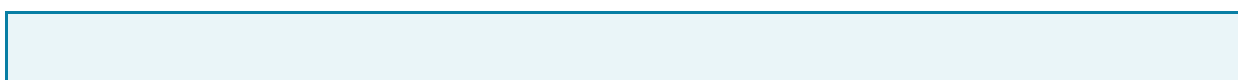


CANADIAN INSTITUTE FOR CHILD AND ADOLESCENT
PSYCHOANALYTIC PSYCHOTHERAPY

Sexual Violence and Employee Sexual Misconduct Policy



Policy owner	Board of Directors
Administrative lead	Executive Director
Approval date	June 22, 2026
Effective date	June 22, 2026
Next review	June 21, 2029
Legislative basis	Ontario Career Colleges Act, 2005, ss. 32.0.1 and 32.1; O. Reg. 415/06, ss. 36.0.1 and 36.0.2

CICAPP contact information

Mailing address: 507 Davenport Road, Toronto, ON M4V 1B8

Phone: (416)-748-0050 **Email:** info@cicapp.ca

Training location: 890 Yonge Street, Toronto, ON M4W 3P4

Training hours: Tuesdays and Wednesdays (cohort dependent), 6:00 p.m.-10:00 p.m., September-May

1. Purpose and commitment

The Canadian Institute for Child and Adolescent Psychoanalytic Psychotherapy (CICAPP) is committed to a learning, clinical training and working environment free from sexual violence. CICAPP will respond to disclosures, incidents and complaints involving students with dignity, respect, compassion, procedural fairness and attention to safety.

This stand-alone policy addresses sexual violence involving students enrolled at CICAPP. It also incorporates CICAPP's employee sexual misconduct policy as permitted by subsection 32.0.1(10) of the *Ontario Career Colleges Act, 2005* (the Act).

CICAPP recognizes that sexual violence can affect anyone and that barriers and impacts may differ because of intersecting identities and circumstances, including disability, race, Indigeneity, gender identity or expression, sexual orientation, age, language, immigration status, religion and economic circumstances.

2. Application, scope and precedence

This policy applies whenever a CICAPP student is affected by alleged sexual violence and CICAPP can provide support, accommodation, safety measures or an institutional response. Supports and accommodations are available regardless of where or when the incident occurred and regardless of whether the respondent is connected to CICAPP.

The complaint and discipline process applies where CICAPP has authority over the respondent or a sufficient connection to CICAPP's learning, clinical training or working environment. It includes conduct:

1. at CICAPP's training location or other premises used by CICAPP;
2. during classes, supervision, clinical placements, meetings, social events, travel or other CICAPP-related activities, whether on or off site;
3. through email, videoconferencing, learning platforms, social media or other online environments connected to CICAPP; and
4. off site where the conduct creates a material safety risk or has a real and substantial connection to a student's participation in CICAPP.

If this policy conflicts with CICAPP's student expulsion policy, this policy prevails. Incidents and complaints of sexual violence are addressed under this policy, not CICAPP's general student complaint procedure.

3. Definitions

Accommodation: An individualized adjustment intended to address the needs of a person affected by sexual violence, including academic, scheduling, location, communication, accessibility, clinical placement or safety arrangements.

Complainant: A student or other person who makes a formal complaint under this policy. CICAPP may act as complainant where required to address a serious safety or legal concern.

Consent: An active, voluntary, informed, specific and ongoing agreement to engage in the sexual activity in question. Consent cannot be inferred from silence, passivity, a prior relationship or prior sexual activity; may be withdrawn at any time; and cannot be obtained through coercion, threats, fraud, abuse of trust or authority, or from a person who is unconscious, incapacitated or otherwise incapable of consenting.

Disclosure: When a person tells a CICAPP community member about an experience of sexual violence for the purpose of seeking information, support or accommodation. A disclosure is not automatically a formal complaint.

Employee: For this policy, includes employees, faculty members, instructors, supervisors and any person who performs work for CICAPP, whether paid or unpaid, to the extent applicable under the Act.

Report: Information provided to CICAPP about an incident of sexual violence so CICAPP can assess support, safety and next steps. A report does not necessarily request an investigation.

Respondent: The person alleged to have engaged in sexual violence or employee sexual misconduct.

Reprisal: Retaliating, threatening to retaliate, intimidating, coercing, penalizing or disadvantaging a person because they disclosed, reported, complained, sought support, provided information or participated in a process under this policy.

Student: A person enrolled at CICAPP, referred to in some CICAPP materials as a candidate.

