

# Sexual Violence and Harassment Policy

## For The Pet Grooming Studio Academy

Policy effective as of June 1, 2025

Due for revision on June 1, 2028

The Pet Grooming Studio Academy (hereafter referred to as “the School”) is committed to the elimination of sexual assault and sexual violence to all members of the school community. All members of the School community have a right to study, work and live in an environment that is free from any form of sexual assault and sexual violence. This policy and related procedures set out the manner in which the School addresses sexual assault and sexual violence.

This Policy applies to all members of the Pet Grooming Studio Academy community including: all employees, guest speakers, students, contractors, suppliers of services, individuals who are directly connected to any Pet Grooming Studio Academy initiatives, volunteers, and visitors.

Anyone who has experienced sexual violence or harassment, regardless of whether they have filed a formal report of sexual violence or harassment, may access supports, services and accommodations.

### **1. Definitions**

#### **Sexual Assault and Sexual Violence**

##### **Acquaintance sexual assault**

Sexual contact that is forced, manipulated or coerced by a partner, friend or acquaintance.

##### **Age of consent for sexual activity**

The age at which a person can legally consent to sexual activity. In Canada, children under 12 can never legally consent to sexual acts. Sixteen is the legal age of consent for sexual acts. There are variations on the age of consent for adolescents who are close in age between the ages of 12 and 16.

Youth who are 12 or 13 years old can consent to have sex with other youths who are less than two years older than themselves.

Youth who are 14 or 15 years old may consent to sexual involvement that is mutual with a person who is less than five years older. Youth who are 16 or 17 years old may legally consent to sexual acts with someone who is not in a position of trust or authority.

#### **Complainant**

An individual who files a complaint alleging a violation of the Sexual Violence policy seeking the school’s response.

#### **Complaint**

When a student notifies the school officials of an allegation under the Sexual Violence policy or an employee files an incident report with their supervisor seeking The Pet Grooming Studio Academy's response.

## **Coercion**

In the context of sexual violence, coercion is unreasonable and persistent pressure for sexual activity. Coercion is the use of emotional manipulation, blackmail, threats to family or friends, or the promise of rewards of special treatment to persuade someone to do something they do not wish to do, such as being sexual or performing particular sexual acts.

**Consent:** The voluntary and explicit agreement to engage in the sexual activity in question. It is the act of willingly agreeing to engage in specific sexual behaviour, and requires that a person is able to freely choose between two options: yes and no. This means that there must be an understandable exchange of affirmative words, which indicates a willingness to participate in a mutually agreed upon sexual activity. It is also imperative that everyone understands the following:

1. silence or non-communication must never be interpreted as consent and a person in a state of diminished judgment cannot consent;
2. a person is incapable of giving consent if they are asleep, unconscious, or otherwise unable to communicate;
3. a person who has been threatened or coerced (i.e. is not agreeing voluntarily) into engaging in the sexual activity is not consenting to it;
4. a person who is drugged is unable to consent;
5. a person is unable to give consent when under the influence of alcohol and/or drugs;
6. a person may be unable to give consent if they have a mental disability preventing them from fully understanding the sexual acts;
7. the fact that consent was given in the past to a sexual or dating relationship does not mean that consent is deemed to exist for all future sexual activity;
8. a person can withdraw consent at any time during the course of a sexual encounter;
9. a person is incapable of giving consent to a person in a position of trust, power or authority, such as a faculty member initiating a relationship with a student who they teach, an administrator in a relationship with anyone who reports to that position;
10. consent cannot be given on behalf of another person.

It is the responsibility of all parties of sexual activity to ensure clear and affirmative responses are communicated at all stages of sexual engagement. It is also the responsibility of all parties to know if the person they are engaging with sexually is a minor.

## **Drug-facilitated sexual assault**

The use of alcohol and/or drugs (prescription or non-prescription), including cannabis, by a perpetrator to control, overpower, or subdue a victim for purposes of sexual assault.

