

POLICY 1.52 – Policy on Sexual Violence

Policy Category:	General
Subject:	Sexual Violence
Approving Authority:	Board of Governors
Responsible Officers:	Provost & Vice President (Academic) Vice-President (Operations & Finance)
Responsible Office:	Equity & Human Rights Associate Vice-President (Student Experience)
Related Procedures:	
Related University Policies:	Safe Campus Community Policy , Non-Discrimination/Harassment Policy , Code of Student Conduct
Effective Date:	January 1, 2017
Supersedes:	September 23, 2014

I PURPOSE AND SCOPE

The University is committed to providing and maintaining an environment in which sexual violence is not tolerated. This policy and its related procedures identify ways to recognize and prevent sexual violence through policies, resources, education and community support and provide members of the University community with information to help them respond effectively to an incident of sexual violence.

Sexual violence means any sexual act or act targeting a person's sexuality, gender identity and 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, cyber harassment and sexual exploitation. This policy applies to all members of the University community in their interaction with other members of the University community. The University community includes employees, students, post doctoral fellows, volunteers and other individuals who work, study or carry on the business of the University.

It is recognized that the University has other policies in place that pertain to sexual violence, such as the Code of Student Conduct, the Residence Contract, and the Non-Discrimination/Harassment Policy. This policy complements other such policies. It is not intended to supersede or interfere with any other University policy, collective agreement or prevailing laws.

II TERMINOLOGY

In this Policy, an individual who identifies their experience as sexual violence shall be referred to as a **Victim /Survivor**, and an individual against whom an allegation of sexual violence has been made shall be referred to as a **Respondent**. The University recognizes that experiences vary from person to person and that the use of the terminology “Victim / Survivor” may not adequately describe the experiences of some individuals who have been affected by sexual violence. While Victim /Survivor is used throughout the policy, the University respects the right of the individual to identify with their preferred terminology. An individual does not need to identify with the terminology “Victim /Survivor” to be represented by this policy.

III PRINCIPLES

1. Support

The University recognizes that sexual violence can have serious and lasting impacts on the physical, mental, and emotional welfare of individuals who are affected by Sexual Violence. The University and its community members will treat Victim/Survivors with dignity and respect.

The University will ensure that the Victim/Survivor is informed about on and off-campus resources and support. Specifically, the University will provide access to and information about on-campus supports, services, and reasonable accommodation to Victim/Survivors and other Western community members supporting those who are affected by sexual violence through the offices of the Sexual Violence Prevention Education Coordinator and/or Equity & Human Rights Services.

The University will respect the right of a Victim/Survivor to decide whether or not to access available services and to choose those services the Victim/Survivor feels will be most beneficial.

2. Education

The University will provide on-going education and awareness initiatives about sexual violence, including issues of consent, drug and alcohol use, sexual harassment and cyber harassment and will ensure that these initiatives are broadly communicated to all members of the University community.

The University will maintain a dedicated webpage on sexual violence which will set out particulars of initiatives and programs related to sexual violence that promote awareness of the support and services available to University community members.

The University will provide training to all community members on this Policy.

3. Accountability

Anyone who commits an act of sexual violence will be held accountable in a manner that best recognizes the dignity and needs of the Victim/Survivor, the health and safety of members of the University community and the educational mission of the University.

4. Diversity and Intersectionality

The University understands that each individual’s experience of sexual violence, including the level of risk they face and how they access services and supports, is unique and can be based on, or influenced by, the intersection of sexual violence with discrimination and harassment including, but not limited to sex, ancestry, race, ethnicity, culture, language, ability, faith, age, socioeconomic status, sexual orientation, and gender identity. In particular, Western recognizes that sexual violence often intersects with acts of racism, ableism, homophobia or transphobia.

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In developing policy, practices and education around sexual violence, Western is committed to an intersectional approach reflective of and relevant to our diverse campus population.

IV CONSENT

The University recognizes consent as the voluntary agreement of an individual to engage in a sexual act. Consent is direct, 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 by intoxication, or where a person is induced to engage in the activity by someone abusing a position of trust, power or authority.

V CONFIDENTIALITY

The University will treat disclosures and reports of incidents of sexual violence in a confidential manner and in accordance with the provisions of the Freedom of Information and Protection of Privacy Act.

The University will limit sharing of information to those within the University who have a need to know the information for the purposes of implementing this Policy, including providing accommodation and interim measures, and the investigation and decision-making processes.