Support person: A person chosen by a party to provide emotional or practical support. A support person may not answer questions for the party, obstruct the process or act as a witness in the same matter unless CICAPP approves an arrangement that preserves fairness.

Sexual violence: Any sexual act or act targeting a person's sexuality, gender identity or gender expression, whether physical or psychological in nature, that is committed, threatened or attempted against a person without consent. It includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism and sexual exploitation.

Sexual misconduct by an employee: In relation to a CICAPP student, (a) physical sexual relations, touching of a sexual nature, or behaviour or remarks of a sexual nature by an employee where the act is an offence under the *Criminal Code*, infringes the student's right under clause 7(3)(a) of the *Human*

Rights Code, or contravenes CICAPP's rules respecting sexual relations between employees and students; or (b) conduct that infringes the student's right under clause 7(3)(b) of the *Human Rights Code* to be free from reprisal or threat of reprisal for rejecting a sexual solicitation or advance.

4. Rights and guiding principles

5. A person affected by sexual violence will be treated with dignity, compassion and respect and will be informed of available options.
6. A student controls whether to disclose, report, complain, request an investigation or participate, subject only to the limited safety and legal exceptions in this policy.
7. Supports and accommodations are independent from the complaint process and do not depend on proof of an allegation.
8. Processes will be trauma-informed, culturally responsive, accessible, timely and fair to all parties.
9. CICAPP will not tolerate reprisal or threats of reprisal.
10. A complaint under this policy does not prevent a person from contacting police, a professional regulator, the Human Rights Tribunal of Ontario, a civil court or another external body.

5. Supports, services and accommodations

A student does not have to report an incident, make a complaint, request an investigation or participate in an investigation to receive supports, services or accommodations.

CICAPP will appropriately accommodate the needs of students affected by sexual violence. CICAPP will not charge a fee for supports, services or accommodations, or for referring a student to an off-campus support or service.

Students may contact the Director at (416)-748-0050 or info@cacapp.ca. Available assistance may include:

11. confidential information about options and community services;
12. referrals to counselling, medical care, crisis services, legal information, police or professional regulatory bodies at the student's request;
13. safety planning and assistance communicating with appropriate CICAPP officials;
14. reasonable changes to class, supervision, deadlines, attendance, evaluation, clinical placement, communication method or training location; and
15. measures to reduce or prevent contact with a respondent.

Where the Director is implicated in an allegation or has an actual or reasonably perceived conflict, the student may contact the Chair of the Board of Directors through info@cicapp.ca with the subject line **CONFIDENTIAL - BOARD CHAIR**. The message must be routed to the Chair without review by the implicated person.

6. Disclosures, reports and formal complaints

A student or other person may disclose or report an incident orally or in writing to the Director. A formal complaint should normally be in writing, but CICAPP will provide assistance or an accessible alternative where disability, trauma, language or another barrier makes writing difficult. Reports may also be made by witnesses or other community members.

A complaint should include, to the extent known and the complainant is comfortable providing it, the persons involved, what occurred, approximate date and location, witnesses or records, safety concerns and the outcome requested. A person will not be refused support because information is incomplete, delayed or anonymous.

CICAPP personnel receiving a disclosure must listen without judgment, explain confidentiality limits, provide the contact for support, ask only what is necessary for immediate safety and referral, and promptly convey a report to the Director when required by their role or law. They must not promise absolute confidentiality or conduct their own investigation.

7. Emergency, safety and external reporting

For an emergency or immediate danger, call 911. A person may seek medical care or contact police directly. CICAPP will assist if requested but will not require a student to report to police as a condition of support or an internal response.

CICAPP may act without the affected student's request only where reasonably necessary to comply with law or address a serious and imminent safety risk. This may include duties concerning a child, a court order, occupational health and safety, or an immediate risk of serious harm. Wherever legally and safely possible, CICAPP will first consult the affected student, explain what information must be shared, limit disclosure to what is necessary and continue to offer support.

8. Initial assessment and decision whether to investigate

The Director, or a conflict-free designate, will acknowledge a formal complaint normally within five business days and conduct an initial assessment. In consultation with a conflict-free Board representative, the assessor will consider:

16. whether the allegation, if true, falls within this policy and CICAPP's authority;

17. the complainant's wishes, including a request not to investigate or participate;
18. the seriousness, available information, passage of time and ability to conduct a fair process;
19. immediate and ongoing safety risks, including risks to others;
20. whether another process is legally required or better placed to address the matter; and
21. any conflict of interest requiring an external assessor, investigator or decision-maker.

