



FOR INFORMATION

PUBLIC

OPEN SESSION

TO: Business Board

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DATE: November 19, 2025, for November 26, 2025

AGENDA ITEM: 4

ITEM IDENTIFICATION:

Review of the Statement on Prohibited Discrimination and Discriminatory Harassment

JURISDICTIONAL INFORMATION:

This report is provided for information only. As per sections 5.10 (a) and (b) of the Terms of Reference, Business Board has jurisdiction over “approval of human-resources policies for non-union administrative staff, except professional librarians” and “approval of changes that constitute new policy directions, except for changes to academic employment policies within the jurisdiction of the Academic Board.”

GOVERNANCE PATH:

1. Academic Board [for information] (November 13, 2025)
2. University Affairs Board [for information] (November 25, 2025)
3. **Business Board [for information] (November 26, 2025)**
4. Executive Committee [for information] (December 1, 2025)
5. Governing Council [for information] (December 11, 2025)

PREVIOUS ACTION TAKEN:

The *Statement on Prohibited Discrimination and Discriminatory Harassment* was approved by the Governing Council on March 31, 1994.

HIGHLIGHTS:

The University’s [Statement on Prohibited Discrimination and Discriminatory Harassment](#) (*Statement*) was approved by Governing Council in 1994 and articulates the University’s

responsibility to address discrimination and discriminatory harassment complaints, comply with the Ontario *Human Rights Code*, and maintain our commitment to freedom of speech, academic freedom, and freedom of research.

The *Statement* applies to all students, faculty members, librarians, and staff members. The Business Board is asked to specifically consider the implications for employees.

The *Statement* has not been revised or updated since its adoption and it currently references defunct offices, roles, and policies. In Spring 2024, the Vice-President, People Strategy, Equity & Culture identified a review of the *Statement* as a priority for 2024-25 and, soon after, the Government of Ontario enacted Bill 166—the *Strengthening Accountability and Student Supports Act*—which introduced significant amendments to the *Ministry of Training, Colleges and Universities Act*. This legislation included a mandate that all publicly-assisted colleges and universities in Ontario implement policies and rules to address racism and hate, including but not limited to anti-Indigenous racism, anti-Black racism, antisemitism, and Islamophobia.

In early 2025, Vice-President & Provost, Professor Trevor Young and Vice-President, People Strategy, Equity & Culture, Professor Kelly Hannah-Moffat commissioned a review of the *Statement* by Co-Chairs Brenda Cossman, Professor of Law and Associate Dean of Research for the Faculty of Law, and Caroline Rabbat, former Director of High Risk, Faculty Support & Mental Health for the Faculty of Arts and Science. Professor Cossman and Rabbat shared their expertise in law, mental health, and complaints resolution as well as their extensive institutional knowledge for the benefit of this review. They consulted with faculty members, librarians, staff members, and students from across the three campuses to make recommendations on updating and clarifying the *Statement's* language and content. As part of the review, the Co-Chairs also considered the pathways for complaints.

The Co-Chairs held 45 closed consultation sessions with 175 key stakeholders and subject matter experts between February and July 2025. Participants included 54 faculty members and librarians, 101 staff members, and 22 students. There were also eight open sessions with a total of 20 participants, 65 responses to the online survey, and 10 emails with written feedback received. The Co-Chairs submitted their report with 13 recommendations to the Vice-President & Provost and the Vice-President, People Strategy, Equity & Culture on July 31, 2025. The University of Toronto is now working to implement the recommendations.

The first five recommendations endorse the integration of the *Statement on Prohibited Discrimination and Discriminatory Harassment* with the *Statement on Human Rights* to create a new Policy. A collaborative team from the Office of the Vice-President & Provost, the Office of the Vice-President, People Strategy, Equity & Culture, and the Office of University Counsel have started the process of drafting new principles towards a new Policy and consultations will soon begin for the University community, with the hopes of bringing the Policy through governance in cycle 5 for approval, time permitting.

There are recommendations to improve the complaints pathways for all constituents, with specific consideration for student complainants who currently do not have a single point of entry. The Co-Chairs recommend the creation of a Human Rights Office for students. The Vice-President & Provost; the Vice-President, People Strategy, Equity, & Culture; the Vice-Provost, Faculty & Academic Life; and Vice-Provost, Students are considering how to implement this recommendation and will engage in consultations with the wider University community about establishing an office or other single point of entry for all complaints, including students and other U of T community members.

There is also a recommendation for an institutional system for tracking complaints, which is an integral part of the new legislated requirements to annually report complaints of discrimination. In addition, there is a recommendation for training and education to be part of the change management for the new Policy and pathways. This work will be a collaborative effort across the portfolios of the Vice-President & Provost and Vice-President, People Strategy, Equity & Culture. This report and acknowledgement letter are presented to the Academic Board as part of the context for the ongoing policy review and consultations and in consideration of the impact of potential changes on our current operations, processes, and policy and legal frameworks.

FINANCIAL IMPLICATIONS:

There are no financial implications.

RECOMMENDATION:

For information.

DOCUMENTATION PROVIDED:

- Report on the Review of the Statement on Prohibited Discrimination and Discriminatory Harassment
- Letter of Acknowledgement from the Vice-President and Provost and Vice-President, People Strategy, Equity and Culture

Report of the Review of the Statement on Prohibited Discrimination and Discriminatory Harassment

Letter of Acknowledgement

Trevor Young, Vice-President & Provost

Kelly Hannah-Moffat, Vice-President, People Strategy, Equity & Culture

Earlier this year, we co-commissioned a formal Review of the University's *Statement on Prohibited Discrimination and Discriminatory Harassment (Statement)*. The Review's Co-Chairs, Professor Brenda Cossman and Caroline Rabbat, met with community members and subject matter experts to assess the *Statement's* strengths, identify areas for improvement, and explore ways to enhance the University's pathways for handling concerns and complaints of discrimination. The Co-Chairs have now submitted their findings along with 13 recommendations. We invite the U of T community to read the full [Report](#).

We are pleased to announce that we will begin working towards the implementation of the recommendations based on further consultation with the U of T community and discussion with partners across our three campuses. In the coming months, we will present the Report and our approach to implementation across the University to ensure collective consideration of the impact of potential changes on our current operations, processes, and policy and legal frameworks. In the meantime, the community is advised to continue to refer to University's web resource on [Complaints & Concerns about Discrimination & Harassment](#).

Our sincere thanks to Professor Brenda Cossman and Caroline Rabbat for their dedicated leadership, reflection, and sensitive engagement with our community during many hours of consultation; and to staff in the Institutional Equity Office and larger Division of People Strategy, Equity & Culture and Office of the Vice-Provost, Students for providing ongoing project support and expertise.

We are deeply grateful to all students, staff, faculty members, and librarians on all three campuses who shared their insights and experiences during the consultation process. The University of Toronto relies on such collaboration to create impactful change.

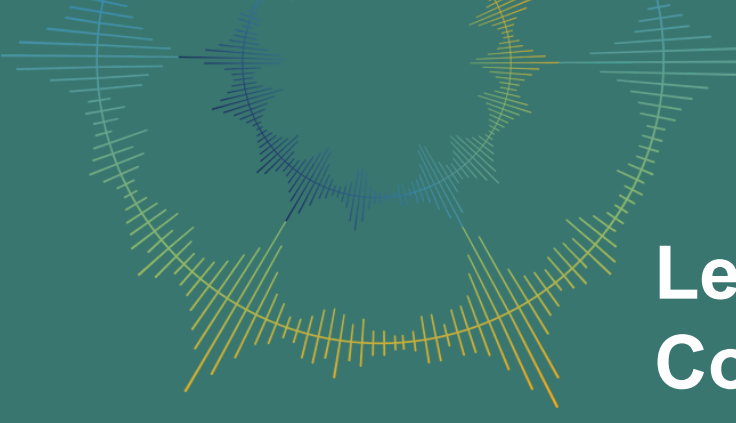


UNIVERSITY OF
TORONTO

2025

**Review of the
*Statement on
Prohibited
Discrimination and
Discriminatory
Harassment***

July 30, 2025



Letter from the Co-Chairs

Dear Provost Young and Vice-President Hannah-Moffat,

We were honoured to have been asked to lead the Review of the *Statement on Prohibited Discrimination and Discriminatory Harassment*.

We would like to express our deep gratitude to everyone who engaged with our consultations. We also thank our team, Kimberly Elias-Cartwright and Jessica Eylon, who supported our work at every stage, and Jodie Glean, Allison Burgess, Robyn Parr, and Lesa Holmes, who served as a broader project team offering subject matter and process expertise.

Throughout the consultation process, we learned of the remarkable work being done at U of T to support individuals within our community who bring forward concerns and complaints of discrimination and harassment. We also received feedback from staff, faculty, librarians, and students that the current pathways for addressing such concerns and complaints are unclear and lead to confusion and frustration. For some, this lack of clarity undermines trust in the institution and there is a sense the University could do better.

In this report, we present findings from the Review as well as 13 recommendations to strengthen the University's ability to support and respond to concerns and complaints of discrimination and harassment. These recommendations are grounded in the voices and insights of our community. They reflect a shared commitment to fostering a University environment where every member feels safe, respected, and supported. We hope these recommendations lay the foundation for strengthening the University of Toronto's commitment to human rights and for shaping a community free of discrimination and harassment.

Brenda Cossman and Caroline Rabbat

Table of Contents

Introduction	4
Context	4
Mandate	6
Environmental Scan	7
Consultation Plan & Communications	7
Consultation Process	8
Consultation Questions	9
Closed Consultation Sessions	9
Open Consultation Sessions	10
Anonymous Survey	11
Co-Chair Email Account	11
Analysis of Feedback	11
Findings and Recommendations	12
Recommendation 1: Replace the current <i>Statement</i> with a policy.	12
Recommendation 2: Align the new policy with other University policies.	15
Recommendation 3: Begin the policy with a clear statement on prohibited grounds of discrimination and harassment.	16
Recommendation 4: Incorporate principles from the Statement on Human Rights into the new policy and rescind the <i>Statement on Human Rights</i> .	18
Recommendation 5: Provide definitions of key terms.	19
Recommendation 6: Create a Student Human Rights Office.	23

Table of Contents

Findings and Recommendations

Recommendation 7: Clarify two clear pathways for addressing complaints: formal reporting pathway and informal pathway.	26
Recommendation 8: Clarify the formal reporting pathway with lines of responsibility at each stage.	27
Recommendation 9: Develop a conflict resolution framework for the informal resolution pathway leveraging institutional and divisional EDI offices.	38
Recommendation 10: Include provisions to ensure support for respondents.	43
Recommendation 11: Develop a training and education strategy to ensure effective implementation of the policy.	44
Recommendation 12: Communicate and promote awareness of the new policy to the broader University of Toronto community.	46
Recommendation 13: Leverage an institutional system for tracking and reporting.	47

Conclusion 49

Appendices 50

Appendix A: List of Recommendations	50
Appendix B: Mandate for the Co-Chairs of the Review of the <i>Statement on Prohibited Discrimination and Discriminatory Harassment</i>	51
Appendix C: Consultation Questions	53
Appendix D: Consultation List	54

Introduction

Context

In 1994, the University introduced the *Statement on Prohibited Discrimination and Discriminatory Harassment* (the *Statement*) to articulate the University's commitment and responsibility to address discrimination and harassment complaints under the Ontario *Human Rights Code* and the University's responsibility to freedom of speech, academic freedom, and freedom of research. The *Statement* applies to all students, faculty, librarians, and staff, and remains one of the University's primary documents to address human rights-related issues and complaints.

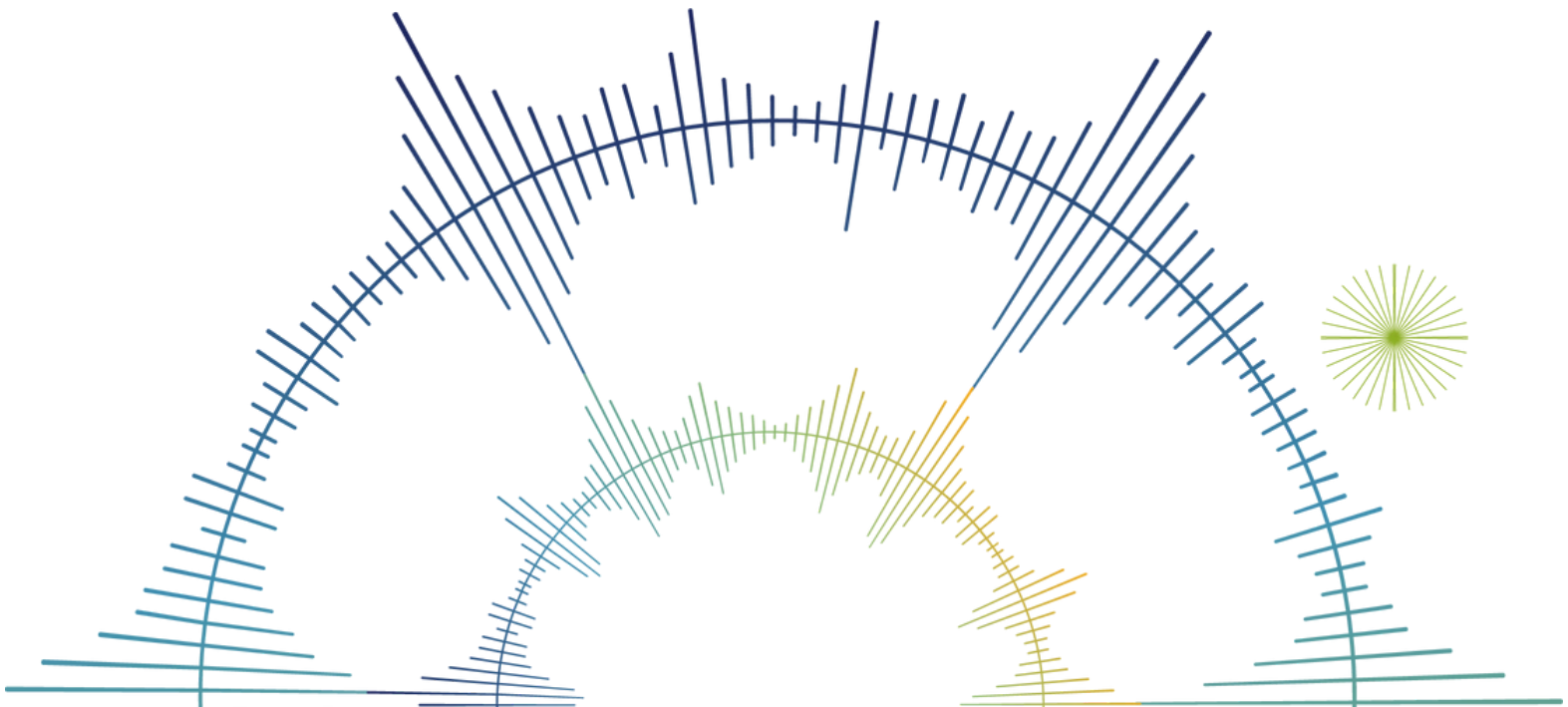
In April 2024, the Vice-President, People Strategy, Equity & Culture announced that facilitating an institutional review of the *Statement* would be part of her Division's priorities for 2024-25. The following month, the Government of Ontario enacted Bill 166—the *Strengthening Accountability and Student Supports Act*—which introduced significant amendments to the *Ministry of Training, Colleges and Universities Act*. This legislation included a mandate that all publicly-assisted colleges and universities

in Ontario implement policies and rules to address racism and hate, including but not limited to anti-Indigenous racism, anti-Black racism, antisemitism, and Islamophobia.

