

# Dewey Bethune College of Medicine and Health Care

## Policy with respect to sexual violence & sexual harassment

Approved July 1, 2023

Effective August, 2023

Revised: August 19, 2025

**To request an official copy, please contact:**

---

**Hon. Marvin Zucker**

Professor

Department of Leadership, Higher & Adult Education

OISE | University of Toronto

[marvin.zucker@utoronto.ca](mailto:marvin.zucker@utoronto.ca)

<https://discover.research.utoronto.ca/marvinzucker>

# Policy with respect to sexual violence & sexual harassment

Dewey Bethune College of Medicine and Healthcare, (DBCMH) Bracebridge 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.

## 1. Definitions

The following definitions are intended to assist in the interpretation of this Policy, as well as other related Dewey Bethune College policies:

1.1. **Complainant:** A Member of the Dewey Bethune College Community who has Disclosed or Reported an Incident of Sexual Violence experienced by that individual.

1.2. **Consent:** The voluntary agreement of an individual to engage in a sexual act. Consent is positive, active and ongoing, and can be revoked at any time. Consenting to one kind of sexual act does not mean that consent is given for another sexual act or kind of activity. Consent is NOT obtained where a person is incapable of consenting – for example due to intoxication, or where a person is induced to engage in the activity by someone abusing a position of trust, power or authority. As per the *Criminal Code of Canada*, it is not a defence to an allegation of Sexual Violence that the Respondent believed that the Complainant consented to the activity that forms the subject matter of the complaint, where (a) the Respondent's belief arose from the Respondent's (i) self-induced intoxication; or(ii) recklessness or willful blindness; or (b) the Respondent did not take reasonable steps, in the circumstances known to the accused at the time, to ascertain that the Complainant was consenting.

1.3. **Disclosure:** The sharing of information by an individual with a Member of the Dewey Bethune College Community regarding an Incident of Sexual Violence experienced by that individual.

1.3. **Gender-based Harassment:** Includes but is not limited to engaging in a course of vexatious comment or conduct related to a person's sex, gender, sexual orientation, gender identity or gender expression that is known or ought reasonably to be known to be unwelcome.

1.4. **Incident of Sexual Violence:** Includes any instance of Sexual Violence, including Sexual Harassment and all associated definitions provided herein.

1.5. **Member(s) of the Dewey Bethune College Community:** Includes students, staff, faculty, and all employees of Dewey Bethune College.

1.6. **Non-Adjudicative Resolution:** This term refers to a resolution of the matters alleged in a Report that is agreed to by both the Complainant and the Respondent.

1.7. **Respondent:** Someone against whom an allegation of Sexual Violence has been made.

1.8. **Sexual Assault:** Any form of sexual contact without a person's consent, including the threat of sexual contact without consent. A Sexual Assault can range from unwanted sexual touching to forced sexual intercourse; and a Sexual Assault can involve situations where sexual activity is obtained by someone abusing a position of trust, power or authority.

1.9. **Sexual Harassment:** Includes but is not limited to engaging in a course of vexatious comments or conduct that is known or ought to be known to be unwelcome. For the purpose of this Policy, Sexual Harassment includes workplace sexual harassment. Sexual Harassment includes any sexual solicitation or advance made by a person in a position to confer, grant or deny a benefit or advancement to the person where the person making the solicitation or advance knows or ought reasonably to know that it is unwelcome. Sexual harassment also includes a reprisal or a threat of reprisal for the rejection of a sexual solicitation or advance, where the reprisal is made or threatened by a person in a position to confer, grant or deny a benefit or advancement to the person. For the purpose of this Policy, Sexual Harassment includes Cyber Sexual Harassment. Cyber Sexual Harassment includes but is not limited to Sexual Harassment conducted in whole or in part through electronic means, such as email, web postings, text messaging, and other forms of electronic behaviour.

1.10. **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, gender-based harassment or violence, cyber sexual violence, and sexual exploitation. Cyber Sexual Violence includes but is not limited to knowingly publishing, distributing, transmitting, selling, making available or advertising an intimate image of a person, knowing that the person depicted in the image did not give their consent to that conduct, or being reckless as to whether or not that person gave their consent to that conduct. An intimate image includes but is not limited to a visual recording of a person made by any means, including a photographic, digital or video recording, in which the person is nude and/or engaged in sexual activity.

## **2. Statement of commitment**

All members of the Dewey Bethune College community should have the ability to study, work, and live in a campus environment free from Sexual Violence, including Sexual Assault and Sexual Harassment.

Sexual Violence is a serious issue that undermines the health, well-being, and security of individuals, communities, and society. Addressing the causes and consequences of Sexual Violence requires the deliberate and collective efforts of governments, institutions, and citizens.

Dewey Bethune College is committed to making available programs and resources to educate its community on the prevention of and response to Sexual Violence.

