



REGISTERED AS A PRIVATE CAREER COLLEGE UNDER THE *PRIVATE CAREER COLLEGES ACT, 2005*

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3190 STEELES AVENUE EAST, UNIT 101, MARKHAM, ONTARIO, CANADA L3R 1G9

## **Sexual Violence Policy**

### **Sexual Violence Policy**

(a) Jenny Wong Beauty Institute is committed to providing its students with an educational environment free from sexual violence and treating its students who report incidents of sexual violence with dignity and respect.

(b) Jenny Wong Beauty Institute has adopted this Sexual Violence Policy, which defines sexual violence and outlines its training, reporting, investigative and disciplinary responses to complaints of sexual violence made by its students that have occurred on its campus, or at one of its events and involves its students.

(c) The person accused of engaging in sexual violence will be referred to as the “Respondent” and the person making the allegation as the “Complainant”.

### **Definition of Sexual Violence**

Sexual violence 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.

Sexual assault is 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.

### **Consent**

The voluntary and explicit agreement to engage in the sexual activity in question. Consent is the act of willingly agreeing to engage in specific sexual behaviour, and requires that a person is able to freely choose between two options: yes and no. This means that there must be an understandable exchange of affirmative words which indicates a willingness to participate in mutually agreed upon sexual activity. It is also imperative that everyone understands the following:

- Silence or non-communication must never be interpreted as consent and a person in a state of diminished judgment cannot consent
- A person is incapable of giving consent if they are asleep, unconscious or otherwise unable to communicate.
- A person who has been threatened or coerced (i.e. is not agreeing voluntarily) into engaging in the sexual activity is not consenting to it.
- A person who is drugged is unable to consent.
- A person is usually unable to give consent when under the influence of alcohol and/or drugs.
- A person may be unable to give consent if they have a mental disability preventing them from fully understanding the sexual acts

- The fact that consent was given in the past to a sexual or dating relationship does not mean that consent is deemed to exist for all future sexual activity.
- A person can withdraw consent at any time during the course of a sexual encounter.
- A person is incapable of giving consent to a person in a position of trust, power or authority such as, a faculty member initiating a relationship with a student who they teach, an administrator in a relationship with anyone who reports to that position.
- Consent cannot be given on behalf of another person. It is the responsibility of the initiator of sexual activity to ensure clear and affirmative responses are communicated at all stages of sexual engagement. It is also the initiator's responsibility to know if the person they are engaging with sexually is a minor.

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

(a) Jenny Wong Beauty Institute shall provide access to the Sexual Violence Policy on the College's website, citing the link in the Enrolment Agreement made between it and its students, 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 Jenny Wong Beauty Institute will report incidents of or complaints of sexual violence to the Jenny Wong Beauty Institute 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 Jenny Wong Beauty Institute Designate.

(e) Subject to Section 5 below, to the extent it is possible, Jenny Wong Beauty Institute 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:**

- 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
- Ensuring that the documentation is kept in a separate file from that of the Complainant/student or the Respondent.

(g) Jenny Wong Beauty Institute Technology recognizes the right of the Complainant not to report an incident of 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, Jenny Wong Beauty Institute 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, Jenny Wong Beauty Institute will appropriately accommodate the needs of its students who are affected by sexual violence. Students seeking accommodation should contact Jenny Wong Beauty Institute Designate.

In this regard, Jenny Wong Beauty Institute will assist students who have experienced sexual violence in obtaining counselling 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 Jenny Wong Beauty Institute may file a report of an incident or a complaint to Jenny Wong Beauty Institute in writing and submitting an email to [teresa@jennywongbeautygroup.com](mailto:teresa@jennywongbeautygroup.com) or a hard copy 3190 Steeles Ave East, Unit 101, Markham, Ontario L3R 1G9 Attn: HR. 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, Jenny Wong Beauty Institute 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, Jenny Wong Beauty Institute 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 Jenny Wong Beauty Institute 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 6 below.

### **Disciplinary Measures**

(a) If it is determined by Jenny Wong Beauty Institute that the Respondent did engage in sexual violence, immediate disciplinary or corrective action will be taken. This may include:

- i. Disciplinary action up to and including termination of employment of instructors or staff; or
- ii. Expulsion of a student; and / or
- iii. The placement of certain restrictions on the Respondent's ability to access certain premises or facilities; and / or
- iv. Any other actions that may be appropriate in the circumstances

### **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 Director within 5 days by submitting a letter addressed to:

Jenny Wong Beauty Institute, Unit 101, 3190 Steeles Ave East, Markham, Ontario L3R 1G9 ATTN: Director Advising of the person's intent to appeal the decision.

### **Making False Statements**

(a) It is a violation of this Sexual Violence Policy for anyone to knowingly to make a false complaint of sexual violence or to provide false information about a complaint.

