



Policy:	SEXUAL VIOLENCE POLICY
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Approved by:	President

1. APPLICABILITY

This policy applies to all members of the Huron community in their interaction with other members of Huron's community. The community includes staff, students, faculty (including contract faculty), members of the Executive Board, volunteers, contractors and other individuals who work, study or carry on the business of Huron. It also applies to all visitors or guests.

The Reporting procedure and the processes it initiates apply to all Incidents of Sexual Violence in which both the Complainant and the Respondent are Members of the Huron Community, regardless of whether the event occurred on campus, off campus, or using social media or other electronic media. Support will be made available under this Policy to Complainants regardless of whether the Respondent is a Member of the Huron Community.

2. PURPOSE:

All members of the Huron University College ("Huron") community have a right to work and study in an environment that is free from any form of sexual violence. Huron University College recognizes that the prevention of, and response to, sexual violence is of particular importance in a university environment. Sexual violence will not be tolerated. Any and all acts of sexual violence will be addressed and individuals who have committed an act of sexual violence will be held accountable.

Huron University College will ensure that appropriate procedures are in place to respond to incidents of sexual violence and to provide support for members of the Huron community who are victims/survivors of sexual violence, regardless of where such incidents may occur.

This document sets out our policy and response protocol to sexual violence and ensures that those who experience sexual violence are supported and their rights respected.

This policy and its related procedures identify ways to recognize and prevent sexual violence through policies, resources, education and community support and provides members of the Huron community with information to help them respond effectively to an incident of sexual violence. Huron is committed to on-going education and awareness initiatives about sexual violence, including issues of consent, drug and alcohol use, sexual harassment and cyber harassment.

¹ Ontario Women's Directorate. (2013, January). *Developing a response to sexual violence: A resource guide for Ontario colleges and universities*. Retrieved October 6, 2015, from http://www.women.gov.on.ca/owd/english/ending-violence/campus_guide.shtml

3. RESPONSIBILITIES

Administrative and supervisory officers are responsible for communicating to all members of the Huron community that sexual violence is not permitted and will not be condoned or ignored. Administrative and supervisory officers will make every effort to prevent sexual violence by:

- demonstrating by leadership and action a commitment to the prevention of sexual violence;
- communicating the principles of this policy and upholding its spirit and intent;
- taking all steps to put a stop to any sexual violence of which they are aware, regardless of whether a complaint has been filed;
- taking all complaints of sexual violence seriously and promptly and diligently investigating any alleged incident;
- taking prompt action to resolve complaints and taking appropriate corrective action;
- encouraging participation in education and training programs provided by Huron.

All members of the Huron University College community share the responsibility to create a workplace/academic environment that is free from sexual violence. All members are responsible for understanding what constitutes sexual violence and conducting themselves in accordance with the spirit and intent of this policy. All members of the Huron community are encouraged to:

- learning about sexual violence and attending and/or participating in Huron sponsored educational programs and campaigns
- demonstrating professional and respectful behaviours
- speaking out against behaviour that encourages sexual violence
- intervening to prevent situations of sexual violence or where a person is vulnerable to sexual violence, where safe to do so.

The roles of the members of the Huron community are more particularly set out in **Appendix A** hereto.

4. RELATIONSHIP TO OTHER POLICIES

It is recognized that some behaviours that are defined as sexual violence may also involve workplace violence, harassment or sexual harassment and, as such, Huron Workplace Violence Policy, its Harassment, Sexual Harassment and Discrimination Policy and the Code of Student Conduct, may also be applicable in the circumstances. This policy complements other such policies. In cases where multiple Policies may be applicable, Huron will determine which Policy is most applicable in the circumstances and the process or procedure contained therein shall be followed.

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5. DEFINITIONS:

a. Acquaintance sexual assault:

Sexual contact that is forced, manipulated, or coerced by a partner, friend or acquaintance.

b. Coercion:

The use of emotional manipulation, blackmail, threats to family or friends, or the promise of rewards or special treatment, to persuade someone to do something they do not wish to do, such as being sexual or performing particular sexual acts. In the context of Sexual Violence, coercion is unreasonable or persistent pressure for sexual activity.

c. Complainant:

Defined as the person(s) who experiences the negative impacts and is the target of the violent behaviour.

d. Consent:

Consent is the voluntary agreement to engage in the sexual activity in question. Conduct short of a voluntary agreement to engage in sexual activity does not constitute consent as a matter of law. This means that an individual must actively and willingly give consent to sexual activity. Consent must be informed, freely given, and active. Youths 16 and 17 years old may legally consent to sexual acts but not within a relationship of trust, authority, dependency or where there is other exploitation.

Further, regarding consent, it is imperative to understand that:

- Silence or non-communication must never be interpreted as consent.
- A person in a state of diminished judgment cannot consent.
- A person is incapable of giving consent if they are asleep, unconscious or otherwise unable to communicate.
- A person who has been threatened, pressured, forced, or coerced (i.e., is not agreeing voluntarily) is not consenting to any sexual act(s).
- A person who is drugged is unable to consent.
- A person may be unable to give consent when under the influence of alcohol and/or drugs.
- A person may be unable to give consent if they have a mental disability preventing them from fully understanding the sexual act(s).
- Consenting to sexual activity in the past or present does not mean consent is given to other sexual activity in the future.
- A person can withdraw consent at any time.