Dewey Bethune College is committed to responding to and addressing incidents and complaints of Sexual Violence involving its students, staff and faculty, and to ensuring that those members of the community who are affected by Sexual Violence receive support.

Dewey Bethune College recognizes that Sexual Violence can occur between individuals regardless of sex, sexual orientation, gender, gender identity or expression, or relationship status.

Dewey Bethune College recognizes the intersection of Sexual Violence with discrimination and harassment, including but not limited to the grounds set out in the Ontario *Human Rights Code*.

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

DBCMH shall include an acknowledgment of receipt of the Sexual Violence Policy in every contract made between it and its students, and provide a copy of 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.

The Sexual Violence Policy is posted on the lunchroom bulletin board.

Career college management, instructors, staff, other employees, and contractors of DBCMh will report incidents of or complaints of sexual violence upon becoming aware of them to: Craig Shelswell, Campus Administrator.

#### **4. Principles respecting process**

A person who has made a Disclosure and/or a Report of Sexual Violence has autonomy in decision-making, and in particular with respect to whom to Disclose, whether to Report, whether to pursue recourse to the criminal or civil justice systems, and whether to access support and accommodations.

Dewey Bethune College is committed to the provision of a fair process for all parties and one that respects due process and procedural fairness.

Dewey Bethune College is committed to reducing barriers to Disclosure and Reporting of incidents of Sexual Violence. In that regard, Complainants will not be asked to repeat their accounts more than is necessary for the implementation of this Policy. Complainants who in good faith make a Disclosure or Report about sexual violence will not be subject to discipline or sanctions for violations of any other Dewey Bethune College policies relating to drug or alcohol use at the time the alleged Sexual Violence occurred.

Dewey Bethune College process will appropriately accommodate the needs of Members of the University Community who are affected by Sexual Violence.

Dewey Bethune College will not tolerate any retaliation, through any means including through social or other electronic media, against anyone who Discloses or Reports an Incident of Sexual Violence, or who participates in a Dewey Bethune College process that is addressing allegations of Sexual Violence against a Member of the Dewey Bethune College Community.

Confidential counselling and support will be made available as quickly as practicable to any Member of the Dewey Bethune College who experiences an Incident of Sexual Violence.

Dewey Bethune College will limit sharing of information within the College to those who need to know the information for the purposes of implementing this *Policy*.

Confidentiality cannot be maintained in exceptional circumstances, **such as when** information needs to be disclosed in order to address a risk to the health and safety of the Dewey Bethune College Community or where Dewey Bethune College is obliged by law to disclose the information. For example, confidentiality cannot be maintained where:

- (a) An individual is at risk of imminent and serious harm to themselves or others;*
- (b) Members of the Dewey Bethune College Community may be at risk of harm;*
- (c) Reporting or investigation is required by law (for example, but not limited to, an incident involving a minor, or obligations related to occupational health and safety or to human rights legislation).*

Students who have been affected by sexual violence or who need information about support services should contact Craig Shelswell, Campus Administrator.

#### **4. Investigating Reports of Sexual Violence**

Under this Sexual Violence Policy, any complainant of DBCMh may file a report of an incident or a complaint to Craig Shelswell, Campus Administrator, in writing.

Reporting can be initiated in person, by phone, or online.

A Complainant is not precluded from reporting an Incident of Sexual Violence to municipal police services if they have Reported the incident to Dewey Bethune College. A Complainant is not precluded from Reporting an Incident of Sexual Violence to the Dewey Bethune College if they have reported the incident to municipal police services. A Complainant may choose to Report to one or the other, to neither or to both.

At the time of the notification of a Report, the Respondent will be made aware of supports available to them.

Upon receipt of a report of an incident or a complaint of alleged sexual violence being made, Craig Shelswell, 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 DBCMh 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 should be put in place pending the investigation process such as removal of the Respondent or seeking alternate methods of providing necessary course studies.

Once an investigation is initiated, the following will occur:

- (a) Both the Complainant and the Respondent have the right to be accompanied by a support person at any point during the Reporting process and subsequent processes under this *Policy*. The support person is expected to adhere to the provisions outlined in the “Confidentiality and Privacy” section of this *Policy*;
- (b) All Members of the Dewey Bethune College Community who are involved in receiving a Report of an Incident of Sexual Violence or who are involved in addressing or investigating it should treat the matter as discreetly and confidentially as practicable, within the context of their roles in implementing this *Policy*. Information will only be shared to the extent necessary to carry out responsibilities under this *Policy* or as required to provide a fair process during the investigation and decision-making process;
- (c) The Complainant and the Respondent will be advised that they may ask another person to be present throughout the investigation;
- (d) Interviewing the Complainant within 2 business days 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 persons involved, the names of any person who witnessed the incident and a complete description of what occurred;
- (e) The Complainant can choose not to request an investigation by Dewey Bethune College. The Complainant has the right not to participate in any investigation that may occur. Where a choice not to participate in an investigation is made, the Complainant will be advised that this may affect the nature of the investigation and the ability to draw conclusions from any investigation report. For further clarity about what will occur in this situation;
- (f) Informing and interviewing the Respondent within 4 business days of the complaint, providing details of the allegations, and giving the Respondent an opportunity to respond to those allegations and to provide any witnesses the Respondent feels are essential to the investigation;
- (g) Interviewing any person involved or who has, or may have, knowledge of the incident and any identified witnesses within 6 business days of the complaint;

