

TITLE: Sexual Violence Policy

Original Date: June 15, 2023

Date of Approval: June 13, 2024

Effective Date: June 13, 2024

Last Review Date: June
13, 2024

Mandatory Review Date: 3
years

Approved By:

Board of Governors

President's Council

1. Purpose

The Sheridan College Institute of Technology and Advanced Learning (“Sheridan”) is committed to supporting academic achievement and the dignity, self-esteem and fair treatment of everyone taking part in its activities. Sheridan seeks to foster a climate of mutual respect that reinforces opportunity and allows for each person to contribute fully to the development and well-being of the community. To this end, Sheridan will not tolerate any form of Sexual Violence as defined by the Sexual Violence Policy or applicable legislation. This Policy should be read in conjunction with Sheridan’s Sexual Violence Procedure (the Procedure). For Definitions, see section 4.

This Policy and its related Procedure set out the ways in which Sheridan addresses Sexual Violence, including through prevention initiatives, education and options for seeking support and reporting. The purpose of this Policy and its related Procedure is to give effect to Sheridan’s commitment to foster a safe and healthy learning, working and living environment free from Sexual Violence, and to ensure that:

- individuals who disclose Sexual Violence are treated with dignity, respect and belief at the time of Disclosure and their autonomy and rights are respected
- individuals affected by Sexual Violence will receive appropriate accommodation, if they want it
- Sheridan has a process for addressing and resolving Complaints of Sexual Violence that is trauma-informed, protects the rights of Participants, and holds individuals who have committed an act of Sexual Violence accountable
- Sheridan complies with relevant legislation related to Sexual Violence, including the *Ontario Human Rights Code*, the *Ministry of Training, Colleges and Universities Act* and the *Occupational Health and Safety Act*.

This Policy constitutes Sheridan’s *Employee Sexual Misconduct Policy* relating to sexual behaviour that involves Students of Sheridan, as required by the *Strengthening Post-Secondary Institutes and Students Act, 2022*.

2. Statement of Principles and Commitments

Sexual Violence is unacceptable and will not be tolerated at Sheridan. All Sheridan Community Members have a right to learn, work and live in an environment that is free from any form of Sexual Violence.

Sheridan is committed to challenging and preventing Sexual Violence and creating a safe space for anyone in the Sheridan community who has been affected by Sexual Violence. Sheridan strives to be a safe and positive space where Sheridan Community Members are able to live, work, learn and express themselves in an environment free from Sexual Violence. Sheridan employees, students and other members of the Sheridan community have a responsibility to familiarize themselves with this Policy and its related Procedure.

Sheridan acknowledges that while Sexual Violence impacts all members of society, some individuals or groups experience Sexual Violence at higher rates. Every effort to address Sexual Violence should be grounded in an intersectional and inclusive approach. Such an approach is based on the understanding that each person's experience may be affected by many factors, including negative attitudes towards co-existing and intersecting aspects of their identity which include, but are not limited to, a person's sex; gender identity and gender expression; sexual orientation; family status; Indigeneity; racial or ethnic background; language barrier; disability; age; creed; socio-economic status; academic standing, and/or position/role within Sheridan.

Sheridan recognizes that Sexual Violence can occur between individuals regardless of their sexual orientation, gender, and gender identity or relationship status as articulated in the Ontario *Human Rights Code*. Sheridan also recognizes that individuals affected by Sexual Violence may experience emotional, academic, employment and/or other difficulties and Sheridan will provide assistance and support accordingly.

This Policy is intended to ensure that individuals who have experienced, witnessed, and/or been affected by Sexual Violence are aware of how to receive support and know their options to file a Complaint. It is important that individuals affected by Sexual Violence know that they are entitled to supports, whether or not they choose to file a Complaint.

