

# Bullying, Harassment, and Sexual Violence Policy

**Policy ID:** TBD

**Approved by:** Compliance, Student Services, and Student Review Committee

**Executive(s) Responsible:** Executive Director of Operations and Infrastructure

**Administrator(s) Responsible:** Student Services

**Revision Date:** April-June 2023

**Effective Date:** June 20<sup>th</sup>, 2023

**Next Review Date:** June 20<sup>th</sup>, 2024

**If you are in imminent danger, [call 9-1-1 immediately](tel:911).**

**This policy is posted on TSoM's website  
(<https://www.torontosom.ca/students/policies>) and is available on campus.**

**The Appendix, included at the end of this policy, represents a list of Local  
Rape Crisis Centres and is available as a supportive resource.**

## Background & Scope

Toronto School of Management (TSoM) recognizes the problems associated with bullying, harassment, and sexual violence, all of which can affect physical and mental health, performance, and personal development. It is the right of every TSoM student and employee to work, study, or visit without fear of bullying, harassment, or violence.

TSoM is committed to provide a safe environment for all stakeholders to operate safely, confidently, and competently. TSoM has zero tolerance for bullying, harassment, and violence of any sort; TSoM

is committed to the elimination of discrimination on the grounds of age, disability, ethnic/national origins, faith/religion, marital status, nationality, race, sex, and sexual orientation. All who report incidents are to be treated with dignity and respect.

This policy applies to complaints of bullying, harassment, and sexual violence that have occurred on any of TSoM's properties or events that involve TSoM students, staff, and faculty.

In accordance with the Ontario Human Rights Code and the Private Career Colleges Act (2005) and its regulations, TSoM is committed to accommodating the needs of students who are affected by bullying, harassment, and sexual violence by creating this policy and making it available to the public via TSoM's website.

TSoM will also provide a copy of this policy to all students and will educate them alongside college staff, faculty, and contractors about this policy and how to identify situations that involve (or could escalate to) bullying, harassment, and sexual violence and how to take action.

## **Purpose of the Policy**

This policy prohibits bullying, harassment, and sexual violence. The purpose of this policy is to define bullying, harassment, and sexual violence and to outline TSoM's training, reporting, and investigative and disciplinary procedures pertaining to complaints that have occurred on any of TSoM's properties or events that involve students.

## **Policy Statement**

### **1) Overview**

- i) No bullying, harassment, or violence of any sort will be tolerated. When a complaint is made, TSoM will take all reasonable steps to investigate including the provision of on-campus investigation procedures to students for complaints, responding promptly, and providing reasonable updates to the complainant and to the respondent about the status of the investigation.

- ii) It is the responsibility of all employees and students to refrain from bullying, harassment, and sexual violence against other employees, students, and other individuals with whom they have contact.
- iii) Employees and students will be given specific methods of redress to follow in the event they are subject to bullying, harassment, and/or sexual violence.
- iv) It is the responsibility of staff members (at all levels) to be sensitive to the possible existence of bullying, harassment, and sexual violence and to act quickly and appropriately to put an end to it.
- v) Employees and students who have engaged in bullying, harassment, and/or sexual violence will be subject to appropriate disciplinary action, including (and up to) dismissal and expulsion.
- vi) Students who have experienced bullying, harassment, and/or sexual violence will be assisted in obtaining counselling and medical care, provided with appropriate academic accommodations, and informed about reporting options as indicated in the Appendix.
- vii) Complainants are not to make any information about their ordeal(s) public knowledge for confidentiality purposes.

## **2) Forms of Bullying and Harassment**

Bullying can occur in several forms, some of which are obvious and others may be subtle/difficult to detect. According to the [Ontario Government's education and training page on bullying](#), "bullying can happen when there is a real or perceived power imbalance". Regardless of the type of bullying, they are also types of harassment – none of which are tolerated at TSoM.

They include:

- i) Physical (towards people and/or property);

- ii) Verbal, such as “name calling, mocking, making sexist, racist or homophobic comments”;
- iii) Social, such as “spreading gossip, rumours or excluding others”;
- iv) Written, such as “notes and signs that are hurtful or insulting”; and
- v) Electronic/cyberbullying, such as “spreading rumours or hurtful comments using email, text messages[,] and social media”.