- A person cannot give consent to a person in a position of trust, power, or authority over them.
- Consent cannot be given on behalf of another person.
- Sexual activity without consent is sexual assault.

e. Cyber Harassment:

Cyber harassment takes many online forms, but typically involves the use of email, texting, instant messaging, derogatory websites, graphic images or posts to bully or otherwise harass an individual or group through personal attacks causing substantial emotional distress and/or the fear of bodily harm. Cyber harassment can include, but is not limited to: ‘flaming’, sending offensive or cruel email, or harassing others by posting comments in chat rooms, blogs, or social networking sites.

f. Drug-facilitated sexual assault:

Occurs when alcohol and/or drugs are used to control, overpower, or subdue a target for the purposes of sexual assault. Many substances could be connected with drug-facilitated sexual assault, such as: alcohol, over-the-counter legal drugs, prescription drugs and illegal drugs such as Rohypnol, gamma hydroxybutyric, or ketamine (generally referred to as “date rape drugs”).

g. Respondent

Defined as the person(s) who is allegedly engaging in the violent behaviour against the complainant(s) and will be responding to the allegations as part of the intervention to resolve to complaint.

h. Sexual Assault:

Sexual assault is defined as an assault of a sexual nature that violates the sexual integrity of the victim. The act of sexual assault does not depend solely on contact with any specific part of the human anatomy but rather the act of a sexual nature that violates the sexual integrity of the victim. Sexual assault is characterized by a broad range of behaviours that involve the use of force, threats, or control towards a person, which make that person feel uncomfortable, distressed, frightened, threatened, or that is carried out in circumstances in which the person has not freely agreed, consented to, or is incapable of consenting to.

i. Sexual Violence:

Any sexual act or act targeting a person’s sexuality, gender identity or gender expression, whether the act is physical or psychological in nature, that is committed, threatened or attempted against a person without the person’s consent and includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism and sexual exploitation.

Sexual violence includes, but is not limited to, stalking, indecent exposure, voyeurism, degrading sexual imagery, distribution of sexual images or video of a community member without his or her consent, cyber

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harassment or cyber stalking of a sexual nature and sexual violence, physical or psychological, carried out through sexual means or by targeting sexuality.

j. Stalking:

A form of criminal harassment prohibited by the *Criminal Code*. Generally, it consists of repeated conduct that is carried out over a period of time and which causes someone to reasonably fear for their safety or the safety of someone else with or without physical injury. Stalking can also include threats of harm to friends and/or family. Stalking behaviours include, but are not limited to, non-consensual communications (face to face, phone, email, social media); threatening or obscene gestures; surveillance; sending unsolicited gifts; “creeping” via social media/cyber-stalking; and uttering threats.

k. Survivor:

A person who has experienced an act or threat of Sexual Violence. Survivor is a positive term recognizing the strength needed to live with an experience of Sexual Violence. It is the prerogative of the person who has experienced Sexual Violence to determine how they wish to identify.

6. CONFIDENTIALITY:

Confidentiality is particularly important to those who have disclosed Sexual Violence. If an individual seeks support of any kind, all Huron staff and/or faculty will protect the confidentiality of all those involved, to the extent possible. However, confidentiality cannot be assured in the following circumstances:

- Where an individual is at imminent risk of self-harm or harming another;
- Where there are reasonable grounds to believe that others in the Huron community may be at risk of harm;
- Where reporting is required by law (e.g. in the case of a minor);
- Where a formal Complaint has been filed, invoking formal procedures involving procedural fairness;
- When an incident of sexual violence is reported to Campus Police that may require an investigation and report to the London Police;
- When notification and/or action (including conducting an investigation) is required by law, by Huron policies, or by an external body with appropriate authority (e.g., when an allegation of Sexual Violence is made against a Huron employee).

By law, Huron must report if someone is at risk of harm to themselves or others. In such circumstances, information would be shared only with the necessary parties and to the extent necessary to prevent harm. The names of the survivor and person(s) accused would not be publicly shared.

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In some cases Huron may be required to take some action independent of the intentions of the parties. If this is necessary, affected individuals will be fully informed and may choose to be supported at every step of the process.

A. OBTAINING IMMEDIATE ASSISTANCE AND SUPPORT

An individual who has experienced sexual violence should go to a place where they can find physical safety and emotional support. This may be the home (or room) of a friend, a family member, a member of the Residence staff, a colleague or a supervisor.

An individual who has experienced a sexual assault is encouraged to seek health care **immediately**. In London, immediate care and counselling support is available at:

- The [Regional Sexual Assault and Domestic Violence Treatment Centre](#), located at St. Joseph's Hospital. Call 519-646-6100, press 0 and ask for the nurse-on-call for sexual assault and domestic violence. Support is provided regardless of gender and, with the consent of the survivor/victim, will also be provided to a partner/significant other.
- [ANOVA](#), previously the Sexual Assault Centre London, can be reached at 519-642-3000. The Sexual Assault Centre London also provides individual & group counselling and accompaniment and advocacy for women. A 24-hour crisis & support line is available to men and women.
- The Gender-based Violence & Survivor Support Case Manager at Western's [Wellness Education Centre](#), who can be reached at 519-661-3568 (non-emergency) or support@uwo.ca, Monday-Friday during business hours.
- Huron Campus Ministry (for pastoral counselling) and Huron's Wellness Services (for personal counselling) are also able to support a survivor/victim's physical and emotional care in the days and months following a sexual assault.

7. DISCLOSURE, REPORTING AND COMPLAINT OPTIONS

Huron recognizes that individuals who have experienced Sexual Violence may experience emotional and/or academic challenges, and need support and accommodation in addressing them.

A survivor is not required to report an incident of, or make a complaint about, sexual violence, in order to obtain the supports, services and accommodation available at Huron.

Huron recognizes that Sexual Violence can occur between individuals regardless of sex, gender identity, gender expression, sexual orientation or relationship status as articulated in the *Ontario Human Rights Code*. It is the intention of this policy to make individuals feel comfortable about disclosing and/or reporting an act or threat of Sexual Violence that they have experienced or witnessed.

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A. DISCLOSURE

A survivor of or witness to sexual violence may choose to disclose the sexual violence to any faculty or staff member. Disclosure, in these circumstances, is generally about seeking support and/or guidance.

Disclosure of sexual violence to a member of Huron Senior Administration may trigger, as required by law (in the case of a minor), an investigation into the alleged incident. The survivor has the right to choose not to participate in any investigation.