(b) Individuals who violate this 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.

### **Reprisal**

(a) It is a violation of this Sexual Violence 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.

## Review

(a) Jenny Wong Beauty Institute shall ensure that student input is considered in the development of its Sexual Violence Policy and every time it is reviewed or amended.

(b) Jenny Wong Beauty Institute shall review its Sexual Violence Policy 3 years after it is first implemented and amend it where appropriate. This date is **January 1, 2020**.

## Collection of Student Data

(a) Jenny Wong Beauty Institute shall collect and be prepared to provide upon request by the Superintendent of Private Career Colleges such as data and information as required according to Subsection 32.3 (8), (9) and (10) of Schedule 5 of the Private Career Colleges Act, 2005 as amended.

## Appendix 1

**The following represents a list of Provincial Rape Crisis Centres that could be provided as resources:**

### Canadian Association of Sexual Assault Centres

Ontario  
Provincial  
English  
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)

### Sexual Assault/Domestic Violence Treatment Centres

35 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.  
[http://satcontario.com/en/locate\\_centre.php](http://satcontario.com/en/locate_centre.php)

### Alliston, Barrie, Collingwood, Midland and Orillia

Huronian Transition Homes operates La Maison Rosewood Shelter (Midland) & Athena's Sexual Assault Counselling and Advocacy Centre  
24-Hour Crisis Line:  
Barrie: 705-737-2008 or 1-800-987-0799  
Midland: 705-526-4211 or 1-800-461-175  
Office: 705-526-3221  
[www.huroniatrtransitionhomes.ca](http://www.huroniatrtransitionhomes.ca)

### Belleville

Sexual Assault Centre for Quinte and District  
Toll-Free: 1-877-544-6424  
Office: 613-967-6300  
[www.sacqd.com](http://www.sacqd.com)

### London

London Abused Women's Centre  
Office: 519-432-2204  
E-Mail: [info@lawc.on.ca](mailto:info@lawc.on.ca)  
<http://lawc.on.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/>

### Newmarket

Women's Support Network of York Region  
Crisis: 1-800-263-6734 or 905-895-6734  
Office: (905) 895-3646  
[www.womenssupportnetwork.ca](http://www.womenssupportnetwork.ca)

### North Bay

Amelia Rising Women's Sexual Assault Centre of Nipissing/centre d'agressions sexuelles de Nipissing  
Crisis: 705-476-3355  
Office: 705-840-2403  
TTY: (705) 840-5877  
[info@ameliarising.ca](mailto:info@ameliarising.ca)  
[www.ameliarising.ca](http://www.ameliarising.ca)

### Oakville

Sexual Assault & Violence Intervention Services of Halton  
Crisis: 905-875-1555 or 1-877-268-8416  
Office: 905-825-3622  
[www.savisofhalton.org](http://www.savisofhalton.org)

### Orangeville

Family Transition Place  
Crisis: 1-800-265-9178  
Office: 519-942-4122  
[www.familytransitionplace.ca](http://www.familytransitionplace.ca)

**Bracebridge**

Muskoka/Parry Sound Sexual Assault Services  
Parry Sound District Office  
Office: (705) 774-9083 or 1-877-851-6662  
[www.daphnewymn.com](http://www.daphnewymn.com)

**Bracebridge**

Muskoka District Office  
Office: (705) 646-2122 or 1-877-406-1268  
[www.daphnewymn.com](http://www.daphnewymn.com)

**Brantford**

Sexual Assault Centre of Brantford  
Crisis: 519-751-3471  
Office: 519-751-1164  
sexualassaultcentre@sacbrant.ca  
<http://sacbrant.ca/>

**Brockville**

Assault Response & Care Centre  
Office: (613) 345-3881 or 1-800-567-7415  
arcc@bgh-on.ca  
[www.arc-c.ca](http://www.arc-c.ca)

**Chatham**

Chatham-Kent Sexual Assault Crisis Centre  
24-Hour Crisis Line: 519-354-8688  
Office/TTY: 519-354-8908  
<http://cksacc.org>

**Cornwall**

Sexual Assault Support Services for Women  
Office: 613-932-1755  
<http://sassforwomen.ca>

**Iethinisten:ha Women's Shelter**

Akwasasne Family Violence Program  
24-Hour Crisis: 1-800-480-4208  
Phone: 613-937-4322  
[www.akwasasne.ca/iethinistenha-women's-shelter](http://www.akwasasne.ca/iethinistenha-women's-shelter)

**Durham Region**

Durham Rape Crisis Centre  
Crisis: 905-668-9200  
Office: 905-444-9672  
info@drcc.ca  
[www.drcc.ca](http://www.drcc.ca)