Sheridan is committed to:

- a) engaging in public education and prevention activities related to Sexual Violence
- b) educating the Sheridan community about Sheridan's Sexual Violence Policy and Procedure
- c) providing appropriate education and training to the Sheridan community about responding to Disclosures of Sexual Violence
- d) contributing to the creation of a campus atmosphere in which Sexual Violence is not tolerated
- e) assisting those affected by Sexual Violence by providing support, information and choices for disclosure and reporting
- f) ensuring that those who disclose that they have been affected by Sexual Violence are treated with dignity, respect and belief at the time of Disclosure
- g) respecting the dignity of Participants throughout all stages of the Complaint process
- h) addressing harmful attitudes and behaviours that normalize Sexual Violence or suggest that a person who has experienced Sexual Violence is somehow to blame for what happened (these attitudes are often referred to as "Rape Culture")
- i) recognizing that people who disclose Sexual Violence are in the best position to make decisions in their own best interests
- j) ensuring that Investigation procedures are available to address Sexual Violence
- k) engaging in appropriate procedures for investigating a Complaint which are in accordance with Sheridan policies, standards and applicable collective agreements, and that ensure Procedural Fairness
- l) ensuring coordination and communication among the various departments (e.g. the Centre for Equity and Inclusion (CEI), Wellness and Counselling Services, Health Services, Student Rights and Responsibilities Office, Accessible Learning, Campus Safety Services, Residence Life, Occupational Health and Safety, Human Resources)

- that are most likely to be involved in the response to campus-related Sexual Violence, and
- m) monitoring and updating Sheridan's Sexual Violence Policy and Procedure to ensure that they remain effective and in line with other existing policies and best practices.

Sheridan Community Members who Disclose their experience of Sexual Violence, access supports and services for Sexual Violence, make a Complaint about or otherwise report an incident of Sexual Violence, will not be asked irrelevant and unrelated questions by Sheridan's staff or Investigators, including irrelevant questions relating to the individual's sexual expression or past sexual history.

Sheridan Community Members who have experienced Sexual Violence can access other legal processes at any time including criminal, civil, professional regulatory or human rights processes.

Where a Disclosure or Complaint to Sheridan involves allegations of Sexual Violence, this Policy will have primacy. In some instances, the actions of an individual may violate more than one Sheridan policy. Where the Disclosure or Complaint involving Sexual Violence engages issues under other policies, such as intersecting and/or independent issues of discrimination under the Discrimination and Harassment Policy and Procedure, safety in the workplace under the Workplace Violence Policy, or the application of the Code for Professionalism and Civility, or the Student Code of Conduct, CEI will coordinate Sheridan's response. CEI will consult with the relevant area(s), as appropriate and will determine:

- the scope of CEI's Investigation under this Policy and any and all interrelated issues and policies
- the CEI Investigator's mandate relating to intersecting issues and policies, and
- whether any other parallel or related Investigation or process by another office within Sheridan should proceed.

3. **Scope**

Who the Policy applies to: This Policy and its related Procedure apply to all Sheridan Community Members as defined in this Policy. A person who is not a Sheridan Community Member, but who has a concern falling within the scope of this Policy, may contact the Centre for Equity and Inclusion (CEI) at equity@sheridancollege.ca or 905.845.9430 ext. 2229.

What Conduct is covered by this Policy: This Policy and its related Procedure apply to conduct that occurs on-campus, within a Sheridan-sponsored event or activity (whether on- or off-campus) and to off-campus conduct, including on-line and digital activities, where the off-campus conduct may adversely affect the right of a Sheridan Community Member to use and enjoy Sheridan's learning, working, or living environment, or otherwise affect the safety, integrity or other interests of the Sheridan Community or its Members.

When Sheridan will Investigate a Complaint under this Policy: Sheridan will investigate a Complaint under this Policy where the Respondent is a Member of the Sheridan Community at the time of the reported Sexual Violence and at the time the Complaint is made. There is no time limit for filing a Complaint involving a Respondent who is a Sheridan Community Member. Sheridan may continue to investigate a Complaint where a Respondent leaves Sheridan following the initiation of the Complaint. A decision to continue or suspend an Investigation will be made on a case-by-case basis having regard to criteria set out in section 9.1 of this Policy. While there is no time limit for filing a Complaint, Sheridan may decline to continue with an Investigation or be unable to make a finding, where the Investigation would be unfair and would result in substantial prejudice to any person, such as when the passage of time affects access to witnesses or other evidence.

4. Definitions

Accommodation: For the purpose of this Policy, an Accommodation (whether academic, employment or otherwise) is a means of supporting Survivors of Sexual Violence and/or others affected by Sexual Violence. Accommodations are intended to remove barriers that impede full participation and access to Sheridan. An Accommodation is not a courtesy or a favour, nor is it a lowering of academic or employment standards. Accommodation is the recognition that individuals may require some adjustments in order to support their performance on the job or in the classroom. Sheridan and its Employees have a legal duty to accommodate. Breaches of the duty to accommodate may constitute a form of discrimination and, as such, may be subject to the same consequences as substantiated complaints of discrimination and harassment under Sheridan's *Discrimination and Harassment Policy and Procedure*.

