

**FOR
INFORMATION****PUBLIC****OPEN SESSION**

TO: University Affairs Board

SPONSOR: Professor Trevor Young, Vice-President & Provost (1)
CONTACT INFO: Professor Kelly Hannah-Moffat, Vice-President, People Strategy,
Equity & Culture (2)
Phone (416) 978-2122 / Email provost@utoronto.ca (1)
Phone (416) 978-4865 / Email vp.psec@utoronto.ca (2)

PRESENTER: Professor Sandy Welsh, Vice-Provost, Students (416) 978-
CONTACT INFO: 3870 / vp.students@utoronto.ca

DATE: October 2, 2024 for October 9, 2024

AGENDA ITEM: 4

ITEM IDENTIFICATION:

Report on Activity under the *Policy on Sexual Violence and Sexual Harassment, 2023-24*

JURISDICTIONAL INFORMATION:

Section 5.1.4 of the *Terms of Reference* provides that:

The Board is responsible for policy concerning multi-campus services, campus and student services on the St. George campus and University-wide policies that apply to the St. George, UTM and UTSC campuses. It is also responsible for overseeing their operation.

GOVERNANCE PATH:

1. University Affairs Board [for information] October 9, 2024

PREVIOUS ACTION TAKEN:

A review of the *Policy on Sexual Violence and Sexual Harassment (Policy)* was conducted during the 2021-22 academic year. The [Final Report of the 2022 Review of the Policy on Sexual Violence and Sexual Harassment](#) was submitted to the President, Provost, and Vice-President, People Strategy, Equity & Culture in early July 2022, and was released on July 15, 2022, along with an [Administrative Response](#). On December 15, 2022, the Governing Council approved the recommended amendments to the *Policy*.

The [2022 Review of the Policy on Sexual Violence and Sexual Harassment](#) included a recommendation (R2) to increase institutional accountability on sexual violence and sexual harassment through robust annual reporting.

The University accepted this recommendation and released the [Report on Activity under the Policy on Sexual Violence and Sexual Harassment \(2022–2023\)](#) with a commitment to expand the scope of data collection and share a more comprehensive report in Fall 2024.

In September 2021, the Ontario government released a [Provincial Announcement and updated regulations](#) (Ontario Regulation 131/16 made under the *Ministry of Training, Colleges and Universities Act*) with new requirements for sexual violence policies at publicly assisted colleges and universities. The government requirements are aligned with established practice at U of T under the current *Policy*.

HIGHLIGHTS:

This report is a response to the recommendation in the 2022 Review of U of T's *Policy on Sexual Violence and Sexual Harassment* for robust annual institutional reporting on sexual violence and sexual harassment.

The information presented within this report relates to new Reports of incidents of Sexual Violence during the 2023-24 academic year; and cases closed during the same timeframe. The report provides statistics regarding the number, type, and location of offenses; decisions made at different stages of the process; outcomes of cases; and timeliness. This report also provides information and statistics about the activities of the Sexual Violence Prevention & Support Centre.

FINANCIAL IMPLICATIONS:

There are no financial implications for this item.

RECOMMENDATION:

None. This item is presented for information.

DOCUMENTATION PROVIDED:

- *Report on Activity under the Policy on Sexual Violence and Sexual Harassment, 2023-24*

Report on Activity under the *Policy on Sexual Violence and Sexual Harassment 2023- 2024*

Background

The Report on Activity under the *Policy on Sexual Violence and Sexual Harassment 2023-2024* provides data collected for the period July 1, 2023 to June 30, 2024, to align with the academic calendar year.

The report is organized into four sections:

- Section 1 describes Reports and Disclosures as defined by the *Policy on Sexual Violence and Sexual Harassment (Policy)* and provides data regarding Reports received (Tables 1–4)
- Section 2 provides data regarding cases that closed (Tables 5–9)
- Section 3 provides information about the length of administrative processes for cases that closed (Table 10)
- Section 4 provides a summary of activities undertaken by the Sexual Violence Prevention & Support Centre (SVPS Centre) (Tables 11-13)

The [2022 Review of the Policy on Sexual Violence and Sexual Harassment](#) included a recommendation (R2) to increase institutional accountability on sexual violence and sexual harassment through robust annual reporting.