CICAPP may investigate despite a complainant's wishes only where reasonably necessary because of law, serious safety risk, repeated or systemic allegations, or another compelling institutional obligation. CICAPP will inform the complainant of the decision and reasons, subject to confidentiality and safety constraints. A decision not to investigate does not end supports, accommodations or appropriate safety measures.

9. Interim measures and protection from reprisal

CICAPP may impose non-disciplinary interim measures while assessing, investigating or deciding a matter. Measures will be individualized, proportionate, reviewed as circumstances change and designed to minimize unnecessary burden on the complainant. Examples include:

22. no-contact or communication directions;
23. changes to classes, supervision, teaching, evaluation, schedules, clinical placements, work assignments or access to premises and systems;
24. temporary removal from a role, activity or location where necessary for safety or process integrity;
25. safety planning, escorts or designated communication channels; and
26. directions not to retaliate, monitoring for reprisal and prompt investigation of alleged reprisal.

Reprisal or a threat of reprisal is a separate violation of this policy and may result in immediate corrective or disciplinary measures.

10. Investigation and procedural fairness

The Board Chair or a conflict-free Board designate will appoint a qualified investigator appropriate to the seriousness and complexity of the allegations. The investigator may be external. The investigator and decision-maker must be impartial and free from actual or reasonably perceived conflict of interest. They must not act as the appeal decision-maker.

Each complainant and respondent has the right to:

27. clear notice of the allegations and the applicable process;

28. a support person present at every stage of the investigation and decision-making process;
29. a meaningful opportunity to provide information, identify relevant witnesses and respond to the allegations and relevant evidence;
30. reasonable accommodation and regular status updates;
31. an impartial investigator and decision-maker; and
32. a written decision with reasons and information about appeal rights.

The investigator will interview the complainant and respondent separately, interview relevant witnesses, collect relevant records, give each party a fair opportunity to respond to material information that may be relied upon, and prepare a written report. Questions and evidence must be relevant, respectful and proportionate.

CICAPP will aim to complete an investigation within 90 calendar days after appointing the investigator. If more time is reasonably required, CICAPP will advise the parties of the delay, the reason and the revised expected completion date. Police, regulatory or civil proceedings do not automatically prevent CICAPP from taking interim measures or conducting its own process, although timing may be adjusted to preserve fairness.

11. Decision and possible outcomes

A conflict-free decision-maker or panel appointed by the Board will determine, on a balance of probabilities, whether this policy was breached. The decision-maker will consider the investigation report and the parties' permitted submissions and will issue a written decision with adequate reasons, normally within 15 business days after receiving the completed record.

Where a breach is found, measures will be proportionate to the circumstances and may include:

33. education, coaching, a written warning, behavioural conditions or monitoring;
34. restrictions on contact, supervision, teaching, evaluation, clinical placement, events, systems, premises or facilities;
35. removal from a position of authority or reassignment of duties;
36. suspension or termination of an employee, instructor, supervisor or contractor;
37. suspension or expulsion of a student in accordance with this policy; and
38. any other lawful corrective or disciplinary measure appropriate to the circumstances.

The complainant and respondent will each receive the decision and reasons to the extent permitted by privacy, employment and other legal obligations. At minimum, a complainant will be informed whether the complaint was substantiated and of measures necessary for the complainant's safety or continued participation in CICAPP.

12. Appeal

A complainant or respondent may appeal a final decision by submitting written grounds within 14 calendar days after receiving it. The appeal must be sent to the Chair of the Board at 507 Davenport Road, Toronto, ON M4V 1B8 or info@cicapp.ca with the subject line **CONFIDENTIAL - POLICY APPEAL**.

An appeal may be based on one or more of the following grounds:

- 39. a material procedural error that may reasonably have affected the outcome;
- 40. a reasonable apprehension of bias or material conflict of interest;
- 41. new and material evidence that could not reasonably have been provided earlier; or
- 42. a decision or measure that is unreasonable in light of the findings and circumstances.

The Board Chair will appoint an independent appeal decision-maker or conflict-free panel that had no prior substantive role in the matter. The other party will receive a fair opportunity to respond to appeal material. The appeal body may dismiss the appeal, confirm or vary the decision or measures, order further investigation, or return the matter for a new decision. A written decision with reasons will normally be provided within 30 calendar days after the appeal record is complete. The appeal decision is final within CICAPP.

13. Confidentiality, privacy and records

CICAPP will protect personal information and share it only with persons who need it to provide support, assess safety, investigate, decide, administer measures, obtain legal advice, comply with law or carry out another authorized purpose under this policy. Complete anonymity cannot be guaranteed where fairness requires disclosure of allegations or evidence to a respondent.

