or
 - iv. In exceptional circumstances, when the potential consequences of the incident may adversely affect the complainant's course of learning, teaching or work at the School.

3. Definitions

- a) 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, and includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism and sexual exploitation.
- b) Complainant: the person affected by sexual violence who makes a report under this Policy.
- c) Respondent: the person or group against whom a report has been filed under this Policy.

4. Training

- a) The School shall include a copy of this Policy in every contract made between a student and the college.
- b) The School shall provide a copy of this Policy to the School Members.
- c) This Policy shall be published on the School website.
- d) The School shall provide or make available to all students and to all School Members training regarding this Policy and its processes of reporting, investigating and responding to complaints of sexual violence involving its students.

5. Supports and Accommodation

- a) Students affected by sexual violence shall receive appropriate support and/or accommodations with respect to disclosures and reports of sexual violence. There shall be no fee charged for the use of on-campus supports or accommodations or for referrals to off-campus supports.
- b) A student affected by sexual violence is not required to report or file a complaint of an incident of sexual violence to receive or access the supports or accommodations outlined in this Policy.
- c) The School shall make available supports for students affected by sexual violence. These supports may include assisting students who have experienced sexual violence in obtaining counseling and medical care, and providing them with information about sexual violence supports and services available in the community as set out at the end of this policy.
- d) Students affected by sexual violence who are seeking supports available at the School or in the community should contact the Artistic Director or the Managing Director.
- e) Students affected by sexual violence who require accommodations should contact the Artistic Director or the Managing Director.

6. Reporting and Responding to Incidents of Sexual Violence

- a) Students and all School Members shall report incidents of or complaints of sexual violence to the Artistic Director or the Managing Director upon becoming aware of them.
- b) The School recognizes the right of the Complainant not to report or make a complaint about an incident of sexual violence, the right not to request an investigation and the right not to participate in any investigation that may occur.
- c) Notwithstanding (b), in certain circumstances, the School 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.

7. Investigating Reports of Sexual Violence

- a) Under this Policy, any student may file a report of an incident of sexual violence or a complaint to the Artistic Director or the Managing Director. The complainant may file a report or complaint in

writing via e-mail or letter or may request an in-person meeting to make their report or complaint.

- b) Upon receipt of a complaint or report of sexual violence, the Artistic Director or the Managing Director, as the case may be, to whom the complaint or report is made shall respond promptly and, in consultation with the other, shall:
 - i. Determine whether an investigation should proceed and whether the Complainant wishes to participate in an investigation;
 - ii. Determine who should conduct the investigation having regard to the seriousness of the allegation and the parties involved;
 - iii. Determine whether the incident should be referred immediately to the police;
 - iv. Determine what interim measures ought to be put in place pending the investigation and decision-making processes such as removal of the Respondent or seeking alternate methods of providing necessary course studies.
- c) Where the incident is referred immediately to the police, as determined in section 7(b)(iii), or where civil proceedings are commenced in respect of allegations of sexual violence, the School may conduct its own independent investigation and make its own determination in accordance with its own policies and procedures.
- d) Once an investigation is initiated, the following shall occur:
 - i. the Complainant and the Respondent shall be advised of their right to have another person present throughout the investigation process;
 - ii. the Complainant shall be interviewed to ensure a complete understanding of the allegation and to gather additional information that may not have been included in the 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 Respondent shall be informed of the complaint and provided with details of the allegations. The Respondent shall be given an opportunity to respond to those allegations and to provide any witnesses the Respondent feels are essential to the investigation;
 - iv. any identified witnesses or persons involved or persons who have, or may have knowledge of the incident shall be interviewed;
 - v. the Complainant and the Respondent shall be provided with reasonable updates regarding the status of the investigation; and
- e) Following investigation, the Artistic Director, in consultation with the Managing Director, shall:
 - i. review all of the evidence collected during the investigation;
 - ii. determine what disciplinary action, if any, should be taken as set out in Section 8 below.
- f) 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 private career college's staff or investigators, including irrelevant questions relating to the student's sexual expression or past sexual history.

8. Disciplinary Measures

- a) If it is determined by the School that immediate disciplinary or corrective action shall be taken, this may include:

- 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 private career college's policies relating to drug or alcohol use at the time the alleged sexual violence occurred
 - ii. disciplinary action up to and including termination of employment of instructors or staff; or
 - iii. expulsion of a student; and/or
 - iv. the placement of certain restrictions on the Respondent's ability to access certain premises or facilities; and/or
 - v. any other actions that may be appropriate in the circumstances.
- b) 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 private career college's policies relating to drug or alcohol use at the time the alleged sexual violence occurred.

9. Appeal

- a) Should the Complainant or the Respondent not agree with the decision resulting from the investigation, they may appeal the decision to the Artistic Director or the Managing Director within 10 days of communication of the original decision, by submitting a letter addressed to the Artistic Director or the Managing Director advising of the person's intent to appeal the decision.