Confidentiality cannot be maintained where information needs to be disclosed in order to address a risk to the health and safety of a member or members of the University community or where required by law.

Where the Victim/Survivor wishes to institute a process (e.g. Code of Student Conduct) that could result in a sanction being imposed on another member of the University community, the name of the Victim /Survivor and the material allegations being made will be disclosed to that person as part of that process.

VI OBTAINING SUPPORT, RESOURCES AND ACCOMMODATION AND INFORMATION

Supports, services and/or reasonable accommodations are available to any community member who discloses they have been affected by an incident of sexual violence regardless of when or where the violence took place and whether or not a report is made. Support services are available to Victim/Survivors, witnesses of sexual violence, support persons and Respondents.

For Victim/Survivors, the offices of the Sexual Violence Prevention Education Coordinator and Equity & Human Rights Services provide support (including safety planning), resources and referrals, assistance with accommodation, as well as information about reporting or complaint options. **A Victim/Survivor is not required to formally report an incident of sexual violence in order to obtain support.**

In the case of a Victim/Survivor who is a student, they are encouraged to contact the Sexual Violence Prevention Education Coordinator. In the case of a Victim/Survivor who is an employee (i.e., staff or faculty member), they are encouraged to contact Equity and Human Rights Services.

Those who are witnesses to an incident of sexual violence and/or those who are supporting a Victim/Survivor may contact either the Sexual Violence Prevention Education Coordinator or Equity & Human Rights Services.

Respondents may access support, resources and information through Equity & Human Resources, the University Ombuds Office and/or as directed during any investigation proceeding.

[Schedule A](#) outlines details and contact information for the various on-campus and community support services available.

VII PROCESS FOR RESPONDING TO DISCLOSURES AND REPORTS OF SEXUAL VIOLENCE

The decision to **disclose** and the decision to **report** are separate decisions. Subject to the University's legal obligations, a disclosure does not trigger a report being made or initiate an investigation.

1. Disclosure of Sexual Violence

A disclosure is the sharing of information by a Victim/Survivor with a member of the University Community concerning an incident of sexual violence. A disclosure may or may not be for the purpose of accessing supports, services and / or accommodations.

A disclosure can be made to any University community member. A disclosure may relate to a respondent who is or is not a University community member.

Upon receiving a disclosure of sexual violence, all University members have a responsibility to ensure that an individual affected by sexual violence, is informed of this Policy and is referred to the Sexual Violence Prevention Education Coordinator and/or Equity and Human Rights Services where supports, services and accommodations may be accessed. These offices are trained in a trauma informed approach.

Those receiving disclosures are able to access the Sexual Violence Prevention Education Coordinator and/or Equity & Human Rights Services to receive further information in order to support the individual who has made the disclosure.

2. Report of Sexual Violence

A report is the sharing of information concerning an incident of sexual violence by a Victim/Survivor with the intention of initiating a formal process. Prior to reporting an incident of sexual violence, Victim/Survivors may access support, resources, accommodation and information as per section VI. Non-Criminal Reports of Sexual Violence are managed by the Judicial Affairs Coordinator (where the Respondent is student) or Equity & Human Rights Services (where the Respondent is an employee). Criminal Reports (where the Victim/Survivor wishes to engage the criminal justice system) are managed by Campus Community Police Services (in coordination with London Police Services).

3. Deciding to Make a Report

The University encourages individuals who intend to make a report to contact one of the following offices. Each of these offices has been trained in how to support an individual in making a report, and can provide more detailed information on the process.

Equity & Human Rights Services
Judicial Affairs Coordinator
Residence Life Office
Sexual Violence Prevention Education Coordinator
Campus Community Police Services

4. Making a Report

Where the Respondent is a student, Non-Criminal Reports of Sexual Violence are made to the Judicial Affairs Coordinator, or Equity & Human Rights Services (in the case of a report of sexual harassment).

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Where the Respondent is an employee, Non-Criminal Reports of Sexual Violence are made to Equity & Human Rights Services.

Where the Respondent is not a member of the University Community, the matter shall be referred to Campus Community Police Services who will determine any required action necessary (such as a trespass order). The Victim/Survivor is entitled to access any supports, resources and accommodations as per section VI.

Criminal Reports of Sexual Violence are made to Campus Community Police Services.