Appeal: A process to address a formal disagreement with a decision made under this Policy. Section 7 of the Sexual Violence Procedure sets out the types of decisions that may be appealed, by whom and to whom.

Balance of Probabilities: The findings and conclusions in an Investigation under this Policy and Procedure are made using the standard of a Balance of Probabilities, which is the standard of proof used in all civil and administrative matters, including professional discipline, labour and employment law and human rights law, to establish whether discrimination, harassment and/or Sexual Violence has occurred. It is the determination of whether it is more likely than not that the allegations have occurred. The standard of a Balance of Probabilities is a civil standard and should not be confused with the standard of "Beyond a Reasonable Doubt", which is the higher standard used in criminal cases because of the risk of imprisonment faced by the accused.

Centre for Equity and Inclusion (CEI): For the purposes of this Policy, CEI is the office that receives and investigates Complaints and, where appropriate, conducts Facilitated Resolutions under this Policy. CEI, through the Sexual Violence Response Specialist, is also responsible for developing and coordinating Sexual Violence education and prevention activities on-campus, identifying systemic issues and barriers, providing guidance and advice to Sheridan on effective strategies to identify, address and prevent Sexual Violence at Sheridan, and preparing an Annual Report on Sheridan's Sexual Violence education, prevention, support and Investigation activities.

Complainant: An individual who brings forward a Complaint that alleges that an incident of Sexual Violence has taken place, pursuant to the Policy and its Procedure.

Complaint: The sharing of information about an incident or pattern of incidents or behaviour that is believed by the Complainant to contravene the Policy and its Procedure, which information is shared for the purpose of initiating an Investigation process under this policy that could result in corrective action.

Consent: The voluntary and explicit agreement to engage in the sexual activity in question. It is the act of willingly agreeing to engage in specific sexual behaviour and requires that a person is able to freely express "yes". This means that there must be an understandable exchange of affirmative words, which indicates a willingness to participate in mutually agreed upon sexual activity. Along with a clear understanding of the definition of Consent, it is imperative that everyone understands the following additional information about Consent:

- Consent must be obtained at the outset and at all stages of sexual activity on an ongoing basis

- it is the responsibility of the initiator of sexual activity to ensure that clear and affirmative responses are communicated at all stages of sexual engagement
- a person can withdraw Consent at any time, including during the course of a sexual encounter
- Consent cannot be assumed from silence, the absence of a “no”, passivity, immobility or an absence of resistance
- a person is incapable of giving Consent if they are asleep, unconscious, unable to communicate or otherwise incapacitated as set out below
- a person is incapable of giving Consent if their judgment is impaired such that they cannot appreciate the risks or consequences of the sexual act; a person does not have the capacity to give Consent when they cannot appreciate the who, what, when, where, why, or how of the sexual activity; it is the responsibility of the person initiating or continuing sexual contact to ensure that the sexual partner has the capacity to Consent
- a person who has been threatened, intimidated or coerced (i.e. is not agreeing voluntarily) into engaging in the sexual activity is not consenting to it
- the fact that Consent was given in the past, whether on that day or night or on a previous occasion, does not imply contemporary, ongoing or future Consent
- Consent cannot be given on behalf of another person
- an individual cannot rely on their own subjectively held (mistaken) belief that the other person is communicating Consent, but must take active and ongoing reasonable steps to confirm that Consent
- a Respondent’s self-induced intoxication is not a defence to sexual contact without Consent.

Age of Consent for Sexual Activity: In Canada, children under twelve (12) can never legally Consent to sexual acts. Sixteen (16) is the legal age of Consent for sexual acts. There are variations on the age of Consent for adolescents who are close in age between the ages of twelve (12) and sixteen (16). Twelve (12) and thirteen (13) year-olds can Consent to have sex with other youth who are less than two (2) years older than themselves. Youth who are fourteen (14) and fifteen (15) years old may Consent to sexual involvement that is mutual with a person who is less than five (5) years older. Youths sixteen (16) and seventeen (17) years old may legally Consent to sexual acts with someone who is not in a position of trust or authority and there is no exploitation or relationship of dependency. It is the initiator’s responsibility to know if the person they are engaging with sexually falls within the age of Consent.