In September 2024, Bill 166 was followed by the Minister's Anti-Racism and Anti-Hate Directive for publicly-assisted colleges and universities. This Directive reaffirmed the requirement for institutions either to implement a standalone anti-racism/anti-hate policy or to integrate these principles into existing policies and procedures. The policy or rules must apply to all members of the university community—including students, faculty, staff, and management—as well as visitors and guest speakers. It also called on institutions to adopt a human rights-based approach aligned with the Ontario *Human Rights Code* and to address the intersections between anti-racism/anti-hate efforts and the principles of freedom of expression and speech, and academic freedom.

The Directive set out by the Minister aligned with the University of Toronto's commitment to supporting and addressing concerns and complaints of prohibited discrimination and discriminatory harassment and its plans for a comprehensive formal review of the *Statement*. While the University's robust policy framework and supporting guidelines already meet the requirements of the Directive, Bill 166 offers a valuable opportunity to review and strengthen our existing structures and processes with the goal of enhancing clarity and promoting greater consistency across groups and campuses

In January 2025, Kelly Hannah-Moffat, Vice-President, People Strategy, Equity & Culture and Trevor Young, Vice-President & Provost officially launched the Review of the *Statement*, identifying Co-Chairs for the consultation stage.



Mandate

The Co-Chairs' mandate (see Appendix B) included developing a process to organize and lead consultations with students, faculty, librarians, and staff about the *Statement's* strengths and areas of improvement—informed, as possible, by community members' experiences accessing complaints resolution pathways. Prior to engaging in community-wide consultation, Co-Chairs were to:

- conduct an environmental scan about best practices at comparable universities in the post-secondary sector and
- identify and consult with key stakeholders and subject matter experts who regularly use the *Statement* in their work.

The mandate additionally required the Co-Chairs to make recommendations for revisions both to the *Statement* and, where appropriate, to existing pathways for complaints of discrimination and harassment for each of the University's stakeholder groups.

These recommendations were to include a consideration of the following:

- ensure that any recommended changes complement and/or clarify existing policies and processes impacting faculty members, librarians, staff, and students;
- include recommendations that would ground the *Statement* in, and meet the requirements of, the Ontario *Human Rights Code*, Bill 166 and the Minister's Anti-Racism/Anti-Hate Directive; and
- assess current pathways for filing complaints, or seeking support in relation to concerns about discrimination or harassment, for each of the University's stakeholder groups in terms of the clarity, accessibility, and effectiveness of the pathways; undertake a needs analysis; and, where appropriate, recommend enhanced or clarified pathways. These recommendations should include a pathway to intake anonymous complaints, in line with Bill 166, recognizing the limits on the University's ability to address anonymous complaints with appropriate investigation that provides procedural fairness.

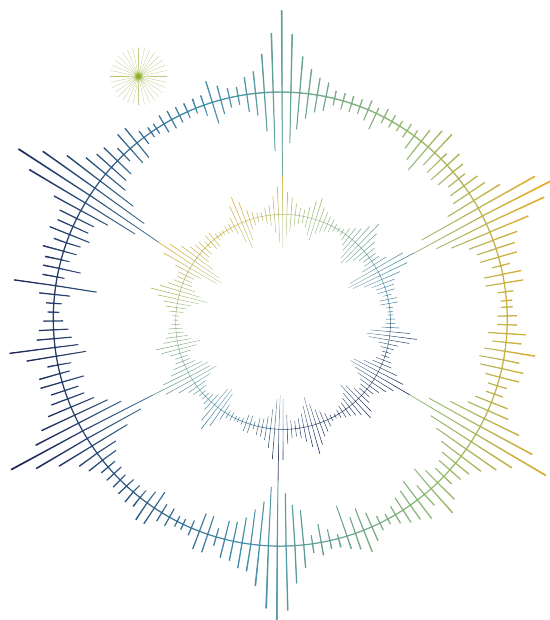
Environmental Scan

All U15 universities in Canada have policies in place to address discrimination, with most having undergone recent reviews. These policies are typically supported by distinct offices that manage concerns and complaints related to discrimination and harassment.

Within the Ontario university sector, most institutions—15 in total—have a dedicated Human Rights Office. These offices vary in structure: some operate independently from equity-related offices, while others are integrated with broader EDI mandates.

Among U15 universities in Ontario, only U of T does not have a centralized Human Rights Office that acts as a single, dedicated point of contact.

This environmental scan underscores the importance of clear, accessible pathways and dedicated structures for addressing human rights complaints. It also points to an opportunity for the University of Toronto to strengthen its policy framework and institutional supports to better meet the evolving needs of our community.



Consultation Plan & Communications

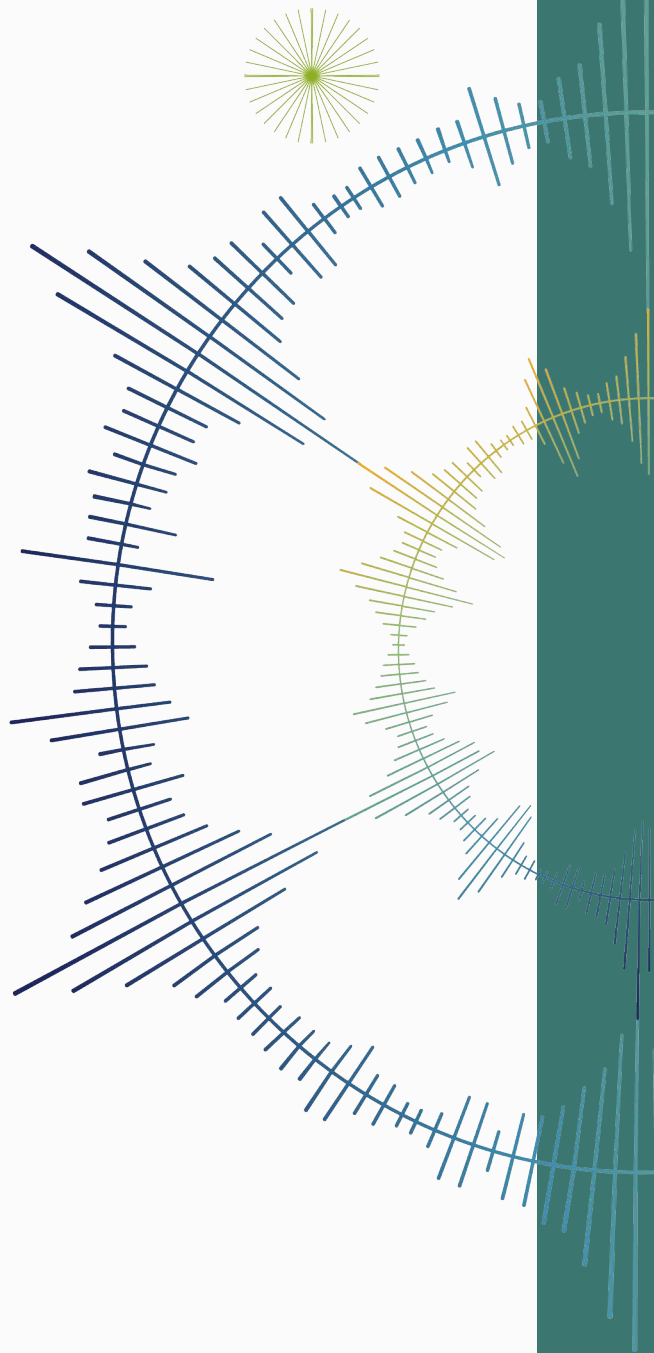
The consultation plan included an extensive list of key stakeholders whose work and expertise intersect with the *Statement* and/or involve responding to complaints of discrimination and harassment involving students, faculty, librarians, and staff (see Appendix D for a list of the units, groups, and offices consulted). An additional strategy consistent with institutional approaches to community consultation engaged members of the broader U of T community. A webpage for the Review of the *Statement* at uoft.me/StatementReview provided information about the consultation process, including the various ways that members of the U of T community were invited to share their thoughts and feedback.

Consultation Process

The consultation process included the following strategies:

- Closed consultation sessions with faculty, librarians, staff, and students whose work intersects with the *Statement* or involves responding to complaints of discrimination and harassment (see Appendix D)
- Open consultation sessions with faculty, librarians, staff, and students
- Anonymous survey
- Co-chair email account

The consultation sessions and survey were promoted through various channels, including on the People Strategy, Equity & Culture website's homepage; a memo to the U of T community emailed to student society leaders, union leadership, University of Toronto Faculty Association executives, and various administrative listservs; inclusion in the Provost's Digest, the Bulletin Brief, various departmental newsletters, and Student Life's channels; and through a link on Quercus visible to all students from mid-March to mid-May 2025.



Consultation Questions

Across the consultation sessions and survey, participants were asked to engage with two sets of questions: three questions about the *Statement* and three questions about pathways for concerns and complaints of discrimination and harassment. Participants were first asked to identify what they would like to see in a revised *Statement*, including which guiding principles and institutional values should be reflected. They were also asked to explain their understanding of the University's pathway to submit a complaint, and how the pathway to submit a complaint can be improved.

In addition to the above questions, key stakeholders and subject matter experts were asked how they currently use the *Statement* in their work, and how a revised *Statement* can improve how complaints of discrimination and discriminatory harassment are managed (see Appendix C for full breakdown of questions by consultation medium).

Closed Consultation Sessions

Forty-five closed sessions were held with 175 key stakeholders and subject matter experts between February and July 2025. Participants included 54 faculty members and librarians, 101 staff members, and 22 students. These individuals represented institutional offices responsible for managing and supporting concerns and complaints of discrimination and discriminatory harassment; EDI offices and roles; human resources offices; and leadership, including student leaders as well as Deans and their divisional leaders who engage with complaints pathways.

Open Consultation Sessions

Following a community-wide invitation to participate in open consultation sessions on the Review of the *Statement on Prohibited Discrimination and Discriminatory Harassment*, a total of eight open sessions were held between March and May 2025, with sessions dedicated to each of the three main constituency groups: students, staff, and faculty and librarians. For each group, campus-specific sessions were hosted virtually—Mississauga, Scarborough, St. George, and Tri-Campus. While sessions were designated by campus, members were welcome to attend any session that best suited their availability.

As part of these open consultation sessions, participants had the opportunity to:

- learn about the background of and current process for the Review,
- share their thoughts on the existing *Statement* and areas for improvement, and
- listen to and engage with feedback from other participants.

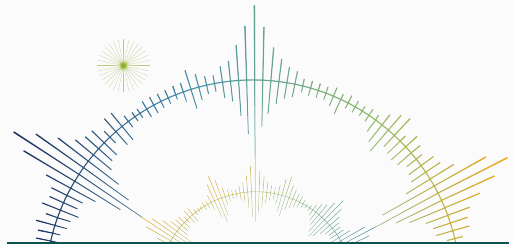
There were 3,294 page visits of the consultation website. The eight open sessions engaged 20 participants.

Anonymous Survey

Members of the U of T community were also invited to share their thoughts through an anonymous survey open between March and May 2025. There were 65 responses through the survey, including a breadth of responses across constituency groups: 35 students (19 undergraduate, 16 graduate), 10 faculty members, one post-doctoral fellow, 14 staff, and five other members of the University community (e.g., continuing education student, retiree).

Co-Chair Email Account

Members of the U of T community were also invited to provide feedback directly to us via an email account (cochairs.pddh@utoronto.ca). This account received 10 emails with feedback.



Analysis of Feedback

A qualitative data analysis process called inductive coding was used to analyze the feedback collected through the consultation sessions, survey, and email. This process involved entering each piece of feedback into Excel and assigning it a short code that captured the main idea or intent of the comment. The codes were refined over time to better reflect the range of insights being shared. These codes were then grouped into broader themes to help organize the data.

Once all the feedback was coded, summaries were written for each theme. These summaries, along with the original comments, were used to shape the recommendations in this report and to support the reasoning behind them.

Findings and Recommendations

Recommendation 1

Replace the current *Statement* with a policy.

The *Statement on Prohibited Discrimination and Discriminatory Harassment* (the *Statement*) once served an important role. But, consultations revealed that it has outlived its usefulness. Many individuals across institutional and divisional units noted they rarely use or reference the current *Statement*, as its outdated language and references to offices that no longer exist diminish its relevance and credibility.