All reports must contain the following information:

Name, role at the University and contact information of the Survivor/Victim;
Name and role at the University of the Respondent;
Names and contact information of any witnesses (if available);
Brief summary of what happened, including dates times and places to the extent possible;
A list of any other academic or administrative units/individuals contacted about the incident(s).

5. On-Line Reporting

The University recognizes that it may be difficult for a Victim/Survivor to re-tell what happened, or portions of what happened, multiple times. Thus, a Victim/Survivor is welcome to choose to initiate a report by completing a Sexual Violence Report Form (available [here](#)). This reporting form, once completed and sent, will be received by the Judicial Affairs Coordinator and the Director of Equity & Human Rights Services or their respective designates. Either the Coordinator or the Director or designates will contact the Victim/Survivor to confirm receipt of the information and that the Victim/Survivor intended to submit a report that will initiate a formal process. The Victim/Survivor will also be advised about the supports available from the Sexual Violence Prevention and Education Coordinator or Equity & Human Rights Services as per section VI.

An on-line report will be reviewed by Judicial Affairs and/or Equity & Human Rights Services within 72 hours of receipt.

6. Responding to a Report

The Victim/Survivor will be contacted when the report is received by Judicial Affairs or Equity & Human Rights Services to discuss the appropriate formal process as well as any need for interim measures and/or safety planning.

As appropriate, the Judicial Affairs Coordinator or Equity & Human Rights Services may designate an individual to coordinate interim measures (for example, Housing will coordinate any changes to residence assignments and Rehabilitation Services or Equity & Human Rights Services will assist with any modifications to employee's work arrangements). The process of investigation may be reviewed at this meeting. However, where there are interim measures or safety planning to be completed, a further meeting may be necessary to discuss the investigation process.

At any meeting with the Judicial Affairs Coordinator or Equity & Human Rights Services, a Victim/Survivor may be accompanied by a representative of their employee group, or by a colleague or other support or resource person of the individual's choosing.

Following a report, and throughout the investigation process, the Victim/Survivor is entitled to reasonable and necessary actions that will prevent further unwanted contact from the Respondent.

7. Anonymous Reports

Although reports may be made anonymously, the University's ability to respond may be limited by the information available.

8. Investigations

An investigation is a formal process undertaken in response to a report of an incident of sexual violence.

The nature of the investigation will depend on the nature of the allegations and the wishes of the Victim/Survivor. It may range from an internal Housing investigation to a Campus Community Police investigation. Details of the types of investigations that may be carried out are set out in [Schedule B](#).

The University will investigate all reports of Sexual Violence where the Victim/Survivor requests an investigation or where the allegations give rise to a reasonable concern for the health and safety of other members of the University community.

The Victim/Survivor may choose not to participate in any investigation. Should the Victim/Survivor choose not to participate, the Victim/Survivor will be advised that this may affect the nature of the investigation and the University's ability to respond to the report.

9. Interim Measures

The University may implement interim measures to support a Victim/Survivor or protect the safety of members of the campus community while an investigation into allegations of sexual violence is ongoing. Examples of the types of interim measures available are found in [Schedule B](#). Interim measures must balance the need to support the Victim/Survivor and the rights of the Respondent. Interim measures that may have a substantial impact on the educational opportunities of another member of the university community (e.g. interim suspension, trespass from campus, removal from residence) should be limited in time and scope to those situations in which they are deemed reasonably necessary to protect the health and safety of a member of the University community.

VIII EMERGENCY RESPONSE

Sexual Violence can constitute an emergency. Where there is an immediate need for assistance or response, Campus Community Police Services are available 24/7 by calling 911 from any on-campus phone (calling 911 from a mobile phone will connect the caller with London Police Services who will redirect to the appropriate local police service).

Where a Victim/Survivor seeks assistance from CCPS because of emergency or need for immediate assistance or response, CCPS shall take such steps as it deems necessary to provide support to the Victim/Survivor, and will limit enquiries and actions to those necessary and proportionate to the circumstances. CCPS are able to provide information relating to the collection of evidence and the process for making a Report.

For students living in residence, where a Victim/Survivor requires immediate, after-hours University hours assistance, the Director of Residences, or designate, may take such steps as necessary to provide support to the Victim/Survivor without requiring a report or initiating an investigation.

