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Sexual Assault and Sexual Violence Policy

January 01, 2017

This Policy applies to all members of the Friendly Truck Driving School: all employees, students, contractors, suppliers of services, volunteers, and visitors.

Students will be provided with a copy of this policy when they enter into a contract with Friendly Truck Driving School.

1. Sexual Violence Policy

- (a) Friendly Truck Driving 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) Friendly Truck Driving 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

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) Friendly Truck Driving 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 (or where the Career College does not have a website in a conspicuous location on each of its campuses).
- (c) Career college management, instructors, staff, other employees and contractors of Friendly Truck Driving School will report incidents of or complaints of sexual violence to Friendly Truck Driving School upon becoming aware of them.
- (d) Students who have been affected by sexual violence or who need information about support services should contact Friendly Truck Driving School.
- (e) Subject to Section 4 below, to the extent it is possible, Friendly Truck Driving 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) Friendly Truck Driving 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, Friendly Truck Driving 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, Friendly Truck Driving School will appropriately accommodate the needs of its students who are affected by sexual violence. Students seeking accommodation should contact Friendly Truck Driving School.

In this regard, Friendly Truck Driving 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 Friendly Truck Driving School may file a report of an incident or a complaint to Friendly Truck Driving School in writing. The other officials, offices or departments that will be involved in the investigation are (Insert Titles).
- (b) Upon receipt of a report of an incident or a complaint of alleged sexual violence being made, Friendly Truck Driving School 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;

In such cases or where civil proceedings are commenced in respect of allegations of sexual violence, Friendly Truck Driving School may conduct its own independent investigation and make its own determination in accordance with its own policies and procedures; and

- (iv) 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:
 - (i) the Complainant and the Respondent will be advised that they may ask another person to be present throughout the investigation;
 - (ii) 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;
 - (iii) 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;
 - (iv) interviewing any person involved or who has, or may have, knowledge of the incident and any identified witnesses;

- (v) providing reasonable updates to the Complainant and the Respondent about the status of the investigation; and
- (vi) following the investigation, the Friendly Truck Driving School will:
 - i. review all of the evidence collected during the investigation;
 - ii. determine whether sexual violence occurred; and if so
 - iii. 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 Friendly Truck Driving 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 **(insert particulars)** within **(insert particulars)** days by submitting a letter addressed to **(insert particulars)** 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) Friendly Truck Driving 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) Friendly Truck Driving School shall review its Sexual Violence Policy 3 years after it is first implemented and amend it where appropriate. This date is (insert date).

10. Collection of Student Data

- (a) Friendly Truck Driving 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.

This template is intended to be a Sexual Violence and Harassment Policy Guideline and does not constitute legal advice.

Appendix 1

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

Canadian Association of Sexual Assault Centers Ontario 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

Français

Fem'aide

Telephone Toll-Free: 1-877-336-2433

ATS: 1 866 860-7082

www.femaide.ca

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](#).

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

Belleville

Sexual Assault Centre for Quinte and District Toll-

Free: 1-877-544-6424

Office: 613-967-6300

www.sacqd.com

Brantford

Sexual Assault Centre of Brantford Crisis:

519-751-3471

Office: 519-751-1164

sexualassaultcentre@sacbrant.ca

<http://sacbrant.ca/>

Bracebridge

Muskoka/Parry Sound Sexual Assault Services Parry Sound
District Office
Office: (705) 774-9083 or 1-877-851-6662
www.daphnewymn.com Muskoka
District Office
Office: (705) 646-2122 or 1-877-406-1268
www.daphnewymn.com

Brockville

Assault Response & Care Centre
Office: (613) 345-3881 or 1-800-567-7415
arcc@bgh-on.ca
www.arc-c.ca

Chatham

Chatham-Kent Sexual Assault Crisis Centre 24-Hour
Crisis Line: 519-354-8688 Office/TTY: 519-354-8908
<http://cksacc.org/>

Cornwall

Sexual Assault Support Services for Women
Office: 613-932-1755
<http://sassforwomen.ca/>

Iethinisten:ha Women's Shelter

Akwesasne Family Violence Program 24-Hour
Crisis: 1-800-480-4208
Phone: 613-937-4322
www.akwesasne.ca/iethinistenha-women's-shelter

Durham Region

Durham Rape Crisis Centre Crisis: 905-668-9200
Office: 905-444.9672
info@drcc.ca
www.drcc.ca

Eganville

Women's Sexual Assault Centre of Renfrew County 24-Hour
Crisis: 1-800-663-3060

Office: 613-735-5551

www.wsac.ca

Guelph

Guelph-Wellington Women in Crisis Crisis:

519-836-5710

1-800-265-7233

Office: 519-823-5806

www.gwwomenincrisis.org

Hamilton

Sexual Assault Centre (Hamilton and Area) Crisis:

(905) 525-4162

Office (905) 525-4573

TTY: 905-525-4592

www.sacha.ca

Kenora

Kenora Sexual Assault Centre

Crisis: (807) 468-7233 or 1-800-565-6161

Office: (807) 468-7958

www.kenoralsexualassaultcentre.com

Kingston

Sexual Assault Centre Kingston

Crisis: 613-544-6424 or 1-877-544-6424

Office: 613-545-0762

sack@sackington.com

www.sackington.com

Kitchener-Waterloo

Sexual Assault Support Centre of Waterloo Region Crisis:

519.741.8633

Office: 519.571.0121

info@sascwr.org

www.kwsasc.org

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/>

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/>

Newmarket

Women's Support Network of York Region Crisis: 1-

800-263-6734 or 905-895-6734

Office: (905) 895-3646

www.womenssupportnetwork.ca

North Bay

Amelia Rising Women's Sexual Assault Centre of Nipissing/centre d'agressions sexuelles de Nipissing

Crisis: 705-476-3355

Office: 705-840-2403

TTY: (705) 840-5877

info@ameliarising.ca

www.ameliarising.ca

Oakville

Sexual Assault & Violence Intervention Services of Halton Crisis:

905-875-1555 or 1-877-268-8416

Office: 905-825-3622

www.savisofhalton.org

Orangeville

Family Transition Place

Crisis: 1-800-265-9178

Office: 519-942-4122

www.familytransitionplace.ca

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/>

Peterborough & Kawarthas 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

Sault Ste Marie

Women in Crisis (Algoma) Inc.
Crisis: 705-759-1230 or 1-877-759-1230
www.womenincrisis.ca

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

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

St. Catherines

Niagara Region Sexual Assault Centre Crisis: (905)
682-4584
Office: (905) 682-7258
carsa@sexualassaultniagara.org
<http://sexualassaultniagara.org/>

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

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/>

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

Windsor

Sexual Assault Crisis Centre of Essex County Crisis: 519-253-9667

www.saccwindsor.net

Woodstock

Domestic Abuse Services Oxford

Crisis: 519 539-4811 or 1-800-265-1938

info@daso.ca

www.daso.ca