



## **Willowbank Sexual Violence Policy**

*(Adapted from the Ontario Association of Career Colleges Policy Guide November, 2022)*

Willowbank will appropriately accommodate the needs of students who are affected by sexual violence. Willowbank shall ensure that students who, in good faith report an incident of, or make a complaint about, sexual violence, will not be subject to discipline or sanctions for violations of Willowbank's policies relating to drug or alcohol use at the time the alleged sexual violence occurred.

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 Willowbank staff or third-party investigators, including irrelevant questions relating to the student's sexual expression or past sexual history.

### **1. Policy Application:**

The Policy applies to all students at the Willowbank School of Restoration Arts

### **2. The Scope:**

The Policy applies to complaints of sexual violence that have occurred on Willowbank School of Restoration Arts campus or at one of our events and involve our students.

### **3. Purpose and Intent:**

All of Willowbank School of Restoration Arts students have a right to study in an environment free of sexual violence. This document sets out our policy on sexual violence involving our students, defines the prohibited behaviours, and outlines our investigative processes for sexual violence.

### **4. Policy Objectives:**

Willowbank School of Restoration Arts is committed to providing our students with an educational environment free from sexual violence and treating those students who report incidents of sexual violence with dignity and respect. Students are not required to report an incident of or make a complaint about, sexual violence in order to obtain the support and services, or accommodation.



*To report sexual harassment or violence, please contact:*

Dr. Faisal Arain  
President, Willowbank School of Restoration Arts  
faisal.arain@willowbank.ca

To that end, Willowbank School of Restoration Arts will provide a copy of the policy to our students. Where a complaint has been made, under this Policy, of sexual violence, Willowbank School of Restoration Arts will take all reasonable steps to investigate it, including as follows:

- a. providing on-campus investigation procedures by skilled third-party personnel to students 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 who have experienced sexual violence in obtaining counselling and medical care.
- d. providing students who have experienced sexual violence with appropriate academic and other accommodation; and
- e. providing students who have experienced sexual violence with information about reporting options as set out in Appendix A.

### **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.

### **6. Reporting and Responding to Sexual Violence:**

Students, faculty and staff of Willowbank School of Restoration Arts will take all reasonable steps to prevent sexual violence involving our students on our campus or events by reporting immediately to the Willowbank School of Restoration Arts designate if our students have been subject to, or they have witnessed or have knowledge of sexual violence involving our students, or have reason to believe that sexual violence has occurred or may occur which involves our students.

Subject to paragraph 7 below, to the extent it is possible, the Willowbank School of Restoration Arts Designate 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.

Willowbank School of Restoration Arts recognizes the right of the complainant to determine how their complaint will be dealt with. However, in certain circumstances, Willowbank School of Restoration Arts 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.

*A complainant seeking accommodation should contact:*

Dr. Faisal Arain  
President, Willowbank School of Restoration Arts  
faisal.arain@willowbank.ca

## **7. Investigating Reports of Sexual Violence:**

A complaint of sexual violence may be filed under this Policy, by any student of our career college, to the President, Willowbank School of Restoration Arts in writing. A complainant may ask another person to be present during the investigation.

Upon a complaint of alleged sexual violence being made, Willowbank School of Restoration Arts will initiate an investigation using skilled third-party personnel, 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. interviewing the complainant, any person involved in the incident and any identified witnesses;
- e. interviewing any other person who may have knowledge of incidents related to the complaint or any other similar incidents;
- f. informing the respondent of the complaint, providing details of the allegations and giving the respondent an opportunity to respond to those allegations;
- g. providing reasonable updates to the complainant and the respondent about the status of the investigation; and



- h. determining what disciplinary action, if any, should be taken.

### **8. Disciplinary Measures:**

If it is determined by Willowbank School of Restoration Arts that a student of the college has been involved in sexual violence, 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, Willowbank School of Restoration Arts 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 sexual violence Willowbank School of Restoration Arts may conduct its own independent investigation and make its own determination in accordance with its own policies and procedures.

### **9. Making False Statements:**

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. 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.

### **10. Reprisal:**

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.

### **11. Review:**

This policy is subject to review and update as required, and, or necessary.

### **12. Collection of Student Data:**

Willowbank School of Restoration Arts shall collect and be prepared to provide upon request by the Superintendent of 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.

## **Appendix A - Resources**

<https://www.niagarasexualassaultcentre.com/>

<https://www.niagarapolice.ca/en/what-we-do/sexualassault.aspx#>

Updated: April 2024