As well, individuals reported relying on other tools to address complaints, including provincial legislation (e.g., the requirement for a Workplace Violence and Harassment Policy under the *Ontario Health & Safety Act*), University policies (e.g., *Code of Student Conduct*), institutional guidelines (e.g., *Human Resources Guideline on Workplace Harassment and Civil Conduct* -“Civility Guideline” and the

Guideline for Employees on Concerns and Complaints Regarding Prohibited Discrimination and Discriminatory Harassment - “Discrimination Guideline”), and divisional statements and guidelines. Despite this robust policy landscape, consultations revealed a continued interest in having a single overarching policy and need for a clearly articulated commitment to prohibiting discrimination and harassment.

Feedback across all consultation channels also revealed that statements are often viewed as aspirational and culture-setting, while policies are viewed as providing actionable guidance and enforceability. While we received diverging opinions on statement vs. policy, the preponderance of the opinion was in favour of a policy. There was broader awareness of how policies can be used, and a lack of clarity of the tangible benefits of statements.

Individuals articulated that a policy offers greater accountability, transparency, and enforceability—a point emphasized by student leaders. Others noted that a policy can support the navigation of complaints by being clear about the pathways and accountability structures. Overall, consultations revealed strong support expressed for a policy as the most effective means of addressing prohibited discrimination and harassment. A formal policy would ensure that the University's human rights obligations are clearly articulated and supported by enforceable procedures.

We recommend that the current *Statement* be replaced with a policy that includes a strong articulation of the University's commitment to human rights and outlines the complaints pathway from intake to resolution.

This recommendation underscores that the University's commitment to human rights is not simply an aspiration; rather, it reflects legal commitments pursuant to the Ontario *Human Rights Code*. A policy will more effectively embed these legal human rights obligations into the University's policy framework. Moreover, developing a policy aligns with the requirements of Bill 166. Section 20(1) mandates that every college

and university have policies and rules describing how they will address and combat racism and hate, and the Ministerial Directive notes that this policy must clearly outline the complaints pathway from intake to resolution. We believe that a policy rather than a statement can better respond to the government directive and legislative requirements.

The 2009 Bill 168 (the *Occupational Health & Safety Amendment Act* and the 2016 Bill 132 (*Sexual Violence and Harassment Action Plan Act*) led to the creation of policies at the University of Toronto. The former led to the creation of the *Policy with Respect to Workplace Harassment* and the *Policy with Respect to Workplace Violence* in 2010, and the latter led to the creation of the *Policy on Sexual Violence and Sexual Harassment* in 2017.

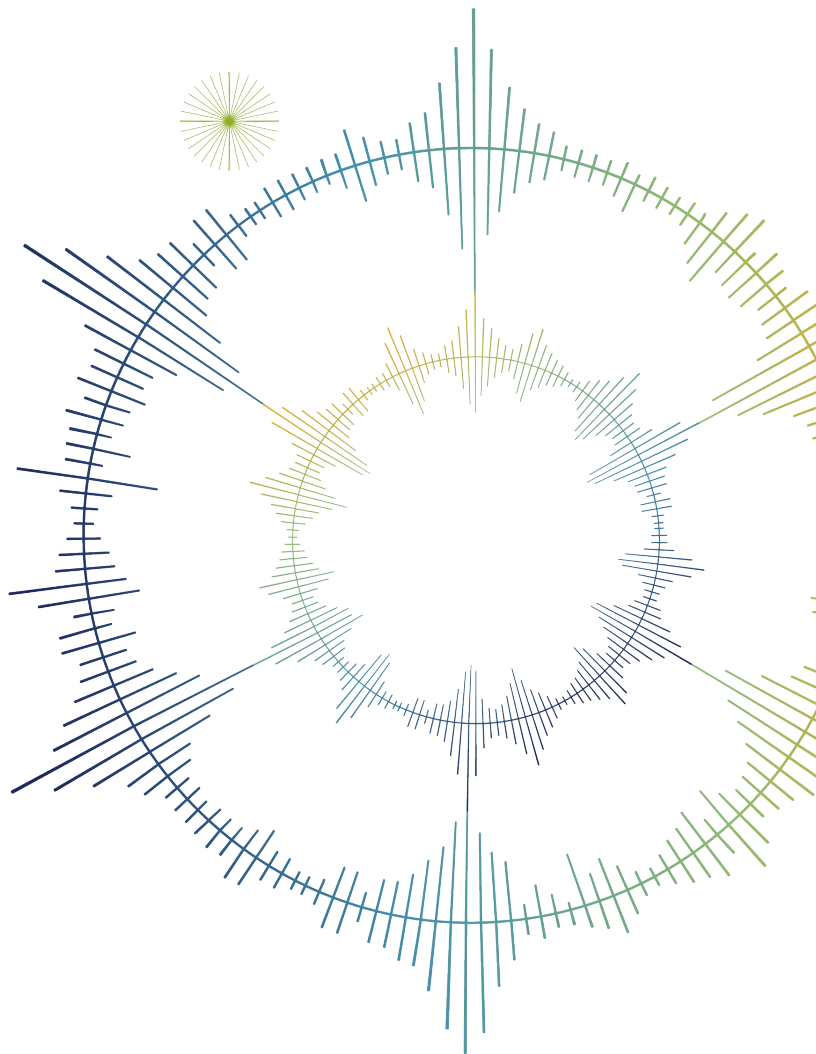
We believe that the University should be consistent in our response to our legal obligations, particularly as there is intersection with discrimination and harassment across legislation. We believe that revising the *Statement* would inadequately address these legal obligations and would risk creating further complexity by being misaligned with government legislation and existing University policies. Furthermore, given the

Recommendation 1

intersectional nature of some complaints (e.g. individual experiencing sexual harassment and racial discrimination), it is imperative that our institutional policy framework can adequately support intersectional needs.

Beyond meeting legislative requirements, developing a policy also aligns with the University's stated institutional commitments addressing discrimination and racism. Multiple recommendations outlined in existing working groups' reports, including the Antisemitism and the Anti-Asian Racism Working Group Reports (Recommendations #6 and #1.6 respectively), identify the need for the University to have clear complaints resolution mechanisms. Moreover, Recommendation 6.1 of the Anti-Black Racism Task Force calls on the University to strengthen and update its anti-harassment and anti-discrimination policy.

It is further recommended that the new policy be reviewed regularly and that the University provide opportunities for ongoing feedback about the complaints pathways.



Note: The remaining recommendations in this report support the development of a new policy to replace the existing *Statement*. These recommendations adopt the language of “discrimination and harassment” rather than “prohibited discrimination and discriminatory harassment” to better align with government legislation and the terminology used in policies across the university sector. It is further recommended that the new policy adopt this revised language.

Recommendation 2

Align the new policy with other University policies.

Since the *Statement's* creation in 1994, the University's policy landscape has evolved and expanded. Several statements and policies articulate the University's role in addressing discrimination and harassment. Our review of the University policy landscape revealed that the relationship between the policies was not always clear, nor was the language always aligned.

Community feedback affirmed this lack of clarity and consistency. During consultations, participants expressed confusion about the relationship between different University policies, and indicated that they lacked direction on which policies to use to effectively address complaints of discrimination and harassment.

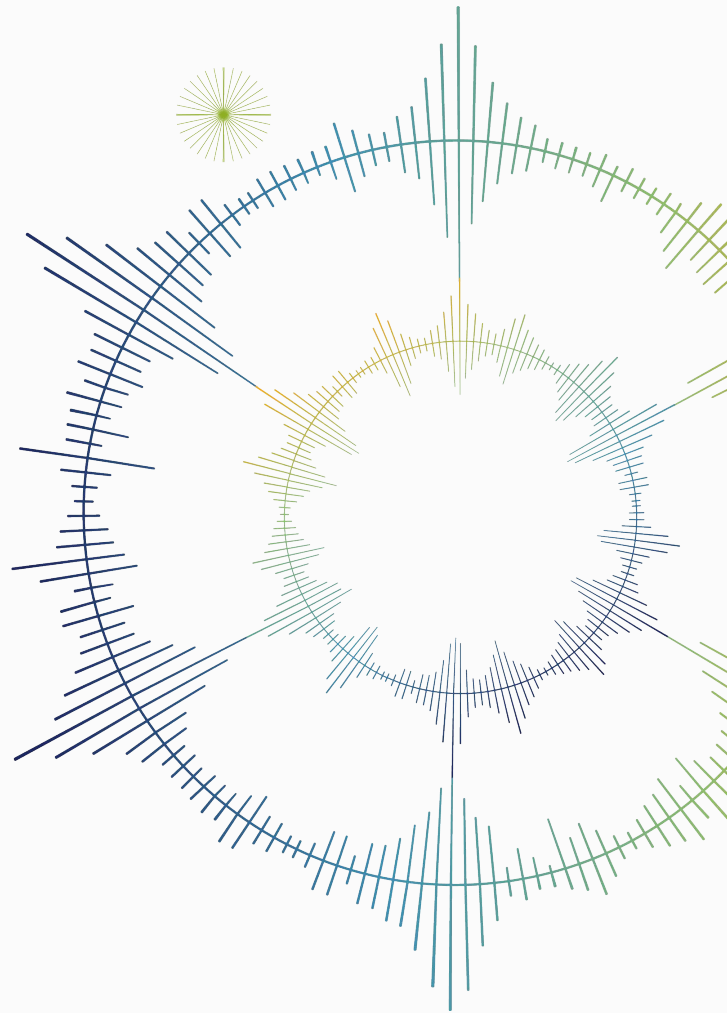
We recommend that the new policy clearly set out its intersection with other related University policies, including the *Policy with Respect to Workplace Harassment*, the *Policy with Respect to Workplace Violence*, the *Code of Student Conduct*, and the *Policy on Sexual Violence and Sexual Harassment*. These policies are currently being leveraged to address complaints of discrimination and harassment, and yet, there are some inconsistencies in definitions and jurisdiction.

In the recommendations that follow, we seek to align the new policy with existing pathways to the extent possible. However, we are also of the view that a broader review of the policy landscape is required –specifically the *Policy with Respect to Workplace Harassment*, the *Policy with Respect to Workplace Violence*, the *Code of Student Conduct*, and the *Policy on Sexual Violence and Sexual Harassment*.

As such, we recommend that in the development of the new policy, other relevant policies should be reviewed to ensure there is consistency in language and pathways.

Recommendation 2

In addition to the named policies above, there are several other statements that reference human rights as a core institutional commitment. We recommend reviewing the broader statement landscape to ensure consistency—where relevant and feasible—in how human rights are framed. This includes the *Statement on Equity, Diversity, and Excellence*, the *Statement on Freedom of Speech*, the *Statement of Institutional Purpose*, and the *Statement on Human Rights*. (Recommendation 4 further addresses the *Statement on Human Rights*.)



Recommendation 3

Begin the policy with a clear statement on prohibited grounds of discrimination and harassment.

Widespread community feedback indicated that the current *Statement* does not focus clearly enough on the University's commitment to protecting human rights and addressing discrimination and harassment. Although the University's existing policies and guidelines address discrimination and harassment, all constituencies expressed strong support for a dedicated policy that affirms the University's human rights obligations. Participants expressed support for a policy that explicitly condemns discrimination and harassment, as set out in the Ontario *Human Rights Code*.

Recommendation 3

To affirm the University's commitment to human rights, we recommend that this policy begin with a strong and unequivocal statement prohibiting discrimination. This commitment should include language from the Ontario *Human Rights Code* and can use existing language from the University's current website on Complaints and Concerns about Discrimination and Harassment, for example:

This Policy prohibits discrimination and/or harassment on the grounds articulated in the Ontario *Human Rights Code*: age; ancestry, colour, race; citizenship; ethnic origin; place of origin; creed; disability; family status; marital status (including single status); gender identity, gender expression; receipt of public assistance (in housing only); record of offences (in employment only); sex (including pregnancy); and sexual orientation.

We additionally recommend that the policy open with a clear articulation of the rights of all members of the University community. This language might be framed in the language drawn from the Ontario *Human Rights Code*, such as: "All members of the University of Toronto community have the right to equal treatment in services, employment and housing, and to be free from discrimination and harassment."

Or, it might be tailored more specifically to the University, stating for example that "all members of the University community have the right to live, work and study free from discrimination and harassment."

Finally, we recommend that the policy explicitly incorporate the language of Bill 166 and the Ministerial Directive to reflect the University's legislative obligation and ongoing commitment to address anti-racism and anti-hate in its complaints framework. For example:

The University is committed to addressing and eliminating experiences of discrimination and harassment, such as anti-Black racism, anti-Indigenous racism, antisemitism, Islamophobia, anti-Asian racism, hate against 2SLGBTQ+ identities, and other groups based on identity.

Strong and clear language such as this will assist the University community in understanding their responsibilities and better position the University to uphold its human rights commitments and legal obligations.

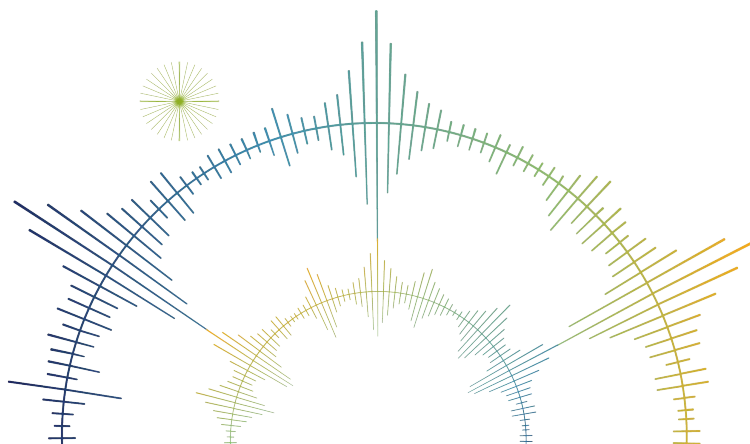
Recommendation 4

Incorporate principles from the *Statement on Human Rights* into the new policy and rescind the *Statement on Human Rights*.

The *Statement on Human Rights* was first approved by Governing Council in 1992 and amended in 2012 to reflect updates to the prohibited grounds under the Ontario *Human Rights Code*. It predates the *Statement on Prohibited Discrimination and Discriminatory Harassment* and was intended to articulate the University's commitment to equality, equity, and social justice.

