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# Evergreen College Sexual Violence Policy

Updated June 1, 2026

Field	Information
Effective / Last Reviewed	June 1, 2026
Next Scheduled Review	On or before June 1, 2029
Policy Owner	Academic Director / Health and Safety Committee Chairperson
Applies To	Evergreen College students and the Evergreen College community
Legislative Authority	Ontario Career Colleges Act, 2005, s. 32.1; Ontario Regulation 415/06, ss. 36.0.1 and 36.0.2
Supersedes	Students Sexual and Violence Policy 2024 / prior Sexual Violence Policy versions

**Note:** This Policy should be reviewed by Evergreen College management before publication to confirm current internal contact names, roles, telephone extensions, email addresses, and campus-specific procedures.

## 1. Policy Statement

Evergreen College is committed to providing a learning and working environment that is free from sexual violence. Evergreen College will treat students who disclose, report, or make a complaint about sexual violence with dignity, compassion, and respect.

This Policy specifically addresses sexual violence involving students enrolled at Evergreen College. It sets out the supports, services, accommodations, reporting options, investigation process, decision-making process, appeal process, confidentiality safeguards, training requirements, and review process that apply when sexual violence is disclosed, reported, or complained of.

Evergreen College will respond to and address incidents and complaints of sexual violence under this Policy and not under the general student complaint procedure. If this Policy conflicts with Evergreen College's expulsion policy, this Policy prevails.

## 2. Scope and Application

This Policy applies to sexual violence involving Evergreen College students, including incidents or complaints that:

- occur on any Evergreen College campus;
- occur at an Evergreen College event, activity, placement, practicum, internship, field trip, or learning activity;
- occur through online, electronic, or digital communication connected to Evergreen College, its programs, or its community;
- involve an Evergreen College student and may affect the student's learning environment, safety, access to education, or participation in College activities; or
- involve Evergreen College employees, instructors, contractors, agents, students, visitors, placement hosts, or other persons connected to Evergreen College.

If the respondent is not a member of the Evergreen College community, Evergreen College's ability to investigate or discipline may be limited. Evergreen College will still provide or arrange supports, services, accommodations, safety planning, and appropriate referrals for affected students.

## 3. Definitions

**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. Sexual violence includes, but is not limited to, sexual assault, sexual

harassment, stalking, indecent exposure, voyeurism, sexual exploitation, sexual coercion, and the distribution or threatened distribution of intimate images without consent.

**Consent:** The voluntary, active, ongoing, informed, and clear agreement to engage in the sexual activity in question. Consent cannot be assumed, implied, or obtained through pressure, manipulation, threats, coercion, abuse of authority, or abuse of a position of trust. Consent cannot be given by someone who is incapacitated, unconscious, asleep, or otherwise unable to understand or agree to the activity. Consent can be withdrawn at any time.

**Complainant:** A student or other person who discloses, reports, or makes a complaint that they have experienced sexual violence.

**Respondent:** A person alleged to have engaged in sexual violence.

**Disclosure:** Sharing information about sexual violence for the purpose of receiving support, services, information, or accommodation, without necessarily requesting an investigation.

**Report or complaint:** A request that Evergreen College respond to and address an incident of sexual violence under this Policy, which may include an investigation.

**Support person:** A person chosen by a complainant or respondent to be present with them at any stage of the reporting, investigation, decision-making, or appeal process. A support person may provide emotional support but may not interfere with the process or answer questions on behalf of the party unless Evergreen College permits this as an accommodation.

#### 4. Immediate Safety and Emergency Response

If there is immediate danger, an urgent medical need, or an immediate safety concern, call 911 immediately.

A student who has experienced sexual violence is encouraged, but not required, to seek medical attention, crisis support, counselling, or other assistance as soon as they are able. Evergreen College will support students in accessing internal and external supports.

#### 5. Evergreen College Contacts for Support, Services, Reporting, and Accommodation

Students affected by sexual violence, or students who need information about supports, services, reporting options, or accommodations, may contact any of the officials or offices listed below. Students may also contact the front desk at their campus and ask to speak privately with the Academic Director, Academic Compliance Director, Campus Director, or another senior College official.