The University accepted this recommendation and released the [Report on Activity under the Policy on Sexual Violence and Sexual Harassment 2022-2023](#) with a commitment to expand the scope of data collection and share a more comprehensive report in Fall 2024. Data will be presented annually on a comparative basis starting in Fall 2025.

For the purpose of this report, the following definitions apply. These terms are capitalized throughout to indicate that they are defined in the *Policy*.

- **Complainant:** a Member of the University Community who has made a Disclosure or Report of an Incident Sexual Violence that they have experienced.
- **Respondent:** someone against whom an allegation of Sexual Violence has been made through a Report to the University.

Section 1: Data regarding Reports of sexual violence made during 2023-2024

Reports and Disclosures

Reporting and Disclosing are distinct actions under the [Policy](#). Reporting involves an individual (Complainant) sharing an experience of sexual violence with the intention of initiating one of the processes set out in the *Policy*. These processes may result in sanctions, discipline, and/or corrective action against the member of the University community (Respondent), if that member is found to have committed sexual violence as defined by the *Policy*.

In contrast, a Disclosure involves an individual sharing an experience of sexual violence without launching a formal process under the *Policy*. There are many reasons why a Disclosure may not result in a Report. For example, an individual may make an informed decision not to Report, the incident(s) of sexual violence may have occurred prior to someone attending the University, or the incident(s) may involve individuals from outside the University community who are not covered by the *Policy*. However, a person who initially makes a Disclosure may later decide to file a Report if the *Policy* Reporting process is applicable.

The [Sexual Violence Prevention and Support Centre](#) (the SVPS Centre) provides supports and services to individuals affected by sexual violence when they Disclose or Report an incident or incidents of sexual violence. The University also ensures that appropriate support is assigned to the Respondent during the processes under the *Policy*.

Between July 1, 2023 and June 30, 2024, the SVPS Centre received a total of 177 Disclosures of sexual violence. Of the 177 Disclosures, 42 became Reports. **Tables (1-4)** provide additional data about these Reports.

In all tables and throughout this report, the following terms apply:

- “Administrative Staff” includes all unionized and non-union staff employees and retired employees.
- “Community status” refers to the status of the individual at the time of the Report. While an individual may hold dual status, the status selected in each table indicates the Complainant and Respondent’s primary status at the time of the Report being received.
- “Faculty Members” includes tenure stream, teaching stream, contractually limited term appointments, clinical faculty, adjunct faculty, emeritus faculty, status-only faculty, and visiting professors.
- “Graduate Student/Post-graduate Medical Learner” includes all graduate and post-graduate medical learners, medical residents, clinical fellows, and research fellows.
- “Librarians” includes the full-time and part-time librarians who work across the tri-campus.
- “Non-adjudicative processes” refers to a facilitated process by which an agreed upon resolution, by both the Complainant and the Respondent, is sought related to the matters alleged in a Report.
- “Other” includes alumni, continuing studies students, members of the Toronto School of Theology, employees of a federated college, etc.

- “University Decision”: For employee Respondents, the University decision is the decision of the Vice-President and Provost and Vice-President, People Strategy, Equity & Culture (Faculty Members and Librarians), or the Vice-President, People Strategy, Equity & Culture (Staff Members) about whether there was a *Policy* breach and the imposed outcome. For student Respondents, the University decision is the decision about whether to refer to a hearing under the *Code of Student Conduct*.

Table 1 identifies, by community status, the individuals involved in the incident(s) contained in the Reports at the time of the Report.

Table 1 – Reports by community status

Community status	Complainant	Respondent
Faculty Members and Librarians	1	5
Administrative Staff	6	11
Employee Total	7	16
Undergraduate Student	21	19
Graduate Student/Post-graduate Medical Learner	11	4
Student Total	32	23
Other	3	3
Overall Total	42	42

Table 2 identifies the nature of sexual violence, as reported by Complainants in 2023-2024 when submitting a Report under the *Policy*. This total number is higher than the total number of Reports (42) because Complainants may indicate more than one type of sexual violence in a Report.