In responding to a disclosure of sexual violence, Huron is committed to ensuring that:

- The survivor is believed;
- the survivor is treated with dignity and respect;
- the survivor is informed about on- and off-campus services and resources;
- the survivor has the right to decide whether or not to access available services and to choose those services the survivor feels will be most beneficial;
- the survivor has the right to decide whether to report to Campus Police and/or local police;
- an on-campus investigation (internal or external) with the institution's full cooperation is available to the survivor;
- a safety plan is available for the survivor. (This can be developed with the help of the Director of Community Safety)
- reasonable and necessary actions are taken to prevent further unwanted contact with the alleged perpetrator(s)

Anyone at Huron can receive a disclosure of Sexual Violence. In the event that a survivor discloses their experience(s) to you, please know that you are in a special position to act as a resource. Provide them with a compassionate level of support that refers them to information about options and resources.

A supportive response involves:

- Listening without judgment; and accepting the disclosure as true ¹
- Communicating that sexual violence is never the responsibility or fault of the survivor;
- Helping the individual identify and/or access available on- or off-campus services, including emergency medical care and counselling;

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- Respecting the individual's right to choose the services they feel are most appropriate and to decide whether or not to report their experience;
- Recognizing that disclosing can be traumatic and an individual's ability to recall the events may be limited;
- Respecting the individual's choices as to what and how much they disclose about their experiences; and
- Making every effort to respect confidentiality and anonymity

Survivors of or witnesses to sexual violence may also decide to make a report to the Director, Community Safety while choosing not to file a formal complaint. The report to the Director, Community Safety will be used for accommodation supports (see below), aggregate data reporting and may be used by the survivor to initiate a formal complaint at a later date.

The Director, Community Safety will maintain the confidentiality of the Report unless he or she perceives that there is an imminent risk of harm to the survivor or others or where there are recurring confidential reports of sexual violence involving the same alleged individual or where disclosure of the incident is required by law. Such report may trigger an investigation initiated by Huron. Under those circumstances the Survivor has the right not to participate in any investigation that may occur.

Immediate Support

If you receive a disclosure of sexual violence in the immediate time period following the incident (within approximately 72 hours): Refer to Appendix C (flow chart)

- **Help the individual find a safe environment.**
- **Support the individual in their choice to seek medical attention as soon as possible.** Even if there are no apparent injuries, there may be internal or psychological injuries. In London, 24/7 care is available at the [Regional Sexual Assault and Domestic Violence Treatment Centre](#), located in St. Joseph's Hospital. Support is provided regardless of gender. Call 519-646-6100, press 0 and ask for the nurse-on-call for sexual assault and domestic violence.

The Centre will provide support to the survivor in making choices and understanding options. Options include treatment of injuries, emotional support and crisis intervention, pregnancy prevention, the testing and treatment for sexually transmitted infection, safety planning and referrals.

Individuals may access counselling directly through the Centre, without seeking any other services, up to one-year post-assault.

At the Regional Sexual Assault and Domestic Violence Treatment Centre, the survivor will be provided the option of collecting forensic (physical) evidence. The survivor may choose to

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use this evidence later on or not at all. Survivors have the most options available to them within the first 72 hours (3 days) following a sexual assault; however, certain evidence can be collected up to 12 days after the sexual assault.

- Should the survivor identify a need for accommodation whether academic, residence and/or employment they should be directed to contact the Director, Community Safety who will act as a confidential liaison.

Accommodation support:

Following a disclosure of sexual violence, Huron will support the provision of alternative living, working, or academic arrangements that are minimally disruptive to the survivor, as appropriate and where possible. A survivor is encouraged to contact the Director, Community Safety at the confidential email safety@huron.uwo.ca or 519-438-7224 x 854 who will act as a liaison to support accommodations (academic, residence and/or employment).

Note that there may be limitations to the availability of accommodations based on the individual circumstances of each case. The Director, Community Safety will provide information and details as to what is possible.

Additional supports:

To support a survivor, additional information and resources can be found in **Appendix B** and at: http://safecampus.uwo.ca/sexual_violence/help.html, which give contact numbers of community and campus resources for those inquiring on behalf of someone else. You may also contact Western's Gender-based Violence & Survivor Support Case Manager at the Wellness Education Centre in **Appendix B**.

B. REPORTING AN INCIDENT OF SEXUAL VIOLENCE TO LAW ENFORCEMENT

A survivor may choose to report an incident of sexual violence. Survivors may choose to report the incident to a law-enforcement agency [i.e to the police in an effort to pursue criminal charges under the *Criminal Code of Canada*]. *Contact information follows:*

- London Police Service (Available 24/7)
601 Dundas Street
London, Ontario
Police Reporting Centre: 519-661-2664

A report/complaint may be made immediately or whenever the survivor wishes to do so. In the case of a sexual assault, the best evidence is collected within the first 72 hours. Some evidence may still be collected beyond the 72 hours. **If a survivor is not sure whether they wish to make a report**, Huron strongly encourages the survivor to seek health care immediately at the [Regional Sexual Assault and Domestic Violence Treatment Centre](#), located at St. Joseph's Hospital in London, Ontario. The Centre is able to provide the survivor with the option of collecting forensic (physical) evidence, which may be used at a

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later date.

Anyone who has experienced sexual violence and would like to file a formal report can receive assistance from the following resources:

- Director, Community Safety
Huron University College
Wellness Centre,
On Campus Phone: 519-438-7224 x 854
Email: Safety@huron.uwo.ca
- Western Campus Community Police (Available 24/7)
Lawson Hall, Room 1257
On campus phone: call 911 (emergency)
Off campus or cell phone: call 519-661-3300
519-661-2111 x83300 (non-emergency)

Campus Police are required to report instances of sexual assault to the London Police Service, if the survivor decides they may want to pursue a criminal option. This means Campus Police will need to share the name of the person making the report and a brief synopsis of the report. Campus Police does not report instances to London Police Services if a survivor decides to pursue non-criminal on-campus options or if they want to have an informational meeting with Campus Police to discuss reporting options.