Role / Office	Name / Position	Phone	Email
Primary contact / Health and Safety Committee Chairperson	Linda Cook, Academic Director	416-365-0505 ext. 227	<a href="mailto:linda.cook@evergreencollege.ca">linda.cook@evergreencollege.ca</a>
President	Din Awad	416-365-0505 ext. 230	<a href="mailto:din@evergreencollege.ca">din@evergreencollege.ca</a>
Chief Executive Officer	Julia Gu	416-365-0505 ext. 222	<a href="mailto:juliag@evergreencollege.ca">juliag@evergreencollege.ca</a>
Health and Safety Committee Member	Lily Shu, Senior Admission Counsellor	416-365-0505 ext. 238	<a href="mailto:lily@evergreencollege.ca">lily@evergreencollege.ca</a>
Additional internal contacts	Academic Compliance Director or Campus Director	Through the campus front desk	

Reports and requests for support may be made in person, by telephone, by email, or in writing. Evergreen College will assist a student who needs help preparing a written report, complaint, or accommodation request.

#### 6. Supports, Services, and Accommodations

Evergreen College will appropriately accommodate the needs of students who are affected by sexual violence. Evergreen College will not charge any fee for providing supports, services, or accommodations, or for referring a student to off-campus supports or services.

Supports and accommodations may include, where appropriate and reasonably available:

- referral to counselling, crisis, medical, legal, victim-support, or community services;

- academic accommodation, including deadline extensions, schedule changes, alternative arrangements for completing coursework, deferrals, or make-up work;
- changes to class, lab, practicum, placement, internship, or group-work arrangements;
- safety planning;
- no-contact directions;
- changes to seating, access, attendance, or communication arrangements;
- temporary restrictions on a respondent's access to a campus or learning activity;
- assistance contacting police or medical services, if the student wishes;
- assistance communicating with placement, practicum, internship, or external learning hosts; and
- any other reasonable support or accommodation appropriate in the circumstances.

A student is not required to report an incident of sexual violence or make a formal complaint in order to obtain supports, services, or accommodations.

## 7. Community Supports and Services

Students affected by sexual violence may contact community supports directly. Evergreen College may also assist students in connecting with community resources. The following list is provided for information only and is not exhaustive:

Resource	Contact / Description
<b>Emergency</b>	Call 911 if there is immediate danger, urgent medical need, or immediate safety concern.
<b>Ontario 211</b>	Call or text 2-1-1, use online chat, or use 211 Ontario to find local community, social, health, crisis, and victim-support services.
<b>Assaulted Women's Helpline</b>	24/7 crisis counselling, emotional support, information, and referrals. Crisis: 416-863-0511 or 1-866-863-0511. TTY: 416-364-8762 or 1-866-863-7868. #SAFE (#7233) on Bell, Rogers, Fido, or Telus mobile phones.
<b>Fem'aide</b>	French-language provincial support line for women in Ontario affected by violence. Telephone/SMS: 1-877-336-2433. TTY/ATS: 1-866-860-7082.
<b>Good2Talk Ontario</b>	Free, confidential support for post-secondary students in Ontario. Call 1-866-925-5454 or text GOOD2TALKON to 686868.
<b>Toronto Rape Crisis Centre / Multicultural Women Against Rape</b>	24/7 crisis line: 416-597-8808. Administration: 416-597-1171.
<b>Women's College Hospital - Sexual Assault / Domestic Violence Care Centre</b>	76 Grenville Street, Toronto. Phone: 416-323-6040. Provides specialized sexual assault/domestic violence care and support. For urgent emergency health care, students should call 911 or go to the nearest emergency department.
<b>Trillium Health Partners - Chantel's Place / Sexual Assault and Domestic Violence Services</b>	Access through Mississauga Hospital or Credit Valley Hospital emergency departments, or by appointment. Chantel's Place: 905-848-7580 ext. 2548. Sexual Assault Counselling Services: 905-848-7689. Mississauga Hospital Emergency Department: 905-848-7191.
<b>Scarborough Health Network - Sexual Assault and Domestic Violence Care Centre</b>	Phone: 416-495-2555. Emergency care can be accessed through a Scarborough Health Network hospital emergency department.
<b>Victim Services of Peel</b>	24/7 crisis line: 905-568-1068. Provides immediate crisis support for persons victimized by crime or tragic circumstances.
<b>Ontario Network of Sexual Assault / Domestic Violence Treatment Centres</b>	Use the network's Find a Centre resource to locate hospital-based sexual assault/domestic violence treatment centres across Ontario.