### **3) Forms of Sexual Harassment and Violence**

According to the Ontario Human Rights Commission, sexual violence and harassment can take many forms, including but not limited to:

- i) Making unnecessary physical contact, including unwanted touching;
- ii) Unwelcome remarks, jokes, innuendos, or disrespectful comments about a person’s body, clothing, age, marital status, ethnic background, or religious beliefs;
- iii) Showing or sending pornography, sexual pictures or cartoons, sexually explicit graffiti, or other sexual images (including online);
- iv) Unwelcome invitations or requests;
- v) Making threats to penalize or otherwise punish a person who refuses to comply with sexual advances;
- vi) Making suggestive or offensive comments/hints about members of a specific gender; and
- vii) Asking questions or talking about sexual activities.

### **4) Training**

- i) TSoM includes a copy of the Bullying, Harassment, and Sexual Violence Policy with every contract made with students and new employees. A copy is also provided to employees (including faculty and management), agents, and contractors. Training may be provided about the policy and the processes of reporting, investigating, and responding to complaints.

*\*Any company participating in offering students internships/co-op opportunities on their premises must provide an undertaking in writing that is in compliance with all applicable*

*legislation, including the Ontario Human Rights Code and Occupational Health and Safety Act. They will also provide students with access to those policies should they encounter issues related to sexual harassment and/or sexual violence in the workplace.*

- ii) All TSoM staff members must complete online training modules on bullying/harassment in the workplace as well as on sexual violence and harassment. They assist in learning what behaviours are unacceptable, how to make complaints, and to better respond to disclosures.
- iii) Sexual violence and harassment workshops are sometimes scheduled to provide TSoM employees with more in-depth training.

#### **5) Reporting and Responding to Bullying, Harassment, and Sexual Violence**

- i) Students, faculty, staff, and contractors of TSoM will take all reasonable steps to prevent sexual violence involving our students on TSoM properties and at TSoM events by **reporting immediately** to the Student Services Manager in person or to [StudentComplaint@TorontoSoM.ca](mailto:StudentComplaint@TorontoSoM.ca) if any TSoM student has been subject to, or has witnessed or has knowledge of, bullying, harassment, and/or sexual violence involving a TSoM student, or has reason to believe that any has occurred (or may occur).
- ii) Students who have been affected by bullying, harassment, and sexual violence, or who need accommodation and/or information about support services, should contact Student Services. TSoM will assist students in obtaining counselling and medical care and provide them with information about support and services in the community as set out in the Appendix.
- iii) Students are not required to report an incident of, or make a complaint about, bullying, harassment, or sexual violence in order to obtain support, services, and accommodations.
- iv) Victims have the right to choose not to request an investigation by TSoM.

- v) Victims also have the right to choose not to participate in any investigation that may occur.
- vi) Subject to Section 7 of the Policy Statement, **Disciplinary Measures**, TSoM will keep all disclosed information confidential unless it is believed that an individual is at imminent risk of self-harm/harming another, or if there is reason to believe that others on TSoM properties, at TSoM events, or in the broader community are at risk.
- vii) TSoM recognizes the right of the complainant to determine how his/her complaint will be handled. However, in certain circumstances, TSoM may be required by law or its internal policies to initiate an internal investigation and/or to inform police without the complainant's consent, such as if it is believed that the safety of TSoM stakeholders and/or the broader community are at risk.
- viii) The complainants are not to make any details public for confidentiality purposes.

## 6) Investigating Reports

**6.1** A complaint of bullying, harassment, or sexual violence/harassment may be filed under this policy by any TSoM student to Student Services in person or in writing to [StudentComplaint@TorontoSoM.ca](mailto:StudentComplaint@TorontoSoM.ca). The officials, offices, or departments that could be involved in the investigation (other than Student Services) are Academics, Career Services, Compliance, Human Resources, Leadership, and Security.

Any party to an investigation or decision-making process has the right to have another person to be present at every stage.

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

All interviews will be audio or video recorded for accuracy and quality assurance purposes unless the interviewee denies consent.