IX PROTECTION FROM RETALIATION

The University will take appropriate steps to protect a person reporting an incident of sexual violence from retaliation. This may include, but is not limited to: advising individuals in writing of their duty to refrain from committing an act of reprisal, sanctioning individuals for a breach of that duty, enforcing non-contact arrangements or excluding an individual from campus. The University may also address the potential for reprisals by providing an accommodation appropriate in the circumstances. Threats of or acts of retaliation will be treated as incidents of sexual violence.

X SEXUAL VIOLENCE REVIEW TEAM

The University recognizes that a coordinated and consistent approach is sometimes necessary to respond to Sexual Violence incidents and to monitor the efficacy of the University's policy and protocols with respect to Sexual Violence.

The University will maintain a Sexual Violence Review Team (SVRT) which will be responsible for the coordination of the University's response to incident(s) of Sexual Violence, including:

- a. Determining the level of risk to the health or safety of the living, academic or employment environment for a member or members of the University community arising out of an incident of Sexual Violence and coordinating the University's response;
- b. Coordinating the University's response where the incident(s) is complex and requires the coordination of two or more administrative units to best support the individual(s) involved or to address and respond to the matter of concern;
- c. Providing advice and direction with respect to the University's policies and practices in responding to Sexual Violence.

Membership of the SVRT shall consist of the following:

Director, Equity & Human Rights Services (or designate)
Director, Residences (or designate)
Judicial Affairs Coordinator (or designate)
Director, Campus Community Police Services (or designate)
Sexual Violence Prevention Education Coordinator (or designate)
Associate Vice-President, Student Experience (or designate)
Legal Counsel (or designate)

Additional persons with specific expertise or knowledge may be included in meetings on an ad hoc basis to deal with specific issues.

Members of the SVRT are expected to maintain all information received in the strictest of confidence and at all times respect the needs and wishes of the survivor(s), subject to the confidentiality provisions outlined at Section V.

XI REVIEW OF POLICY

The University will conduct a review of this Policy every three years. Every time the policy is reviewed or amended, the University shall ensure student input is considered in accordance with any legislative or regulatory requirements.

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SCHEDULE A

SUPPORTS

ON-CAMPUS SUPPORT SERVICES

www.uwo.ca/sexualviolence

Sexual Violence Prevention Education Coordinator

A resource for any undergraduate and graduate student at Western, or its affiliates, who has been subjected to sexual violence at any time in their life. The SVPEC can help someone:

- Identify their needs and think through options
- Safety plan
- Navigate campus and community processes
- Understand reporting options (criminal and non-criminal)
- Arrange for academic, living and any other campus accommodations
- Referrals to campus or community counselling, advocacy and medical services
- Self-care resources

Will provide training and education for the campus community on matters relating to sexual violence.

svpec@uwo.ca

X 87085

Wellness Education Centre, UCC, Room 76

Campus Community Police Services

Criminal reporting (sometimes, non-criminal) of incidents of sexual violence, safety planning, crisis intervention. CCPS is obliged to contact London Police Services *in certain instances*. CCPS offers assistance on a 24/7 basis.

911 (on campus phone)

519 661-3300 (non-emergency line)

Lawson Hall, Room 1257

<https://www.uwo.ca/police/>

Equity & Human Rights Services

A resource for any staff, faculty or student on main campus. EHRS can explain options under the Non-Discrimination & Harassment Policy and assist with reporting of incidents of sexual harassment through this policy.

Helps individuals access accommodations and supports.

Will provide training and education for the campus community on matters relating to sexual harassment.

equity@uwo.ca

519-661-3334

Somerville House, Room 2319

www.uwo.ca/equity

Department of Housing

Disclosure of incidents of sexual violence involving a residence student.

Non-judgmental peer and professional support for residence students.

To access support, seek out your residence staff member or contact the front desk who will send a staff member or a residence Manager to meet with you.

Residence Front Desk Numbers:

Alumni House 519-661-3814

Delaware Hall 519-661-3259

Elgin Hall 519-661-4268

Essex Hall 519-661-4240

London Hall 519-661-3377

Perth Hall 519-661-3510

Medway-Sydenham Hall 519-661-3983

Saugeen-Maitland Hall 519-661-2178

Ontario Hall 519-661-2088

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Student Health Services

Provides confidential physical, mental, and sexual health services.

To book an appointment call or visit:
519-661-3030
UCC, Room 11
www.uwo.ca/health

Student Development Centre

Personal and confidential counselling for any Western student. Provides targeted, brief, change-oriented counselling. If you believe you require longer-term treatment, SDC will do their best to assist you in finding appropriate services to help meet your needs.