Community resources may change. Students who are unsure where to seek help may contact 2-1-1 for local referrals.

## **8. No Discipline for Drug or Alcohol Policy Violations When Reporting in Good Faith**

A student who, in good faith, reports an incident of sexual violence or makes a complaint about sexual violence will not be subject to discipline or sanctions for violating Evergreen College policies relating to drug or alcohol use at the time the alleged sexual violence occurred.

## **9. No Irrelevant Questions**

Students who disclose their experience of sexual violence by reporting an incident, making a complaint, or accessing supports and services will not be asked irrelevant questions during the investigation process by Evergreen College staff or investigators, including irrelevant questions about the student's sexual expression or past sexual history.

## **10. Right Not to Request or Participate in an Investigation**

A student may choose not to request an investigation by Evergreen College and has the right not to participate in any investigation that may occur.

In some circumstances, Evergreen College may be required to take action, initiate an internal investigation, contact police, or take other steps without the complainant's participation or consent, including where Evergreen College believes that:

- there is an imminent risk of self-harm or harm to another person;
- there is a risk to the safety of the campus or broader community;
- there are legal reporting obligations;
- the alleged respondent may pose a continuing risk to students or the College community; or
- Evergreen College must act to meet its legal obligations.

Where Evergreen College must proceed without the complainant's participation, Evergreen College will make reasonable efforts to protect the complainant's privacy, safety, and dignity.

## **11. Reporting an Incident or Making a Complaint**

A student who wishes to report an incident or make a complaint of sexual violence may contact the Academic Director / Health and Safety Committee Chairperson, Academic Compliance Director, Campus Director, President, Chief Executive Officer, or another designated Evergreen College official.

A report or complaint should include, where known:

- the name of the person making the report or complaint;
- the name of the person affected by the alleged sexual violence, if different;
- the name of the respondent, if known;
- the date, time, and location of the incident, if known;
- a description of what occurred;
- the names of any witnesses, if known;
- any immediate safety concerns; and
- any supports, services, or accommodations requested.

Evergreen College will not refuse to receive a report or complaint only because some information is missing. Evergreen College will assist the complainant in identifying the next steps.

## **12. Initial Response**

Upon receiving a disclosure, report, or complaint, Evergreen College will respond promptly and will:

- assess whether there is immediate danger and call 911 where required;
- offer information about supports, services, and accommodations;
- explain the student's right to access support without making a formal complaint;
- explain confidentiality and its limits;
- explain reporting and investigation options;
- ask whether the complainant wishes to request an investigation;

- determine whether interim measures are required;
- identify who will manage the matter and who will investigate, if an investigation proceeds;
- determine whether the matter should be referred to police, if the complainant wishes or if required by law; and
- document the disclosure, report, complaint, supports offered, and actions taken.

### **13. Protection from Retaliation or Threats of Retaliation**

Evergreen College prohibits retaliation, reprisal, intimidation, or threats against any person who:

- discloses sexual violence;
- reports an incident of sexual violence;
- makes a complaint of sexual violence;
- accesses supports, services, or accommodation;
- participates in an investigation or appeal;
- provides information as a witness; or
- supports a person involved in a sexual violence matter.

Measures to protect a person from retaliation or threats of retaliation may include:

- no-contact directions;
- changes to class schedules, placement schedules, seating, or group assignments;
- temporary restrictions on access to campus or College activities;
- remote or alternative learning arrangements;
- safety planning;
- monitoring of compliance with interim measures;
- disciplinary action for retaliation or threats; and
- any other measure Evergreen College considers appropriate in the circumstances.