C. FILING A FORMAL COMPLAINT WITH THE UNIVERSITY

A survivor may choose to file a Formal Complaint of sexual violence (see flow chart in Appendix C). The filing of a Formal Complaint triggers a formal procedure which includes an investigation. Interim measures may be put in place while the investigation is underway if there are concerns for safety or well-being.

A Formal Complaint must be submitted in writing to:

- The Vice President, Finance & Administration (VPFA) (or the President, where the complaint is against the VP, Finance & Administration) where Staff and/or Faculty are involved as a Complainant or Respondent. The Vice President, Academic & Dean (VPAD) in the absence of the Vice President, Finance & Administration.
- The AVP, Students, where the Complainant and the Respondent are both students

These people are known as the designated authorities. Complaints with respect to the President will be directed to the Chair, Executive Board. Note that actions and sanctions will be determined by the VPFA or the VPAD only.

There are three (3) options for submitting a Formal Complaint:

- I. The Complainant can send an email to one of the designated authorities noted above indicating

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that an incident or incidents have occurred with the date and names of people involved. The designated authority will appoint an investigator (either external or internal) and the investigator will be in contact with the Complainant to set up a meeting to take the information and details surrounding the incident from the Complainant. This information will include details of the alleged incident, dates, times, location, any witnesses etc.

- II. The Complainant may contact and advise the Director, Community Safety to file a formal complaint. The Director, Community Safety will then make arrangements to take a formal statement and provide information about the process.
- III. Where an incident has been reported to the London Police, a copy of the formal statement made to the Police can be requested by the Complainant and submitted to the designated authority or the Director, Community Safety. The Complainant is strongly encouraged to request a copy of the statement prior to giving the statement but there may be a 30-day waiting period to get a copy of the formal statement.

Upon the filing of a formal complaint, Huron will appoint a qualified, professionally trained, internal or external investigator(s) to investigate the complaint which may include legal counsel.

A copy of the Formal Complaint will be provided to the Respondent. The Respondent will be afforded an opportunity to respond to the Formal Complaint, in person with the Director, Community Safety where a statement will be taken and a copy of that response will be provided to the Complainant. The Respondent should provide any documentation, information or evidence that they feel is relevant to the investigation at this time. At any meeting, the Complainant, Respondent and/or the University Officer have the option to be accompanied by a support person. Each party must inform the other, prior to the meeting, of the name of that person and their relationship or role. Legal representation will not be considered at this stage.

A Complainant has the right to withdraw from the investigation process at any time, but Huron may still be obligated to continue the investigation even in the absence of the Complainant.

Interim Measures

In the event that the Designated Authority determines that there are concerns for the well-being of anyone involved in the process, interim measures may be assigned. Interim measures may include, but are not necessarily limited to:

- relocating the Respondent
- changing employment or academic reporting structures or
- if an employee, placing him or her on a non-disciplinary suspension with pay pending the outcome of the investigation or,
- where a student, placing him or her on an interim suspension, and/or
- trespassing the Respondent from all or parts of the Huron and/or Western and Affiliate campuses
- where a complaint involves a visitor, contractor, or volunteer, trespassing the Respondent from all

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- or parts of the Huron campus
- or any other action determined by Huron to ensure the safety and well-being of any community member

These measures do not presume guilt and exist only until the conclusion of the investigation and decision or for any other period of time determined by Huron. Interim measures may be imposed immediately upon receipt of the complaint, or at any time during the investigation process. Any interim measures will be confirmed in writing to the respondent.

Fact Finding:

The investigator(s) will conduct interviews with all relevant parties including any witnesses, and review any relevant material to clarify the details of the reported incident(s). Both the Complainant and Respondent will be given full opportunity to present their cases. Follow up may be required at any point during the investigation.

Report of Findings:

The investigator(s) will, after completing the investigation, produce a final written report which will be forwarded to the designated authority.

- ii. This report will include the investigator's findings of fact, and his/her opinion, whether on the balance of probabilities, and based on the disputed and undisputed facts arising out of the Investigation, that there has been a violation of this Policy.
- ii. The investigator(s) will normally complete his or her report within 60 working days of being appointed.
- iii. Any decisions regarding penalties and/or remedies shall be conveyed to the Complainant and Respondent in writing.

8. DISCIPLINARY ACTION:

a. Possible Actions and Sanctions

If, after an investigation, the investigator(s) finds that a complaint is substantiated, the designated authority will determine what corrective action is to be taken, if any.

Sanctions or actions available to the designated authority include, but are not limited to, all or any combination of the following:

- i. If the finding is against a student:
 - require the completion of information or education sessions
 - require participation in a counselling process
 - Formal letter of reprimand, placed in the student file in the office of the Registrar.
 - A No Contact Order that requires that a Student have no direct or indirect

