

MC COLLEGE

MC COLLEGE SEXUAL VIOLENCE PREVENTION AND RESPONSE POLICY

Purpose and Intent

The purpose of this policy is to outline MC College's position with respect to sexual violence and establish a formal response procedure for incidents of sexual violence/harassment. This document sets out our policy on sexual violence and sexual harassment, defines the prohibited behaviors and outlines our process for handling sexual violence and sexual harassment. The policy also outlines the procedures MC College will undertake to educate its community about prevention of sexual harassment.

Students receive this policy in three different ways. They are emailed an electronic copy upon enrolment; they are provided a printed copy at orientation and the policy is verbally reviewed at orientation. Below is a link to where the policy is on our website.

<https://www.mccollege.ca/wp-content/uploads/2023/08/MC-COLLEGE-SEXUAL-VIOLENCE-PREVENTION-AND-RESPONSE-POLICY-2023.pdf>

Scope

The Policy applies to all members of the MC College community including students, campus staff, faculty, head office staff and any individuals associated with MC College.

Staff and Student Education and Awareness

MC College will educate students and staff to gain a better understanding of consent through:

- Regular reviews of the policy
- Resources provided through our Student Resource Centre
- Staff Professional Development training on Sexual Harassment and Prevention including content on how Sexual Harassment can be perpetrated on Social Media and other digital means.

MC College will assure that staff and student body are aware of the policies and procedures regarding sexual harassment through the following:

- The Policy is presented to the students in written form and as part of their orientation prior to start date.
- Staff will review the policy and complete professional development workshops on the topic of Sexual Harassment as part of their training process.
- Students will be provided with resources on Sexual Harassment and prevention through the Student Resource Centre.
- Students will be provided with access to the Harassment Reporting Form.
- Guest speakers will be invited to the college to speak on topics related to Sexual Harassment and Prevention.
- The College will assure that all students have access to the policy through the College Website.

www.mccollege.ca

MC College recognizes that certain populations are at greater risk of sexual violence including:

- Young women and girls
- Indigenous women
- Individuals within the LGBT2SQ+ community
- Newcomer women

MC College will provide a female contact for the purposes of reporting any complaints of sexual harassment. MC College provides resources specific to indigenous women, individuals from the LGBTQ community and for newcomers. These resources are provided through our Student Resource Centre.

Complaint Process

If a student believes she/he has been sexually harassed, she/he may confront the harasser personally or in writing by pointing out the unwelcome behavior and request that it stop. Students may address an issue of Sexual Violence or Harassment through different means. These are:

1. Students can bring the matter to the attention of the Campus Director in a one on one meeting.
2. Students may submit a formal complaint utilizing the Harassment Reporting Form. The student may then request some form of action be taken to alter their learning environment or involve the College in possible discussion with the individual on their behalf. (Appendix 2)
3. Students may initiate a formal written complaint which may involve investigation by an external body such as police.

Investigating Reports of Sexual Harassment

Upon receiving a complaint of alleged sexual harassment, The Campus Director will request the permission of the student to further investigate the incident. If the student agrees, the Campus Director will initiate an investigation which may include the following:

- Meeting with the complainant to determine the date and time of the incident, individuals who were involved, the names of any witnesses and a description of what occurred.
- Informing the respondent of the complaint, providing details of the allegations and giving the individual an opportunity to respond to those allegations.
- Providing reasonable updates to the complainant and the respondent about the status of the investigation.
- Determining what disciplinary action, if any, should be taken.

Response Procedure

MC College recognizes the sensitive nature of sexual harassment of any form. MC College will respond to complaints of Sexual Violence/Harassment in the following manner. MC College will:

1. Listen to complaints respond in a respectful and understanding manner.
2. Seek clarification about what the student would like to do next with the complaint.
3. Respond in writing to the complaint within 15 days of receiving the complaint.
4. Provide information or make referrals to support service providers with experience addressing sexual assault and trauma. (Appendix 1)
5. If necessary, provide the student with requested reasonable academic accommodation while on campus.
6. When necessary, provide contact information for external investigating bodies such as police.

Disciplinary Measures

If it is determined by MC College that a respondent has been involved in sexual violence or sexual harassment of a student, disciplinary action will be taken up to and including termination of employment or expulsion of a student.

In cases where criminal proceedings are initiated, the College will assist police agencies, lawyers, insurance companies, and courts to the fullest extent.