### **14. Deciding Whether an Investigation Will Proceed**

Evergreen College will decide whether an investigation will proceed after considering:

- the complainant's wishes;
- whether Evergreen College has enough information to proceed;
- whether there are immediate or ongoing safety risks;
- whether the alleged conduct falls within the scope of this Policy;
- whether the respondent is connected to Evergreen College;
- whether interim measures can address the immediate concern;
- whether another process, such as a police investigation, is underway; and
- Evergreen College's legal obligations.

A complainant's decision not to participate will be respected unless Evergreen College determines that it must proceed to protect safety or meet legal obligations.

### **15. Interim Measures**

Evergreen College may implement interim measures while an incident or complaint is being reviewed, investigated, or decided. Interim measures are not disciplinary findings and do not mean that Evergreen College has determined that sexual violence occurred.

Interim measures may include:

- no-contact directions;
- separation of the complainant and respondent in classes, labs, placements, or College activities;
- changes to schedules, seating, groups, or placement assignments;
- remote or alternative learning arrangements;
- temporary campus access restrictions;
- temporary suspension from a placement, practicum, internship, or College activity;

- safety planning;
- temporary reporting requirements; and
- any other measure appropriate to protect safety, preserve the integrity of the process, or support access to education.

Interim measures will be reviewed as appropriate and may be changed based on new information or changing circumstances.

## 16. Investigation and Decision-Making Process

If Evergreen College decides that an investigation will proceed, the following process will normally apply:

1. Evergreen College will appoint an investigator. The investigator may be an internal official or an external investigator, depending on the seriousness of the allegation, the parties involved, potential conflicts of interest, and the need for independence.
2. The complainant and respondent will be advised of the process and their right to have a support person present at every stage.
3. The respondent will be informed of the allegations in sufficient detail to allow a meaningful response, subject to confidentiality and safety considerations.
4. The complainant will have an opportunity to provide information, documents, names of witnesses, and any requested outcomes or supports.
5. The respondent will have an opportunity to respond to the allegations and provide information, documents, and names of witnesses.
6. Relevant witnesses may be interviewed.
7. Relevant documents, electronic communications, records, or other evidence may be reviewed.
8. The complainant and respondent will receive reasonable updates about the status of the investigation.
9. The investigator will prepare findings or an investigation report.
10. The decision-maker will review the findings or investigation report and determine whether, on a balance of probabilities, sexual violence occurred.
11. If sexual violence is found to have occurred, the decision-maker will determine appropriate corrective, protective, disciplinary, or other measures.
12. The complainant and respondent will be informed in writing of the decision, subject to privacy and legal limits.

## 17. Specific Officials, Offices, and Departments Involved

Stage	Specific officials, offices, or departments involved
<b>Support, services, and accommodation</b>	Academic Director / Health and Safety Committee Chairperson, Academic Compliance Director, Campus Director, or designate.
<b>Initial response and safety assessment</b>	Academic Director / Health and Safety Committee Chairperson, Campus Director, President, Chief Executive Officer, or designate.
<b>Investigation</b>	Academic Director, Academic Compliance Director, Campus Director, external investigator, or other trained designate, depending on the circumstances.
<b>Decision-making</b>	President, Chief Executive Officer, or another senior decision-maker who was not the investigator and who does not have a conflict of interest.
<b>Appeal</b>	President, Chief Executive Officer, or another senior official who was not the original decision-maker. If required for fairness, Evergreen College may appoint an external reviewer.

## 18. Procedural Fairness

Evergreen College will conduct investigations and decision-making processes in a procedurally fair manner. Procedural fairness includes:

- providing the respondent with enough information about the allegations to respond meaningfully;
- giving both parties an opportunity to provide relevant information;
- considering relevant evidence;

- making decisions without bias or conflict of interest;
- using a decision-maker who is not the investigator, where practicable;
- providing reasonable updates;
- allowing each party to have a support person present at every stage;
- protecting privacy and confidentiality to the extent possible;
- avoiding irrelevant questions, including questions about sexual expression or past sexual history;
- making decisions based on the balance of probabilities; and
- providing written notice of the outcome, subject to privacy and legal limits.

