



FOR INFORMATION

PUBLIC

OPEN SESSION

TO: Academic Board

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DATE: May 19, 2022 for May 26, 2022

AGENDA ITEM: 3

ITEM IDENTIFICATION:

Review of the *Policy on Sexual Violence and Sexual Harassment*

JURISDICTIONAL INFORMATION:

Under Section 5.4 of its Terms of Reference, the following matters fall under the purview of the University Affairs Board:

“University-wide matters affecting members of the University community that are not governed by academic policies or employment policies are the responsibility of the Board. These include such matters as non-academic discipline, sexual harassment, freedom of speech, alcohol use on campus, and smoking policies.”

GOVERNANCE PATH:

1. UTM Campus Council [for information] (May 24, 2022)
2. UTSC Campus Council [for information] (May 25, 2022)
3. **Academic Board [for information] (May 26, 2022)**
4. University Affairs Board [for information] (June 1, 2022)
5. Executive Committee [for information] (June 14, 2022)
6. Governing Council [for information] (June 28, 2022)

PREVIOUS ACTION TAKEN:

The [Policy on Sexual Violence and Sexual Harassment](#) was approved by Governing Council on December 15, 2016. Revisions were approved by Governing Council on December 12, 2019.

HIGHLIGHTS:

In 2016, the Government of Ontario passed Bill 132, the *Sexual Violence and Harassment Action Plan Act, 2016*, which, among other things, requires that all publicly-funded universities and colleges in Ontario have a policy that addresses sexual violence involving students enrolled at the institution, and that sets out the process for how the institution will respond to and address incidents and complaints of sexual violence. The legislation came into effect on January 1, 2017.

The *Policy on Sexual Violence and Sexual Harassment* was approved by Governing Council in December 2016 within this context. Section VIII of the *Policy* provides for the University to “conduct a review of this Policy every three years that will include consultation with Members of the University Community including students, staff and faculty,” and to amend the *Policy* as appropriate. A similar requirement is outlined in Bill 132.

As per Section VIII, the *Policy* was reviewed and revised by the administration, and approved by governance in October 2019, with changes coming into effect January 1, 2020. It was subsequently updated by the administration with regard to technical changes and approved by governance in December 2021 to meet new Ontario government requirements under [Ontario Regulation 131/16](#). The University launched the current review of the *Policy* on October 7, 2021. The consultation phase of this review was completed in March 2022 and a report with recommendations for changes to the *Policy* is underway.

Consultation

Consultation with members of the University community ran from November 17, 2021 to March 7, 2022. The consultation process included the following components:

- Solicitation for feedback from student societies representing students on all three campuses (UTSU, APUS, UTMSU, SCSU, UTGSU, Provost’s Undergraduate Student Advisory Group (includes elected representatives from 17 divisional student societies), Graduate Student Advisory Committee, Grad2Grad, and the Graduate Student Mental Health Committee)
- Virtual engagement sessions with other interested student groups and University stakeholders including:
 - Academic administrators, including Vice-Presidents, Vice-Provosts, Principals, Deans, Academic Directors and Chairs
 - Staff members and staff groups involved in student support, student life, or who have a specific role in operationalizing the *Policy*, including Deans of Students, staff from the Sexual Violence Prevention and Support Centre and the Office of Safety and High-Risk, and Campus Safety Offices
 - Tri-Campus Advisory Committee on Sexual Violence Prevention and Support

- Legal counsel
- Equity office directors
- Email correspondence with representatives from other University stakeholder groups, including:
 - USW, CUPE, UTFA, and PM staff
 - Principals and staff of federated and constituent colleges
 - Health & Wellness and Accessibility Services staff
 - Women and Trans Centres (UTSG and UTSC) and the Women and Gender Equity Centre (UTM)
 - Affinity groups such as Connections & Conversations
- Open consultation meetings with the following groups:
 - Students, faculty, and staff & librarians at each campus; Black, Indigenous, and Racialized communities; 2SLGBTQ+ communities; and Persons with Lived Experiences of Disability
- An online consultation portal through which students, staff, and faculty members could submit written feedback, resulting in 44 submissions

Over 43 hours of consultation were held, and formal submissions were received from UTSU and UTGSU on behalf of their student membership, as well as from the PEARS project and the UTM Sexual Violence and Harassment Prevention Committee.

Recommendations

The consultations resulted in a range of valuable feedback, the majority of which applied to the processes and communication related to the Policy and the Sexual Violence Prevention and Support Centre.

As a result of the feedback received, the following themes have been identified as areas for attention and change:

- Improving processes related to reporting and receiving services related to making disclosures
- Sexual violence prevention and sexual health education and training
- Optimizing and resourcing the Sexual Violence Prevention and Support Centre
- Information sharing with participants of a reporting process and others
- Adjustments to Policies and Guidelines that intersect with the Policy on Sexual Violence and Sexual Harassment
- Formalizing supports for respondents

Specific revisions resulting from the report recommendations will be presented in the fall of the 2022-23 governance cycle.

FINANCIAL IMPLICATIONS:

There are no direct implications for the University's operating budget at this time.

RECOMMENDATION:

For information.

DOCUMENTATION PROVIDED:

N/A