Community feedback indicated confusion about the role of the *Statement on Human Rights* within the current policy landscape as well as its purpose and its relationship to the *Statement on Prohibited Discrimination and Discriminatory Harassment*.

Clearly articulating in a new policy the University's human rights commitments and the prohibited grounds of discrimination and harassment will embed the intent of the *Statement on Human Rights* within a more actionable and enforceable framework. We recommend that the *Statement on Human Rights* be rescinded once the new policy is developed to ensure clarity, coherence, and alignment with current legal and institutional standards. In rescinding the *Statement on Human Rights*, the University can note that the principles from the *Statement on Human Rights* have been integrated into the new policy, which will then supersede both the *Statement on Human Rights* and the *Statement on Prohibited Discrimination and Discriminatory Harassment*.



Recommendation 5

Provide definitions of key terms.

During consultations, members of the community identified inconsistency and lack of clarity in the current complaints resolution policy and pathways.

Participants frequently noted that key terms are used inconsistently, leading to confusion and misinterpretation. Examples included the interchangeable use of the terms “concerns” and “complaints.” This sometimes leads to a lack of clarity, with individuals thinking they had filed a complaint that was being addressed through a formal pathway, only to later learn their allegations were addressed informally.



Community feedback indicated that this lack of clarity also extends to roles and responsibilities. For example, there was confusion about what constitutes an “intake” and who is responsible for managing it. Participants also expressed uncertainty around the definitions of “prohibited discrimination and harassment,” with some requesting that future policies include concrete examples of behaviours that fall under these categories.

Recommendation 5

The terms that most frequently caused confusion include: concern vs. complaint, informal vs. formal pathways, disclosing vs. reporting, investigation vs. fact-finding, discrimination vs. harassment, and confidentiality vs. anonymity. Across consultations, we heard that these terms need to be clearly defined and applied consistently throughout the University's policy framework.

We recommend that the new policy provide clear and precise definitions of key terms. Definitions should align with related University policies and guidelines, including those connected to the *Occupational Health & Safety Act* and the *Code of Student Conduct*.

Below is a non-exhaustive list of terms that are recommend to be defined, along with suggested language drawn from existing legislation and University policies or guidelines.



Discrimination:

Discrimination is not defined in the Ontario *Human Rights Code*, though guidelines issued by the [Ontario Human Rights Commission](#) provide some language.

"Discrimination: means any form of unequal treatment based on a *Code* ground, whether imposing extra burdens or denying benefits. It may be intentional or unintentional. It may involve direct actions that are discriminatory on their face, or it may involve rules, practices or procedures that appear neutral, but disadvantage certain groups of people."

The Supreme Court of Canada provided the following frequently used definition in [Andrews v. the Queen](#): "A distinction, whether intentional or not but based on grounds relating to personal characteristics of the individual or group, which has the effect of imposing burdens, obligations, or

disadvantages on such individual or group not imposed upon others, or which withholds or limits access to opportunities, benefits, and advantages available to other members of society."

We recommend that any definition clarify that discrimination can occur on one or more prohibited grounds and recognize the intersectional nature of such discrimination.

We further recommended that the new policy identify that discriminatory activities may take place in the online environment within the scope of the policy (or the opening statement of the policy). Given the realities of the day's technological advancements including social media use and AI, amongst others, the University should clearly communicate through this policy the expectations of its community members.

Harassment:

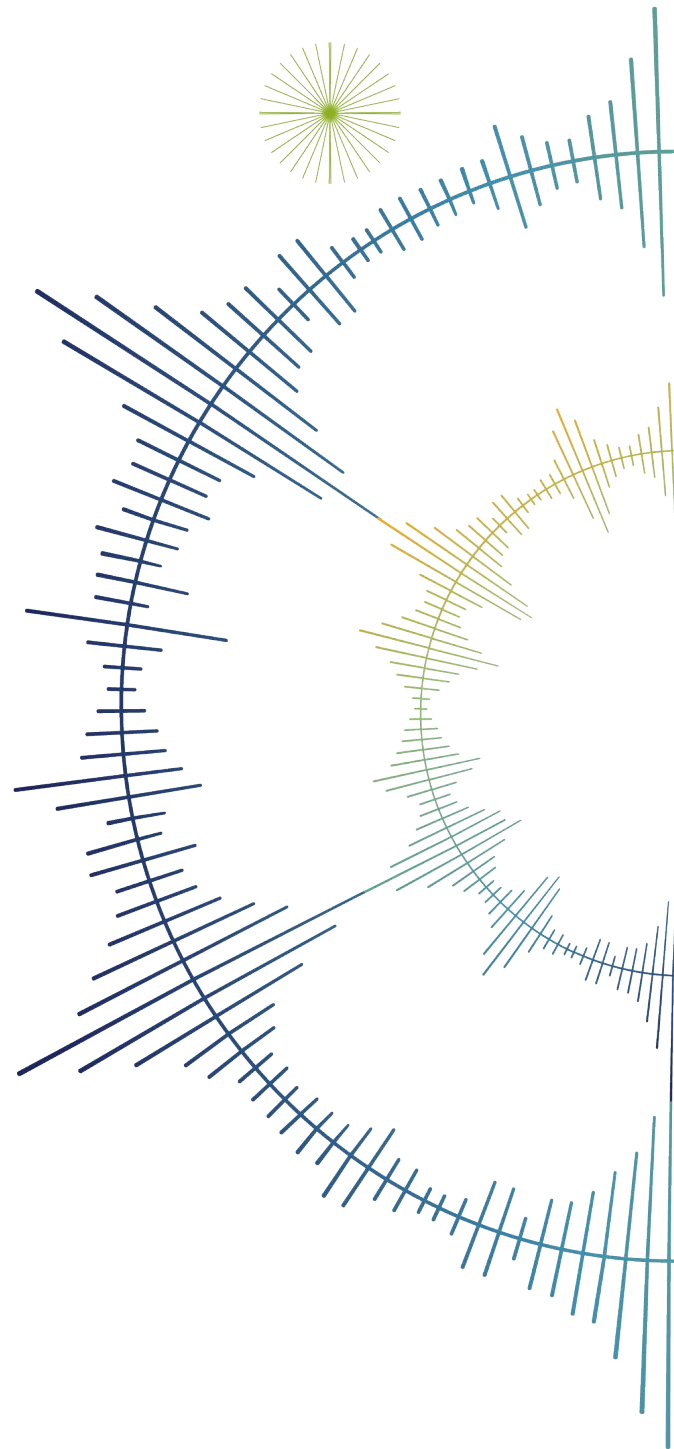
Harassment has been defined by the Ontario Human Rights Code as: “Engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome.” This definition has been used in the University’s Policy with Respect to Workplace Harassment and the Code of Student Conduct.

Given the rise of online activity and use of social media platforms, the Occupational Health & Safety Act’s definition of workplace sexual harassment provides useful language to be considered for inclusion: “including virtually through the use of information and communications technology[.]” We recommend that the definition of harassment include these online activities.

Any definition should clarify that harassment can occur on one or more prohibited grounds and recognize the intersectional nature of such harassment.

Prohibited Grounds:

The grounds of discrimination and harassment prohibited by the Ontario Human Rights Code include: age; ancestry, colour, race; citizenship; ethnic origin; place of origin; creed; disability; family status; marital status; gender identity, gender expression; receipt of public assistance (in housing only); record of offences (in employment only); sex (including pregnancy); and sexual orientation.



Concern or Disclosure:

We recommend that the University adopt a single term for the sharing of information in a manner that is not a complaint seeking a formal reporting pathway, and that the term be used consistently across the human rights and human rights-adjacent policies.

We additionally recommend that the new policy choose to use either the term “concern” or the term “disclosure,” and that it provide a clear definition, distinguishing it from a formal complaint. Current policies and guidelines use both terms. For example, the Discrimination Guideline states: “the term ‘concern’ means something you are raising in an informal way, often in the hopes of reaching early

resolution. The term ‘complaint’ refers to a more formal, written expression of a concern that has not been resolved at an early stage. A concern may or may not develop into a complaint. However, an issue that becomes a complaint should in almost every case have been raised first as a concern.”

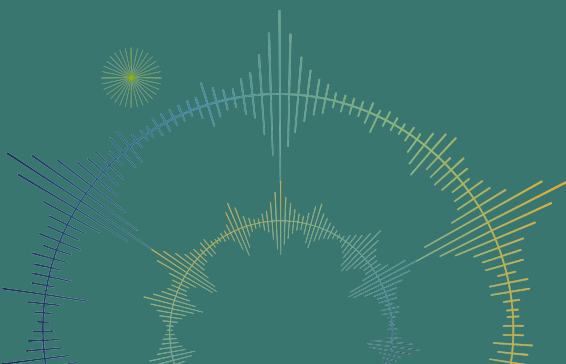
The Policy on Sexual Violence and Sexual Harassment uses the term “disclosure,” which it defines more precisely as: “The sharing of information by an individual with a Member of the University Community regarding an Incident of Sexual Violence experienced by that individual. Disclosures do not in and of themselves constitute a formal complaint.”

Formal Complaint:

We recommend that a formal complaint be considered a complaint made in writing through a recognized intake office. A complaint is defined as follows for the purpose of the University’s Annual Complaints Report: “Where an individual or group communicates specific allegations in order for the University to take action that could result in discipline or other action against a member of the university community, and filing the allegations through an existing policy process via the intake mechanism set up for that process.”

Investigation:

We recommend that an investigation refer to a fact-finding process initiated after an allegation of discrimination or harassment has been found to be a prima facie breach of a University policy. The fact-finding process is conducted to determine on a balance of probabilities whether the alleged events occurred. The Guideline for Employees on Concerns and Complaints Regarding Prohibited Discrimination and Discriminatory Harassment (“Discrimination Guideline”) offers language to consider: “For purposes of this Guideline it is important to understand that the term ‘investigation’ applies to any inquiries designed to ascertain relevant facts. This could mean anything from the equity officer asking questions of you and the party against whom your complaint is made, to a larger scale investigation that could involve many witnesses and documents. The scope of the investigation in any particular case depends on factors such as the type and scope of the allegations, the number of parties who are alleged to be involved and the relationship of those parties to the University.”



Recommendation 6

Create a Student Human Rights Office.

Consultations frequently affirmed the need to simplify the intake process for students looking to proceed through a formal reporting process. Members of the community described students being shuffled between various offices, and often uncertain as to whether a formal complaint has been filed. Participants discussed several options for clarifying the initial step in the complaints resolution process—the intake. These options for intake included the following:

Option 1. Institutional Intake Portal

(a user-friendly portal with a standard intake form to simplify the process and assessment of complaints): This option would keep the existing pathway behind the portal, with intake then being triaged to the appropriate offices.

Feedback:

Concerns with this option included the absence of human interaction, guidance, and support, and an inability to clarify for the complainant which resolution pathway would be pursued.



Option 2. Multiple Door Intake with Institutional Connection

(a “no door is the wrong door” option that allows individuals to raise complaints at a local level, where they may already have forged connections): This option would enable individuals to raise complaints and proceed through the formal reporting process across a range of offices. Once an individual wants to enter into a formal reporting pathway, they would fill out an intake form at a divisional office, and would then proceed to the appropriate offices for the other stages of the formal reporting pathway.

Feedback:

Some participants suggested that a “no door is the wrong door” option allows for a local lens where individuals may have forged connections, and acknowledges the size and decentralized nature of the university. But, consultations also revealed several concerns with this option: for example, the risk of replicating the problems of the current

pathways, where individuals remain uncertain as to whether they have simply raised a concern or made a formal complaint; not ensuring that complaints were addressed in consistent manner across the University, nor by those with appropriate training; and a lack of clarity on who would be responsible for each stage of the formal complaint.

Option 3. Institutional Office

(a new Student Human Rights Office to act as a central point of intake and offer navigation and support): This option is similar to the Sexual Violence Prevention & Support Centre (SVPSC) model, where there is a single institutional office that can provide support and expertise. The institutional office would then refer the complaint to the appropriate Vice-President or Vice-Provostial Offices for threshold assessment and the subsequent stages of the formal reporting pathway.

Feedback:

Feedback varied on whether an institutional office would have more or less capacity to handle intersectional complaints that crossed two offices (e.g., a complaint raising issues of both sexual violence and harassment). Concerns were also raised that the “one-stop shop model” might not accommodate the sheer size and decentralized nature of the University of Toronto, unless it were resourced and staffed by those with training and expertise in human rights, discrimination, and harassment. Participants told us that the

institutional office should maintain appropriate connections with and understanding of the divisions.

However, this option received the strongest support, as it brings clarity to the pathway by having a single office that can initiate a formal reporting pathway. Individuals also noted that this option could reduce bias by operating independently from the personal relationships embedded within a local division, and more fairly address any power dynamics within the division.

Recommendation 6

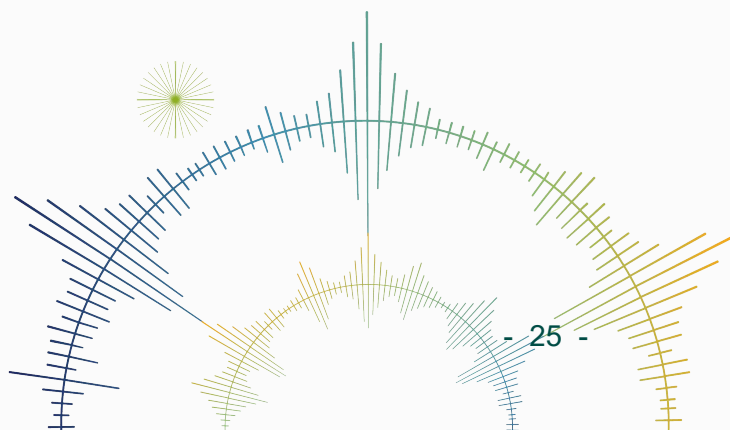
We recommend that the University create a Student Human Rights Office that, at least initially, would be solely responsible for ensuring students are fully informed of options to address their concerns, supports, case management and the intake of student complaints intended for a formal reporting pathway. To limit the confusion and complexity about when a formal reporting pathway is being initiated, the Student Human Rights Office should be the only place that intake occurs. Intake officers, with human rights training, would explain the formal reporting process to students, ensure that the student complainant is provided with support, and then direct the complaint to the appropriate Vice-Presidential or Vice-Provostial Office for institutional assessment.