## **Indecent exposure**

The exposure of the private or intimate parts of the body in a lewd manner, when the perpetrator may be readily observed.

## **Intimate partner violence**

A form of sexual violence that includes sexual assault within an intimate relationship. It includes not only marital rape but all other forms of sexual assault that take place within a current or former intimate relationship, whether or not the partners are married.

## **Predatory behaviour**

Actions and conduct taking place online or in person characterized by the exploitation, manipulation or harm of others for personal gain, satisfaction, or gratification. This behaviour often involves deceit, aggression, or manipulation to take advantage of individuals or situations.

## **Respondent**

A person(s) against whom a complaint is being made.

## **Sexual assault**

A criminal offence under the *Criminal Code of Canada*. Sexual assault is any type of unwanted sexual act done by one person to another that violates the sexual integrity of the victim and involves a range of behaviours from any unwanted touching to penetration.

Sexual assault is characterized by a broad-range of behaviours that involve the use of force, threats or control towards a person, which makes that person feel uncomfortable, distressed, frightened, threatened or that is carried out in circumstances in which the person has not freely agreed, consented to, or is incapable of giving consent.

## **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, including sexual assault, sexual harassment, stalking, indecent exposure, voyeurism and sexual exploitation.

## **Sexual exploitation**

Occurs when a perpetrator takes non-consensual or abusive sexual advantage of another for their own advantage or benefit, or to benefit or advantage anyone other than the one being exploited.

## **Sexual harassment**

Engaging in a course of conduct of a gender-related or sexual nature that is known, or might reasonably be known, to be unwelcome/unwanted, offensive, intimidating, hostile or inappropriate.

Depending on its severity, one action may constitute sexual harassment.

This may include but is not limited to: demeaning gestures, remarks, and jokes; slurs; taunting; innuendo based on gender or sexual orientation; unwanted physical contact; leering; inappropriate comments about clothing, physical characteristics or activities; unwanted questions or comments about one's private life, sexual orientation, marital or family status; the display of sexually offensive material; solicitation; unwanted attention; implied or expressed promise of reward or benefit in return for sexual favours; implied or expressed threat or act of reprisal if sexual favours are not given or sexual assault (*Criminal Code of Canada* offence).

## **Stalking**

A form of criminal harassment prohibited by the *Criminal Code of Canada*. It involves behaviours that occur on more than one occasion and which collectively instill fear in the victim/target or threaten the victim/target's safety or mental health. Stalking can also include threats of harm to the victim/target's friends and/or family. These behaviours include but is not limited to; non-consensual communications (face to face, phone, email, social media); threatening or obscene gestures; surveillance; sending unsolicited gifts; "creeping" via social media/cyber-stalking and uttering threats.

## **Survivor**

Some who have experienced sexual violence may choose to identify as a survivor. Individuals might be more familiar with the term "victim." We use the term survivor throughout this Policy where relevant because some who have experienced sexual assault believe they have overcome the violent experience and do not wish to identify with the victimization. It is the prerogative of the person who has experienced these circumstances to determine how they wish to identify.

## **Technology-facilitated abuse**

The use of technology (e.g. emails, text messages, social media and/or software) to abuse, harass, threaten, coerce, monitor, exploit and/or violate another individual.

Examples of technology-facilitated abuse include: sexual harassment, sexting, revenge porn, stalking/surveillance and sexual exploitation.

## **Voyeurism**

Observing a person, including by mechanical or electronic means or making a visual recording of a person who is in circumstances that give rise to a reasonable expectation of privacy.

## **Vulnerable Person**

When an individual is in a position of dependency on others because of their age, a disability or other circumstances, whether temporary or permanent, or who is otherwise at a greater risk than the general population of being harmed by a person in a position of trust or authority towards them.