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- contact with a specific individual(s) or group(s).
 - Forfeiture of eligibility for Huron awards or financial assistance
 - Prohibition from non-academic activities at Huron.
 - Prohibition from association with people at Huron.
 - Prohibition from specified buildings and/or all facilities at Huron, which may include Residence.
 - Issuance of 'No Trespass' from Huron, Western, King's and/or Brescia.
 - Compensation to Huron in the form of community service, financial reimbursement and/or material replacement.
 - Restriction or denial of services or privileges. The lost privileges may include, but are not limited to, parking privileges, unrestricted access to the library, access to athletic facilities at Western, and access to and participation in extra-curricular activities, including student leadership opportunities.
 - Non-academic, disciplinary probation for a designated period of time during which the student is required to adhere to the terms of the probation which may include restrictions of student privileges and/or set behavioral expectations. A violation of probation or additional breaches of the standards of conduct outlined under the Student Code of Conduct (related or not), while on probation may result in more severe penalties.
 - Removal from academic programming at Huron and/or Western, Brescia, King's through:
 - Removal from Course Registration;
 - Removal from Registration in Multiple Courses;
 - Suspension from the university for a specified period of time; this is recorded on the academic transcript;
 - Expulsion from the university; this is recorded on the academic transcript.
- ii. If the finding is against an employee of Huron:
- require the completion of information or education sessions
 - require participation in a counselling process
 - a directive to cease and desist the behaviour with notice that failure to do so will lead to a further penalty;
 - restriction of access to a physical area of Huron or barring from the Huron Campus;
 - suspension for a set time with/without pay or reimbursement;
 - Termination of employment;
- iii. If the finding is against a guest or visitor, a reprimand, a limitation of social privileges, and/or a barring from Huron campus or events;
- iv. If the finding is against a Board member, a reprimand, and/or expulsion from the Executive Board; and/or a barring from the Huron campus or events
- v. If the finding is against a contractor providing services at Huron, a reprimand, cancellation of the contract, and/or a barring from future bids for a period to be determined by the University, and/or a barring from Huron's campus or events

The designated authority may consider any recommendation(s) or recommended sanctions proposed by the Complainant.

The disciplinary action should be appropriate for the seriousness of the breach of the policy and the status of the Respondent.

Huron may require a review and modification of policies, procedures and practices for a particular work group.

b. Record of the Action

Where a complaint of sexual violence is substantiated there will be a formal record of the action taken on the Respondent(s)'s personnel or student file, if applicable. All other records will be maintained in a secure file kept by the Director of Community Safety or the VP, Finance & Administration.

c. Retaliation:

All employees and students have a right to be free of retaliation or threat of retaliation as a result of being involved in a complaint of sexual violence. Retaliation will be deemed to be harassment and dealt with in accordance with Huron's Harassment, Sexual Harassment & Discrimination Prevention Policy.

d. Malicious and Vexatious Complaints:

If, as a result of an investigation, it is determined by the investigator that an otherwise unfounded complaint was intended to be malicious and/or vexatious, it will be considered a form of harassment and will be dealt with in accordance with the sanctions applicable to the Complainant as defined above.

e. Respondent Recourse:

This investigative process does not preclude a survivor from contacting the police where they feel it is appropriate or desired to do so and it is not intended to discourage anyone from taking any steps that they feel necessary in that regard. In fact, Huron strongly encourages survivors to take whatever steps they feel comfortable, including contacting any individuals or departments identified within this Policy.

Employees:

Employees may grieve the decision of the designated authority following the appropriate procedures outlined in the relevant Collective Agreement.

Students:

- i. If you wish to appeal the decision of the designated authority, you may request an appeal to a sub-committee of the Campus Discipline Appeals Committee (CDAC), based on one or more of the following:
 - a. You believe the designated authority made a fundamental procedural error in reaching the final decision and as such, that error has caused or will cause actual prejudice to you, or;
 - b. there is now, relevant and new evidence that was not available to the designated authority at the time of making their decision.

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The sub-committee of the CDAC to hear appeals of decisions related to incidences of sexual violence shall consist of the following individuals and shall be referred to as the Sexual Violence Appeal Committee (SVAC):

- The appointed Chair of the CDAC,
- The appointed Faculty Representative of the CDAC, and;
- The Director, Human Resources.

This committee shall be chaired by the Director, Human Resources and shall report directly to the President.

The President may also appoint other ad hoc members to the SVAC, based on the circumstances contained within the appeal and where subject matter expertise of another staff or faculty member, or external resource, including legal counsel, would benefit the SVAC. If there is a perceived conflict of interest with a standing member of the SVAC, the President may appoint another member to the SVAC in their place.

- ii. You must make your written appeal within ten (10) business days of receiving the decision, and subsequent penalties of the designated authority. You must submit your appeal to the Executive Assistant, Office of the President, who will provide one (1) copy of it to the designated authority (as "respondent") and one (1) copy to the Chair of the SVAC.
- iii. Your appeal **must** include the following information:
 - a. a copy of the notice of complaint;
 - b. a copy of the decision from the designated authority;
 - c. a statement supporting the grounds for appeal (i.e. the reasons why the appeal should be granted and the arguments in support of the appeal), including any new evidence that was not available to the designated authority at the time of their decision. If no new evidence, your statement must clearly articulate and detail the fundamental procedural error and actual or perceived prejudice to you, and;
 - d. the relief or resolution you seek.
- iv. The designated authority whose decision you are appealing will have five (5) business days from the receipt of your appeal from the Executive Assistant, Office of the President to make a detailed response to your appeal by writing to the Chair of the SVAC.
- v. Following the receipt of your appeal, and response from the designated authority, the Chair of the SVAC will convene a meeting of the SVAC to consider the appeal. The right to an appeal is not automatically granted, nor is an appeal the opportunity for the appellant or the designated authority to repeat information. The SVAC will only consider to proceed with an appeal if the conditions outlined in 1, 2 and 3 above are clearly and collectively met. Simply disagreeing with, or not liking the decision of the designated authority, is not grounds for an appeal.
- vi. In most case the SVAC will consider the appeal as a written appeal, however the SVAC reserves the

right to request an oral hearing of your appeal. You have the right to make a case for a hearing in your statement (as per iii.c. above), although the SVAC may choose not to proceed to an oral hearing. If there is to be a hearing, you will be notified and due to the confidential nature of the issues and impact on individuals, appeal hearings, if granted, shall be closed and not open to the public.

- vii. After reviewing your written appeal or oral hearing, the SVAC will take one (1) of the following actions:
 - a. dismiss your appeal as having insufficient grounds;
 - b. consider your appeal and nevertheless uphold the original findings and penalty;
 - c. consider your appeal and uphold the original findings but not the original penalty and may impose an alternative penalty;
 - d. consider your appeal and overturn both the original findings and the original penalty.