Debarment: The state of being excluded from enjoying certain rights, privileges or practices at or with Sheridan, due to allegations of impropriety (e.g. Sexual Violence). This could include, for example, suspending or terminating Sheridan’s relationship with a Work-Integrated Learning Partner, due to concerns raised under this Policy.

Disclosure: A Disclosure refers to a Survivor or witness sharing information about an experience, incident or possible incident of Sexual Violence. Survivors and others are encouraged to Disclose to the Sexual Violence Response Specialist, who provides trauma-informed support and information on the options following a Disclosure, including academic or employment Accommodations or supports, information about reporting options within Sheridan, and community referrals, as appropriate. A Disclosure is different than a Complaint and does not initiate a Complaint Investigation by Sheridan.

Employee includes a person under the employ of Sheridan either: on a full-time, ongoing basis under the terms of the Academic Employees Collective Agreement, the Support Staff Collective Agreement, the Part-Time Support Staff Collective Agreement, or the Terms and Conditions for Administrative Employees; on a less than full-time, and/or temporary basis under the terms of

an employment agreement; on a cooperative or work-term placement educational training program; as a Student Employee; and/or on a volunteer basis. Employee also includes the term “Worker” as it is defined, for the purposes of “Workplace Harassment” protections, under the *Occupational Health and Safety Act*.

Facilitated Resolution: A guided and supported approach to resolving situations of tension and conflict, typically as an alternative to the formal Investigation process. Section 14 of this Policy sets out considerations and requirements in determining whether a Facilitated Resolution Process is appropriate, and provides examples of Facilitated Resolution outcomes.

Interim Measure: A measure put in place, usually restricting the activities of the Respondent to a Sexual Violence Disclosure or Complaint. The purpose of Interim Measures is protective and not disciplinary. Interim Measures may be imposed to:

- meet the needs of Complainants who Disclose or file a Complaint about Sexual Violence
- protect the Survivor or any other Member of the Sheridan Community from a potential risk of harm
- maintain the integrity of a Sheridan Investigation
- discourage or prevent retaliation
- minimize disruption to the learning, working or living environment at Sheridan where the continued proximity of the Parties will impair the ability of a Survivor or any other person to function in relation to studies, work or residence, and/or
- to maintain or build community trust and confidence in Sheridan.

Investigation: The steps taken that are appropriate in the circumstances to determine whether a breach of the Policy has, on a balance of probabilities, occurred and which may result in corrective action being imposed.

Investigator: The person(s) tasked with carrying out an Investigation under this Policy. The Investigator may be internal or external to Sheridan. The Investigator will have training or expertise in gender-based violence and Sexual Assault law, trauma-informed practice and Procedural Fairness.

Participant: A Complainant, Respondent or witness who participates in the Interim Measures, Complaint Investigation or Facilitated Resolution processes outlined in this Policy and its related Procedure.

Parties: The “Parties” refers to the Complainant(s) and Respondent(s) identified in an Interim Measure, Complaint Investigation, Appeal or Facilitated Resolution process under this Policy and its related Procedure.

Preliminary Assessment: The process whereby it is determined whether a Complaint falls within the scope of the Policy.

Procedural Fairness: A process based on impartiality, where the Respondent is informed of the allegations, the Complainant is informed of the Respondent’s response and in which both parties have a meaningful opportunity to know the case against them and an adequate opportunity to respond, and are given sufficient notice of interviews or meetings where they are expected to present or respond to evidence gathered as part of the process. A procedurally fair process leads to a written decision that includes a sufficiently detailed explanation of the facts and analysis to enable the Parties and any reviewing body to understand the decision and the basis for it.

Reprisal: Any act of retaliation or threat of retaliation in response to a person invoking their rights, making a good faith Disclosure or Complaint of Sexual Violence, or participating in a

Complaint Investigation or other process (including being a witness) under this Policy or its related Procedure.

Respondent: An individual against whom a Complaint has been made, pursuant to the Policy and its related Procedure.