Table 2 – Nature of sexual violence, Reported by Complainants

Nature of sexual violence	Number (n=42)
Sexual assault	14
Sexual harassment	25
Cyber sexual violence	6
Gender-based harassment or violence	10
Sexual exploitation	3
Stalking	3

University Affairs Board – Report on Activity under the *Policy on Sexual Violence and Sexual Harassment, 2023-24*

Voyeurism	1
Other acts	7
Total	69

Table 3 provides the location(s) of the incident(s) of sexual violence. This total number is higher than the total number of Reports (42) because more than one location may be indicated in a Report.

Table 3 – Location(s) of incident(s) of sexual violence

Location(s) of incident(s) of sexual violence	Number (n=42)
On campus	22
Off campus – University-sanctioned activity	3
Off campus – Not University-sanctioned activity	14
Online	6
Unavailable	3
Total	48

As per the *Policy*, the Office of Safety and High Risk (OSHR) coordinates the assessment of Reports. **Table 4** identifies the OSHR’s initial decision on whether to continue with a *Policy* process. This assessment decision may be temporarily paused due to an ongoing criminal, civil, or regulatory process.

Table 4 – Decisions regarding next step in the process based on assessment of Report

Categories of decisions	Number
Proceed with investigation under the <i>Policy</i>	30
Proceed with non-adjudicative processes under the <i>Policy</i>	4
Do not proceed under the <i>Policy</i> due to the determination that a third-party process is more appropriate (e.g., process at an affiliated site)	0
Do not proceed under the <i>Policy</i> and take no further action	5
University process temporarily paused while criminal, civil, or regulatory process is underway	3

Total	42
--------------	-----------

Section 2: Data regarding cases that closed in 2023-2024

This section provides information and data on cases that closed between July 1, 2023 to June 30, 2024. During this period, the University closed 23 cases. In nine of these cases, the Respondent was a student; in 12 cases the Respondent was an employee of the University.

Under the *Policy*, cases can close in three ways: 1) through a non-adjudicative process (e.g., facilitated resolution), 2) through an adjudicative process (e.g., investigation and disciplinary decision), or 3) the University decides not to pursue a process under the *Policy* because there is not enough information to proceed, or it is determined that the Report falls outside the jurisdiction of the *Policy*.

Table 5 indicates the community status and number of Respondents identified in cases closed in 2023-2024.

Table 5 - Total number, by Respondent's community status, of closed cases

Respondent community status	Number
Faculty Members and Librarians	2
Administrative Staff	10
Employee Total	12
Undergraduate Students	6
Graduate Students/Post-graduate Medical Learners	3
Student Total	9
Other	2
Total closed cases	23

Of the nine cases involving a student Respondent that were closed during the reporting period, four cases proceeded to investigation, four were resolved through non-adjudicative means, and one case did not follow a *Policy* pathway and was closed with no further action taken.

Of the 12 cases involving an employee Respondent, nine cases proceeded to investigation, zero went to a non-adjudicative process, two cases did not proceed under the *Policy*, and one was closed through a third-party process. Two closed cases involving Other members of the community required no further action.

The Vice-Provost, Students is required to determine which cases under investigation involving student Respondents should be referred to a hearing under the *Code of Student Conduct* upon completion of the investigation. **Table 6** summarizes the Vice-Provost, Students' decisions about the four cases that proceeded to an investigation.

Table 6 – Decisions by Vice-Provost, Students regarding cases under investigation involving a student Respondent

Categories of decisions	Number
Referred case to a hearing under the <i>Code of Student Conduct</i>	2
Case was not referred to a hearing under the <i>Code of Student Conduct</i>	2
Total	4

During adjudicative processes, it may be determined that a breach of the *Policy* and/or another University policy or guideline occurred. In 2023-2024, of the 13 cases that proceeded with an adjudicative process and closed, nine resulted in a breach of the *Policy*. **Table 7** categorizes the type of breaches that occurred in 2023-2024 and identifies the community status of the Respondent in each case.