**6.2** Upon receiving a complaint of bullying, harassment, or sexual violence, the Student Services Manager in conjunction with the Student Services Director will respond promptly with the following steps:

- i) Determining whether an investigation should be conducted and whether to contact the police by meeting the complainant to confirm the date, location, and time of the incident(s), the people involved, the identity of any witnesses, and a complete description of what had occurred;
- ii) TSoM will investigate if either the complainant or the accused is a stakeholder, if any incidents occur on any of TSoM's properties or at TSoM events, and if the incident(s) occurred within the past 20 days.
- iii) If the Student Services Director decides to conduct an investigation, he/she will determine who will be involved (with consideration of the seriousness of the allegation and the parties involved) and if the complainant wishes to participate;
- iv) Determine whether the incident should be reported to the police immediately and if so, TSoM may conduct its own independent investigation and make its own determination in accordance with its own policies and procedures;
- v) Determine what interim measures, if any, need to be taken pending the investigation process, such as removal of the accused or seeking alternate methods of providing educational content;
- vi) Interview the accused (if he/she is a TSoM stakeholder), all others involved, and all witnesses;
- vii) Interview anyone who may have knowledge of incidents related to the complaint or any similar incidents;
- viii) Inform the accused of the complaint with details of the allegation and providing an opportunity to respond;

- ix) Provide updates to the complainant and to the respondent pertaining to the status of the investigation; and
- x) Determine what disciplinary action, of any, will be taken.

**6.3** Once an investigation is initiated, the following will occur:

- i) All security footage will be reviewed;
- ii) The complainant and the respondent will be advised that they may have another person present throughout the investigation;
- iii) The complainant will be informed that he/she has the right to choose not to participate in the investigation;
- iv) The complainant will be interviewed to ensure a complete understanding of the allegation and to obtain any additional information that may have not been included in the report and/or written complaint;

Students who disclose their experience of sexual harassment/violence through reporting an incident of, making a complaint about, or accessing supports and services for sexual harassment/violence will not be asked irrelevant questions by TSoM staff or investigators, such as the complainant's sexual expression or sexual history.

- v) If the accused is a stakeholder, he/she will be informed of the complaint/report and be interviewed, during which details will be provided and the accused will have an opportunity to respond and to provide witnesses they feel are essential to the investigation;
- vi) Everyone who was involved and who may have knowledge of it and/or any witnesses will be interviewed; and



- vii) Reasonable updates will be provided to both the complainant and the respondent about the status of the investigation.

**6.4** Following the investigation, the Student Services Director and all who are involved in conducting the investigation will:

- i) Review all the evidence collected;
- ii) Determine whether bullying/harassment/sexual violence occurred; and
- iii) If so, determine what disciplinary action should be taken (as set out in Section 7).

## **7) Disciplinary Measures**

**7.1** If it is determined that the accused did engage in bullying, harassment, and/or sexual violence, immediate disciplinary or corrective action will be taken. This includes (but is not limited to) the following:

- i) Disciplinary action up to and including termination of employment of instructors and staff; or
- ii) Expulsion of a student; and/or
- iii) Placement of restrictions on the respondent's ability to access certain TSoM properties/facilities; and/or
- iv) Any other action(s) deemed appropriate given the circumstances; such as making arrangements to prevent the complainant(s) and the respondent(s) from crossing paths.

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

**7.3** If students, in good faith, report an incident of/make a complaint about sexual harassment or sexual violence, they will not be subject to discipline or sanctions for violations of TSoM's policies related to drug or alcohol use at the time of the incident.

## **8) Appeals**

- i)** If the complainant or the respondent wishes to appeal the decision(s) resulting from TSoM's investigation, he/she is to request a second review of all the evidence to reconsider the decision.
- ii)** If the complainant or the respondent is still unsatisfied with TSoM's ruling, he/she may write to the Executive Director of Operations and Infrastructure at [manny.bassi@guscancolleges.ca](mailto:manny.bassi@guscancolleges.ca).
- iii)** If the Executive Director of Operations and Infrastructure determines that the decision is fair, it will stand, and the respondent will have no other avenues for appeal regarding the decision in this matter.
- iv)** If the Executive Director of Operations and Infrastructure (and/or any of his/her team members) determines that another outcome is favourable, then it will stand and be enforced by TSoM.
- v)** The Executive Director of Operations and Infrastructure will respond and follow the same procedure outlined in TSoM's [Complaints Policy and Procedure](#).

## **9) Making a False Statement**

It is a violation for anyone to knowingly make a false complaint or knowingly provide false details about a bullying, harassment, or sexual violence complaint.

Anyone who violates this policy is subject to disciplinary/corrective action up to and including termination of employment (for staff/faculty) and expulsion (for students).

### 10) Reprisal

It is a violation of this 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.

### 11) Review

TSoM will ensure that student input is considered in the development of its Bullying, Harassment, and Sexual Violence Policy every time it is reviewed and amended.

TSoM will review this policy one a year.

### 12) Collection of Student Data

TSoM 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 32.1 (8), (9), (10), and (11) of Schedule 5 of the Private Career Colleges Act, 2005, as amended.

