



FLUFFY PAWS GROOMING SCHOOL

Sexual Violence And Harassment Policy

1. Sexual Violence Policy

- a) Fluffy Paws Grooming 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) Fluffy Paws Grooming School has adopted this Sexual Violence Policy, which defines sexual violence and outlines its training, reporting, investigative and disciplinary responses to complaints of sexual violence made by its students that have occurred on its campus, or at one of its events and involve its students.
- c) The person accused of engaging in sexual violence will be referred to as the "Respondent" and the person making the allegation as the "Complainant".

2. Definition of Sexual Violence

- a) 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) Fluffy Paws Grooming School 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 shall be published on its website.
- c) Management, instructors, staff, other employees and contractors of Fluffy Paws Grooming School will report incidents of or complaints of sexual violence to Campus Director upon becoming aware of them.
- d) Students who have been affected by sexual violence or who need information about support services should contact Campus Director
- e) Subject to Section 4 below, to the extent it is possible, Fluffy Paws Grooming School 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.
- f) Fluffy Paws Grooming School 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.
 - g) Notwithstanding (f), in certain circumstances, Fluffy Paws Grooming 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.
 - h) In all cases, including (f) above, Fluffy Paws Grooming School will appropriately accommodate the needs of its students who are affected by sexual violence. Students seeking accommodation should contact the Campus Director.

In this regard, Fluffy Paws Grooming School will assist students who have experienced sexual violence in obtaining counseling and medical care, and provide them with information about sexual violence supports and services available in the community as set out in Appendix 1 attached hereto. Students are not required to file a formal complaint in order to access supports and services.

4. Investigating Reports of Sexual Violence

- a) Under this Sexual Violence Policy, any student of Fluffy Paws Grooming School may file a report of an incident or a complaint to the Campus Director in writing. The other officials, offices or departments that will be involved in the investigation are HR Director, Regional Director

- b) Upon receipt of a report of an incident or a complaint of alleged sexual violence being made,

Campus Director will respond promptly and:

- i) determine whether an investigation should proceed and if 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) In such cases or where civil proceedings are commenced in respect of allegations of sexual violence, Fluffy Paws Grooming School may conduct its own independent investigation and make its own determination in accordance with its own policies and procedures; and
 - v) 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:

the Complainant and the Respondent will be advised that they may ask another person to be present throughout the investigation;

- i) 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;
- ii) informing and interviewing the Respondent of the complaint, providing details of the allegations and giving the Respondent an opportunity to respond to those allegations and to provide any witnesses the Respondent feels are essential to the investigation;
- iii) interviewing any person involved or who has, or may have, knowledge of the incident and any identified witnesses;
- iv) providing reasonable updates to the Complainant and the Respondent about the status of the investigation; and
- v) following the investigation, the Campus Director will:
 - review all of the evidence collected during the investigation;
 - determine whether sexual violence occurred; and if so
 - determine what disciplinary action, if any, should be taken as set out in Section 5 below.

5. Disciplinary Measures

- a) If it is determined by Fluffy Paws Grooming School 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) the placement of certain restrictions on the Respondent's ability to access certain premises or facilities; and/or
 - iv) any other actions that may be appropriate in the circumstances.

6. Appeal

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

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) It is a violation of this Sexual Violence 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 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.

9. Review

- a) Fluffy Paws Grooming School shall ensure that student input is considered in the development of its Sexual Violence Policy and every time it is reviewed or amended.
- b) Fluffy Paws Grooming School shall review its Sexual Violence Policy 3 years after it is first implemented and amend it where appropriate. This date is March 1, 2022

10. Collection of Student Data

- a) Fluffy Paws Grooming 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. 3(8), (9) and (10) of Schedule 5 of the Private Career Colleges Act, 2005 as amended.

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;

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.

36.0.1 (1) A private career college shall appropriately accommodate the needs of students who are affected by sexual violence. O. Reg. 132/16, s. 3.