Table 7 – Type of breach identified, per Respondent’s community status, of cases that went to an investigation and closed

Decision	Respondent: Faculty Members, Librarians, Staff member	Respondent: Undergraduate students, Graduate students, Post-graduate Medical Learners
Breach of <i>Policy</i>	7	2
Breach of another University policy and/or guideline	1	0
No breach of any University policy and/or guideline	1	2
Breach of the <i>Policy</i> and another University policy and/or guideline	0	0
Totals	9	4

Tables 8 and 9 identify outcomes of non-adjudicative and adjudicative processes used in cases closed in 2023-2024. An adjudicative process may result in imposed outcomes such as termination, whereas in a non-adjudicative process the outcomes are agreed upon by the Complainant and Respondent (not imposed by the University). These may include education, coaching, and training.

In assessing outcomes data, it is important to note that a single case may result in more than one outcome, and that a case may not result in any outcome (for example, if a Report is

determined to be unsubstantiated). For these reasons, the number of cases closed may not equal the number of total outcomes reached in a given reporting period.

Table 9 includes cases of sexual violence that were resolved through a hearing under the *Code of Student Conduct*, with decisions made by a Hearing Officer. Outcomes from these hearings are also included in the annual report on the *Code of Student Conduct*.

Table 8 – Types and numbers of non-adjudicative and adjudicative process outcomes where the Respondent’s community status is Faculty Member, Librarian, or Administrative Staff

Type of outcome	Number (n=9)
Education, coaching, and/or training	2
Relocation or change/restriction of duties or supervision	0
No contact order	1
Restriction from access to specified services, activities, or facilities	0
Reprimand	0
Suspension	0
Termination	4
Sanctioning limited because Respondent voluntarily departed the University (e.g. resignation)	4
Other	1

University Affairs Board – Report on Activity under the *Policy on Sexual Violence and Sexual Harassment, 2023-24*

Table 9 – Types and numbers of non-adjudicative and adjudicative process outcomes where the Respondent’s Community status is Undergraduate Student, Graduate Student, or Post-Graduate Medical Learner

Type of outcome	Number (n=8)
Probation	0
Reprimand	2
No contact order	6
Training or assignment	4
Order for restitution, rectification, or the payment of damages; fine or bond for good behaviour	0
Public service	0
Restriction from access to specified services, activities, or facilities	2
Suspension	1
Expulsion	0
Sanctioning limited because Respondent voluntarily departed the University (e.g. graduated from the University)	0
Other	0

Section 3: Length of administrative processes for cases that closed during July 1, 2023 to June 30, 2024

The University follows the formal administrative processes outlined in the *Policy* to respond to all Reports of sexual violence. The processes incorporate a trauma-informed approach that respects and is informed by the Complainant's needs and a commitment to due process for all parties.

There are various factors that impact timelines, such as the readiness and availability of Complainants, Respondents and witnesses to participate in a process; the quantity of evidence to review; the volume of cases; U of T holiday closure(s) and exam schedules; and/or a parallel process underway (e.g. criminal process). As per the *Policy*, the University is committed to moving cases forward in a timely manner while ensuring that those participating in the processes have adequate time to prepare and receive necessary supports, guidance, and advice. Additionally, the University aims to avoid any interference with ongoing criminal investigations or court proceedings. To protect the privacy of the participants in the processes, specific reasons for timelines are not included in this report.

The following timelines refer to the 23 cases that closed from July 1, 2023 to June 30, 2024. Of those 23 closed cases, 17 proceeded under the *Policy* through non-adjudicative or adjudicative processes, and six did not proceed under the *Policy*.

Communicating decision to proceed under the *Policy*

The median length of time from the University receiving a Report to communicating to the Complainant and Respondent that the matter will proceed under the *Policy* was 0.76 months, or approximately 23 days (n = 17, range = 0.30 –2.96 months).

Cases closed through non-adjudicative processes

The median length of time from the start of the non-adjudicative process to reaching a signed agreement of terms was 11.60 months (n=4, range=2.04–13.59 months). This number includes two cases that were paused due to criminal proceedings that were ultimately addressed in the University context through non-adjudicative resolution.