Training

MC College will educate students about the Policy by reviewing at orientation, providing workshops twice annually at the campus and publishing the policy on the institution website.

MC College will educate and train faculty and staff about this Policy and how to identify situations that involve, or could progress into sexual violence or sexual harassment and how to reduce these forms of prohibited behaviors. The training will be a part of each employee's overall training plan and must be completed within the first three months of employment. The training will be provided through webinar. MC College will assure that senior staff and those individuals responsible for the investigation and handling of any concerns raised by the student will have participated in the MACC Training program provided by Klinik on an annual basis.

Public Reporting

MC College will make the student body and public aware of its compliance with policy by posting the following on Campus printed materials:

- The MC College Sexual Violence/Harassment Policy. This will also be published on the institution website.
- Dates and attendance of guest speakers will be recorded and publicly reported through blog posts on the institutions website.

Policy Development and Review

- Draft Policy was generated by a committee formulated by the Manitoba Association of Career Colleges with input from member colleges.
- The Policy was circulated to students of the Member Schools by way of a survey seeking input and comments from the widest possible student base assuring students have the opportunity to provide input and guidance from all communities and gender populations.
 1. Review by senior management staff including the V.P. Operations, Human Resource Manager and Campus Director.
 2. Review by selected student groups.

The Policy will be implemented on January 1st, 2023 and will be reviewed no later than December 7th, 2026.

GLOSSARY OF TERMS

Consent: Consent is the voluntary agreement to engage in the sexual activity in question.

Consent is central to sexual assault. The Criminal Code of Canada defines consent as it relates to sexual assault as the voluntary agreement to engage in sexual activity. An individual must actively and willingly give consent to sexual activity. Simply stated, sexual activity without consent is sexual assault.

The line between consensual sexual acts and sexual assault can be unclear. This is particularly true when an acquaintance, friend, or partner is the perpetrator. Consenting to one kind, or instance, of sexual activity does not mean that consent is given to any other sexual activity or instance. No one consents to being sexually assaulted. Where consent does not exist (lack of agreement): a person can express a lack of agreement verbally or through conduct (such as physically resisting advances). The Criminal Code makes it clear that a person can, after initially giving consent to engage in sex, revoke consent at any time by expressing a lack of agreement to continue engaging in sexual activity.

- Is never assumed or implied
- Is not silence or the absence of “no”
- Cannot be given if the victim is impaired by alcohol or drugs, or is unconscious
- Can never be obtained through threats or coercion
- Can be revoked at any time
- Cannot be obtained if the perpetrator abuses a position of trust, power or authority

Cyber harassment/cyber stalking: Often used interchangeably, cyber harassment and cyber stalking are defined as repeated, unsolicited, threatening behavior by a person or group using cell phone or Internet technology with the intent to bully, harass, and intimidate a victim. The harassment can take place in any electronic environment where communication with others is possible, such as on social networking sites, on message boards, in chat rooms, through text messages, or through email.

Date rape: The term “date rape” is interchangeable with “acquaintance sexual assault”. It is sexual contact that is forced, manipulated, or coerced by a partner, friend or acquaintance.

Disclosure: For the purposes of this document, a disclosure is made to any individual other than the police or other judicial official.

LGBT2SQ+: The LGBT2SQ+ community includes people who identify as lesbian, gay, bisexual, transgender, Two-Spirit, queer, questioning, intersex, asexual, pansexual and/or gender fluid.

Rape: Rape is a term used to describe vaginal, oral or anal intercourse, without consent. Although the term is no longer used in a legal sense in Canada, it is still commonly used and widely understood.

Sexual assault: Sexual assault is any type of unwanted sexual act done by one person to another that violates the sexual integrity of the victim. Sexual assault is characterized by a broad range of behaviors that involve the use of force, threats, or control towards a person, which makes that person feel uncomfortable, distressed, frightened, threatened, carried out in circumstances in which the person has not freely agreed, consented to, or is incapable of consenting to. Sexual assault is a [crime](#).

Sexual harassment: Sexual harassment is unwanted sexual attention directed at an individual by someone whose conduct including comments, gestures, and/or actions are offensive, inappropriate, intimidating, hostile, and unwelcome. Sexual harassment often occurs in environments in which sexist or homophobic jokes and materials have been allowed.

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, and includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism, and sexual exploitation.

Reviewed and updated December 16, 2022. Renewal Date December 7, 2026.