- 43. Reports, investigation records and decisions will be stored securely and, where practicable, separately from ordinary student or personnel files.
- 44. Parties, witnesses and support persons must protect information received through the process and may use it only for the process, advice, support or another lawful purpose. This does not prohibit a person from discussing their own experience or seeking help.
- 45. CICAPP will retain and dispose of records in accordance with applicable law and its records schedule.
- 46. Information supplied to the Superintendent under section 32.1(8) of the Act will be de-identified as required by section 32.1(9).

14. Substance-use amnesty, irrelevant questions and false information

A student who in good faith reports an incident of, or makes a complaint about, sexual violence will not be disciplined or sanctioned for violating CICAPP policies relating to drug or alcohol use at the time the alleged sexual violence occurred.

A student who discloses sexual violence by reporting, complaining or accessing supports and services will not be asked irrelevant questions during the investigation by CICAPP staff or investigators, including irrelevant questions about the student's sexual expression or past sexual history.

It is a violation to knowingly provide materially false information or make a complaint known to be false. A complaint that is not substantiated, a good-faith error, a delayed report, an inconsistent recollection or a decision not to proceed does not by itself constitute false information or misconduct.

15. Roles and responsibilities

Role	Responsibilities upon becoming aware of an incident or complaint
Board, owners, partners, controlling shareholders and persons who manage or direct CICAPP	Ensure policy compliance, resources, training, impartial appointments, conflict management, oversight, student consultation, review, reporting and lawful corrective action. Do not interfere with an investigation or appeal.
Director and agents	Receive disclosures and reports; explain options and confidentiality; arrange supports, accommodations and safety measures; maintain records and data; coordinate fair processes; and route conflicted matters to the Board Chair.
Instructors, supervisors, staff, employees and contractors	Complete training; respond supportively; preserve confidentiality; promptly refer students to the Director; report information required by role or law; comply with interim measures; and do not investigate, retaliate or ask irrelevant questions.
Students	Respect consent and this policy; refrain from sexual violence and reprisal; comply with interim and final measures; preserve process confidentiality; and provide truthful information. Students are encouraged, but not required, to seek support or report.
Investigators, decision-makers and appeal bodies	Be competent, impartial and conflict-free; protect privacy; provide procedural fairness and accommodation; maintain appropriate records; and issue timely, reasoned work products within their mandate.

16. Employee sexual misconduct rules

Employees must not engage in sexual misconduct toward a student. An employee must not initiate, invite or engage in sexual or romantic behaviour or a sexual or romantic relationship with a student over whom the employee has direct or indirect teaching, evaluation, supervision, advising, clinical-placement,

disciplinary or other authority. Sexualized comments, advances, touching, communications, exploitation of a therapeutic or supervisory relationship, and reprisal for rejecting an advance are prohibited.

If a consensual relationship exists or develops between an employee and a student where no authority relationship is apparent, the employee must promptly disclose it confidentially to the Director or Board Chair so conflicts, favouritism and power imbalances can be assessed and managed. Failure to disclose may result in discipline. A student's consent does not excuse conduct prohibited by law or this policy.

An employee who contravenes these rules may be removed from student contact or authority and may receive discipline up to and including discharge or termination of contract. If CICAPP discharges an employee for committing sexual misconduct toward a student, or the employee resigns in connection with that act, CICAPP will not subsequently re-employ the employee, as required by the Act.

CICAPP will not enter into an agreement made on or after July 1, 2023 that directly or indirectly prohibits CICAPP or a related person from disclosing that an allegation or complaint was made that an employee committed sexual misconduct toward a student, except where the student requests such a term and all statutory conditions are satisfied: the student had a reasonable opportunity for independent legal advice; there was no undue influence; the agreement permits the student to waive confidentiality later and states how; and the term is for a set and limited duration.

17. Training, publication and enrolment contracts

CICAPP will provide or make available training on this policy and its full response, investigation and decision-making process to:

47. corporate directors, controlling shareholders, owners, partners, other persons who manage or direct CICAPP, and their agents;
48. instructors, staff, other employees and contractors; and
49. every student enrolled at CICAPP.

Training will address disclosures, supports, accommodations, reporting, consent, confidentiality, reprisal, interim measures, investigations, procedural fairness, employee sexual misconduct and role-specific duties. CICAPP will document participation and provide refresher training when the policy changes and at reasonable intervals.

CICAPP will publish this policy on its website and include it in every enrolment contract, with the required acknowledgement that the student received a copy. Current copies will be made available in accessible formats on request.

18. Data collection, privacy and Ministry surveys

CICAPP will collect and, when requested, provide to the Superintendent of Career Colleges the data and information described in subsection 32.1(8) of the Act, in the manner and form directed. This includes requests for and access to supports, services and accommodations; awareness initiatives and programs; reported incidents and complaints; and implementation and effectiveness of this policy.