To book an appointment call or visit:
519 661-3031
WSS, Room 4112
www.sdc.uwo.ca

Office of the Ombudsperson

Provides a confidential environment in which students can discuss a University-related problem or concern (academic or non-academic).

Works with students to help identify concerns and create strategies for resolving it.

Resource for staff, faculty or parents who want general information regarding the University's various procedures and rules as they apply to students.

ombuds@uwo.ca
519 661-3573

Western Student Services Building, Room 3135
<http://www.uwo.ca/ombuds>

Residence Counselling

Personal and confidential counselling for students living in residence.

To book an appointment e-mail:
needtotalk@uwo.ca

Rehabilitation Services

Rehabilitation Services promotes employee health and wellness. They can assist any Western employee with:

- Work accommodation and supportive Counselling Services
- Injury prevention programs
- Remain at work programs
- Return to work assessment and planning
- Implementation and evaluation of return to work programs
- Documentation on the accommodation process

Support Services Building, Room 4159

www.uwo.ca/hr/safety/ergo_rehab/

Peer Support Centre

Provides non-professional peer-based support to students. A safe space in which students can express their feelings and access resources provided by the university, the city of London, and the USC.

University Community Centre, Room 256
www.westernusc.ca/peersupport

OFF-CAMPUS RESOURCES

Regional Sexual Assault &

Domestic Violence Treatment Centre

Provides care for women, children, and men experiencing sexual assault and/or domestic violence living in London, Oxford, Elgin, Huron-Perth and Middlesex counties.

Regional unit for all sexual assault and domestic violence services, sexual assault evidence kit, medical attention, STI and pregnancy testing & prevention, free counselling

St. Joseph's Hospital
Room B0-644
268 Grosvenor Street, London

Phone: 519 646-6100

Monday to Friday between 8 a.m. to 4 p.m. use extension "64224" to be directly connected

After hours press "0" and ask switchboard to page the nurse-on-call for sexual assault and domestic violence

London Police Service

Criminal reporting of sexual violence, VICLAS report (anonymous report for crime tracking), Sexual Assault Unit.

24-Hr Emergency: 911
Non-emergencies: 519-661-5670

In-person: 601 Dundas Street, London
www.londonpolice.ca

London Abused Women's Centre

Service available to women and girls over the age of 12 who reside or work in London-Middlesex and who are or have ever been abused in an intimate partner relationship, sexually harassed, and/or prostituted or sex-trafficked. They assist with safety planning, counseling, referrals to other services and resources and access to support groups.

797 York Street - Unit 5
519 432-2204
www.lawc.on.ca

Sexual Assault Centre London

Offers a 24/7 helpline for survivors of all genders and sexualities, provides counselling and support groups, peer support groups, youth programming, public education, accompaniment to the hospital, police, lawyers, court or other appointments.

255 Horton Street E., 3rd Floor

Phone: 519-439-0844 ext. 2221

24-Hr Crisis and Support Line: 519.438.2272

www.sacl.ca

Good 2 Talk

Confidential helpline providing professional counselling and information and referrals for mental health, addictions and well-being to post-secondary students in Ontario

24-Hr Phone: 1-866-925-5454

<https://good2talk.ca/>

Carrefour des Femmes du Sud-Ouest de l'Ontario (C.F.S.O.O.)

A Francophone sexual assault centre located in London. They offer services to French-speaking women 16 years of age and older. C.F.S.O.O. provides support to all women regardless of their origin, race, religion, sexual orientation, and physical or social condition.

Phone: 519 858-0954
Toll Free: 1 (888) 858-0954
www.carrefourfemmes.on.ca

Ontario Coalition of Rape Crisis Centres

Connects survivors of sexual violence and supporters with Sexual Assault Centres in any region across Ontario.

www.sexualassaultsupport.ca

LGBT Youthline

Confidential, non-judgmental, and informed peer support for Ontario LBTTQQ2SI youth.

Available: Sunday to Friday @ 4:00PM-9:30PM
Hotline: 1-800-268-9688 | Text: 647-694-4275
Email: AskUs@YouthLine.ca, www.youthline.ca

SCHEDULE B

INVESTIGATION AND DECISION MAKING

Investigation and Decision Making Processes

1. Where a report of sexual violence is to be investigated, the investigation may be conducted under one of the following, depending on the nature of the allegations and the wishes of the Victim/Survivor:
 - a. Criminal Code
 - b. Residence Contract
 - c. Code of Student Conduct
 - d. Non Discrimination Harassment Policy

Criminal Code

2. Any investigation under the Criminal Code shall be referred to the London Police Service (or other applicable police service).
3. The University takes no part in conduct of the investigation or the decision making process related to laying charges or prosecuting offences under the Criminal Code.

