



# *Bella's Beauty Academy*

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## **Bella's Beauty Academy Sexual Violence and Sexual Harassment Policy**

Bella's Beauty Academy values respect for all individuals, civility, diversity, dignity, equality, and freedom. The Academy is committed to maintaining a healthy and safe learning, living, social, recreational and working environment. We are committed to maintaining a campus free of discrimination and harassment, and strive to foster an atmosphere of healthy attitudes and behaviours towards sexuality, sex and gender roles. The Academy will not tolerate behavior that contributes to a hostile and inequitable learning and working environment. We take seriously our commitment to supporting those who experience sexual violence, and we work diligently on campus and with community partners on programs, policies and resources to ensure that our campus remains free from sexual violence. The Policy and Protocol provides procedures and resources to support individuals and groups who may be directly or indirectly involved in working with persons who have experienced sexual violence. I urge all members of the Academy to review the Policy and Protocol to learn about options and resources available to those who require support or who wish to support others. Please help to ensure that the Academy remains a safe and positive space where members of the Academy able to work, learn and express themselves in a safe environment and that we continue to foster an environment that upholds human equality.

### **Policy Application**

The Policy applies to all career college students of Bella's Beauty Academy.

### **The Scope**

The Policy applies to complaints of sexual violence that have occurred on Bella's Beauty Academy career college campus or at a one of our events and involve our students.

### **Purpose and Intent**

All of Bella's Beauty Academy career college students have a right to study in an environment free of sexual violence.

This document sets out our policy on sexual violence involving our students, defines the prohibited behaviours, and outlines our investigative processes for sexual violence.

### **Policy Objectives**

Bella's Beauty Academy is committed to providing our students with an educational environment free from sexual violence and treating those students who report incidents of sexual violence with dignity and respect.

To that end Bella's Beauty Academy will provide a copy of the policy to our students, and educate them together with our career college management, employees and contractors about this Policy and how to identify situations that involve, or could progress into sexual violence against our students and how to reduce it.

Where a complaint has been made, under this Policy, of sexual violence Bella's Beauty Academy will take all reasonable steps to investigate it, including as follows:

- (a) providing on-campus investigation procedures to students for sexual violence complaints;
- (b) responding promptly to any complaint and providing reasonable updates to the complainant and the respondent about the status of the investigation;
- (c) assisting students who have experienced sexual violence in obtaining counselling and medical care;
- (d) providing students who have experienced sexual violence with appropriate academic and other accommodation; and
- (e) providing students who have experienced sexual violence with information about reporting options as set out in Appendix 1.

### **Definition of Sexual Violence**

This Policy prohibits sexual violence which means 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.

### **Training, Reporting and Responding to Sexual Violence**

(a) Bella's Beauty Academy shall provide access to the Sexual Violence Policy on the College's website, and provide a link on the web site for the Sexual Violence Policy to career college management (corporate directors, controlling shareholders, owners, partners, other persons who manage or direct the career college's affairs, and their agents), instructors, staff, other employees and contractors and train them about the policy and its processes of reporting, investigating and responding to complaints of sexual violence involving its students. \*Any company participating in offering student internships on their premises must provide an undertaking in writing that it is in compliance with all applicable legislation, including the Ontario Human Rights Code and the Occupational Health and Safety Act and will provide students access to those policies should they encounter issues relating to sexual violence in the workplace.

(b) The Sexual Violence Policy shall be published on its website (or where the Career College does not have a website in a conspicuous location on each of its campuses).

(c) Career College management, instructors, staff, other employees and contractors of Bella's Beauty Academy will report incidents of or complaints of sexual violence to the Bella's Beauty Academy Designate upon becoming aware of them.

(d) Students who have been affected by sexual violence or who need information about support services should contact the Bella's Beauty Academy Designate. Bella's Beauty Academy will not charge a fee provision of supports, services or accommodation to students who are affected by sexual violence, or for referring a student to any such supports or services that are available off-campus.

(e) Subject to Section 5 below, to the extent it is possible, Bella's Beauty Academy will attempt to keep all personal information of persons involved in the investigation confidential except in those circumstances where it believes an individual is at imminent risk of self-harm, or of harming another, or there are reasonable grounds to believe that others on its campus or the broader community are at risk.

(f) **This will be done by:** i. Ensuring that all complaints/reports and information gathered as a result of the complaint/reports will be only available to those who need to know for purposes of investigation, implementing safety measures and other circumstances that arise from any given case; and  
ii. Ensuring that the documentation is kept in a separate file from that of the Complainant/student or the Respondent.

(g) Bella's Beauty Academy recognizes the right of the Complainant not to report an incident or make a complaint about sexual violence or not to request an investigation and not to participate in any investigation that may occur.

(h) Notwithstanding (f), in certain circumstances, Bella's Beauty Academy may be required by law or its internal policies to initiate an internal investigation and/or inform police without the complainant's consent if it believes the safety of members of its campus or the broader community is at risk.