CICAPP will take reasonable steps to ensure information provided under subsection 32.1(8) does not disclose personal information, as required by subsection 32.1(9). CICAPP will conduct or participate in a survey when directed by the Superintendent under subsection 32.1(10) and will comply with applicable directions concerning the survey.

19. Student input, approval and three-year review

CICAPP will ensure meaningful student input is considered in the development of this policy and every time it is reviewed or amended. Consultation will be documented, including the method, dates, participation, themes considered and CICAPP's response, while protecting participant privacy.

The Board of Directors will approve the policy and any material amendments. CICAPP will review the policy at least once every three years from the date of Board approval and amend it as appropriate. Earlier review will occur where legislation, Ministry direction, experience, student input or service information indicates a need. The approval date, effective date and next-review deadline must be completed on the cover before publication.

20. Policy administration

Questions, disclosures, requests for support or accommodation, reports and complaints may be directed to:

Director, CICAPP	Board Chair conflict route
507 Davenport Road Toronto, ON M4V 1B8 (416)-748-0050 info@cicapp.ca	Use the same mailing address or email, marked: CONFIDENTIAL - BOARD CHAIR or CONFIDENTIAL - POLICY APPEAL , as applicable.

Appendix A - Immediate and community supports

If there is immediate danger, call 911 or go to the nearest hospital emergency department. CICAPP does not charge for support, accommodation or referrals.

Service	What it offers	Contact
CICAPP	Support, accommodation, information and referral	(416)-748-0050 info@cicapp.ca
Toronto Rape Crisis Centre / Multicultural Women Against Rape	24/7 peer crisis support for survivors of sexual and gender-based violence	416-597-8808 trccmwar.ca
Women's College Hospital Sexual Assault/Domestic Violence Care Centre	Toronto medical care, crisis support, evidence collection, follow-up and referral	416-323-6040 76 Grenville Street, Toronto
Ontario Sexual Assault/Domestic Violence Treatment Centres	Current directory of 37 hospital-based centres; 24/7 navigation	1-855-628-7238 sadvttreatmentcentres.ca/find-a-centre
Assaulted Women's Helpline	24/7 crisis counselling, safety planning and referrals; service in multiple languages	1-866-863-0511 #SAFE (#7233) on supported mobile networks awhl.org
Fem'aide	French-language support for women affected by gender-based violence	1-877-336-2433 femaide.ca
Good2Talk	Free, confidential, multilingual, 24/7 support for Ontario post-secondary students	1-866-925-5454 Text CONNECT to 686868 good2talk.ca
211 Ontario	Current local social, health, crisis, housing and legal-support referrals	Dial 211 211ontario.ca
Ontario Career Colleges Branch	Information about career-college rights and regulatory requirements	1-866-330-3395 PCC@ontario.ca

CICAPP will verify this resource list at least annually and update the website copy when contact information changes.

Appendix B - Process at a glance

50. **Get support:** Contact the Director. No report or complaint is required and no fee will be charged.
51. **Disclose or report:** Share information orally or in writing. CICAPP explains options, confidentiality and safety measures.
52. **Formal complaint:** Submit a complaint to the Director or use the Board Chair route where there is a conflict.
53. **Initial assessment:** CICAPP decides whether it has authority and whether an investigation is necessary, considering the student's wishes and safety.
54. **Interim measures:** CICAPP may implement proportionate no-contact, access, teaching, supervision, placement or safety arrangements.
55. **Investigation:** A qualified, impartial investigator gives both parties notice, a fair opportunity to be heard and access to a support person.
56. **Decision:** A separate, impartial decision-maker applies the balance-of-probabilities standard and gives written reasons.
57. **Appeal:** Either party may appeal within 14 calendar days on the grounds set out in section 12.

Appendix C - Legal and administrative references

58. *Ontario Career Colleges Act, 2005*, ss. 32.0.1 and 32.1: ontario.ca/laws/statute/05p28
59. Ontario Regulation 415/06, ss. 36.0.1 and 36.0.2: ontario.ca/laws/regulation/060415
60. Ontario career-college operating guidance: ontario.ca/page/operating-career-college
61. *Human Rights Code*, R.S.O. 1990, c. H.19
62. *Occupational Health and Safety Act*, R.S.O. 1990, c. O.1
63. *Criminal Code*, R.S.C. 1985, c. C-46

If legislation or a binding Ministry direction conflicts with this policy, the legislation or direction governs and the policy will be revised promptly.