## **19. Possible Decisions and Measures**

After an investigation, Evergreen College may decide that:

- sexual violence occurred;
- sexual violence did not occur;
- there is insufficient evidence to determine that sexual violence occurred;
- another College policy was breached; or
- no further action is required under this Policy, although supports or accommodations may continue.

Where sexual violence or another policy breach is found, Evergreen College may impose measures including:

- written warning;
- mandatory training or education;
- behavioural agreement;
- no-contact direction;
- restriction from certain campuses, classes, activities, or placements;
- change of class, schedule, placement, or learning arrangement;
- suspension;
- expulsion;
- termination of employment;
- termination or restriction of contractor, agent, or visitor access;
- referral to police or regulatory authorities, where appropriate; and
- any other measure appropriate in the circumstances.

## **20. Appeal Process**

A complainant or respondent may appeal a decision resulting from an investigation by submitting a written appeal within ten business days of receiving the written decision.

The appeal must be submitted to the President, Chief Executive Officer, or another senior official identified in the decision letter. If the President or Chief Executive Officer made the original decision or was directly involved in the investigation, Evergreen College will assign the appeal to another senior official or an external reviewer.

An appeal may be based on one or more of the following grounds:

- there was a serious procedural error that may have affected the outcome;
- there is new relevant information that was not reasonably available during the investigation;
- the decision was unreasonable based on the information available; or
- the measure imposed was unreasonable or disproportionate.

The appeal decision may:

- confirm the original decision;
- vary the decision;
- vary the measure imposed;
- require further investigation; or
- require a new investigation or decision-making process.

Evergreen College will provide the appeal decision in writing. The appeal decision is final within Evergreen College's internal process.

## **21. Confidentiality and Privacy**

Evergreen College will make every reasonable effort to protect the confidentiality of all persons involved in a disclosure, report, complaint, investigation, decision, or appeal.

Information will be shared only with persons who need to know the information to:

- provide supports, services, or accommodations;
- assess or address safety risks;
- investigate or decide the matter;
- implement interim, corrective, disciplinary, or protective measures;
- comply with law; or
- meet reporting obligations to the Superintendent or another authority.

Confidentiality cannot be guaranteed where:

- there is an imminent risk of harm to the complainant or another person;
- there is a risk to the safety of the College community or broader community;
- disclosure is required by law;
- Evergreen College must act to ensure procedural fairness;
- police, courts, or other authorities require information; or
- the information involves a minor or another circumstance triggering a legal reporting obligation.

Records relating to sexual violence matters will be kept in a secure file separate from the complainant's student file and the respondent's student or employee file, except where a disciplinary outcome must be recorded in accordance with College policy, employment requirements, or legal obligations.

## **22. False Complaints or False Information**

A complaint made in good faith is not a false complaint merely because it is not substantiated.

It is a violation of this Policy to knowingly make a false complaint of sexual violence or knowingly provide false information in a sexual violence matter. A person who knowingly makes a false complaint or provides false information may be subject to disciplinary or corrective action.

## **23. Roles and Responsibilities**

Corporate directors, controlling shareholders, owners, partners, senior management, and persons who manage or direct Evergreen College's affairs are responsible for ensuring that Evergreen College maintains, publishes, implements, reviews, and trains the College community on this Policy.

Managers, directors, supervisors, instructors, staff, employees, contractors, and agents are responsible for promptly reporting incidents or complaints of sexual violence involving students to the Academic Director / Health and Safety Committee Chairperson, Academic Compliance Director, Campus Director, President, Chief Executive Officer, or designate when they become aware of them.

Students are encouraged to seek support and report sexual violence when they feel able to do so. Students are expected not to retaliate, threaten retaliation, interfere with an investigation, or knowingly provide false information.

Investigators and decision-makers are responsible for carrying out their roles fairly, impartially, confidentially, and in accordance with this Policy.

Placement, practicum, internship, and other external partners are expected to comply with applicable law, including the Ontario Human Rights Code and the Occupational Health and Safety Act, and to provide students with access to applicable workplace policies and reporting processes where students encounter sexual violence or related concerns in the workplace.

