



## **Sexual Violence Policy**

### **I. Purpose**

Le Cordon Bleu, Ottawa is committed to combating sexual violence in all forms in its community. Sexual violence is unacceptable and will not be tolerated. Individuals and groups who commit or attempt to commit acts of sexual violence will be held accountable through a process that ensures procedural fairness. This policy makes clear this commitment to addressing sexual violence and rape culture through survivor support, awareness, education, training and prevention programs, the appropriate handling of reports or complaints of sexual violence incidents, and to fostering and promoting a culture of consent.

### **II. Introduction**

Sexual violence is a serious problem that needs attention and intervention throughout society and within institutions. Acts of sexual violence have a significant impact on survivors, their friends and family members, and on those who work closely with survivors as supporters, advocates and educators. It is the most underreported criminal activity and through many sources, it is known that the number of disclosed or reported incidents on campuses do not reflect the true number of assaults faced by College students. Many incidents of sexual violence at their core involve an abuse of power.

### **III. Application and Scope**

1. This policy applies to all members of the Le Cordon Bleu, Ottawa community.
  - a. On campus – With respect to the adjudication of reports or complaints outlined in Section V, Part Two of this policy, the scope includes incidents of sexual violence where the respondent is a member of the Le Cordon Bleu, Ottawa community and which take place on college land and premises either rented or owned, or using college-owned or run property or equipment including, but not limited to, telephones, computers and computer networks.
  - b. Off campus – With respect to the adjudication of reports or complaints outlined, the scope includes incidents of sexual violence that occur off campus where the respondent is a member of the Le Cordon Bleu, Ottawa community.

#### IV. Definitions

**Adjudication:** The process of making an official decision after a report or complaint of sexual violence is made.

**Consent:** The active, ongoing, informed and voluntary agreement to engage in physical contact or sexual activity. Consent cannot be given by someone who is incapacitated (such as by drugs or alcohol), unconscious, or otherwise unable to understand and voluntarily given consent.

**Disclosure:** When someone chooses to inform a Le Cordon Bleu, Ottawa community member about an incident where they were subjected to sexual violence.

**Rape Culture:** A culture in which dominant ideas, social practices, media images, and societal institutions implicitly or explicitly condone sexual assault by normalizing or trivializing sexual violence.

**Sexual Harassment:** A course of unwanted remarks, behaviours, or communications of a sexually oriented nature and/or a course of unwanted remarks, actions that promote gender-based violence, or behaviours or communications based on gender – where the person responsible for the remarks, actions, behaviours or communications knows or ought reasonably to know that these are unwelcome. Sexual harassment may consist of unwanted attention of a sexually oriented nature such as personal questions about one's sex life, persistent requests for a "date", or unwelcome remarks about someone's hair, body shape, etc. Sexual harassment may also consist of unwelcome remarks based on gender which are not of a sexual nature, but which are demeaning such as derogatory gender based jokes or comments.

**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. This includes, but is not limited to sexual assault, sexual harassment, stalking, indecent exposure, voyeurism, sexual exploitation, degrading sexual imagery, distribution of sexual images or video of a community member without their consent, and cyber harassment or cyber stalking of a sexual nature.

## **Policy**

### **1. Sexual Violence and Identity**

Le Cordon Bleu, Ottawa is a diverse community and every effort to address issues of sexual violence needs to be grounded in an understanding that each person's experience will be affected by many factors including but not limited to sex, ancestry, race, ethnicity, language, ability, faith, age, socioeconomic status, sexual orientation, and gender identity. It must be acknowledged that acts of sexual violence can also be acts of systematic oppression, including but not limited to sexism, racism, colonialism, ableism, homophobia, and/or transphobia.

Sexual violence impacts people of all genders. The college recognizes that sexual violence is overwhelmingly committed against men & women, and in particular women who experience the intersection of multiple identities such as, but not limited to Indigenous women, racialized women, black women, trans women and women with disabilities. Additionally, the college recognizes that those whose gender identity and gender expression does not conform to historical gender norms are also at increased risk of sexual violence. Due to the complexities of violence experienced by people with intersecting identities, the college is committed to ensuring that its responses, prevention efforts and supports take an anti-oppressive and trauma-informed approach so that all community members can access these supports and services with care.

### **Parameters of Consent**

The college through the efforts of the Executive Committee (EXCOM) and Student Services will work to promote a consent culture on campus based on the following principles:

- a. Consent is active, not passive or silent; it must be affirmative and ongoing.
- b. Consent cannot be coerced through harassment, manipulation, threats or abuse of power.
- c. It is the responsibility of the person who wants to engage in physical contact or sexual activity to make sure that they have consent from the other person(s) involved.
- d. Consent is required regardless of the parties' relationship status or sexual history together.
- e. Consent cannot be given by a person who is incapacitated by alcohol or drugs or who is unconscious or otherwise lacks the capacity to give consent.

- f. Impaired judgment on the part of the person accused that leads them to think or believe there was consent is not an excuse for an act of sexual violence.

### **Commitment to Support and Accommodation for People Affected by Sexual Violence**

- a. All Le Cordon Bleu, Ottawa students and employees should expect to receive support through the appropriate office if they are affected by sexual violence.
- b. Survivors need only to disclose their experience to seek support and will not be required or pressured to make a formal report or complaint.
- c. In some cases the college may be required to take some action without the survivor's consent. Individuals affected would be fully informed and supported at every step of any process and have the right not to participate in any investigation that may occur.
- d. Survivors have the right to determine what, when and how much they choose to disclose.
- e. Survivors have the right to decide whether to report to police and/or Le Cordon Bleu, Ottawa.
- f. Detailed information about on- and off-campus supports for students is provided on a dedicated Sexual Violence Support document on the Student Portal.