Cases closed through adjudicative processes

The median length of time from the start of the investigation process to when Complainants and Respondents were notified of the investigation's findings was 5.40 months (n=13, range=2.34–13.09 months).

The median length of time from when Complainants and Respondents were told the findings from the investigation to when they were informed about the University decision was 2.76 months (n=13, range=0.63–9.08 months).

Where the Respondents were students, and where the cases were referred to a hearing, the median length of time from when the cases were referred to a hearing to when the Hearing Officers' decisions were communicated to the Complainants and Respondents (case closing) was 23.30 months (n = 2, range = 17.17 – 29.41 months).

University Affairs Board – Report on Activity under the *Policy on Sexual Violence and Sexual Harassment, 2023-24*

The median length of time from when the Complainants submitted their Report to when the University decisions were communicated was 9.77 months (n = 13, range = 4.54 – 15.23 months).

Table 10 shows the ranges of the total processing times for cases the University closed during the reporting period.

Table 10 – All closed cases - Total time from Report intake to case closing (excluding appeals of decisions)

Time	Number of Reports
0-3 months	4
3-6 months	3
6-9 months	3
9-12 months	5
More than 12 months	8
Total cases closed	23

Section 4: Sexual Violence Prevention and Support Centre – Activities & Initiatives

The SVPS Centre is a tri-campus resource that assists and supports U of T students, staff, faculty members, and librarians who have been affected by sexual violence or sexual harassment.

Community Support

The SVPS Centre provides direct support to individuals who have been subjected to sexual violence. As noted earlier, the SVPS Centre received 177 disclosures (new clients) between July 1, 2023 and June 30, 2024, while continuing to provide support to its clients from previous years. The SVPS Centre also supports community members who receive Disclosures of sexual violence or who have a concern related to sexual violence and sexual harassment. Staff offer trauma-informed responses and interventions with the goal of preventing further harm. Support services include coordination of academic, workplace, and financial accommodations, and assistance with accessing mental health, medical, legal, and housing resources. The SVPS Centre also provides advocacy, safety planning, guidance through various processes, and support with reporting options if individuals decide to proceed.

Table 11 summarizes the consultations provided by the SVPS Centre in 2023-2024 per Community status. Consultations may include multiple touchpoints with one individual.

Table 11 – Consultations per individual provided by the SVPS Centre

Community status of individual	Number of consultations
Faculty member, Librarian, or Administrative Staff	67
Student	17
Student & Employee	1
Non-U of T/Broader Community	5
Other/Unknown	9
Total Consultations	107

Safety planning now offered at the SVPS Centre

Providing safety-planning support to staff, students, faculty, and librarians has long been a priority at U of T and primarily is done by the Community Safety Office (CSO). During this reporting period, safety planning for sexual violence survivors moved from the CSO to SVPS Centre since it aligns with the SVPS Centre's goal of providing comprehensive services to their clients and reduces the number of times Complainants need to tell their stories to staff at the University.

The CSO continues to support safety planning for individuals experiencing other forms of violence and will continue to collaborate with the SVPS Centre on complex or high-risk cases. Community members with safety concerns can contact either service for support; the offices will work with clients to find the best support pathway for their needs.

Education: Training, Programming & Events

The SVPS Centre promotes awareness and prevention of sexual violence and sexual harassment through training, programming, and education initiatives. From July 1, 2023 to June 30, 2024, the Centre offered in-person and virtual training, workshops, and programming and engaged in multiple collaborative educational opportunities with U of T and external partners. Overall, the SVPS Centre held 115 educational initiatives, reaching over 13,765 participants across the tri-campus located in more than 50 divisions, units, and departments.

Training

The SVPS Centre offers training to the University community through a range of delivery methods, both in person and virtually, to enhance its reach.