Sexual Misconduct (By Employees Towards Students): Means,

- (a) Any physical sexual relationships with a Student, touching in a sexual nature of the Student, or behaviour or remarks of a sexual nature toward a Student by an Employee at Sheridan, where the conduct constitutes Sexual Violence under this Policy, including
 - i. Employee Sexual Misconduct under s.5 of this Policy;
 - ii. an act that constitutes an offense under the *Criminal Code of Canada*,
 - iii. an act that infringes the right of the Student under clause 7 (3) (a) of the *Human Rights Code* to be free from a sexual solicitation or advance, and/or
- (b) Any conduct by a Sheridan Employee that infringes a Student's right under s.7(3)(b) of the *Human Rights Code* to be free from a reprisal or threat of reprisal for the rejection of a sexual solicitation or advance.

Sexual Violence: Any 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. Sexual Violence includes conduct under the *Criminal Code of Canada* such as Sexual Assault, Indecent Exposure, Sex Trafficking, Non-Consensual Distribution of Intimate Images ("Revenge Porn"), Criminal Harassment ("Stalking") and Voyeurism, as well as Sexual Harassment, Online Sexual Harassment and other exploitative digital practices or conduct, as defined below:

- **Sexual Assault:** Any kind of sexual contact without Consent.
- **Indecent Exposure:** Exposure of private or intimate part(s) of the body in a lewd or sexual manner, in a public place where the perpetrator may be readily observed.
- **Sex Trafficking:** The recruitment, transportation, transfer, harbouring, sale or receipt of people by improper means (such as force, abduction, fraud, coercion, deception, manipulation, threats, repeated provision of a controlled substance) for purposes of sexual exploitation. This is not to be confused with sex work where the person willingly takes part in the sale of sex.
- **Non-Consensual Condom Removal ("Stealthling"):** The removal of a condom without Consent during sex is a form of Sexual Assault.
- **Sexual Harassment:** Vexatious comments, conduct and/or communication based on sex, sexual orientation, gender, gender identity or gender expression that is known or should have been known to be unwelcome. May include: sexual solicitations, unwanted attention and sexual advances. If severe enough, one incident can constitute Sexual Harassment. Examples of Sexual Harassment include, but are not limited to: unwelcome remarks, jokes, innuendoes or taunting about a person's body, attire, physical characteristics, gender, or sexual orientation; unwelcome inquiries or comments about a person's sex life or sexual preferences; leering, whistling, or other suggestive or insulting sounds; requests or demands for sexual favours which include, or strongly imply, promises of rewards for complying (e.g. job advancement opportunities, improved academic grades); and unwanted touching, or any unwanted or inappropriate physical

contact such as kissing, patting, hugging or pinching (which unwanted sexual contact may also constitute a Sexual Assault).

- **Online Sexual Harassment:** Occurs when communications on technologies, such as learning platforms, SLATE, virtual communities, the Internet, social networking sites, websites, emails, text messaging and instant messaging, constitute Sexual Harassment. Online Sexual Harassment may also include posting or displaying materials, articles, or graffiti including by electronic means, which is sexual in nature. If severe enough, one incident can constitute Sexual Harassment.
- **Sharing Intimate Images Without Consent (“Revenge Porn”):** includes the sharing or online distribution of nude, near-nude, or otherwise sexual photographs/videos without the express Consent of those in the images. Threats to share intimate images without Consent constitutes Sexual Violence under this Policy. Distribution of nude or sexual images of persons who are under the age of 18 may also constitute child pornography offences under the *Criminal Code of Canada*.
- **Criminal Harassment (“Stalking”):** Behaviour which occurs on one or more occasion(s) that instills fear in the person or threatens their safety or mental health, or that of their family or friends. May include: non-consensual communication, surveillance and pursuit, digital dating abuse, obscene or threatening gestures and sending unsolicited gifts.
- **Voyeurism:** Secretly observing a person without their Consent and knowledge and in circumstances where they could reasonably expect privacy. May include direct observation, observation by electronic means, and visual recording of an individual(s) who is naked or engaging in sexual activity.

Sexual Violence Response Specialist (“SVRS”) serves as a confidential resource and support for Sheridan Community Members impacted by Sexual Violence. The SVRS supports Survivors who have experienced Sexual Violence, including by co-ordinating requests for Accommodations, providing information on reporting options and processes, providing community referrals and acting as a liaison and support in Complaint processes.

Sheridan Community Members include Students, course Participants, Employees, Supervisors, Student Employees, Board of Governors members, members of committees, societies or associations established or recognized by Sheridan, contractors/sub-contractors hired by Sheridan (including Sheridan’s Work-Integrated Learning Partners), providers of service or research, volunteers, visitors or guests, applicants for admission or employment, and others who attend on campus, or who are otherwise connected to Sheridan’s operations.