An institutional Student Human Rights Office would complement—not replace—the important work of the Institutional Equity Office (IEO). The new Student Human Rights Office would be responsible for intake and case management of complaints brought forward by students looking to pursue the formal reporting pathway. The expertise of the IEO would remain valuable at various stages of the formal reporting pathway, including providing consultation during the complaints process and leading the coordination of the restoration stage.

As outlined in the recommendations that follow, it is crucial for the IEO and divisional EDI offices to maintain a primary role in supporting the informal pathway, offering trusted, accessible, and expert support across the University.

Importantly, an institutional Student Human Rights Office would not replace the critical work being done at the local level. Students seeking support, guidance, or information related to discrimination and harassment would still be encouraged to approach local offices, which provide trusted and accessible spaces. These offices play a vital role in system navigation, referrals, and informal pathways, and we recognize the significant amount of this work already taking place (further details on our approach to informal pathway is outlined in **Recommendation 9**).

It is critical that this the new Student Human Rights Office be appropriately staffed and resourced and share a reporting structure with the IEO.



Recommendation 7

Clarify two clear pathways for addressing complaints: formal reporting pathway and informal pathway.

Community consultations identified a lack of clarity in pathways to address formal and informal concerns and complaints related to discrimination and harassment. As noted in **Recommendation 5**, individuals expressed confusion about inconsistent definitions and interpretations of key terms, leading to uncertainty about whether issues are being treated as formal complaints. Additional confusion concerned the availability of pathways and the roles and responsibilities of the offices involved in handling such matters.

We recommend that the new policy clarify and formalize the two existing pathways to better support individuals seeking assistance related to discrimination and harassment and to manage expectations for both complainants and respondents: a formal resolution pathway and an informal pathway.

In the recommendations that follow, we set out in more detail the stages of these pathways for complainants of each constituency: students, staff, faculty, and librarians. **Recommendation 8** addresses the formal resolution pathway. **Recommendation 9** addresses the informal pathway. These pathways are intended to provide individuals with clear information about the options and resources available to support and address concerns and complaints of discrimination and harassment.

At the same time, we recommend the pathways remain flexible, allowing individuals to move between them. This could mean, for example, individuals choosing an informal pathway should not be precluded from pursuing a formal pathway at a later time and/or individuals pursuing a formal pathway may choose or be redirected to pursue informal pathway for resolution following an intake. While emphasizing flexibility, it is important to recognize that some transitions from the formal to the informal pathway would be limited by the applicable legal frameworks. For example, some harassment complaints under the *Occupational Health & Safety Act* must continue under the formal pathway, even if the complainant no longer wants to pursue it.

Recommendation 8

Clarify the formal reporting pathway with lines of responsibility at each stage.

Throughout community consultations, individuals expressed confusion over the formal reporting pathway, including responsibility for intake, investigation, decision-making, and outcomes of these complaints as well as who is responsible for enforcing remedies if a violation is established. Participants called for greater clarity and transparency regarding responsibility, accountability, and adjudication of complaints seeking a formal reporting pathway.

On repeated occasions, feedback revealed that the most complicated and least understood pathway is for students seeking to pursue a formal complaint against a faculty member. Currently, multiple offices may be involved in receiving such complaints, leading to confusion about who is responsible for the various stages in the pathway.

We received divergent feedback about which offices should have primary responsibility, particularly in relation to the institutional threshold assessment stage and decisions and outcomes stage. Few participants felt that the primary responsibility should remain with an academic unit (e.g. Chair, Director or Principal, the Dean's Office, Chief Librarian). Most agreed that the institutional threshold assessment and decisions/outcomes should reside with the Vice-Presidential or Vice-Provostial Office that holds expertise and accountability for each constituency group. This list includes the Vice-President, People Strategy, Equity & Culture (VPPSEC) for staff; Vice-Provost, Faculty & Academic Life (VPFAL) for faculty and librarians, and Vice-Provost, Students for students (VPS).

Our overarching recommendation is that the new policy provide a clear formal reporting pathway with identified lines of responsibility for each constituency of the University, at each stage of the complaint.

Recognizing that individuals are often in a heightened emotional state when making a complaint or being accused of discrimination or harassment, it is crucial to make the pathway clear and transparent. Without this clarity, the pathway can exacerbate emotional distress and increase anxiety for those involved.

The recommendations that follow propose a detailed step-by-step pathway for how complaints in a formal reporting pathway should be handled for each constituency. Where feasible, our recommendations build on existing pathways, guidelines and policies, including the *Policy with Respect to Workplace Harassment*, the *Policy with Respect to Workplace Violence*, the *Policy on Sexual Violence and Sexual Harassment* and the *Code of Student Conduct*, while also clarifying responsibility for each stage of the complaint.

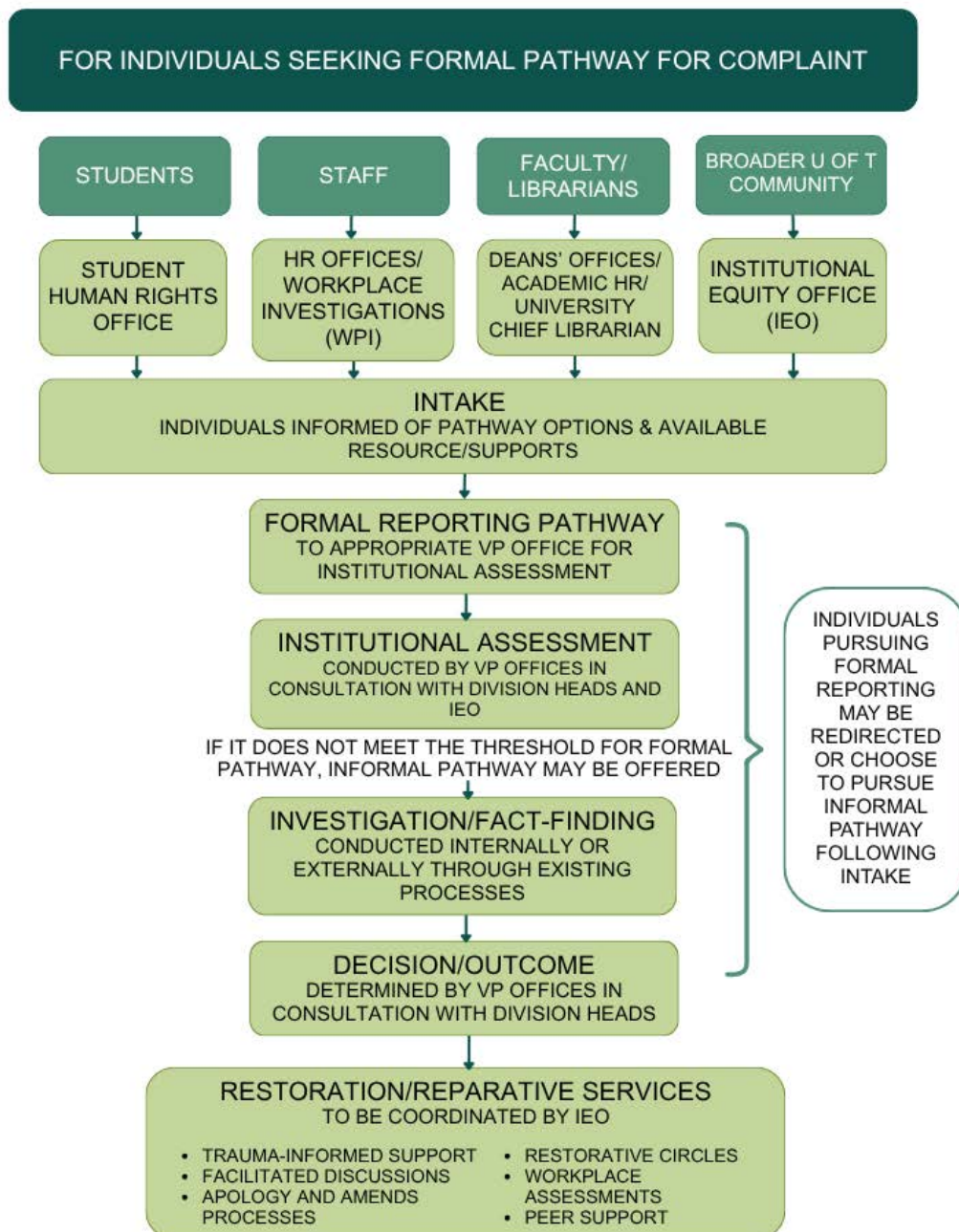
The Ministerial Directive under Bill 166 requires that university policies “include a detailed outline of the complaints mechanism. This must include a step-by-step process for how complaints are handled at the institution, from intake to resolution. “The Directive identifies the following stages: 1. Intake, 2. Institutional Assessment, 3. Complaint Review, including any interim measures, 4. Decision and Outcome, with specific requirements for each stage. We recommend breaking the stages into the following five stages, aligning with the requirements of Bill 166 and more closely reflecting existing policies and procedures at the University of Toronto:

- 1. Intake**
- 2. Institutional/Threshold Assessment**
- 3. Investigation**
- 4. Decision/Outcome**
- 5. Restoration and Repair**

While the first four stages correspond to the existing pathways at the University, the final one, Restoration and Repair, is a new stage. We recommend it become an official part of the pathway of resolving complaints in a formal reporting pathway.

Recommendation 8

The following chart provides an overview of the recommended formal reporting pathway that follows. It begins with highlighting the constituency group of the complainant and where they would bring forward a complaint to pursue a formal pathway. After the intake process, it then proceeds with the steps of institutional/threshold assessment, investigation, decision/outcome, and restoration and repair.



For the purpose of this report, the complainant is defined as the individual who has brought forward a complaint to a formal reporting pathway, and the respondent is defined as the individual against whom the complaint is directed.

Under the current pathway, the office responsible for the complaint management process is primarily dependent on the respondent. This contributes to confusion for complainants as they have to navigate various offices depending on the constituency of the respondent. To simplify the pathway, we propose that the intake phase in the formal reporting pathway be determined primarily by the complainant (with the exception of student respondents, discussed further below). The responsibility for the stages following intake will continue to be determined by the respondent.

Recommended pathways are as follows:

1. Intake

We recommend that the intake process be simplified by clearly articulating and identifying a select number of offices who can conduct the intake for the formal reporting pathway.

Staff:

A staff member who would like to file a complaint through a formal reporting pathway would continue to proceed through Divisional Human Resources Offices and/or the Workplace Investigations Office (WPI) for intake. If the formal complaint is directed towards a student, the intake should proceed through the new Student Human Rights Office.

Faculty Member or Librarian:

A faculty member who would like to file a complaint through a formal reporting pathway would continue to proceed through Academic Human Resources or their Dean's Office; librarians would proceed through the Office of the University Chief Librarian. If the formal complaint is directed towards a student, the intake should proceed through the new Student Human Rights Office.

Students:

A student who would like to file a complaint through a formal reporting pathway would now proceed through the new Student Human Rights Office. Deans, Principals, Chairs, the IEO, divisional EDI offices, and divisional HR offices should not be responsible for conducting the intake of student complaints for the formal reporting pathway. If a student discloses an issue to one of these offices and wishes to pursue a formal complaint, we recommend that the office refer the student to the Student Human

Rights Office that would be responsible for managing the formal intake process.

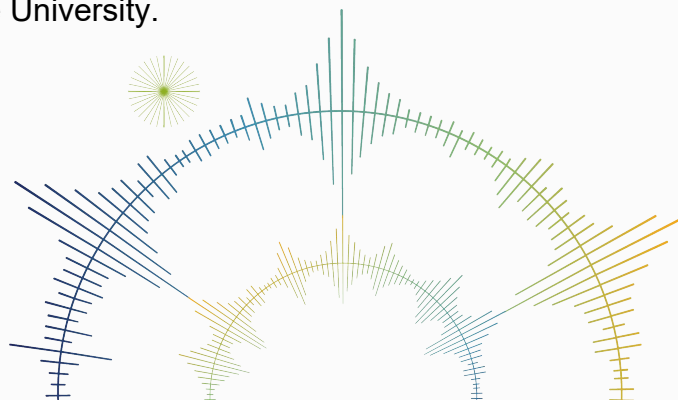
Broader U of T Community:

Individuals who are part of the broader U of T community (e.g. alumni, visitors) who would like to file a complaint through a formal reporting pathway, but who do not identify with one of the above constituency groups would proceed to the IEO. The complaints pathway that follows is to be determined on a case-by-case basis.

2. Institutional Threshold Assessment

We recommend that the appropriate Vice-Presidential/Vice-Provostial Office (determined by the constituency of the respondent) make the threshold assessment of whether the alleged conduct constitutes a prima facie breach of policy.

Throughout our consultations, we consistently heard from senior academic administrators that this threshold assessment should reside in the Vice-Presidential/Vice-Provostial Offices, in consultations with Division heads. While divisional expertise and authority is important, we heard that decisions around threshold assessment require the additional knowledge and expertise of the Vice-Presidential and Vice-Provostial Offices to ensure consistency across the University.



This institutional threshold assessment requires expertise in complex human rights analysis and the intersection of multiple University policies and obligations, from academic freedom to labour relations and collective agreements to the *Code of Student Conduct*, amongst others. This assessment should be done within the appropriate VP Offices. This will ensure that these assessments are done in a manner that takes into account the University's multiple and complex values, legal obligations and policies.

The office responsible for the threshold assessment is determined by the constituency of the respondent.

Staff:

The threshold assessment of formal complaints about staff members should continue to be done by VPPSEC. This assessment should be undertaken in consultation with the Division Heads, IEO, and/or Labour Relations (where appropriate). Responsibility at this level can ensure that the appropriate expertise and oversight are considered, given the VPPSEC's familiarity with collective agreements, HR, and equity policies and procedures.