This year, the SVPS Centre released a new asynchronous [module](#) for students, "Building a Culture of Consent at the University of Toronto: Consent, Communication, and Sexual Violence Prevention Education." The module teaches students about how to incorporate the concept of consent into building healthy boundaries, communication, and consent practices within relationships. It also teaches students about sexual violence, the landscape in which it occurs, and available on- and off-campus support services for those impacted by sexual violence. The module's development process actively incorporated feedback from students and included a pilot phase that ran from August to September 2023. During this time, over 2,000 students registered to complete the module, over 1,200 completed the module, and 218 responded to the evaluation survey. Of these, 93.6% of survey respondents indicated they were very or somewhat satisfied with the module. Feedback from this survey was used to revise the module, and the new module was formally launched in February 2024.

During the reporting period, 3,267 individuals across the tri-campus participated in all SVPS Centre-facilitated and asynchronous trainings. **Table 12** identifies the number of training sessions and categorizes their participants by Community status.

Table 12 –SVPS Centre training sessions delivered per participants’ Community status

Participants’ Community status	Number of Training Sessions
Students	36
Faculty Members, Librarians, and Administrative Staff	6
Mixed	15
Total	57

Programming

In addition to training sessions, the SVPS Centre held a total of 39 programs for the University community. These programs spanned collaborative initiatives with partners at U of T, collaborations with other universities, recurring drop-in programming, and closed sessions for specific groups (e.g., Healing Hearts session on intergenerational trauma for survivors of sexual violence and several sessions hosted as a part of “Healing Through the Intersections” series).

Table 13 highlights programs and events offered in 2023-2024.

Table 13 –SVPS Centre programs and events with participant numbers

Type of Program/Event	Participant numbers
Recurring programming (e.g., Crafternoon Tea, Restorative Reading, Healing Hearts)	354 (in-person and virtual)
National Day of Remembrance and Action on Violence Against Women	150 (in-person) 279 (virtual)
Consent in Action Week Event	75 (virtual)
Tri-campus Orientation programming	5026 (in-person and virtual)
Total Participants	5884

Events

Tri-Campus Orientation 2023

Students from across the tri-campus participated in 2023 orientation programming featuring keynote presentations organized by the SVPS Centre and facilitated by Pleasure and Relationships Educator Luna Matatas. The six presentations focused on consent, pleasure, sexual health, and building healthy relationships.

University Affairs Board – Report on Activity under the *Policy on Sexual Violence and Sexual Harassment, 2023-24*

Additional follow-up sessions for incoming students were offered with various facilitators, including a collaborative session with the Multi-Faith Centre about consent for students from faith backgrounds, a Queer Orientation session on reclaiming pleasure, an in-person workshop at UTSC about trauma and kink, and an optional follow-up conversation with Luna Matatas on bedroom communication and confidence skills.

National Day of Remembrance and Action on Violence Against Women

The SVPS Centre once again chaired the planning committee for the University of Toronto's multi-stakeholder National Day of Remembrance and Action on Violence Against Women event. The event featured a memorial, and a keynote presentation entitled "Care, Healing, and Justice: Addressing Transmisogyny and Ending Gender-Based Violence for All." The event experienced record participation both virtually (279) and in-person at Hart House (150).

Consent Action Week: January 2024

Created by the Ontario University Sexual Violence Network, of which the SVPS Centre is an active member, Consent Action Week is an educational initiative held during the last week of January at universities across Ontario. The week is an opportunity for campus communities to create dialogues about consent, pleasure, and relationships, and increase understanding of sexual violence and available supports.

This year, as part of Consent Action Week, the SVPS Centre took a leadership role in planning and hosting a virtual session with author and educator Kai Cheng Thom. The Centre welcomed more than 75 attendees to this discussion. This event was organized collaboratively with Huron University, McMaster University, Toronto Metropolitan University, University of Guelph, and Wilfred Laurier University.

Conclusion

In conclusion, the Report on Activity under the *Policy on Sexual Violence and Sexual Harassment 2023-2024* provides a snapshot of the University's efforts to address sexual violence, prevent incidents, and support those affected. It highlights advancements in institutional accountability, with greater transparency and enhanced data collection. The SVPS Centre has notably broadened its outreach and support services, demonstrating a strong commitment to fostering a culture of consent, care, and accountability.