10. Confidentiality

- a) Subject to Section 7 above, to the extent it is possible, the School shall 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 shall be done by:
- i. Ensuring that all complaints/reports and information gathered as a result of the complaint/reports shall 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 or the Respondent.

11. Making False Statements

- a) It is a violation of this 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 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.

12. Protection from Retaliation or Threat of Retaliation

- a) It is a violation of this 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 Policy are subject to disciplinary and/or corrective action, which may include termination of employment of instructors or staff or expulsion of a student.

13. Review

- a) The School shall review this Policy once every 3 years, beginning 3 years after the date of implementation. This date is June 2020.
- b) The School shall consider student input when reviewing and amending this Policy.

14. Collection of Student Data

- a) The School shall collect and be prepared to provide upon request by the Superintendent of Private Career Colleges such data and information as required according to Subsections 32.1 (8), (9) and (10) of Schedule 5 of the Private Career Colleges Act, 2005 as amended.

NAME OF SERVICES	SUPPORTS AVAILABLE	CONTACT INFORMATION
Services for all Genders		
Women's College Hospital Sexual Assault and Domestic Violence Care Centre	For those assaulted within the past week, this support is available 24- hours a day, seven days a week. Women, men, and trans people who are survivors of sexual assault and/or domestic/intimate partner violence can access this support. http://www.womenscollegehospital.ca/programs-and-services/sexual-assault-domestic-violence-care-centre/	Hours: Monday to Friday 8:30 a.m. - 4:30 p.m. Phone: 416-323-6040 Location: 76 Grenville St. (Ground floor (in the AACU), Room 1305)
Victim Services Toronto	Assists people in crisis, 24-hours a day, seven days a week in the immediate aftermath of crime or tragedy. http://victimserVICESTORONTO.COM/	Hours: 24 hours a day Phone: 416-808-7066 E- mail: info@victimserVICESTORONTO.C OM
Sexual Assault/Rape Crisis Centre of Peel	Provides a 24/7 crisis line, online crisis chat, individual therapy, therapeutic groups and workshops. The online crisis chat can be located here: http://hope247.ca/	Hours: 24 hours a day Phone: 1-800-810-0180
Toronto Police Services	If you are in immediate danger, call 911. For all other safety issues... please call the 416 number In the next column https://www.torontopolice.on.ca/	Hours: 24 hours a day Phone: 416-808-2222
Family Service Toronto	Provides professional, short-term, individual, couple and family counselling for people who identify as lesbian, gay, bisexual, trans, queer (LGBTQ) https://familyservicetoronto.org/	Hours: Monday to Friday 9am-5pm OR Wednesday Walk-in: 3:30-7:30pm Phone: 416-595-9618 Location: 202-128A Sterling Road, Toronto
Central Toronto Youth Services- Pride and Prejudice Program	Programs for lesbian, gay, bisexual, trans, queer, Two-Spirit and questioning youth, ages 13-24. Includes "Yo- Yoga" which is an 8-week trauma sensitive yoga program. http://www.ctys.org/category/programs/#pride-amp-prejudice	Phone: 416-924-2100
If you self-identify as a woman		
Assaulted Women's Helpline	24-hour telephone support and counselling available in several languages http://www.awhl.org/	Phone: 416-863-0511

Barbara Schlifer Clinic	Provides counselling, legal information, interpreters and referral for women who have been physically or sexually abused. http://schliferclinic.com/	Hours: Monday to Friday 9 a.m.- 5 p.m. Phone: 416-323-9149 E-mail: intake@schliferclinic.com Location: 489 College St
Fred Victor Centre	24/7 Drop-in for women located in the Adelaide Resource Centre offers a warm, safe and welcoming space with access to health services on site. http://www.fredvictor.org/womens24/7_drop-in_program	Phone: 416-392-9292
Toronto Rape Crisis Centre/Multicultural Woman Against Rape	Crisis intervention, counselling and referral for survivors of rape/sexual assault. Open 24 hours. http://trccmwar.ca/	Hours: 24 hours a day Phone: 416-597-8808 E-mail: crisis@trccmwar.ca
Women's Support Network of York Region	Provides free, confidential services for women who have experienced sexual violence http://www.womenssupportnetwork.ca/	Hours: 24 hours a day Phone: 905-895-7313 Email: generalinfo@womenssupportnetwork.ca
If you self-identify as a man		
Support Services for Male Survivors of sexual abuse	Provides help for male survivors of sexual abuse, both recent and historical. The program is the first of its kind in Canada and is delivered by agencies across the province. Survivors also have access to a 24-hour, multilingual, toll-free phone line for immediate crisis and federal services https://www.attorneygeneral.ius.gov.on.ca/english/ovss/male_support_services/	Hours: 24 hours a day Phone: 1-888-887-0015