- (h) Providing reasonable, timely updates to the Complainant and the Respondent about the status of the investigation; and
- (i) If Craig Shelswell makes the determination that the Report does not appear to fall within the scope of this *Policy*, or decides not to commence an investigation, he will notify the Complainant of this determination.
- (j) Following the investigation, Craig Shelswell or his designate will:
  - (a) review all the evidence collected during the investigation. and
  - (b) determine whether sexual violence occurred; and if so
  - (c) determine what disciplinary action, if any, should be taken as set out in Section 5 below.  
here

## **5. Investigation**

The investigation must be completed in a timely manner, taking into consideration the circumstances of the particular matter including its complexity and the requirements of fairness and due process.

The Respondent will be provided with a reasonable opportunity to respond in writing or orally to the allegations. If the response is oral, the investigation should normally confirm the content of the response with the Respondent in writing. If the Respondent does not respond within a reasonable timeframe, or chooses not to participate in the investigation, Dewey Bethune College may proceed in the absence of their response.

Dewey Bethune College will provide the written particulars of the response from the Respondent, if received, to the Complainant. The Complainant may submit a reply to the response within a reasonable timeframe set. If no written reply is received within the time requested, the investigator can proceed in the absence of a reply. The investigator will provide the written particulars of the reply from the Complainant, if received, to the Respondent.

## **5. Disciplinary Measures**

If it is determined by DBCM, that the Respondent did engage in sexual violence, disciplinary or corrective action will be taken immediately. 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.

## **6. Appeal**

Should the Complainant or the Respondent not agree with the decision resulting from the investigation, he or she may appeal the decision within 2 business days of receiving the decision by submitting a letter addressed to Craig Shelswell advising of the person's intent to appeal the decision.

## **7. Making False Statements**

It is a violation of this Policy for anyone to knowingly make a false complaint 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.

## **8. Review**

DBCMH shall ensure that student input is considered in the development of its Policy and every wither time it is reviewed or amended.

DBCMH shall review its Policy within 2 years after it is first implemented and amend it where appropriate.

## **9. Collection of Student Data**

DBCMH shall collect and be prepared to provide upon request by the Superintendent of Career Colleges of Ontario such data and information as required according to Subsections 32.1 (8), (9), (10) and (11) of Schedule 5 of the Ontario Career Colleges Act, 2005, as amended.

## **APPENDIX: REFERENCES TO OTHER POLICIES AND LEGISLATION**

Selected Relevant Legislation:

XI. *Ontario Bill 132, Sexual Violence and Harassment Action Plan Act*, 2016

XII. [Ontario Regulation 131/16: Sexual Violence at Colleges and Universities \(rev. September 16, 2021\)](#)

XIII. [Freedom of Information and Protection of Privacy Act \(FIPPA\)](#)

XIV. [Ontario Human Rights Code](#)

XV. [Criminal Code of Canada](#)

### **1. Good2Talk -**

A free, confidential helpline providing professional counselling and information and referrals for mental health, addictions and well-being 24/7, 365 days a year.

Phone Number: **1-866-925-5454**

Website: <https://good2talk.ca>

### **1. Muskoka Parry Sound Sexual Assault Services - Bracebridge Office**

Phone Numbers: **705-646-2122**

Toll-Free: **1-877-406-1268**

Helpline: Daily **24 hours** **1-800-461-2929**

Website: [Home | MPSSAS](#)

Address:

29 Manitoba St, Suite 1

Bracebridge, ON P1L 1S4

Intersection: Taylor Rd and Manitoba St

Location: Bracebridge

Accessibility: Wheelchair Accessible

Hours: Mon-Fri 9am-4:30pm

Crisis helpline telephone: Daily 24 hours \* Survivor mentors provide support as arranged with their mentees

Public Contacts: Laurie Lamont - Muskoka Area Coordinator

[laurie@mpssas.com](mailto:laurie@mpssas.com)

Service Description: Confidential supports for women and their families who have experienced sexual assault or abuse or domestic violence \* Services can include emotional support, counselling, referral to community services and supports, and awareness and/or prevention programs

#### **Services available:**

24-hour support line

advocacy and accompaniment with police, courts and hospital

community education program

information and referrals