Faculty Member or Librarian:

The threshold assessment of formal complaints about faculty members and librarians should be undertaken by VPFAL. This assessment should be done in consultation with Deans' Offices or the Office of the University Chief Librarian, and the IEO (where appropriate). However, the decision-making should ultimately lie with

VPFAL, and when appropriate, also with VPPSEC. Responsibility at this level will ensure that the threshold assessment and decision stages will take the University's unique mission into account, recognizing that expertise in academic freedom freedom of inquiry and research is essential.

Students:

The threshold assessment of formal complaints about a student should be undertaken by VPS. This assessment should be done in consultation with Division Heads and the IEO, but the decision-making should ultimately lie with VPS. Responsibility at this level will ensure that there is appropriate oversight and connection to the *Code of Student Conduct*, as the *Code* will be used in tandem with the new policy to address complaints of discrimination and harassment for student respondents.

Once the institutional threshold assessment is completed by the appropriate Vice-Presidential/Vice-Provostial Office, the complaint would either proceed to the investigation stage or be redirected to the informal pathway.

3. Investigation

Once a complaint has been assessed by the institution and deemed to constitute a prima facie breach of policy, it proceeds to the investigation stage. We recommend that the University continue to use the existing well-developed and effective processes determined by the constituency of the respondent.

Staff:

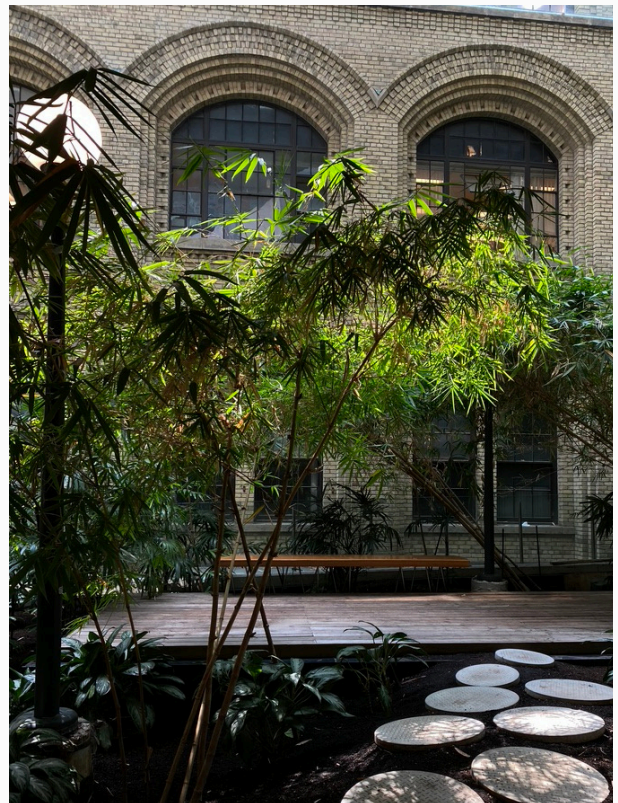
If the respondent is a staff member, the investigation should continue to be handled through the Workplace Investigations Office.

Faculty Member or Librarian:

If the respondent is a faculty member or librarian, the investigation should be handled through WPI for consistency. WPI should be appropriately resourced and staffed to accommodate the potential increase in investigations.

Students:

If the respondent is a student, the investigation should proceed according to the *Code of Student Conduct*, under the responsibility of VPS.



4. Decision/Outcome

We recommend that the decision and outcome following investigation be determined by the same office as the threshold assessment (i.e., the appropriate Vice-Presidential/Vice-Provostial Office). These decisions and outcomes should be made in consultation with the appropriate Division Heads, HR Offices, IEO, and divisional EDI offices, Labour Relations, and/or unions, depending on the respondent's constituency and nature of the case. This approach ensures consistency across the University and supports decision-making by those with expertise in the University's legal obligations, mission, and policies. To clarify, the office responsible for the decision and outcome is determined by the constituency of the respondent.

Staff:

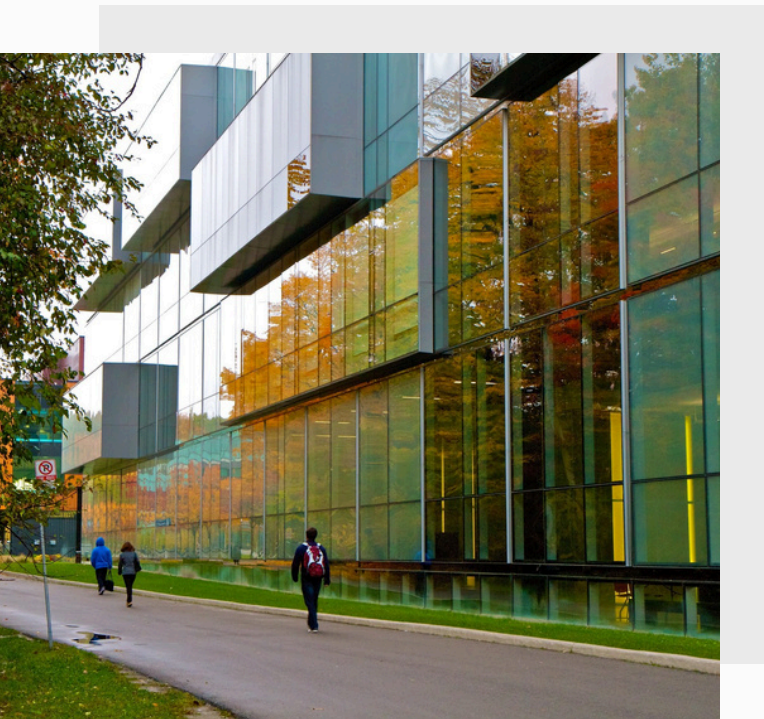
Findings from the investigation in which the respondent is a staff member should continue to be adjudicated by VPPSEC, in consultation with appropriate institutional and divisional offices.

Faculty Member or Librarian:

Findings from the investigation in which the respondent is a faculty member or librarian should continue to be adjudicated by VPFAL, in consultation with the Deans or University Chief Librarian when appropriate.

Students:

Findings from the investigation in which the respondent is a student should be adjudicated by VPS, in consultation with appropriate institutional and divisional offices.



5. Restoration and Repair

Community consultations revealed a strong need for more robust restorative and reparative services and supports following formal investigations and decisions. We were consistently told by stakeholders that the existing pathways lack the appropriate supports following formal investigations and decisions. We repeatedly heard from individuals that investigations are often traumatic for all involved—including complainants, respondents, and witnesses—and that support and assistance is necessary. Many were of the view that restorative and reparative supports could help address the emotional, relational, and cultural aftermath that formal processes often leave unresolved, and could help facilitate reintegration into the work and learning environments.

We recommend adding restorative and reparative services as a final stage of a formal complaint. Restorative services help to heal the emotional and psychological harm that can be caused by investigations. Restorative services create space for dialogue, empathy, and mutual understanding, which are crucial for restoring trust and team cohesion. Additionally, they can assist in addressing unresolved feelings of injustice following investigations. If left unaddressed, these feelings can lead to retaliation or sabotage, withdrawal or disengagement, or a loss of productivity and morale.

We further recommend that restorative and reparative services and supports be coordinated and/or delivered by the IEO and/or divisional EDI offices, WPI and Divisional HR Offices. These services could include:

- Trauma-informed support
- Facilitated discussions
- Apology and amends processes
- Restorative circles
- Workplace assessments

Enriching these services and supports will strengthen the University's ongoing efforts to promote psychological safety and a respectful workplace culture. They will also assist the University in meeting its human rights and workplace safety obligations as well as the Bill 166 requirement for employers to support employees beyond the conclusion of an investigation, especially in cases of harassment or violence.

Additional Recommendations for Formal Pathway

We recommend that further sentiments and insights from the community, outlined below, be considered in the development of a new policy.

Reprisals

- Feedback: reluctance to bring forward concerns or complaints due to fear of reprisals, particularly where unequal power dynamics exist.
- Recommendation: include a reprisal section in the new policy that clearly defines and prohibits reprisals.

Time Limits

- Feedback: concern about the timeframe for filing complaints, and whether there should be a limitation period for initiating complaints.
- Recommendation: identify and implement a time limitation period appropriate to the university context. (The Ontario *Human Rights Code*, for example, has a statutory limitation period for filing a complaint with the Ontario Human Rights Tribunal of one year from the alleged conduct.)
- Feedback: experience that complaints were not resolved in a timely manner.
- Recommendation: identify time limits for resolving complaints. (Note that Bill 166 requires that complaints be resolved within 12 months or to provide a rationale if the process extends beyond 12 months.)

Anonymous Complaints

- Feedback: There was some expressed interest in creating an avenue for anonymous complaints. Student leaders, in particular, noted that students often prefer anonymous processes. We were also told that anonymous complaints raise serious concerns of due process and procedural fairness.
- Recommendation: continue the current practice of receiving anonymous disclosures, with the understanding that such disclosures cannot lead to disciplinary action because of the absence of due process.

Poison Environment

- Feedback: In our consultations, concerns were raised related to behaviours that may create a poisoned environment within the workplace and classroom. However, we also heard significant concerns that raising difficult conversations or uncomfortable topics should not be conflated with behaviour that creates a poisoned environment.
- Recommendation: The University should consider how to address the question of a poisoned environment.

Teaching and Learning Placements

- Feedback: some academic programs include clinical or other professional placements for students/learners and/or faculty and librarians, so communication about complaints pathways can be challenging.
- Recommendation: clarify the new policy's applicability in instances where placements are at other institutions or sites, and include instructions for how students, faculty members, and librarians should be notified of the pathways for complaints when learning or working offsite.

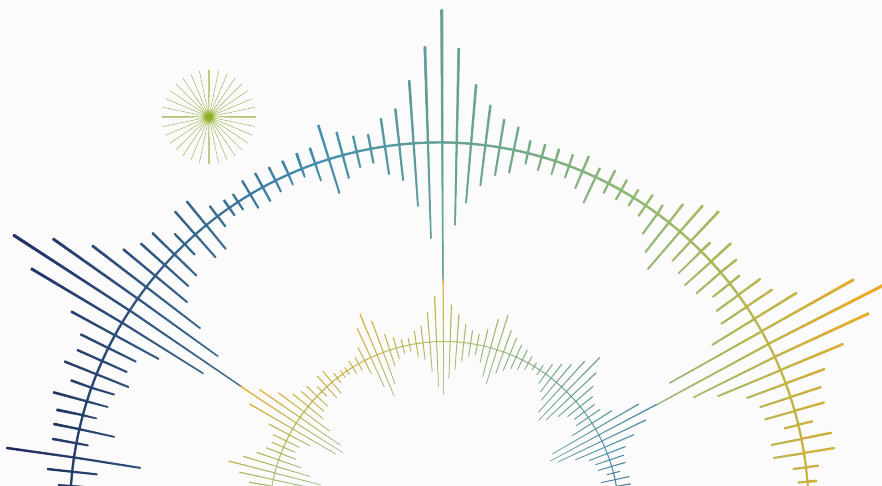
Appeals

- Feedback: participants were unclear of the pathways available to appeal the decisions on formal complaints. Some expressed confusion about the role of the Office of the Ombudsperson, mistaking it as one of the available pathways for formal complaints.
- Recommendation: the new policy will need to set out the available appeals pathways for each constituency. The role and jurisdiction of the Ombudsperson should be better communicated to the community.

Recommendation 9

Develop a conflict resolution framework for the informal resolution pathway leveraging institutional and divisional EDI offices.

Consultation feedback affirmed the extraordinary work being carried out in both divisional and institutional offices to support community members seeking assistance with issues related to human rights, discrimination, and harassment. We were repeatedly told by community members and administrators that most individuals who seek help in these situations are often not interested in, or willing to engage with, the formal reporting pathway. Instead, they typically prefer to have matters addressed informally and are looking for sources of support.



Recommendation 9

Community members emphasized the vital role of the IEO and divisional EDI offices in supporting individuals facing discrimination and harassment. These offices are among the most frequently sought sources of assistance and play a key role in providing support and guidance. Throughout our consultations, we were told of the value these offices bring in helping to avoid, mitigate, resolve, and navigate conflict.