# **2. Purpose and Intent of the Policy**

All members of the School have a right to work and study in an environment that is free from any form of sexual violence. This Policy and its related Protocol sets out the way in which we address sexual violence. It ensures that those who are affected by sexual violence are believed and appropriately accommodated and ensures that the school has a process of investigation that protects the rights of individuals and holds individuals who have committed an act of sexual violence accountable.

This policy is created using student feedback and input and is reviewed at least every three years to make necessary changes as needed. This policy is provided to all students who enroll and is a part of the enrollment package. The School will also collect data and other related information on:

1. The number of times support services and accommodation relating to sexual violence were requested and obtained by students.
2. Any initiatives and programs established by the School to promote awareness of the supports and services available to students.
3. The number of incidences and complaints and the implement and effectiveness of this policy.

This information will be provided to the Superintendent of Private Career Colleges, Ministry of Advanced Education and Skills Development, in accordance with Bill 132, Sexual Violence and Harassment Action Plan Act, 2016. The college will take the necessary measures to ensure information provided to the Ministry does not disclose personal information with the meaning of section 38 of the Freedom of Information and Protection of Privacy Act.

### **3. Policy Statement**

Pet Grooming Studio Academy is committed to being a safe and positive space where members of the School community feel able to work, learn, and express themselves in an environment free from sexual violence. We endeavour to reduce sexual violence in our School community and create a safe space for survivors and those who are affected by sexual violence.

All reported incidents of sexual violence will be investigated and in a manner that ensures due process. It is the intention of Pet Grooming Studio Academy that individuals feel comfortable about making a report in good faith about sexual violence that they have experienced or witnessed.

Pet Grooming Studio Academy recognizes that sexual violence can occur between individuals regardless of sexual orientation, gender, gender identity, or relationship status as articulated in the Ontario Human Rights Code. We also recognize that individuals who have experienced sexual violence may experience emotional, academic, financial, or other challenges.

#### **Pet Grooming Studio Academy is committed to:**

1. the creation of a campus atmosphere in which sexual violence is not tolerated;
2. treating individuals who disclose sexual violence with compassion and recognizing them as a decision maker regarding their interests;

3. assisting those who have been affected by sexual violence by providing choices, including detailed information and support, which may include a provision of and/or referral to counselling and medical care, information about legal options, and appropriate academic, work, and other accommodations;
4. ensuring that those who disclose that they have been sexually assaulted have their experiences validated, and that their right to dignity and respect is protected throughout the process of disclosure, investigation, and institutional response;
5. engaging in appropriate procedures for investigation and adjudication of a complaint that ensures fairness and due process;
6. ensuring coordination and communication among the various departments who are most likely to be involved in the response to sexual violence on campus;
7. engaging in public education and prevention activities, which would include appropriate training of the Pet Grooming Studio Academy community about responding to the disclosure of sexual violence; and
8. providing information that may affect the Pet Grooming Studio Academy community about sexual violence on campus.
9. Engaging in education and prevention activities in the College community including on how to respond to the disclosure of sexual assault and sexual violence;
10. Monitoring and updating our policies and protocols at least every three years to ensure that they remain effective and in line with other existing policies.

## **4. Reporting and Responding to Sexual Violence**

1. Any member of the School community who has been subject to sexual violence is encouraged to immediately report such an incident, as set out in Pet Grooming Studio Academy's Sexual Assault and Sexual Violence Protocol.
2. Any member of the School community who has witnessed, or who has knowledge of, an incident of sexual violence perpetrated against another member of the School community is encouraged to immediately report such an incident, as set out in Pet Grooming Studio Academy's Sexual Assault and Sexual Violence Protocol.
3. Persons in a position of authority at Pet Grooming Studio Academy, including but not limited to, all those who supervise others, shall take immediate action to respond to or to prevent sexual violence from occurring.
4. Where Pet Grooming Studio Academy has become aware of an incident of sexual violence, or a threat of sexual violence, the School will take all reasonable steps to ensure the safety of the School community. Where an incident of sexual violence or a threat of sexual violence poses a risk to the safety of a member or members of the School community, precautions may include the provision or disclosure of relevant information to an employee, to employees, and/or to others at risk.