Sheridan Official: An Employee and/or representative of Sheridan acting in the course of their duties.

Student: Any individual who is admitted, enrolled or registered for study at Sheridan. Individuals who are active in a program, but not enrolled in classes for a particular term (e.g. on vacation, on approved leave or co-op term) are considered to have a continuing Student relationship and are included in the definition of a Student.

Student Affairs Liaison – Sexual Violence: The Sheridan Employee designated to support Student Respondents in Complaint, Interim Measures, Facilitated Resolution or Appeal processes. The Student Affairs Liaison – Sexual Violence may also assist Student Respondents in coordinating requests for Accommodations and supports, and provide internal and external referrals.

Supervisor: A person who has charge of a working environment or authority in the case of an Employee, or of the learning environment in the case of a Student.

Support Person: A person, unconnected to a dispute resolution process under the Sexual Violence Procedure, who is asked by a Participant to the process to provide emotional or procedural support to the Participant. The Support Person may not address the allegations or give evidence on behalf of the Party. This definition is different (and in no way detracts) from the definition and purpose of a “support person” under the *Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11*.

Survivor: A person affected by Sexual Violence may choose to self-identify as a “Survivor”, rather than as a “victim”. It is the choice of the person affected in these circumstances to determine how they wish to identify. In relation to the Complaints process, the Policy refers to “Survivors” and “Complainants”, sometimes interchangeably. To be clear, a person may identify as a Survivor but not be a “Complainant” because they have not filed a formal complaint. Similarly, a “Complainant” (i.e. a person who has filed a formal Complaint) may not self-identify as a “Survivor”.

5. Employee Sexual Misconduct

5.1 Prohibition on Sexual Relations Between Students and Employees

Any Sheridan Employee who:

- teaches or is otherwise in a position of academic authority over the Student
- has any influence over the Student’s academic, athletic or career progress or advancement
- is in a position of administrative authority over Students at Sheridan and/or
- collaborates or interacts academically or professionally with the Student

is prohibited from engaging in a sexual relationship with the Student.

5.2 Exemption of Student Employees

Section 5 of this Policy does not apply to sexual relations between Students who are also Employees of Sheridan, except in any case where a Student Employee teaches or is in a position of academic authority over another Student (e.g. in the event Sheridan has graduate students teaching undergraduate students).

5.3 Exemptions for Existing Relationships

Where an Employee’s existing spouse or partner becomes a Student, the Employee must disclose the relationship to Human Resources so the potential conflict of interest can be managed.

5.4 Managing a Conflict of Interest – Sexual Relationships between Students and Employees that are not in a Position of Trust and Authority

Sexual relations between Students and Employees who are not in positions of trust and authority as set out above, are strongly discouraged. Where they occur, however, the Employee must, at the initiation of the relationship and no later than within 48-hours of any sexual contact, report the relationship to their Supervisor and Human Resources who will address any power imbalance and/or potential conflict of interest.

5.5 Managing a Conflict of Interest – Sexual Relations between Employees

Any sexual relationship between an Employee with supervising responsibilities and an Employee who reports to them, directly or indirectly, must be reported immediately by the supervising Employee to the supervising Employee's Supervisor and Human Resources who will work with the Parties to address any potential conflict of interest.

A failure to report a sexual relationship as required in this section of the Policy constitutes a breach of this Policy and may result in disciplinary consequences.

5.6 Other Forms of Prohibited Sexual Misconduct by Employees With Students

In addition to the prohibition on certain sexual relationships and the duty to disclose other sexual relationships between Employees and Students as set out above, this Policy prohibits Sexual Misconduct, as defined in Section 4, perpetrated by an Employee of Sheridan on a Student of Sheridan.

5.7 Corrective Action for Contravention of this Policy by Employees

The corrective action that may be imposed on an Employee who violates the Sexual Violence Policy, including sections 5.1 – 5.6 above, is set out in Section 10 of this Policy.

6. Assistance and Support for People Affected by Sexual Violence

See Appendix A for a full list of On-Campus Supports and Appendix B for a full list of Off-Campus Supports.

Sheridan recognizes that it is often difficult to disclose and/or report incidents of Sexual Violence. Students and Employees will often first disclose to someone with whom they have a relationship of trust, whether that be a Student, faculty member, teaching assistant, coach, colleague or staff from housing, health or counselling services.