The SVAC has no authority to make any order for the payment or award of costs.

- viii. The decision of SVAC will be given to you within fifteen (15) business days of the filing of your appeal, and the decision will be filed with the Executive Assistant, Office of the President and copied to University offices that need to know. **The decision of the SVAC is final.**
- ix. During the appeal process, all parties, including the SVAC, have a right to legal counsel, at the parties own respective expenses. Processes outlined within this Appendix shall not be unreasonably postponed or rescheduled due to the unavailability of legal counsel.
- x. While your appeal is being considered by the SVAC, the original penalty remains in effect, unless explicitly set aside by the SVAC upon receiving the appeal. You will be notified in writing by the Chair of SVAC if applicable to your appeal.

9. COLLECTION AND DISCLOSURE OF DATA

Huron will maintain annual cumulative statistics on disclosed and reported incidents of Sexual Violence on campus for the purposes of community education and legislated reporting. This data will not include any information that would identify any Huron community member but will include the number of times supports, services and accommodation relating to sexual violence are requested and obtained by members of the Huron community.

10. PREVENTION & EDUCATION OF SEXUAL VIOLENCE

Huron is committed to providing and supporting on-going education and awareness initiatives about Sexual Violence, including issues of consent, sexual harassment, and cyber harassment to students, faculty, and staff. Huron fully supports all cross-campus education and awareness initiatives occurring at Western University, Huron University College, and Brescia University College, and encourages the participation of and collaboration with the Huron community.

11. POLICY REVIEW PROCESS

This policy will be reviewed every two years.

¹ Ontario Women's Directorate. (2013, January). *Developing a response to sexual violence: A resource guide for Ontario colleges and universities*. Retrieved October 6, 2015, from http://www.women.gov.on.ca/owd/english/ending-violence/campus_guide.shtml

APPENDIX A: Roles and Responsibilities of the University Community

Upon becoming aware of an incident or complaint, everyone on campus has a role to play. In responding to experiences of sexual misconduct and supporting a survivor, there are common responsibilities that are shared by all and unique roles for specific campus groups.

Common Responsibilities

- Model positive behaviors and attitudes by:
 - Demonstrating respectful behaviors in personal relationships
 - Valuing diversity
 - Resolving conflicts in constructive and non-violent ways
 - Challenge the myths surrounding Sexual Violence (see Appendix C)
- Be an Upstander and speak up:
 - Come to the defense of a survivor if you witness Sexual Violence or Sexual Harassment, and offer support
 - Call a proper authority if you witness sexual assault
 - Tell a proper authority if you see anyone adding something suspicious to another person's drink
 - Check in with your friends and any vulnerable individuals to see that they get home safely
 - Say "no" if anyone tries to share private texts or snapchats they've received
 - Speak out against negative attitudes and intervene when comments are made that promote Sexual Violence
 - SEE OR KNOW SOMETHING, DO SOMETHING
- Create an atmosphere where individuals feel comfortable disclosing and seeking help
- Have open discussions with peers about the issue of Sexual Violence on campus
- Respond in a sympathetic, non-judgmental and supportive way when an act of Sexual Violence is disclosed by a survivor and/or by a person(s) accused
- Be a supportive listener when survivors wish to discuss their experiences
- Respect survivors' privacy and how much information they choose to disclose
- Promote confidentiality of the survivor and the person(s) accused and discourage rumors
- Be aware of response protocol and how to contact resources/supports or make referrals to them
- Willingly participate in investigations
- Participate in training and public education initiatives on Sexual Violence issues

¹ Ontario Women's Directorate. (2013, January). *Developing a response to sexual violence: A resource guide for Ontario colleges and universities*. Retrieved October 6, 2015, from http://www.women.gov.on.ca/owd/english/ending-violence/campus_guide.shtml

Unique Responsibilities	
President, Dean, Vice-Presidents, Associate Vice-Presidents & Directors	<ul style="list-style-type: none"> • Play a leadership role in raising prevention, awareness, and education about Sexual Violence • Endorse a formal Sexual Violence policy and its response protocol • Allocate resources for training campus members on the policy and response protocol • Make provisions and employment considerations/workplace accommodations for employees (staff and faculty) who are affected by Sexual Violence issues in their workplace • Ensure and facilitate mandatory training on Sexual Violence for staff and faculty
VPFA, AVP, Students, Director Community Safety & Director, Human Resources	<ul style="list-style-type: none"> • Ensure that an investigation is undertaken in appropriate circumstances • Conduct an investigation • Oversee the effectiveness of the policy & protocol • Propose changes to respond to and ensure effectiveness • AVP, Students: oversight for the operation of the Student Code of Conduct • Director, Human Resources: oversight for the operation of all applicable policies
Faculty Members	<ul style="list-style-type: none"> • Provide survivors with appropriate academic considerations, such as extensions on assignments, re-weighting assignments or tests, or supporting a request to drop a class or continue studies from home • Make students aware of opportunities to attend campus initiatives relating to Sexual Violence • Attend and complete training on the policy and response protocol • Participate in ongoing campus prevention, education, and awareness initiatives about Sexual Violence and Sexual Violence issues • Information regarding disclosures and/or reports/complaints should be shared in-person with Academic Dean or Director, Human Resources, respecting privacy of survivor and person(s) accused • Follow all applicable policies
Academic Support Staff	<ul style="list-style-type: none"> • Assist with academic accommodations, petitions (e.g., requests for waiving an academic regulation, degree requirement or academic deadline with a student who has experienced a hardship or disadvantage), dropping courses, adjusting course schedules where appropriate and other academic needs of the survivor • Make students aware of opportunities to attend campus initiatives relating to Sexual Violence • Attend and complete training on the policy and response protocol • Participate in ongoing campus prevention, education, and awareness initiatives about Sexual Violence issues • Information regarding disclosures and/or reports/complaints should be shared in-person with the Budget Unit Head; or Dean of Students; or Director, Human Resources, respecting privacy of survivor and person(s) accused • Follow all applicable policies