5. 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.

## **5. Complaint Process and Investigations**

A complaint of sexual assault or any other kind of sexual violence can be filed under this Policy by any member of the School community.

Survivors who disclose their experience of sexual violence will not be subject to disciplinary actions for violations regarding drug and /or alcohol use related to the incident. Survivors will not be asked irrelevant questions about past behaviours, preferences, and/or other details that speak to a person's personal sexual history.

Pet Grooming Studio Academy will seek to achieve procedural fairness in dealing with all complaints. As such, no sanction and/or disciplinary action will be taken against a person or group without their knowledge where there is an alleged breach of this Policy. Respondents will be given reasonable notice, with full detail of the allegations, and provided with an opportunity to answer to the allegations made against them.

### **5.1 Right to Withdraw a Complaint**

A complainant has the right to withdraw a complaint at any stage of the process. However, the School may continue to act on the issue identified in the complaint in order to comply with its obligation under this Policy and/or its legal obligations. Pet Grooming Studio Academy may also continue to act when there is a threat to the safety of the School community.

### **5.2 Protection from Reprisals, Retaliation or Threats**

It is contrary to this Policy for anyone to retaliate, engage in reprisals, or threaten to retaliate against a complainant or other individual for:

1. having pursued rights under this Policy or the Ontario Human Rights Code;
2. having participated or co-operated in an investigation under this Policy or the Ontario Human Rights Code; or
3. having been associated with someone who has pursued rights under this Policy or the Ontario Human Rights Code.

Pet Grooming Studio Academy takes reasonable steps to protect persons from reprisals, retaliation, and threats. This may entail, for example, advising individuals in writing of their duty to refrain from committing a reprisal and sanctioning individuals for a breach of this duty. The School may also address the potential for reprisals by providing an accommodation appropriate in the circumstances.

### **5.3 Unsubstantiated or Vexatious Complaints**

If a person, in good faith, discloses or files a sexual violence complaint that is not supported by evidence gathered during an investigation, that complaint will be dismissed. Disclosures or complaints that are found, following investigation, to be frivolous, vexatious or bad faith complaints, that is, made to purposely annoy, embarrass or harm the respondent, may result in sanctions and/or discipline against the complainant.

## **6. Confidentiality**

Confidentiality is particularly important to those who have disclosed sexual violence. The confidentiality of all persons involved in a report of sexual violence must be strictly observed, and Pet Grooming Studio Academy does its best to respect the confidentiality of all persons, including the complainant, respondent, and witnesses by restricting routine access to information to individuals with a need for such access providing education and training to those who are regularly involved in the administration of reports and complaints.

However, confidentiality cannot be assured in the following circumstances:

1. an individual is at imminent risk of self-harm;
2. an individual is at imminent risk of harming another; and/or
3. there are reasonable grounds to believe that others in School or wider community may be at risk of harm.

In such circumstances, information would only be shared with necessary services to prevent harm, and the name of the survivor would not be released to the public.

Where Pet Grooming Studio Academy becomes aware of an allegation of sexual violence by a member of the School community against another member of the School community, Pet Grooming Studio Academy may also have an obligation to take steps to ensure that the matter is dealt with in order to comply with Pet Grooming Studio Academy's legal obligation and/or its policies to investigate such allegations. In such cases, certain Pet Grooming Studio Academy administrators will be informed about the reported incident on a "need to know" and confidential basis, but not necessarily of the identities of the persons involved.

All information collected as a result of a report made under the policy and procedure will be sent to the Superintendent of the Private Career Colleges and managed in accordance with the *Freedom of Information and Protection of Privacy Act, Bill 132, Sexual Violence and Harassment Action Plan Act, 2016* and *Personal Health Information Protection Act* as applicable.