Sheridan Community Members who receive a Disclosure should refer to sections 6.4 and 6.5 below for direction on how to respond.

A person is not required to file a Complaint to obtain support, services or Accommodation from Sheridan. A Disclosure does not automatically initiate an Investigation by Sheridan.

6.1 Accommodations

Sheridan is committed to providing supports and Accommodations for people who have experienced Sexual Violence or who have been affected by Sexual Violence. Academic Accommodations may include class schedule adjustments, withdrawal from or the re-taking of classes without financial or academic penalty, and access to academic support. Accessible Learning is responsible for facilitating Accommodations for Students; Human Resources is responsible for facilitating Accommodations for Employees.

Accommodations will be developed in consultation with the person who experienced and/or has been affected by Sexual Violence.

Academic Accommodations for people who have experienced and/or been affected by Sexual Violence are to be distinguished from Interim Measures, which are typically put in place to restrict the activities of a Respondent to a Sexual Violence Disclosure or Complaint.

The Sexual Violence Response Specialist, as a central point of contact and support, may assist persons affected by Sexual Violence in coordinating requests for Accommodation with Accessible Learning and Human Resources, in order to reduce the number of times a Survivor or others have to explain their experience, while maintaining confidentiality in connection with the request.

6.2 Sexual Violence Response Specialist

The Sexual Violence Response Specialist (SVRS) is intended to be a central point of contact and support for all Sheridan Community Members (including Employees and Students) who have experienced or been affected by Sexual Violence.

The support offered by the SVRS is based on the needs and wishes of the person making the Disclosure. Sheridan Community Members do not need to discuss the details of their experience to access support. For a detailed description of the role of the SVRS, see Appendix A.

6.3 Support for Student Respondents

Students who are Respondents to a Complaint or who are facing Interim Measures, will be offered support by Sheridan through an Employee representative of Student Affairs (the “Student Affairs Liaison – Sexual Violence”). The Student Affairs Liaison – Sexual Violence shall be appointed by the Associate Vice President, Student Experience or their designate. The assistance offered by the Student Affairs Liaison – Sexual Violence will include providing Student Respondents with information about Interim Measure and Complaint processes, identifying and co-ordinating appropriate Accommodations, and acting as a Support Person or liaison during Sheridan processes under this Policy and its related Procedure. For a detailed description of the role of the Student Affairs Liaison – Sexual Violence, see Appendix A.

6.4 What to do if Someone Discloses an Experience of Sexual Violence

Every Member of the Sheridan Community who receives a Disclosure of Sexual Violence should:

- listen without judgement
- communicate that Sexual Violence is never the responsibility or fault of the victim/Survivor
- refer the individual to the Sexual Violence Response Specialist or, if the individual needs assistance after-hours and the situation is an emergency, to Campus Safety Services or 911
- inform the individual that they can access academic or workplace Accommodations without making a Complaint
- avoid asking any questions or details about the incident or otherwise taking steps to investigate
- respect the individual’s right to choose the services they feel are most appropriate
- recognize that disclosing an experience of Sexual Violence can be traumatic
- respect the individual’s choices as to when, what, and how much they disclose about their experience
- refer the individual to Sheridan’s Sexual Violence website which includes pertinent information about this Policy, its related Procedure, and on- and off-campus resources.

6.5 Mandatory Duties for Employees who Receive a Disclosure or Become Aware of an Incident of Sexual Violence

Sheridan Community Members who are Employees, Governors or contractors have a duty to immediately report all incidents and suspected incidents of Sexual Violence where the alleged perpetrator is a Sheridan Community Member and the victim is a Sheridan Student, that they have witnessed, may have witnessed, or have been made aware of, to the Sexual Violence Response Specialist at ext. 8430 or svrs@sheridancollege.ca. If the matter arises after hours and is an emergency, the Employee must contact Campus Safety Services. Student Employees have a duty to report if they witness, suspect, or are aware of an incident of Sexual Violence in connection with their employment.

If an Employee is unsure of whether they have a duty to report, they need to contact the SVRS who will provide them with guidance.