(i) In all cases, including (f) above, Bella's Beauty Academy will appropriately accommodate the needs of its students who are affected by sexual violence. Students seeking accommodation should contact Bella's Beauty Academy Designate.

In this regard, Bella's Beauty Academy will assist students who have experienced sexual violence in obtaining counseling and medical care, and provide them with information about sexual violence supports and services available in the community as set out in **Appendix 1** attached hereto. Students are not required to file a formal complaint in order to access supports and services.

### **Investigating Reports of Sexual Violence**

(a) Under this Sexual Violence Policy, any student of Bella's Beauty Academy may file a report of an incident or a complaint to the Bella's Beauty Academy in writing and submitting a hard copy to the Director. At least one College Administrative staff member and the Campus Director will be involved in the investigation.

(b) Upon receipt of a report of an incident or a complaint of alleged sexual violence being made, Bella's Beauty Academy will respond promptly and;

- i. Determine whether an investigation should proceed and if the Complainant wishes to participate in an investigation

- ii. Determine who should conduct the investigation having regard to the seriousness of the allegation and the parties involved;

- iii. Determine whether the incident should be referred immediately to the police; In such cases or where civil proceedings are commenced in respect of allegations of sexual violence, Bella's Beauty Academy may conduct its own independent investigation and make its own determination in accordance with its own policies and procedures; and
- iv. Determine what interim measures ought to be put in place pending the investigation process such as removal of the Respondent or seeking alternate methods of providing necessary course studies.

(c) Once an investigation is initiated, the following will occur:

- i. The Complainant and the Respondent will be advised that they may ask another person to be present throughout the investigation;

- ii. Interviewing the Complainant to ensure a complete understanding of the allegation and gathering additional information that may not have been included in the written complaint such as the date and time of the incident, the person involved, the names of any person who witnessed the incident and a complete description of what occurred;

- iii. Informing and interviewing the Respondent of the complaint, providing details of the allegations and giving the Respondents an opportunity to respond to those allegations and to provide any witnesses the Respondent feels are essential to the investigation;
- iv. Interviewing any person involved or who has, or who may have, knowledge of the incident and any identified witnesses;
- v. Providing reasonable updates to the Complainant and the Respondent about the status of the investigation; and
- vi. Following the investigation, the Bella's Beauty Academy designate will:
  - Review all of the evidence collected during the investigation
  - Determine whether sexual violence occurred; and if so
  - Determine what disciplinary action, if any, should be taken as set out in Section below.

### **Disciplinary Measures**

If it is determined by Bella's Beauty Academy that the Respondent has been involved in sexual violence, immediate disciplinary or corrective action will be taken up to and including termination of employment of instructors or staff or expulsion of a student. In cases where criminal proceedings are initiated, Bella's Beauty Academy will assist police agencies, lawyers, insurance companies, and courts to the fullest extent.

Where criminal and/or civil proceedings are commenced in respect of allegations of sexual violence Bella's Beauty Academy may conduct its own independent investigation and make its own determination in accordance with its own policies and procedures.

### **Appeal**

(a) Should the Complainant or the Respondent not agree with the decision resulting from the investigation, he or she may appeal the decision to the President within 5 days by submitting a letter addressed to:

Bella's Beauty Academy, 158 Kennedy Rd S #5, Brampton, ON L6W 3G7, ATTN: Director  
Advising of the person's intent to appeal the decision

### **Making False Statements**

It is a violation of this Policy for anyone to knowingly make a false complaint of sexual violence or to provide false information about a complaint. Individuals who violate this Policy are subject to disciplinary and / or corrective action, up to and including termination of employment of instructors or staff or expulsion of a student.

### **Reprisal**

(a) 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.

(b) Individuals who violate the Sexual Violence Policy are subject to disciplinary and / or corrective action, up to and including termination of employment of instructors or staff or expulsion of a student.

(c) If a private career college's sexual violence policy conflicts with its expulsion policy, the sexual violence policy prevails

### **Review**

(a) Bella's Beauty Academy shall ensure that student input is considered in the development of its Sexual Violence Policy and every time it is reviewed or amended.

(b) Bella's Beauty Academy shall review its Sexual Violence Policy 3 years after it is first implemented and amend it where appropriate.

### **Collection of Student Data**

Bella's Beauty Academy 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 32.3 (8), (9) and (10) of Schedule 5 of the Private Career Colleges Act, 2005 as amended.

### **Resources**

#### **Appendix 1**

Assaulted Women's Helpline

Toll Free: 1-866-863-0511

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

TTY: 416-364-8762

[www.awhl.org](http://www.awhl.org)

Français

Fem'aide

Telephone toll-free: 1-877-336-2433

ATS: 1 866 860-7082

[www.femaide.ca](http://www.femaide.ca)

Peel Region

Hope 24/7 (formerly the Sexual Assault/Rape Crisis Centre of Peel)

Crisis: 1-800-810-0180

Office: (905) 792-0821

<http://hope247.ca/>

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)

[www.trccmwar.ca](http://www.trccmwar.ca)