## **7. How will the Pet Grooming Studio Academy respond to a report of sexual violence?**

1. Where a complaint of sexual violence has been reported to the School, the institution will exercise care to protect and respect the rights of both the complainant and the respondent. The Pet Grooming Studio Academy understands that individuals who have experienced sexual violence may wish to control whether and how their experience will be dealt with by the police and/or the school. In most circumstances, the person will retain this control.



2. A person who has experienced sexual violence may choose not to request an investigation and has the right not to participate in any investigation that may occur.
3. In certain circumstances, however, the School may be required to initiate an internal investigation and/or inform the police of the need for a criminal investigation, even without the survivor's consent, if the Pet Grooming Studio Academy believes that the safety of other members of the School community and/or the vulnerable sector is at risk. The confidentiality and anonymity of the person(s) affected will be prioritized in these circumstances.
4. A report of sexual violence may also be referred to the police or to other community resources, at the complainant's request, where the person(s) involved are not members of the School community, or where otherwise appropriate in circumstances when the Pet Grooming Studio Academy is unable to initiate an internal investigation under this Policy.
5. Where the respondent is a student, Pet Grooming Studio Academy adheres to the following in investigating and making decisions about formal complaints. If an entitlement set out below conflicts with something set out in another Pet Grooming Studio Academy policy, the entitlement set out below shall prevail:
  - The administrator is responsible for the intake, investigation, and decision making on a report of sexual violence adhering to the procedures outlined in the School Rules.
  - The school may also decide to use an external investigator when appropriate in the circumstances.
  - (i) Sexual violence is a violation of Pet Grooming Studio Academy's School Rules. It is considered a serious offence and will be addressed in such a manner.
  - (ii) As set out in the School Rules, appeals of student violations may be pursued based on limited grounds and are heard by the Director of the School or designate.
6. Where the respondent is an employee: The perpetration of sexual violence is a violation of an employee's duty to their employer.
  - (i) Management and Administration is responsible for the intake, investigation, and decision-making on a report of sexual violence. The School may also decide to use an external investigator when appropriate in the circumstances. Allegations against employees will be addressed in accordance with the Sexual Violence Policy and this protocol, as well as any of the other policies mentioned herein.
  - (ii) There is no formal appeal process for employee violations.
7. Where the respondent is not a student or employee: contractors, suppliers, volunteers, or visitors who attend on campus will be subject to complaints if they engage in prohibited conduct.
  - (i) Management is responsible for the intake, investigation, and decision-making based on a report of sexual violence. The School may also decide to use an external investigator

when appropriate in the circumstances. Allegations against employees will be addressed in accordance with the Sexual Violence Policy and this protocol, as well as any of the other policies mentioned herein.

(ii) All contractual relationships entered into by the Pet Grooming Studio Academy will be governed by a standard contract compliance clause stating that contractors must comply with this Policy and the *Ontario Human Rights Code*, including co-operating in investigations. The School may also decide to use an external investigator when appropriate in the circumstances.

(iii) There is no formal appeal process for supplier, volunteer, contractor or visitor violations.

## **8. Training**

The School community shall participate in ongoing education and training on the interruption and prevention of sexual assault and sexual violence. Pet Grooming Studio Academy will provide regular trainings on the Sexual Assault and Sexual Violence policy and applicable procedures to all its members including Director, Staff, Managers and Students.

## **9. Policy Review**

This Sexual Assault and Sexual Violence policy shall be reviewed at least every three years in consultation with the School community and student input.

## **10. Collection and Reporting of Sexual Assault and Sexual Violence Statistics**

In accordance with Bill 132, *Sexual Violence and Harassment Action Plan Act*, Post-secondary institutions in Ontario are required to report aggregate data to the Ministry of Advanced Education and Skills Development on student disclosures of sexual assault and sexual violence. The information given to the Ministry will be in accordance with the *Freedom of Information and Protection of Privacy Act* and *Personal Health Information Protection Act* as applicable.