(2) No private career college shall charge a fee for the provision of supports, services or accommodation to students who are affected by sexual violence, or for referring a student to any such supports or services that are available off-campus. O. Reg. 132/16, s. 3.

Sexual violence policy

36.0.2 (1) A private career college shall ensure that its sexual violence policy,

(a) provides information about the supports and services available at the private career college or through its agent for students who are affected by sexual violence, and identifies the specific official, office or department at the private career college that should be contacted to obtain such supports and services;

(b) provides information about the supports and services available in the community for students who are affected by sexual violence;

(c) informs students that the private career college will appropriately accommodate the needs of students who are affected by sexual violence, and identifies the specific official, office or department at the private career college that should be contacted to obtain such accommodations;

(d) informs students that they are not required to report an incident of, or make a complaint about, sexual violence under the process referred to in paragraph 1 of subsection (2) in order to obtain the supports and services referred to in clause (a) or the accommodation referred to in clause (c);

(d.1) informs 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 private career college's policies relating to drug or alcohol use at the time the alleged sexual violence occurred; and

(e) includes the information set out in subsection (2) respecting the private career college's process for responding to and addressing incidents and complaints of sexual violence, as required by clause 32.1 (2) (b) of the Act. O. Reg. 132/16, s. 3; O. Reg. 647/21, s. 1 (1).

(2) For the purposes of clause (1) (e), a sexual violence policy shall include the following information:

1. The process to be followed by persons who wish to report an incident of, or make a complaint about, sexual violence including the specific official, office or department to whom the incident should be reported or the complaint should be made.
2. Examples of the measures that may be implemented for the purpose of protecting a person reporting an incident of, or making a complaint about, sexual violence from retaliation and the threat of retaliation.
3. The process for deciding whether an incident or complaint of sexual violence will be investigated by the private career college.
4. The statement that a victim may choose not to request an investigation by the private career college, and has the right not to participate in any investigation that may occur.
5. The investigation and decision-making processes at the private career college that will take place if an incident or complaint of sexual violence is investigated.
6. The specific officials, offices or departments that will be involved in each stage of the investigation and decision-making processes.
7. A description of the elements of procedural fairness that will be part of the investigation and decision-making processes.
8. The statement that a party to an investigation or decision-making process has the right to have a person present with him or her at every stage of the process.
9. Examples of the interim measures that may be implemented while an incident or complaint is being investigated or a decision is being made regarding the incident or complaint.
10. Examples of the decisions that may be made and measures that may be imposed after an incident or complaint is investigated.
11. The measures that will be implemented to protect and keep confidential the personal information of the persons involved in the investigation of an incident or complaint.
12. A description of the appeal processes that may be available related to decisions resulting from the investigation process.
13. The roles and responsibilities of the corporate directors, controlling shareholders, owners, partners, other persons who manage or direct the affairs of the private career college, agents, students, instructors and other employees upon becoming aware of incidents or complaints of sexual violence.
14. A statement that 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. O. Reg. 132/16, s. 3; O. Reg. 647/21, s. 1 (2).

(3) The sexual violence policy shall be published on the private career college's website or, where the private career college does not have a website, posted in a conspicuous location at each of its campuses. O. Reg. 132/16, s. 3.

(4) A private career college shall provide or make available training on its sexual violence policy to the following persons:

1. Corporate directors, controlling shareholders, owners, partners and other persons who manage or direct the affairs of the private career college, and their agents.
 2. Instructors, staff and other employees and contractors of the private career college.
 3. Students enrolled at the private career college. O. Reg. 132/16, s. 3.
- (5) The training shall include training on the private career college's process for responding to and addressing incidents and complaints of sexual violence, including the elements set out in subsection (2). O. Reg. 132/16, s. 3.
- (6) If a private career college's sexual violence policy conflicts with its expulsion policy, the sexual violence policy prevails. O. Reg. 132/16, s. 3.