Residence Contract

4. Where a report is received by the Judicial Affairs Coordinator, the matter may be referred to Housing for investigation under the terms of the Residence Contract, where the allegations relate solely to events which took place in residence or involved only students living in residence. The investigation shall be conducted under the auspices of the Assistant Director, Residence Life and the Manager of Residence Conduct and Conflict Resolution.
5. Housing is responsible for determining the facts, resolving conflicts, assigning responsibility, and imposing such sanctions as may be available under the Residence Contract and may involve findings, resolutions or sanctions solely related to a student's status in residence.
6. The investigation will provide each of the parties involved with an opportunity to meet with a Housing professional prior to a decision being made. Parties may be accompanied at the meeting by another person for support.
7. Interim measures (such as temporary moves or restrictions to access residence facilities) may be implemented prior to completion of the investigation.
8. A second Housing professional will be assigned to act as a support to the Victim/Survivor throughout the investigation process and as necessary throughout the year including connection to both on-campus and off-campus resources.
9. A student against whom sanctions are imposed under the Residence Contract has the right to appeal. The appeal will be conducted by a designated Residence official.
10. Sanctions that may be imposed under the Residence Contract include, but are not limited to, termination of the Residence Contract, probation, mandatory move to another residence, and limited access to residence buildings.

Code of Student Conduct

11. An investigation under the Code of Student Conduct is conducted under the auspices of the Associate Vice President (Student Experience). The investigation will normally be conducted by Campus Community Police Services, although the AVP may retain such other investigators, either internal or external, as the AVP deems appropriate in individual cases.
12. The AVP (or delegate) is responsible for determining whether there has been a breach of the Code, assigning responsibility, and imposing sanctions. In the case of graduate students, the matter may be delegated to the Vice Provost, School of Post Doctoral and Graduate Studies.
13. While the matter is being investigated, the AVP may impose interim measures including, but not limited to, trespass from campus and limited access to buildings or areas on campus. The AVP may also coordinate interim measures
14. The Victim / Survivor and the respondent will each be provided with an opportunity to meet with the AVP and to provide written submissions and documentation prior to a decision being made. They may be accompanied by another person at the meeting, including a lawyer, but it is expected that the attendance of any such support person shall not interfere with the direct interaction between the AVP and the student. The respondent shall be provided with a summary of the evidence in the possession of the AVP prior to the meeting.
15. Sanctions that may be imposed range from educational sanctions to suspension or expulsion from the university.
16. The respondent has a right to appeal a decision by the AVP that a student has breached the Code, and the sanctions imposed as a result, under limited circumstances (as set out in the Code) to the University Discipline Appeal Committee (UDAC). UDAC may conduct an oral hearing, hear witnesses, allow cross-examinations and receive oral and written submissions. UDAC may confirm or vary the decision of the AVP and/or the sanctions imposed. The respondent is entitled to legal representation during the appeal process. The Victim / Survivor is not a party to the appeal, but UDAC may consider a request by the Victim / Survivor to participate as it feels appropriate under the circumstances, including representation by legal counsel and submissions as to the process to be followed by UDAC in conducting the appeal.

Non Discrimination/Harassment Policy

17. An investigation may be conducted under the Non Discrimination/Harassment Policy where the allegations fall within the definition of Sexual Harassment in that Policy. The investigation is conducted by an investigator appointed by the Associate Vice-President (Human Resources). The investigator interviews the Victim/Survivor and the Respondent, as well as relevant witnesses, makes findings of fact and determines whether there has been a breach of the Non Discrimination/Harassment Policy. If it is determined that there has been a breach of the Policy, the matter is then dealt with under the Code of Student Conduct in the case of a student Respondent, or the relevant Collective Agreement or employment agreement in the case of a staff or faculty Respondent for the imposition of sanctions. The appeal procedures under the Code of Student Conduct or relevant Collective Agreement apply.
18. The Non-Discrimination/Harassment Policy (and its procedures) only apply to members of the University community. Thus, this policy is not a viable option for matters involving non-University member.