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Residence Life	<ul style="list-style-type: none"> • Organize a change in living arrangements that is minimally disruptive to the survivor, when necessary • Encourage students living in residence to organize and participate in Sexual Violence awareness activities • Be aware of any changes in behaviour by individual students • Attend and complete training on the policy and response protocol • Participate in ongoing campus prevention, education, and awareness initiatives about Sexual Violence issues • Information regarding disclosures and/or reports/complaints should be shared in-person with Manager; or Vice Principal, Students; or Director, Human Resources, respecting privacy of survivor and person(s) accused • Follow all applicable policies
Campus Police	<ul style="list-style-type: none"> • Issue a campus safety alert when it is determined that the campus may be at risk • Offer the survivor the opportunity to be interviewed by police of the same gender, if the individual chooses • Assist with investigations • Collaborate with London Police • Follow best practices in creating campuses that are physically safe; implements measures to reduce sexual violence on campus • Assess the physical safety of campus through regular safety audits • Engage the campus community in periodic reviews of safety procedures, where appropriate
Director, Community Safety	<ul style="list-style-type: none"> • Help Survivor navigate their options • Provide confidential support, referrals and assistance • Source of referral to Campus Police or London Police for reporting; or referral to on-campus health and/or off-campus community supports • Conduct the investigation where an internal investigation is undertaken • Liaise with External Investigator as needed
Wellness Services	<p><u>Wellness Coordinator</u> - Provide confidential counselling, support including accommodations, and referrals as needed for the complainant</p> <p><u>Wellness Manager</u> – Provide confidential support and resources as needed for the respondent</p> <p>Attend and complete training on the policy and response protocol</p> <p>Participate and facilitate ongoing campus prevention, education, and awareness of campus initiatives about sexual violence</p> <ul style="list-style-type: none"> • Engage students’ participation and awareness of opportunities to attend campus initiatives relating to Sexual Violence
Western (on-campus) Health Supports	<ul style="list-style-type: none"> • Psychological and emotional support • Assistance with safety planning • Referrals to other services, including medical services

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Finance, Student Financial Services	<ul style="list-style-type: none"> • Provides access to emergency financial assistance for students in need • Participate in training on the policy and response protocol • Participate in ongoing campus prevention, education, and awareness initiatives about Sexual Violence issues • Information regarding disclosures and/or reports/complaints should be shared in-person with Manager/Supervisor; or Dean of Students; or Director, Human Resources, respecting privacy of survivor and person(s) accused • Follow all applicable policies
Campus Ministry	<ul style="list-style-type: none"> • Provides social, emotional and spiritual support, available for all students, staff and faculty
Student Associations & Student Groups	<ul style="list-style-type: none"> • Engage in educational initiatives to promote better understanding of sexual violence and the institution's policies and protocols • Provide feedback on institutional policies, resources, and protocols • Participate in training on the policy and response protocol • Participate in ongoing campus prevention, education, and awareness initiatives about Sexual Violence issues
Staff	<ul style="list-style-type: none"> • Make students aware of opportunities to attend campus initiatives relating to sexual violence • Participate in training on the policy and response protocol • Participate in ongoing campus prevention, education, and awareness campus initiatives about Sexual violence • Information regarding disclosures and/or reports/complaints should be shared in-person with Manager/Supervisor; or AVP, Students; or Director, Human Resources, respecting privacy of survivor and person(s) accused • Follow all applicable policies
Students	<ul style="list-style-type: none"> • Participate in ongoing campus Sexual Violence prevention, education, and awareness initiatives • Participate in training on the policy and response protocol • Follow the Student Code of Conduct • Provide feedback on institutional policies, resources, and protocols

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APPENDIX B: Resources

1) [Emergency/Crisis Resources](#)

2) [Campus Resources](#)

3) [Contact Information](#)

4) [Community Resources](#)

5) [Police and Legal Resources](#)

1) Emergency Resources

- A. [Regional Sexual Assault and Domestic Violence Treatment Centre](#), located at St. Joseph's Hospital, London ([directions](#)).
Call 519-646-6100, press 0 ask for the nurse on call for the Regional Sexual Assault Program to be paged.
- B. [ANOVA](#) (previously Sexual Assault Centre London and Women's Community House)
24 hour support line 1-800-265-1576
- C. [Western's Campus Community Police Services](#)
911 (on campus phone) 519-661-3300
- D. [London Police Services](#)
911 (emergency)
519-661-5670
- E. [CMHA Crisis Centre \(24/7\)](#)
628 Huron St.
- F. Reach Out Crisis Phone line
1-866-933-2023

¹ Ontario Women's Directorate. (2013, January). *Developing a response to sexual violence: A resource guide for Ontario colleges and universities*. Retrieved October 6, 2015, from http://www.women.gov.on.ca/owd/english/ending-violence/campus_guide.shtml

2) Campus Resources

Service Type	Brief Overview of Service	Contact Information
Huron University		
Community Safety	<p>For all Students, Staff & Faculty.</p> <p>To report/disclose information on sexual violence.</p> <p>To seek guidance, information on Sexual Violence policy and procedures.</p>	<p>519-438-7224 ext. 854</p> <p>safety@huron.uwo.ca</p>
Wellness Services	<p>Counselling services for students registered at Huron University College.</p> <p>Call/Go in person/email to schedule an appointment</p>	<p>519-438-7224 ext. 716</p> <p>519-438-7224 ext. 866</p> <p>huronwellness@huron.uwo.ca</p>
Human Resources	<p>For Faculty, staff and individuals working on campus (e.g. volunteers)</p> <p>To seek guidance, information on Sexual Violence policy and procedures. To report/disclose information on sexual violence</p>	<p>519-438-7224 ext. 703</p> <p>jhenry56@huron.uwo.ca</p>
Chaplaincy	<p>For All Faculty, Staff and students and members of Huron community.</p> <p>Call/Go in person/email to inquire about meeting with a member of Campus Ministry</p>	<p>519-438-7224 ext. 294</p> <p>gthorne@huron.uwo.ca</p>
Huron Campus Security	<p>For all members of Huron community.</p> <p>Contact for after-hours security concerns (4pm to 8am)</p>	<ul style="list-style-type: none"> • 519-438-7224 press 0
Residence Life	<p>For issues of security, safety or any related concerns please contact your Residence Manager.</p>	<p>519-438-7224 ext. 397</p> <p>HuronRez@huron.uwo.ca</p>