## Definitions

- 1) **Bullying:** “aggressive behaviour that is typically repeated over time, It is meant to cause harm, fear, distress[,] or create a negative environment for another person.” – *taken from the [Ontario Government website](#) on education and training.*
- 2) **Complainant:** the person making an allegation of sexual harassment and/or sexual violence.
- 3) **Respondent:** the person accused of engaging in sexual harassment and/or sexual violence.

*The remaining definitions are taken from the Ontario Human Rights Code  
**Policy on preventing sexual and gender-based harassment.***

- 4) **Gender-based Harassment:** a form/type of sexual harassment that is “any behaviour that polices and reinforces traditional heterosexual gender norms.”
- 5) **Harassment:** any comment or conduct “that is known, or ought [to be] reasonably known to be unwelcome”.
- 6) **Sexual Harassment:** “engaging in a course of vexatious comment[s] or conduct that is known or ought to be known to be unwelcome.” It need not be of a sexual nature.
- 7) **Sexual Violence:** any sexual act or act targeting a person’s sexuality, gender identity, or gender expression, whether physical or psychological, 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.

### **Related Legislation**

- 1) Bill 26, Strengthening Post-secondary Institutions and Students Act, 2022
- 2) Ontario Human Rights Code
- 3) Private Career Colleges Act, 2005

## Related Policies

Policy Name	Policy Number
Complaints Policy and Procedure	TBD
Student Code of Conduct	TBD
Student Rights and Responsibilities	TBD
Suspension and Expulsion Policy	TBD
Workplace Violence and Harassment Policy	TBD

## Document History

Date	Approval/Review/Key Change(s)
April-May 2024	Additional details pertaining to procedures, changes in staff responsibilities, reformatting, and reviewed by the student committee.

## Appendix – Support Resources

### PROVINCIAL

#### 1) Assaulted Women's Helpline

- Emergency help line for women that have been assaulted. Anonymous, accessible 24 hours a day in over 200 languages. More information at <http://www.awhl.org/>

Toll Free: 1-866-863-0511

#SAFE (#7233) on Bell, Rogers, Fido, or Telus Mobile

TTY: 416-364-8762; call-in only.

#### 2) Canadian Association of Sexual Assault Centres (CASAC) – <https://casac.ca/>

#### 3) Crisis Text Line

- Text HOME to 741741 to connect with a volunteer Crisis Counselor
- Free 24/7

#### 4) Fem'aide (Français)

Toll-free: 1-877-336-2433

ATS: 1-866-860-7082

<http://www.femaide.ca>

#### 5) Male Survivors of Sexual Violence

1-866-877-0015

#### 6) National Hopeline

- Connects callers to a 24-hour crisis centre in their area

**7) Ontario Coalition of Rape Crisis Centres** <http://www.sexualassaultsupport.ca/>

**8) Peer Listening**

- Peer listening hotline for those under the age of 25
- 1-800-399-PEER

**9) Sexual Assault/Domestic Violence Treatment Centres**

- 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:  
<https://www.sadvreatmentcentres.ca/find-a-centre/>

**LOCAL (Toronto)**

**1) Barbra Schlifer Commemorative Clinic**

Telephone: 416-323-9149

489 College Street, Suite 503, Toronto, ON, M6G 1A5

Free counselling, legal, interpretation, information and referral service for women who are survivors of violence. Mon.-Fri., 9am-5pm. More information at <http://www.schliferclinic.com>.

**2) Oasis Centre des Femmes**

Téléphone: 416-591-6565

Courriel: [services@oasisfemmes.org](mailto:services@oasisfemmes.org)

<http://oasisfemmes.org/>

### **3) Sexual Assault & Domestic Violence Care Centre at the Women's College Hospital**

Telephone: 416-323-6040

76 Grenville St., Toronto, Ontario, M5S 1B2

24-hour medical care center for adults who have been victims of sexual assault, offering emergency and follow-up care. More information, including hours, at

<https://www.womenscollegehospital.ca/care-programs/sexual-assault-domestic-violence%20care-centre/>

### **4) Toronto Rape Crisis Centre: Multicultural Women Against Rape**

Crisis: 416-597-8808

Office: 416-597-1171

[info@trccmwar.ca](mailto:info@trccmwar.ca); [crisis@trccmwar.ca](mailto:crisis@trccmwar.ca)

<http://www.trccmwar.ca>