

# LOYALIST COLLEGE

## Board of Governors Policy

<b>D1</b>	<b>D. Executive Limitations</b> <b>D1. SEXUAL ASSAULT AND SEXUALIZED VIOLENCE</b>
-----------	--

**Date Last Approved:** Sept 2019

**Next Review Date:** 2022

### Background

This policy sets out the Board of Governors' governance oversight and accountability required for Loyalist College to comply with the Ministry of Training, Colleges and Universities (MTCU) Act, R.5.0. 1990, c. M. 19, and O. Reg. 131/16 Sexual Violence at Colleges and Universities.

Loyalist College is committed to addressing all incidents of sexual assault and sexualized violence when the conduct has a substantial link to the College, and/or direct implications for students or staff or the educational mission of the College. This includes behaviour that is carried out through an electronic, online or social media platform, or by using text, audio, video or images.

The College will respond to incidents reported by community members including all employees, governors, students, contractors, suppliers of services, individuals who are directly connected to any College initiatives, volunteers, and visitors.

### Definitions

**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 consenting to.

**Sexualized violence:** any unwanted sexual acts and/or acts that are committed, threatened or attempted against a person without a person's consent. Sexualized violence includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism and sexual exploitation. Sexualized violence is about power, control, domination and/or psychological in nature, and may be committed by individuals acting alone or in groups. Such acts commonly target a person's sexuality, gender identity, gender expression or are directed at individuals who do not confirm to traditional male or female gender stereotypes.

**Sexual Harassment:** a form of sexualized violence prohibited by the *Ontario Human Rights Code*. This term is used to describe behaviour or comments of a sexual nature or related to sex, sexual orientation, gender identity or gender expression that either is known or ought to be known to be unwelcome. Sexual harassment includes making unwelcomed sexual solicitations, attentions, or advances; the implied or expressed promise of benefits or advancement in return for sexual favours; threats of reprisals for rejecting unwelcomed solicitations or advances; engaging in comment or conduct that creates a hostile or poisoned environment to persons of a specific sex,

sexual orientation, gender identity, or gender expression; and incidents that occur through electronic means.

**Sexual Exploitation:** taking advantage of another person through non-consensual or abusive sexual control. *This may include the digital or electronic broadcasting, distributing, recording and or photographing of people involved in sexual acts without their consent.*

## Policy

The Loyalist College Board of Governors is committed to preventing and addressing all forms of sexual assault and sexualized violence (herein referred to as sexualized violence) within the College community. All members of the College community have a right to study, work and socialize in an environment free from all forms of sexualized violence.

### Board's Commitment to Comply with Provincial Legislation

In accordance with the MTCU Act, and O. Reg. 131/16, the Board of Governors shall be responsible for approving Loyalist College's Sexual Assault and Sexualized Violence Policy.

The Board of Governors delegates the management and approval of operational policies and procedures to the President, who will ensure that College remains compliant to all relevant legislation, including the *MTCU Act* and the relevant regulations.

## Monitoring

The President will present an annual report to the Board of Governors setting out, in respect to the preceding year:

- (a) The number of times supports, services and accommodation relating to sexual violence are requested and obtained by students enrolled at the College, and information about the supports, services and accommodation;
  - i. Any initiatives and programs established by the College to promote awareness of the supports and services available to students;
  - ii. The number of incidents and reports of sexual violence reported or disclosed to the College, and information about such incidents and reports; and
  - iii. The implementation and effectiveness of the policy.

## Related Materials

*MTCU Act*  
*Ontario Human Rights Code*