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Service Type	Brief Overview of Service	Contact Information
Western University - Main Campus		
Western's Sexual Violence website	This website is a source of information on sexual violence for all members of Western community including Huron	See various links within website for contact information.
Western's Campus Community Police Services	For all members of Western community including Huron. For emergencies and non-emergencies	EMERGENCY - Call 911 Non-emergencies or inquiries 519-661-3300
Western Education Centre for Research & Education on Violence Against Women & Children	The Centre for research is a source of information/Services/Resources for all members of Western community including Huron	1137 Western Road, Room 1118 Faculty of Education Building Western University London, Ontario, CANADA N6G 1G7 519-661-4040
Student Health Services at UWO	Student Health Services is an appointment based medical clinic for all registered part-time and full-time students at Western and affiliated colleges	Room 11, UCC 519-661-3030
Western's Student Development Centre (Psychological Services)	Counselling services for all registered part-time and full-time students at Western and affiliated colleges.	4th floor, WSSB 519-661-3031

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3) Contact Information

Contact	Phone lines
Huron University College	
Huron Campus Security	519-438-7224
Huron Wellness Services	519-438-7224 ext. 716 or 866
Huron Community Safety	519-438-7224 x 854
Huron Campus Ministry	519-438-7224 ext. 294
Huron Harassment Advisor	519-438-7224 ext. 703
Huron Residence Manager	519-438-7224 ext. 397
Western University	
Western's Campus Police	911
Western's Campus Police (non emergency line)	519-661-3300
Student Health Services at UWO	Medical: 519-661-3030 Counselling: 519-661-3771
Chaplains at Western	519-661-2111 ext. 85929
Faculty/Staff Family Practice Clinic	519-661-2047
Gender-based Violence & Survivor Support Case Mgr	519-661-3568 / support@uwo.ca
Off-Campus	
ANOVA	1-800-265-1576
Good2Talk Post-Secondary Student Helpline	1-866-925-5454
Employee Assistance Program (EAP)	24/7 crisis line: 1-800-668-9920 Counselling: 1-877-433-0701
Abused Women's Helpline	519-642-3000 Toll free: 1-800-265-1576
Support Services for Male Survivors of Sexual Abuse	1-866-887-0015
Ministry of the Attorney General, Victim Support Line	1-888-579-2888
Regional Sexual Assault and Domestic Violence Treatment Centre , located at St. Joseph's Hospital, London (directions). Ask for the nurse on call for the Regional Sexual Assault Program to be paged.	519-646-6100, press 0

¹ Ontario Women's Directorate. (2013, January). *Developing a response to sexual violence: A resource guide for Ontario colleges and universities*. Retrieved October 6, 2015, from http://www.women.gov.on.ca/owd/english/ending-violence/campus_guide.shtml

4) Community Resources (For Reference – not for emergency/crisis situation)

- A. London Abused Women’s Centre <http://lawc.on.ca>
- B. London Intercommunity Health Centre <http://lihc.on.ca>
- C. Femaide Crisis Line: www.femaide.ca
- D. Male Survivors of Sexual Abuse Provincial Crisis and Support Line 1-866-887-0015
https://www.attorneygeneral.jus.gov.on.ca/english/ovss/male_support_services/
- E. National Resource Centre on Violence Against Women <http://vawnet.org>
- F. Neighbours Friends & Families <http://www.neighboursfriendsandfamilies.ca/index.php>
- G. OCRCC: Ontario Coalition of Rape Crisis Centres www.sexualassaultsupport.ca
- H. Ontario Native Women’s Association (ONWA) www.onwa.ca
- I. Ontario Network of Sexual Assault/Domestic Violence Treatment Centres
www.sadvtreatmentcentres.ca
- J. [Southwesthealthline: Abuse and Sexual Assault](http://southwesthealthline.ca)
- K. LGBTQIA+ Resources (London) <http://pridelondon.ca/community-organizations-and-groups>

¹ Ontario Women’s Directorate. (2013, January). *Developing a response to sexual violence: A resource guide for Ontario colleges and universities*. Retrieved October 6, 2015, from http://www.women.gov.on.ca/owd/english/ending-violence/campus_guide.shtml

5) Police and Legal Resources

- A. [London Police \(519-661-5670\)](#)
- B. [Western's Campus Community Police Services \(519-661-3300\)](#)
- C. [Ministry of the Attorney General: Programs and Services for victims of Crime](#)
- D. [Restraining Orders: Information regarding process and steps](#)
- E. [Ontario Women's Justice Network \(OWJN\)](#)
- F. [Criminal Injuries Compensation Board](#)
- G. [Ontario Women's Directorate](#)
- H. [Government of Canada – Justice Laws website](#)
- I. [Victim/Witness Assistance Program \(519-660-3041\)](#)
- J. [Legal Aid \(London\) 1-800-668-8258](#)

¹ Ontario Women's Directorate. (2013, January). *Developing a response to sexual violence: A resource guide for Ontario colleges and universities*. Retrieved October 6, 2015, from http://www.women.gov.on.ca/owd/english/ending-violence/campus_guide.shtml