

Sexual Harassment Policy

1. Policy Application

The Policy applies to all members of The Aveda Institute and Academy career college community including students, staff, faculty, administrators, contract service providers, contractors, officers, directors and individuals who are directly connected to any of The Aveda Institute and Academy initiatives, volunteers and visitors.

2. The Scope

The Policy applies to complaints of sexual violence or sexual harassment that have occurred on The Aveda Institute and Academy career college campus or at a The Aveda Institute and Academy career college event and involve members of the career college community as defined in paragraph one, the Policy Application.

3. Purpose and Intent

All members of The Aveda Institute and Academy career college community have a right to study and work in an environment free of sexual violence and sexual harassment.

This document sets out our policy on sexual violence and sexual harassment, defines the prohibited behaviors, and outlines our investigative processes for sexual violence and sexual harassment.

4. Policy Objectives

The Aveda Institute and Academy is committed to providing members of our career college community an educational environment free from sexual violence and sexual harassment and treating those individuals who report incidents of sexual violence or sexual harassment with dignity and respect.

To that end The Aveda Institute and Academy will educate and train faculty, staff and students about this Policy and how to identify situations that involve, or could progress into sexual violence or sexual harassment and how to reduce these forms of prohibited behaviours.

Where a complaint has been made, under this Policy, of sexual violence or sexual harassment The Aveda Institute and Academy will take all reasonable steps to investigate it, including as follows:

- (a) responding promptly to any complaint and providing reasonable updates to the complainant and the respondent about the status of the investigation;
- (b) assisting those who have experienced sexual violence or sexual harassment in obtaining counselling and medical care;
- (c) providing those who have experienced sexual violence or sexual harassment with appropriate academic and other accommodation;

- (d) providing those who have experienced sexual violence or sexual harassment with information about reporting options; and
- (e) providing on-campus investigation procedures for sexual violence and sexual harassment complaints.

5. Definition of Sexual Misconduct

This Policy prohibits sexual misconduct, which includes sexual violence and sexual harassment.

Sexual Violence, without limiting the generality of the foregoing, includes:

- (a) sexual assault which is any type of an unwanted sex act done by one person to another, without that person's consent, that violates the sexual integrity of an individual ranging from unwanted touching to penetration;
- (b) any violence, physical or psychological, carried out through sexual means or by targeting sexuality, including sexual abuse; and
- (c) criminal harassment (including stalking and cyber bullying).

Sexual Harassment, without limiting the generality of the foregoing, includes:

- (a) Any course of vexatious comment or conduct of a sexual nature that is known or ought reasonably to have been known to be unwelcome, including:
 - (b) offensive jokes or comments of a sexual nature;
 - (c) displaying of pornographic or sexist pictures or materials, including online;
 - (d) suggestive or offensive remarks;
 - (e) unwelcome language related to gender;
 - (f) remarks, jokes, innuendoes, propositions, or taunting about a person's body, attire, sex or sexual orientation;
 - (g) leering or inappropriate staring ;
 - (h) bragging about sexual prowess;
 - (i) physical contact such as touching, patting, or pinching, with an underlying sexual connotation; and
 - (j) 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.

6. Reporting and Responding to Sexual Violence

All members of our career college community will take all reasonable steps to prevent sexual violence on our career college campus or events and report immediately to the Aveda Institute and Academy Director if they are subject to, witness or have knowledge of sexual violence, or have reason to believe that sexual violence has occurred or may occur.

To the extent it is possible, Aveda Institute and Academy Director will attempt to keep all information disclosed confidential except in those circumstances it believes an individual is at

imminent risk of self-harm, or of harming another, or there are reasonable grounds to believe that others in the our career community are at risk.

The Aveda Institute and Academy recognizes the right of the complainant to determine whether her or his complaint will be dealt with by the police and/or The Aveda Institute and Academy. However, in certain circumstances, The Aveda Institute and 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 career college community is at risk

7. Investigating Reports of Sexual Violence

A complaint of sexual violence may be filed under this Policy, by any member of our career college community, to the Aveda Institute and Academy Director in writing.

Upon a complaint of alleged sexual violence being made the Aveda Institute and Academy Director will initiate an investigation, including as follows:

- (a) determining whether the incident should be referred immediately to police;
- (b) meeting with the complainant to determine 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;
- (c) interviewing the complainant, any person involved in the incident and any identified witnesses;
- (d) interviewing any other person who may have knowledge of incidents related to the complaint or any other similar incidents;
- (e) informing the respondent of the complaint, providing details of the allegations and giving the respondent an opportunity to respond to those allegations;
- (f) providing reasonable updates to the complainant and the respondent about the status of the investigation; and
- (g) determining what disciplinary action, if any, should be taken.