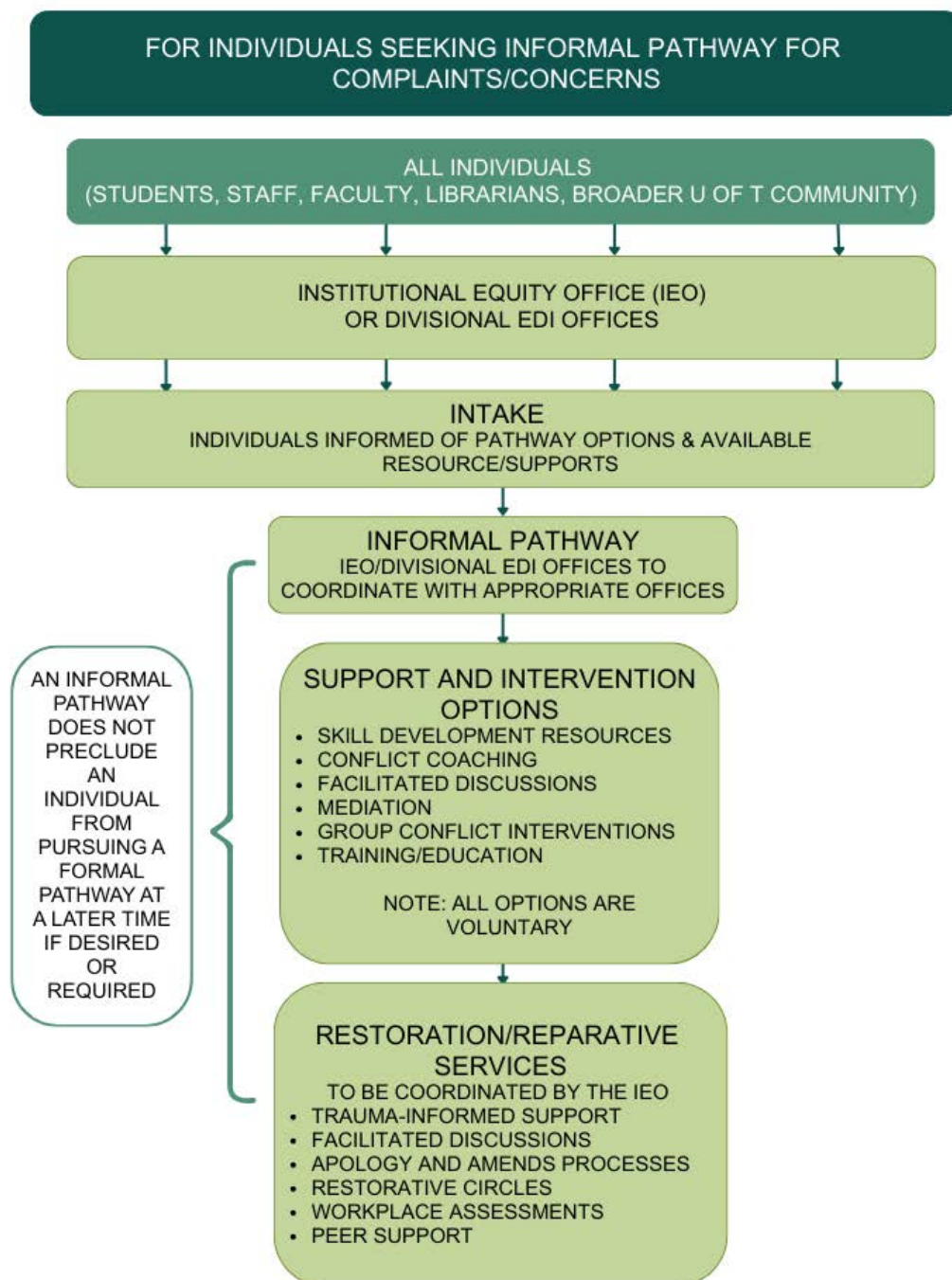
The efforts of staff across all three campuses should be recognized, supported, and celebrated. At the same time, it is important to recognize that the volume of assistance sought—much of which is effectively resolved informally—exceeds the capacity of a single Human Rights Office to manage alone.

We recommend that the University clarify and simplify the informal pathway for discrimination and harassment issues by leveraging the IEO and divisional EDI offices to provide the much needed and frequently requested informal pathways for concerns, inquiries, and disputes related to discrimination and harassment. These offices are well-positioned to lead this work, given their expertise in human rights and anti-oppressive frameworks and trauma-informed approaches, and their ability to bridge siloes and engage diverse constituencies. This informal pathway would draw on the strengths of the IEO and divisional EDI offices to offer optional support and intervention strategies for individuals seeking a restorative approach.



Recommendation 9

The following chart provides an overview of the recommended informal pathway that follows. It begins with highlighting that all constituency groups would raise their concern/complaint to the IEO or divisional EDI offices. These offices then coordinate support and intervention options, and restoration and reparative services.



We further recommend the development and implementation of a restorative, institution-wide conflict resolution framework to support, navigate, and resolve concerns informally and to promote clarity and consistency across all divisions. Such a framework should be developed and implemented across the IEO and divisional EDI offices to support, assist, and system navigate the concerns and disclosures raised by community members. The framework should be restorative in nature, aimed at rebuilding relationships (where possible), and providing strategies for difficult conversations.

Developing a **conflict resolution framework** to address discrimination and harassment would offer the University a powerful set of advantages—both ethically and operationally. This includes:

Fosters a Culture of Equity and Inclusion:

A well-designed framework signals a commitment to fairness, dignity, and respect.

Encourages Early Intervention:

By offering an informal pathway that can include facilitated discussion, mediations, and coaching, the University can address concerns before they escalate into a formal reporting pathway or legal disputes.

Reduces Legal and Financial Risk:

Unresolved discrimination complaints can lead to lawsuits, reputational damage, and costly settlements. A proactive framework can help the University comply with human rights laws and demonstrate due diligence.

Improves Community Trust and Engagement:

When people feel affirmed and supported, they are more likely to engage constructively. A clear resolution pathway builds confidence in institutional accountability, especially among historically marginalized groups.

Supports Psychological Safety and Well-being:

Discrimination and harassment take a toll on mental health. A conflict resolution framework that centres empathy and repair can reduce stress, absenteeism, and turnover, creating a healthier environment for all.

Strengthens Institutional Learning:

Each case becomes an opportunity to identify systemic issues and improve policies. Engaging in data tracking will help the University evolve and prevent future harm.

The newly created conflict resolution framework would offer a range of services that help individuals and teams address disputes early and constructively. Here are some key services to consider:

Conflict Coaching:

One-on-one guidance to help individuals navigate workplace disputes and develop resolution strategies.

Group Conflict Interventions:

Tailored approaches combining mediation, coaching, and facilitation to address team-wide disputes.

Facilitated Discussions:

Mediator-led conversations that foster effective communication and mutual understanding.

Training and Presentations:

Workshops to build skills in conflict prevention, communication, and resolution.

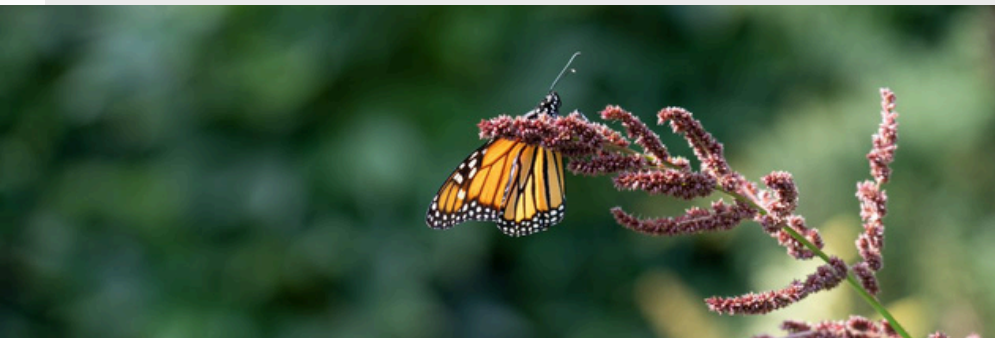
Mediation:

A structured process where a neutral third party helps disputing parties reach a mutually acceptable agreement.

Support for Difficult Situations:

Resources to empower individuals in managing interpersonal challenges and preventing escalation.

We recommend that establishing a framework will strengthen the University's capacity to respond to concerns with consistency, compassion, and clarity—ensuring that all members of the community are supported in ways that are both meaningful and effective. Additionally, individuals pursuing formal reporting may be redirected or choose to pursue the informal pathway following intake.

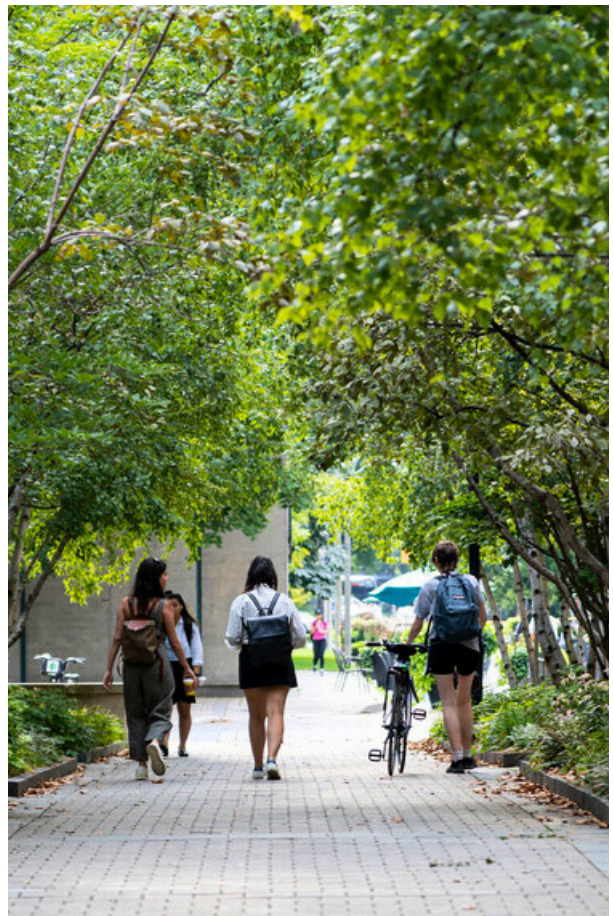


Recommendation 10

Include provisions to ensure support for respondents.

Consultations revealed concerns that respondents do not receive adequate guidance and support in human rights complaints. We were told that while students—both complainants and respondents—often receive structured support, respondents who are faculty members, librarians, or staff do not receive the same level of support or guidance. We learned that the absence of a single, clear access point to access support or gain clarity on the pathway made navigation difficult. Participants told us that the lack of guidance throughout what can be a prolonged process of assessment, investigation, and outcome can exacerbate the emotional and professional toll on respondents.

We recommend that the new policy include provisions to ensure respondents receive appropriate support and guidance at all stages of both the formal reporting and informal pathways.

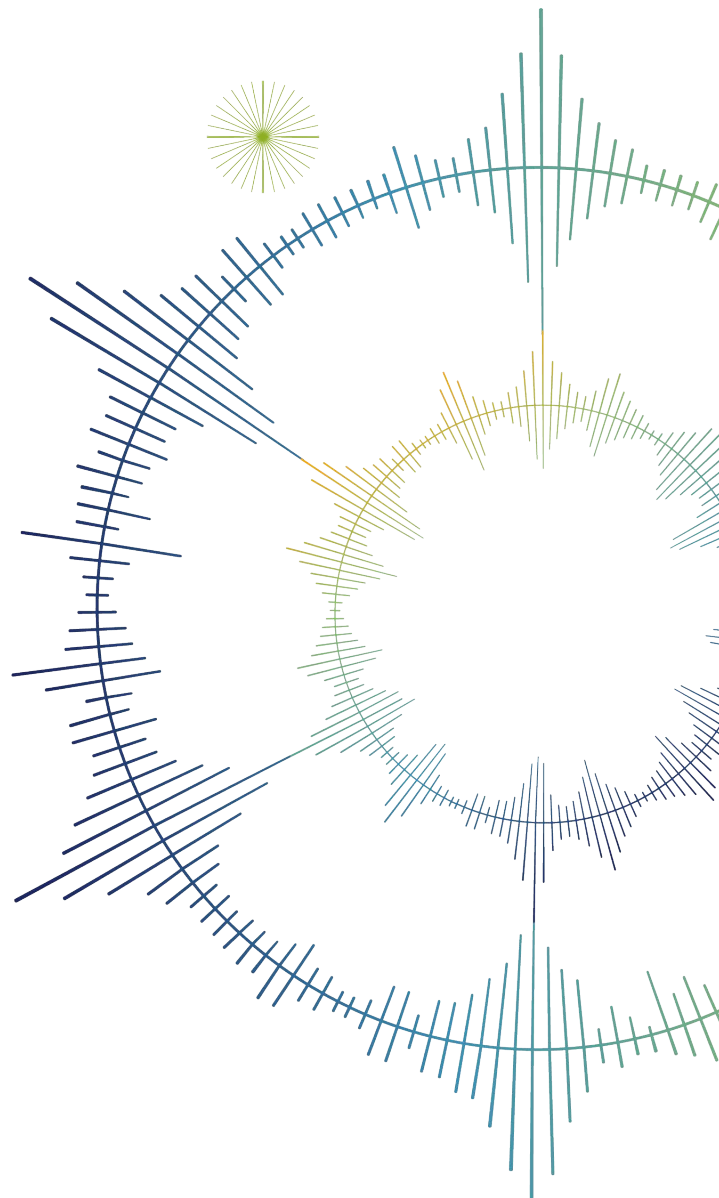


Recommendation 11

Develop a training and education strategy to ensure effective implementation of the policy.

Feedback from our community strongly indicated that implementing a new policy requires a robust training and education strategy. Participants frequently emphasized the importance of training and education on the responsibilities of all academic leadership and staff in implementing the new policy and its pathways.

Through the consultations, we were told of the need for student-facing staff to have clarity on the roles, responsibilities, and pathways, and to approach their role with a human rights and trauma-informed lens. There was strong support for existing training models already in use at the University, such as the "train-the-trainer" approach or online modules (e.g., similar to Identify, Assist, Refer) to ensure a broad baseline of awareness. We were also told of the need for training to incorporate principles such as recognizing power dynamics, understanding the intersectionality of harm and power dynamics, and centring care, compassion and respect.



We recommend the development of a framework, formal training, and a broader education strategy for the University community that is layered in its approach:

Mandatory training and clear framework for academic leadership (including Deans, Associate Deans, and Chairs):

This training would communicate the implications of the new policy. It is imperative that academic leadership have a clear understanding of their roles and responsibilities, and the pathways for formal reporting and informal resolution for concerns and complaints of discrimination and harassment.

Mandatory training for all staff involved in the formal reporting process:

This training would explain how the new policy and its pathways align with other relevant policies and offer practical guidance to ensure clarity and accountability. Training should include principles identified in the consultations, such as recognizing power dynamics, intersectionality, and centring care, compassion and respect.

Training for anyone receiving, managing, or supporting concerns and complaints:

As we discussed in **Recommendation 9** above, staff at divisional and central offices play an important role in supporting and guiding students towards both formal pathways and informal resolutions of their concerns. It is imperative that these individuals receive training on the new policy and the pathways for formal and informal resolution, and on their responsibilities. This training could build on and leverage existing models, incorporating information in orientation sessions, and developing training modules (such as Identify, Assist, Refer).



Recommendation 12

Communicate and promote awareness of the new policy to the broader University of Toronto community.

Community feedback identified gaps in understanding about how the University addresses concerns and complaints of discrimination and harassment. Individuals also noted finding contradictory and inconsistent information on divisional and institutional websites and expressed confusion about how to engage with a policy once it is released. Strong support was expressed for developing practical resources such as guides, flowcharts and FAQs to help clarify roles, responsibilities, and next steps. Consultations also emphasized the importance of ongoing education and training for the broader community to ensure awareness of the policy and available pathways.