**Eganville**

Women's Sexual Assault Centre of Renfrew County  
24-Hour Crisis: 1-800-663-3060  
Office: 613-735-5551  
[www.wsac.ca](http://www.wsac.ca)

**Guelph**

Guelph-Wellington Women in Crisis  
Crisis: 519-836-5710  
1-800-265-7233  
Office: 519-823-5806  
[www.gwwomenincrisis.org](http://www.gwwomenincrisis.org)

**Ottawa**

Sexual Assault Support Centre  
Crisis: 613-234-2266  
Phone: 613-725-2160  
TTY: 613-725-1657  
info@sascottawa.com  
<http://sascottawa.com>

**Ottawa**

Ottawa Rape Crisis Centre  
Crisis: 613-562-2333  
Office: 613-562-2334  
<http://orcc.net/>

**Peterborough & Kawarthas**

Kawartha Sexual Assault Centre  
Crisis: (705) 741-0260 or 1-866-298-7778  
Office/TTY: (705) 741-0260  
[www.kawarthasexualassaultcentre.com](http://www.kawarthasexualassaultcentre.com)

**YWCA Peterborough Haliburton**

Crisis: 1-800-461-7656  
Office: 705.743.3526 x 130  
[www.ywcapeterborough.org](http://www.ywcapeterborough.org)

**Sault Ste Marie**

Women in Crisis (Algoma) Inc.  
Crisis: 705-759-1230 or 1-877-759-1230  
[www.womenincrisis.ca](http://www.womenincrisis.ca)

**Sarnia-Lambton**

Sexual Assault Survivors Centre Sarnia-Lambton  
Crisis: 519 337-3320 or 1-888-231-0536  
Office: (519) 337-3154  
[www.sexualassaultsarnia.on.ca](http://www.sexualassaultsarnia.on.ca)

**Simcoe**

Haldimand & Norfolk Women's Service  
Crisis: 1-800-265-8076  
TTY: 1-800-815-6419  
Office: 519-426-8048  
hnws@hnws.on.ca  
[www.hnws.on.ca](http://www.hnws.on.ca)

**St. Catherines**

Niagara Region Sexual Assault Centre  
Crisis: (905) 682-4584  
Office: (905) 682-7258  
carsa@sexualassaultniagara.org  
<http://sexualassaultniagara.org/>

**Thunder Bay**

Thunder Bay Sexual Assault and Sexual Abuse Crisis and Counselling Centre  
Office: (807) 345-0894 or 1-866-311-5927  
tbcounselling@tbsasa.org  
[www.tbsasa.org](http://www.tbsasa.org)

**Hamilton**

Sexual Assault Centre (Hamilton and Area)  
Crisis: (905) 525-4162  
Office (905) 525-4573  
TTY: 905-525-4592  
[www.sacha.ca](http://www.sacha.ca)

**Kenora**

Kenora Sexual Assault Centre  
Crisis: (807) 468-7233 or 1-800-565-6161  
Office: (807) 468-7958  
[www.kenoralsexualassaultcentre.com](http://www.kenoralsexualassaultcentre.com)

**Kingston**

Sexual Assault Centre Kingston  
Crisis: 613-544-6424 or 1-877-544-6424  
Office: 613-545-0762  
sack@sackington.com  
[www.sackington.com](http://www.sackington.com)

**Kitchener-Waterloo**

Sexual Assault Support Centre of Waterloo Region  
Crisis: 519.741.8633  
Office: 519.571.0121  
info@sascwr.org  
[www.kwsasc.org](http://www.kwsasc.org)

**London**

Sexual Assault Centre London  
Crisis: 519-438-2272  
Office 519-439-0844  
TTY: 519-439-0690  
sacl@sacl.ca  
[www.sacl.ca](http://www.sacl.ca)

**Timmins**

Timmins and Area Women in Crisis  
Crisis: 1-877-268-8380 (sexual assault)  
Crisis: 1-855-827-7233 (shelter)  
Office: (705) 268-8381  
info@tawc.ca  
<http://www.tawc.ca/>

**Toronto**

Oasis Centre des Femmes  
Téléphone : 416-591-6565  
Courriel : services@oasisfemmes.org  
<http://oasisfemmes.org/>

**Toronto**

Toronto Rape Crisis Centre: Multicultural  
Women Against Rape  
Crisis: 416-597-8808  
Office: 416-597-1171  
info@trccmwar.ca  
crisis@trccmwar.ca  
www.trccmwar.ca

**Windsor**

Sexual Assault Crisis Centre of Essex County  
Crisis: 519-253-9667  
www.saccwindsor.net

**Woodstock**

Domestic Abuse Services Oxford  
Crisis: 519 539-4811 or 1-800-265-1938  
info@daso.ca  
www.daso.ca