8. Reporting Sexual Harassment

All members of our career college community will take all reasonable steps to prevent sexual harassment on our career college campus or events and report immediately to the Aveda Institute and Academy Director if they are subject to, witness or have knowledge of sexual harassment, or have reason to believe that sexual harassment has occurred or may occur.

To the extent it is possible, Aveda Institute and Academy Director will attempt to keep all information disclosed confidential except in those circumstances it believes an individual is at imminent risk of self-harm, or of harming another, or there are reasonable grounds to believe that others in our career community are at risk.

If the complainant decides not to lay a formal complaint, The Aveda Institute and Academy may in certain circumstances, be required by law or its internal policies to initiate an internal investigation if it believes the safety of members of its career college community is at risk.

9. Investigating Reports of Sexual Harassment

If a member of our career college community believes she/he has been sexually harassed by a member of our career college community, she/he may confront the harasser personally or in writing pointing out the unwelcome behaviour and requesting that it stop; or Report the complaint to Aveda Institute and Academy Director in writing.

Upon a complaint of alleged sexual harassment being made to the Aveda Institute and Academy Director the Aveda Institute and Academy Director will initiate an investigation, including as follows:

- (a) meeting with the complainant to determine 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;
- (b) interviewing the complainant, any person involved in the incident and any identified witnesses;
- (c) interviewing any other person who may have knowledge of incidents related to the complaint or any other similar incidents;
- (d) informing the respondent of the complaint, providing details of the allegations and giving the individual an opportunity to respond to those allegations;
- (e) providing reasonable updates to the complainant and the respondent about the status of the investigation; and
- (f) determining what disciplinary action, if any, should be taken.

10. Disciplinary Measures

If it is determined by The Aveda Institute and Academy that a member of our career college community has been involved in sexual violence or sexual harassment of a member of our career college community, immediate disciplinary or corrective action will be taken up to and including termination of employment or expulsion of a student.

In cases where criminal proceedings are initiated, The Aveda Institute and 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 or sexual harassment, The Aveda Institute and Academy may conduct its own independent investigation and make its own determination in accordance with its own policies and procedures.

Making False Statements

It is a violation of this Policy for anyone to knowingly make a false complaint of sexual violence or sexual harassment 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 or expulsion.

11. Reprisal

It is a violation of this Policy to retaliate or threaten to retaliate against a complainant, acting in good faith, who has brought forward a complaint of sexual violence or sexual harassment, provided information related to a complaint, or otherwise been involved in the complaint investigation process.

12. Resources

A list of resources can be requested from your registrar.

Harassment

It is the policy of The Aveda Institute to give equal opportunity, and to provide a safe and harassment free learning environment, to all qualified persons without regard of age, ancestry and ethnic origin, citizenship, creed, disability, family status, marital status, place of origin, race and colour, sex or sexual orientation.

Discrimination and harassment are violations of the Human Rights Code, and will not be tolerated. If you have any questions regarding your rights, and how to raise the issue of harassment, please speak to the Institute Registrar/ Director immediately. The management of The Aveda Institute considers all violations of the Human Rights Code to be of a serious nature.

If you feel your human rights have been violated or are accused of violating someone's human rights, please report your concern to the Institute Registrar/ Director immediately. Any and all information will be held in the strictest of confidence. Complaints and responses to complaints will, whenever necessary, be dealt with neutrally and according to the means of investigation determined by the Institute Registrar/ Director to be appropriate in each case. Remember that you have the option of reporting your complaint to the Human Rights Commission.

Consensual Romantic/Sexual Relations

Consensual romantic/sexual relations between staff and students are strongly discouraged. Substantial risks are involved even in seemingly consensual sexual relationships where a power differential exists between the involved parties. The respect and trust accorded an employee by a student, as well as the power exercised by an Educator in giving grades, advice, praise, recommendations, opportunities for further study or other forms of advancement may greatly diminish the student's actual freedom of choice concerning the relationship. Further, it is inherently risky where age, background, stature, credentials or other characteristics contribute to the perception that a power differential exists between the involved parties which limits the student's or employee's ability to make informed choices about the relationship.

Claims of consensual romantic/sexual relationship will not protect individuals from sexual harassment charges nor guarantee a successful defense if charges are made.

Victim's Rights

The Aveda Institute Administration, in cooperation with the appropriate law enforcement authorities and at the victim's request, shall shield the victim from unwanted contact with the alleged assailant, including transfer of the victim to alternate classes, if alternative classes are available and feasible.