## **24. Training**

Evergreen College will provide or make available training on this Policy to:

- corporate directors, controlling shareholders, owners, partners, senior managers, and persons who manage or direct the affairs of Evergreen College, and their agents;
- instructors, staff, employees, and contractors; and
- students enrolled at Evergreen College.

Training will include, at minimum:

- the definition of sexual violence;
- how to receive and respond to disclosures;
- available supports, services, and accommodations;
- reporting and complaint options;
- the investigation and decision-making process;
- interim measures;
- confidentiality and privacy obligations;
- protection from retaliation;
- trauma-informed and survivor-centred response principles;
- the prohibition on irrelevant questions;
- the drug and alcohol policy amnesty for good-faith reports; and
- roles and responsibilities under this Policy.

Training will be provided during student orientation, employee onboarding, and when this Policy is materially changed. Refresher training will be provided as appropriate, and Evergreen College will maintain records of completed training.

## **25. Publication and Availability**

Evergreen College will publish this Policy on its website. If the website is unavailable, Evergreen College will post the Policy in a conspicuous location at each campus until website publication is restored.

Evergreen College will make this Policy available to any person who requests it.

Evergreen College will include this Policy in every contract made between Evergreen College and a student, as required by the Ontario Career Colleges Act, 2005 and Ontario Regulation 415/06.

## **26. Student Input and Review**

Evergreen College will ensure that student input is considered in the development of this Policy and every time the Policy is reviewed or amended.

Student input may be gathered through surveys, written feedback, meetings with student representatives, focus groups, orientation feedback, or other reasonable means. Evergreen College will document how student input was sought and considered.

Evergreen College will review this Policy at least once every three years and amend it as appropriate. Evergreen College may review and amend this Policy sooner if required by law, regulation, Ministry direction, operational need, student feedback, or best practice.

The next scheduled review date is on or before June 1, 2029.

## **27. Collection of Data and Information**

Evergreen College will collect and be prepared to provide to the Superintendent of Career Colleges, upon request and in the manner and form directed by the Superintendent, data and information relating to:

- the number of times supports, services, and accommodations relating to sexual violence are requested and obtained by students, and information about those supports, services, and accommodations;
- initiatives and programs established by Evergreen College to promote awareness of supports and services available to students;

- the number of incidents and complaints of sexual violence reported by students, and information about such incidents and complaints; and
- the implementation and effectiveness of this Policy.

Evergreen College will take reasonable steps to ensure that information provided to the Superintendent does not disclose personal information.

## 28. Questions About This Policy

Questions about this Policy may be directed to the Academic Director / Health and Safety Committee Chairperson, Academic Compliance Director, Campus Director, President, or Chief Executive Officer.

Primary contact: Linda Cook, Academic Director / Health and Safety Committee Chairperson, 416-365-0505 ext. 227, linda.cook@evergreencollege.ca.

## Appendix A - Regulatory Coverage Checklist

This checklist is included to assist Evergreen College with internal review before publication. It is not a substitute for legal advice.

Requirement	Where Addressed
Internal supports/services and specific contact identified	Sections 5-6
Community supports/services identified	Section 7
Accommodation commitment and contact identified	Sections 5-6
No need to report or complain to access supports/services/accommodations	Section 6
Drug/alcohol policy amnesty for good-faith reports	Section 8
Process to report incident or make complaint	Section 11
Protection from retaliation and examples of measures	Section 13
Process for deciding whether to investigate	Section 14
Right not to request or participate in investigation	Section 10
Investigation and decision-making processes	Section 16
Officials/offices involved at each stage	Section 17
Procedural fairness elements	Section 18
Right to have a person present at every stage	Sections 3 and 18
Interim measures examples	Section 15
Decisions/measures after investigation	Section 19
Confidentiality measures	Section 21
Appeal process	Section 20
Roles/responsibilities of management, agents, students, instructors, employees	Section 23
No irrelevant sexual history/expression questions	Section 9
Website publication	Section 25
Training for management, employees, contractors, and students	Section 24
Sexual violence policy prevails over expulsion policy	Section 1
Student input and review at least every three years	Section 26
Data collection for Superintendent; personal information protection	Section 27