### **Adjudication of Reports or Complaints**

#### **1. Reports or Complaints**

Community student members have options for filing a report or complaint in response to an incident of sexual violence in an effort to hold the person accused accountable. The Office of Sexual Violence Support and Education and/or trained professional staff from Le Cordon Bleu, Ottawa can assist survivors in understanding each of these options and in ensuring that they have all the information that they need in order to make an appropriate decision on next steps.

Reporting options include:

- a. Reporting to Police – Reports or complaints can be made to the police in order to pursue criminal charges under the Criminal Code of Canada. This, or some other legal action, is the only option for pursuing an adjudication process or redress for sexual violence perpetrated by someone who is not part of the Le Cordon Bleu, Ottawa community.
- b. Reporting to Le Cordon Bleu, Ottawa – Reports or complaints can be made under this policy when a Le Cordon Bleu, Ottawa community member is accused of an incident of sexual violence.

## **2. Making a Report or Complaint under this Policy**

It is important that a person who reports an incident of sexual violence perpetrated by another Le Cordon Bleu, Ottawa community member is heard and has access to appropriate support and resources. It should be noted that the use of the term “survivor” in this policy does not suggest that the outcome of any investigation or decision making process has already been determined, and will not prejudice the outcome of the investigation. For this reason, throughout the adjudication process as outlined in this policy, the survivor will be referred to as the complainant and the person accused will be referred to as the respondent.

To make a report or complaint of sexual violence, the complainant should contact the Executive Committee (EXCOM) &/or Student Services:

[vlehman@cordobleu.edu](mailto:vlehman@cordobleu.edu)

[ottawasservices@cordobleu.edu](mailto:ottawasservices@cordobleu.edu)

The complainant may file a report or complaint in writing via e-mail or letter or may request an in person meeting to make their report or complaint. The institution does not advocate for any individual or group and cannot take sides on a complaint. The role of the person taking the report or complaint is to listen, clarify details and assess appropriate next steps.

## **3. Alternative Resolution**

In appropriate circumstances, a complainant may be willing to resolve the matter before an investigation is commenced or completed, or before the case is referred to a decision maker. A respondent could also initiate an alternative resolution process by notifying Human Rights Services.

Student Services/Strategic Committee will follow-up with the complainant and respondent to determine their willingness to participate in an alternative resolution process. For it to be a meaningful process, participants must engage voluntarily and remain free from reprisal. At any stage during the process, the complainant may indicate they would like the complaint to move to an investigation and decision making process.

#### **4. Freedom from Reprisal**

Every member of the Le Cordon Bleu, Ottawa community has a right to claim and enforce their rights under this policy, to provide evidence and to participate in proceedings under this policy, without reprisal or threat of reprisal.

All respondents will be informed of the college's position regarding the seriousness of any allegations of reprisal against complainants, witnesses or others involved, what constitutes reprisal; any claims of reprisal will also be investigated and responded to.

#### **5. Withdrawal of a Complaint**

At any time throughout the process, before a decision is rendered, a complainant may choose to withdraw their complaint. They should communicate, in writing, their decision to withdraw their complaint to Student Services/Strategic Committee. In some circumstances, the college may still pursue the complaint (see Section V. Part Two, 4. b. Circumstances where the College may Proceed without a Complaint). If a complaint is withdrawn, complainants and respondents can still seek support through the appropriate offices on campus.

#### **Confidentiality**

Ensuring confidentiality is a key principle in creating an environment and culture where survivors feel safe to disclose and seek support and accommodation. The college is committed to ensuring such an environment and culture exists. As such, all members of the Le Cordon Bleu, Ottawa community who receive a disclosure of sexual violence or who are involved in addressing or investigating it, must keep the matter confidential, except in accordance with the terms of this policy, in order to protect the rights of those involved in the allegations, prevent an unjustified invasion of their personal privacy, and preserve the integrity of the investigation.

The college will make every reasonable effort to balance confidentiality with its legal responsibility to provide a campus environment free from sexual violence. The college protects personal information and handles records in accordance with its policies, the Freedom of Information and Protection of Privacy Act, the Personal Health Information Protection Act, and the provisions of applicable employee collective agreements.

The general practice of the college is to keep all information confidential except as outlined in this policy, for example where employees require information to carry out their authorized duties under the policy, e.g. conduct investigation, make or implement a decision or interim measures, etc. Complainants, respondents and witnesses are expected to keep the details of any case confidential, outside their circle of support, in order to ensure the integrity of the investigation and decision-making process.

Notwithstanding the above, there are additional circumstances where a staff member may be required to disclose information within or outside the college in order to address safety concerns or to satisfy a legal reporting requirement. In such circumstances, the minimum amount of information needed to allow such concerns to be addressed, or meet such requirements, will be disclosed.

### **Support Groups for Sexual Violence Victims**

1. The Sexual Assault Support Centre of Ottawa  
613-234-2266
2. Ottawa Rape Crisis Centre  
Crisis Line: 613-562-2333 or Office Phone: 613-562-2334 or [orcc@orcc.net](mailto:orcc@orcc.net)
3. CALACS Francophone d'Ottawa [calacs@calacs.ca](mailto:calacs@calacs.ca); [www.calacs.ca](http://www.calacs.ca); 1-877-336-2433