

Topkaya Enterprise Ltd. O/A Topstone Career College Sexual Violence and Harassment Policy

Scope

Topstone Career College is committed to providing our students with an educational environment free from sexual violence and treating those students who report incidents of sexual violence with dignity and respect. Empire Truck Academy will provide or make available training on its sexual violence policy to owners, managers, staff, and students.

Purpose and Intent

The students of Topstone Career College have the right to study in an environment free of sexual violence.

This document sets out our policy on sexual violence involving our students, defines the prohibited behaviours, and outlines our investigative processes for sexual violence and is in every enrolment contract with our students. This policy applies to complaints of sexual violence involving our students - at the campus of Topstone Career College or at one of our events.

Definition of Sexual Violence

This policy prohibits sexual violence which means any sexual act or act targeting a person's sexuality, gender identity or gender expression whether the act is physical or psychological, 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.

Policy Objectives

Topstone Career College provides this copy of the policy to our students and educates them together with our career college management, employees, and contractors about this policy how to identify situations that involve or could progress into sexual violence against our students and how to reduce it.

Where a complaint of sexual violence has been made, under this policy, Topstone Career College will take all reasonable steps to investigate it, including the following:

- providing on-campus investigation procedures to students for sexual violence complaints
- responding promptly to any complaint and providing reasonable updates to the complainant and the respondent about the status of the investigation
- assisting students who have experienced sexual violence in obtaining counselling and medical care
- providing students who have experienced sexual violence with appropriate academic and other accommodation
- providing students who have experienced sexual violence with information about reporting options

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- It is the responsibility of the corporate directors, controlling shareholders, owners, partners, other persons who manage or direct the affairs of Topstone Career College, agents, students, instructors, and other employees to report any sexual violence upon becoming aware of incidents or complaints of sexual violence.

Reporting and Responding to Sexual Violence

Students and staff of Topstone Career College will take all reasonable steps to prevent sexual violence on our career college campus or events by reporting immediately to an instructor or Manager if our students have been subject to, or they have witnessed or have knowledge of sexual violence involving our students or have reason to believe that sexual violence has occurred or may occur involving our students. Topstone Career College will provide information to the Superintendent concerning the number of times supports, services, and accommodation relating to sexual violence are requested and obtained by their students, any initiatives, and programs to promote awareness of supports and services available to students, the number of incidents and complaints of sexual violence reported by students, and the implementation and effectiveness of its sexual violence policy when required. These statements will not include personal information within the meaning of the Freedom of Information and Protection of Privacy Act.

Topstone Career College, to the extent it is possible, will investigate all reports of sexual violence. Topstone Career College 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 on our campus or the broader community are at risk.

Topstone Career College acknowledges that the victim may choose not to request an investigation by Topstone Career College and that a victim has the right not to participate in any investigation that may occur. However, in certain circumstances, Topstone Career College 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. Anyone involved in the investigation may ask another person to be present during every stage of the process.

A complainant acting in good faith, who discloses or reports sexual violence, will not be subject to actions for violations of the institution's policies related to drug and alcohol use at the time the sexual violence took place.

During the institution's investigative process, students who share their experience of sexual violence through disclosing, accessing support, and/or reporting to the university or college, will not be asked irrelevant questions from the institution's staff or investigators, such as those relating to past sexual history or sexual expression.

It is a violation of this 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.

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Reporting Sexual Violence or Harassment and Accommodations

Topstone Career College will make accommodations to meet the needs of any student affected by sexual violence at no cost to our students. The student must contact a representative of our management team to begin the process. Students are not required to submit a complaint or formal report of a sexual violence incident to request accommodations.

Topstone Career College will assist students who have experienced sexual violence in obtaining counselling and medical care as necessary and provide them with information about sexual violence supports and services available in the community as outlined on page 3.

Topstone Career College will determine an appropriate accommodation on a case-by-case basis.

Investigating Reports of Sexual Violence

A complaint of sexual violence may be filed under this policy, by any student of Topstone Career College, to Ismail Topkaya, Director, to the contact info above. A management representative of Topstone Career College will be involved in each stage of the investigation and decision-making process.

Upon a complaint of alleged sexual violence being made Topstone Career College will initiate an investigation, including the following:

- 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
- determining whether the incident should be referred immediately to the police
- determining what interim measures, if any, need to be taken during the investigation (for example remote classroom)
- interviewing the complainant, any person involved in the incident and any identified witnesses
- interviewing any other person who may have knowledge of incidents related to the complaint or any other similar incidents
- informing the respondent of the complaint, providing details of the allegations, and giving the respondent an opportunity to respond to those allegations
- providing reasonable updates to the complainant and the respondent about the status of the investigation
- determining what disciplinary action, if any, should be taken
- To ensure procedural fairness Topstone Career College will include the following elements in any investigation and its decision-making process:
 - Processing without undue delay
 - The right to fair and impartial decision-making
 - The Complainant's right to be heard

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Disciplinary Measures

If it is determined by Topstone Career College that a student at our college has been involved in sexual violence, immediate disciplinary or corrective action will be taken up to and including termination of employment of instructors or staff or expulsion of a student.

In cases where criminal proceedings are initiated, Topstone Career College 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 Topstone Career College may conduct its own independent investigation and make its own determination in accordance with its own policies and procedures.

Appeals

Should the Complainant or the Respondent not agree with the decision resulting from the investigation, he or she may appeal the decision to the owner of Topstone Career College within ten days by submitting a letter addressed to the owner advising of the person's intent to appeal the decision.

Support

Students affected by sexual violence can seek out support from the following sources:

- Ismail Topkaya, Director, or any Manager or Instructor at Topstone Career College, contact info above
- Support Services for Male Survivors of Sexual Violence:
1-866-887-0015
- Assaulted Women's Helpline
1-866-863-0511
#SAFE (#7233) on Bell, Rogers, Fido or Telus mobile

Policy Review

This policy is reviewed every three years, and at the time of review input from students will be taken into consideration. This policy will be reviewed again in August 2025.