We recommend developing a clear and accessible communication strategy to support the implementation of a new policy on discrimination and harassment. Developing a centralized and user-friendly online presence would be integral to this strategy. We recommend that this resource use plain language and FAQs, clear graphics, and audiovisual media to outline the new policy and related guidelines and to communicate available supports.

We recommend a review of existing websites to ensure that content and links are updated to align with the new policy, and that users can easily navigate to the appropriate resources regardless of their entry point—whether through an institutional, divisional, or departmental site.

We additionally recommend a comprehensive education strategy for the wider University community. This strategy could include incorporating information in orientation sessions, training modules, awareness campaigns, and bystander intervention initiatives. This strategy can leverage existing efforts and consolidate resources and modules for easy access across the University.



Recommendation 13

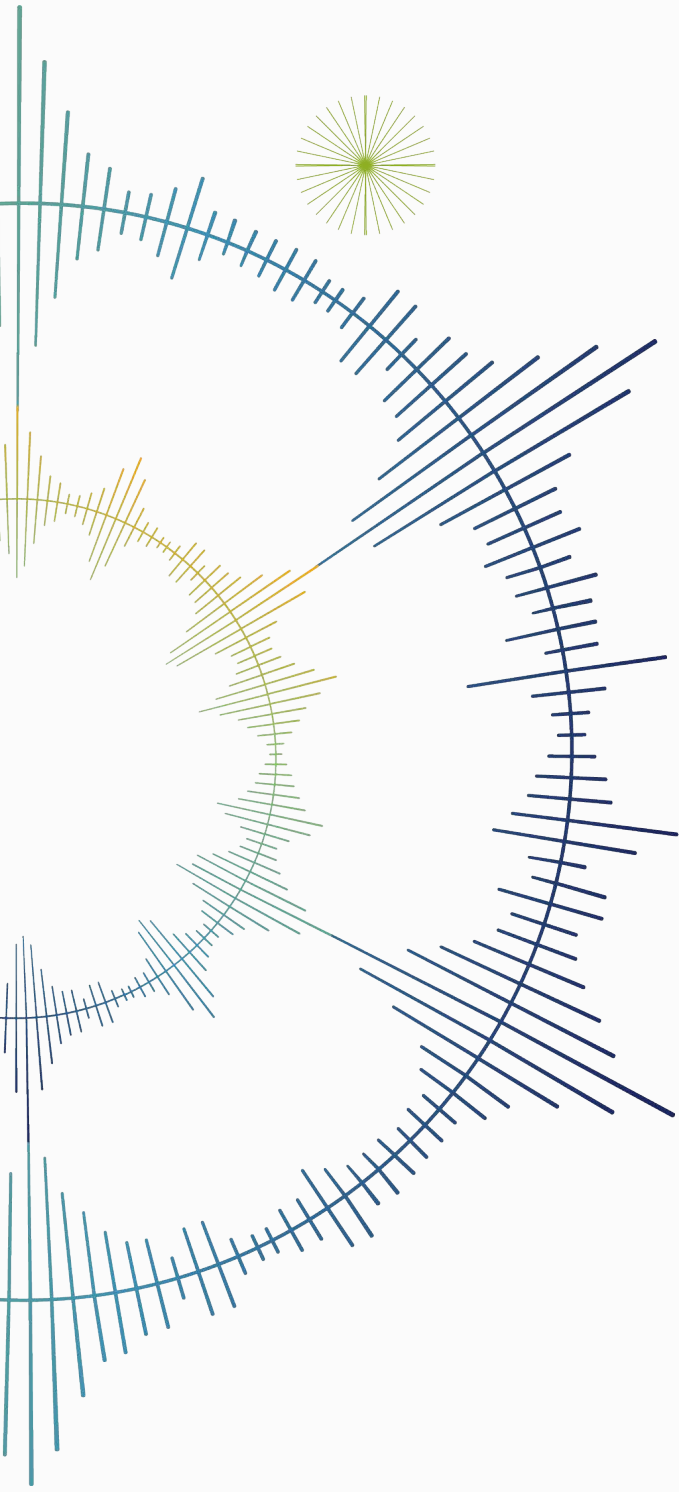
Leverage an institutional system for tracking and reporting.

Consultations revealed a variety of data-related concerns. Individuals who currently receive concerns or complaints reported lacking a system to house, work within, track, monitor, and securely share information for the cases they are handling. Other individuals identified challenges in responding to the reporting requirements under Bill 166 due to inconsistent definitions and the absence of structures to track relevant case information.

We were told that the absence of a consistent tracking and reporting framework has contributed to a sense of

lack of transparency and consistency of response. Some participants similarly suggested that publishing aggregate data is essential for building trust, demonstrating accountability throughout the process. Participants emphasized that an institutional system could support the University's data and reporting needs.

We recommend that the University explore the use of an institutional system to support the tracking, management, and reporting of both formal reporting and informal pathways related to discrimination and harassment.



An institutional system can provide the infrastructure needed to support the operational aspects of managing both formal and informal pathways. A case management system can offer tools to create records, document case notes, and access relevant data. For formal complaints involving multiple offices, a workflow can be developed to track the progress of a case through each step of the pathway. With appropriate permissions in place, individuals supporting complaints can view the current stage of a case—such as whether it is under investigation—while only accessing information relevant to their role.

An institutional case management system that provides optional resources of standardized forms and has strong privacy controls would allow different parts of the institution to track and manage cases more effectively. This kind of system would provide a more complete picture of the concerns and complaints being raised, identify patterns or systemic issues, and help ensure consistency, clarity, and accountability throughout the process.

Data collected through such a system would provide insight into the number and types of concerns and complaints being raised, supporting the creation of more accurate and comprehensive reports for the University's governing bodies and the broader University community as well as for provincial bodies under Bill 166.

Conclusion

While the University of Toronto's policy landscape has evolved since the adoption of the 1994 *Statement on Prohibited Discrimination and Discriminatory Harassment* (the *Statement*), the need to support and effectively address concerns and complaints of discrimination and harassment remains critical. In an increasingly interconnected world, the social and political context has added complexity to the issues we face. Despite these growing complexities, our pathways for addressing concerns and complaints should be clear, consistent, and inclusive.

We were privileged to co-chair the Review of the *Statement*, during which received wide-ranging feedback from members across the University about their needs and aspirations for a community free of discrimination and harassment. Through consultations with subject matter experts, open consultations, and written feedback via a survey and emails, we received a consistent message: there is both a need and an opportunity to do better. We hope that this report provides the University with guidance on achieving its goals of excellence and inclusion.

Appendices

Appendix A: List of Recommendations

Recommendation

- Recommendation 1:** Replace the current *Statement* with a policy.
- Recommendation 2:** Align the new policy with other University policies.
- Recommendation 3:** Begin the policy with a clear statement on prohibited grounds of discrimination and harassment.
- Recommendation 4:** Incorporate principles from the *Statement on Human Rights* into the new policy and rescind the *Statement on Human Rights*
- Recommendation 5:** Provide definitions of key terms.
- Recommendation 6:** Create a Student Human Rights Office
- Recommendation 7:** Clarify two clear pathways for addressing complaints: formal reporting pathway and informal pathway.
- Recommendation 8:** Clarify the formal reporting pathway with lines of responsibility at each stage.
- Recommendation 9:** Develop a conflict resolution framework for the informal resolution pathway leveraging institutional and divisional EDI offices.
- Recommendation 10:** Include provisions to ensure support for respondents.
- Recommendation 11:** Develop a training and education strategy to ensure effective implementation of the policy.
- Recommendation 12:** Communicate and promote awareness of the new policy to the broader University of Toronto community.
- Recommendation 13:** Leverage an institutional system for tracking and reporting.

Appendix B: Mandate for the Co-Chairs of the Review of the *Statement on Prohibited Discrimination and Discriminatory Harassment*

The Co-Chairs for the Review of the *Statement on Prohibited Discrimination and Discriminatory Harassment* will develop and follow a process to review the *Statement* that includes the following:

- conduct relevant environmental scan(s) and related research about best practices at comparable institutions in the post-secondary sector, with an emphasis on the Canadian and Ontario context;
- identify and consult with internal subject matter experts and senior administrators who currently work with the *Statement* to gather their perspectives on its usefulness and/or limitations;
- organize and lead discussions with the U of T community to assess opportunities for updating and/or clarifying the *Statement's* language and content;
- maintain thorough documentation of the Review process, including meetings, consultations, and research; and
- ensure the process for the Review meets the process requirements of the Ministry of Training, Colleges and Universities Act as amended by Bill 166, *Strengthening Accountability and Student Supports Act*, 2024 (“Bill 166”) and the Minister’s Anti-Racism/Anti-Hate Directive.

After undertaking the Review, the Co-Chairs will provide the University with recommendations for which parts of the *Statement* should be retained and which parts of the *Statement* should be revised.

Additionally, Co-Chairs will identify the type/goal of recommended revisions, considering the following:

- ensure that any recommended changes complement and/or clarify existing policies and processes impacting faculty members, librarians, staff, and students. (Co-Chairs will be provided with materials such as the University's legal analysis and relevant policies and documents to support this assessment);
- include recommendations that would ground the *Statement* in and meet the requirements of the Ontario *Human Rights Code*, Bill 166, and the Minister's Anti-Racism/Anti-Hate Directive; and
- assess current pathways for filing complaints, or seeking support in relation to concerns about discrimination or harassment, for each of the University's stakeholder groups in terms of the clarity, accessibility, and effectiveness of the pathways; undertake a needs analysis; and, where appropriate, recommend enhanced or clarified pathways.
 - These recommendations should include a pathway to intake anonymous complaints, in line with Bill 166, recognizing the limits on the University's ability to address anonymous complaints (e.g., anonymous complaints may lack sufficient detail to allow the University to conduct an appropriate investigation that includes providing procedural fairness to the respondent).

Appendix C: Consultation Questions

Closed Consultation Sessions

For key stakeholders and subject matter experts who receive and/or support concerns and complaints of discrimination and discriminatory harassment, participants were asked the following:

1. How do you currently use the *Statement* in your work?
2. How could a revised *Statement* improve how complaints about discrimination and discriminatory harassment are managed?
3. What guiding principles or institutional values should be reflected in the *Statement*?
4. Currently, if you have a complaint or concern about discrimination and discriminatory harassment against a student, staff, faculty, and/or librarian, explain to us how you understand the University's pathway?
5. In what ways do you think these complaint pathways could be improved? What could the University do to clarify the communications of these pathways?

Open Consultation Sessions & Anonymous Survey

Across the open consultation sessions and in the anonymous survey, members of the U of T community were asked the following questions:

1. In addition to updating references in the *Statement* that are no longer current, what are the key elements that you would like to see in a revised *Statement*?
2. What guiding principles or institutional values should be reflected in a revised *Statement*?
3. Currently, if you have a complaint about discrimination and/or discriminatory harassment, explain to us how you understand the University's pathway to submit a complaint.
4. How could the pathways to submit a complaint be made better?

Appendix D: Consultation List

Office/Group	Attendees	Campus
Accessibility for Ontarians with Disabilities Act Office	Staff	Tri-Campus
Association of Jewish Faculty and Staff at the University of Toronto	Faculty & Staff	Tri-Campus
Campus Safety	Staff	Tri-Campus
Dalla Lana School of Public Health	Faculty & Staff	St. George
Daniels Faculty of Architecture, Landscape & Design	Faculty & Staff	St. George
Factor-Inwentash Faculty of Social Work	Faculty & Staff	St. George
Faculty of Applied Science and Engineering	Faculty & Staff	St. George
Faculty of Arts & Science	Faculty & Staff	St. George
Faculty of Dentistry	Faculty & Staff	St. George
Faculty of Kinesiology & Physical Education	Faculty & Staff	St. George
Faculty of Law	Faculty & Staff	St. George
Faculty of Music	Faculty & Staff	St. George
Faculty of Information	Staff	St. George
Institutional Equity Office	Staff	Tri-Campus
Jewish Faculty Network	Faculty	Tri-Campus

Appendix D: Consultation List Cont.

Office/Group	Attendees	Campus
Labour Relations	Staff	Tri-Campus
Lawrence Bloomberg Faculty of Nursing	Faculty & Staff	Tri-Campus
Learner Experience Advisory Council	Faculty, Staff & Student	Tri-Campus
Learner Experience Unit	Faculty & Staff	Tri-Campus
Muslim, Arab and Palestinian Discrimination Working Group	Faculty	Tri-Campus
Office of Indigenous Initiatives + First Nations House	Staff	Tri-Campus
Office of Safety & High Risk - Community Safety Office	Staff	Tri-Campus
Office of the University Ombudsperson	Faculty & Staff	Tri-Campus
Office of University Counsel	Staff	Tri-Campus
Ontario Institute for Studies in Education	Faculty & Staff	St. George
Provostial Advisory Group	Faculty & Staff	Tri-Campus
Rotman School of Management	Staff	St. George
Scarborough Campus Student Union	Students	UTSC
School of Continuing Studies	Faculty & Staff	Tri-Campus
School of Graduate Studies	Faculty & Staff	Tri-Campus
Sexual Violence Prevention & Support Centre	Staff	Tri-Campus

Appendix D: Consultation List Cont.

Office/Group	Attendees	Campus
Student Affairs	Staff	Tri-Campus
Student Life Advisory Council	Students & Staff	St. George
Office of the Vice-President and Provost	Staff	Tri-Campus
Temerty Faculty of Medicine	Faculty & Staff	St. George
University Chief Librarian	Librarians & Staff	Tri-Campus
University of Toronto Mississauga	Faculty	UTM
University of Toronto Scarborough	Faculty & Staff	UTSC
Vice-Provost, Faculty & Academic Life	Faculty & Staff	Tri-Campus
Vice-Provost, Students	Faculty & Staff	Tri-Campus
Workplace Investigations	Staff	Tri-Campus