Where an Employee has a duty to report, they must:

- explain to the Student that Sheridan treats Disclosures very seriously
- explain to the Student that the Employee has an obligation to provide a confidential report to the SVRS, but will not provide the Student's name without their Consent
- encourage the Student to agree to the release of their name for the purpose only of the SVRS contacting them to offer support and information
- explain to the Student that the sharing of information with the SVRS will not mean that a Complaint is filed or an Investigation automatically initiated, and that the Student can make the choice whether to access the support of the SVRS, file a Complaint, or make any other decision.

Where a Student does not consent to the release of their name, the Employee is required to provide information to the SVRS without identifying the Survivor (e.g., initials can be used).

6.6 Exception for Alcohol and Drug Use

Sheridan recognizes that Students may be hesitant to disclose or report Sexual Violence in cases where they may have been drinking while underage, using drugs and/or alcohol at the time the act of Sexual Violence took place, or engaging in substance use in areas where drug and/or alcohol use is prohibited. A Student who discloses or reports Sexual Violence, will not be subject to actions for violations of Sheridan's policies (e.g. Student Code of Conduct, the Residence Community Living Standards) related to drug and alcohol use at the time the Sexual Violence took place.

7. Confidentiality

Sheridan acknowledges that confidentiality is an important part of fostering an environment where individuals feel safe disclosing incidents of Sexual Violence and seeking support. Disclosures made by Sheridan Community Members, including mandatory reports made to the SVRS by Sheridan Employees, will be treated as confidential, except as required by law and/or in accordance with the Limits to Confidentiality set out below.

In order to access academic, employment, or residence Accommodations, it may be necessary for the Survivor to provide consent to the sharing of some information with the people responsible for facilitating those Accommodations.

Where a Survivor seeks an Interim Measure (to be imposed on a Respondent), initiates a Complaint or seeks a Facilitated Resolution, information about the incident of Sexual Violence

will be shared with the Respondent, but will otherwise only be shared as necessary for the purposes of this Policy or for ensuring the safety of a person or the Sheridan community, or as otherwise required by law. In contrast, where a Survivor requests an Accommodation, the Disclosure is strictly confidential as set out above and no information about the Disclosure will be shared with the Respondent.

7.1 Limits to Confidentiality and Sheridan's Reporting Requirements

Limits to confidentiality exist when:

- an individual is at risk of harm to self or of harming others
- there are reasonable grounds to believe that members of the Sheridan or wider community may be at risk of harm or violence
- disclosure of information is reasonably necessary to initiate processes under this Policy, such as to impose corrective action or Interim Measures on the Respondent
- disclosure is required by law
- information about the disclosed allegation is available in the public realm
- there are reporting requirements to a relevant regulatory or professional licensing body.

In such circumstances, information will only be shared with necessary individuals or services to prevent harm and/or to give effect to this Policy and related Procedure. In such cases, certain Sheridan Officials may be informed about the reported incident on a "need to know" and confidential basis, but not necessarily about the identities of the people involved.

7.2 Confidentiality Obligations During Complaint and Facilitated Resolution Processes

Participants in any Interim Measure, Complaint or Facilitated Resolution process must maintain confidentiality in order to preserve the integrity of these processes. Breaches of the confidentiality requirements under this Policy and its Procedure may taint the Investigation and/or be subject to corrective action. Communicating with personal supports such as family, a union representative, medical and legal professionals is not considered a breach of confidentiality.

8. Interim Measures

This section of the Policy should be read in conjunction with section 4 of the Sexual Violence Procedure.

Sheridan may impose Interim Measures on a Respondent at any time following a Disclosure or Complaint of Sexual Violence.

As set out in the Sexual Violence Procedure, any Interim Measure imposed on a Respondent following a Disclosure will be in accordance with the principles of Procedural Fairness, as applicable and appropriate. This will generally mean that, with the consent of the Survivor, the identity of the Survivor and the particulars of the allegations will be shared by Sheridan with the Respondent. Interim Measures imposed following a Disclosure may be time-limited and may be modified or lifted by Sheridan, unless a Complaint is initiated or the Respondent consents to the measures remaining in place.

Interim Measures may be imposed to:

- (a) meet the needs of Survivors/Complainants who Disclose or file a Complaint about Sexual Violence

- (b) protect the Survivor or any other Member of the Sheridan Community from a potential risk of harm
- (c) maintain the integrity of a Sheridan Investigation
- (d) discourage or prevent retaliation
- (e) minimize disruption to the learning, working or living environment at Sheridan where the continued proximity of the Parties will impair the ability of a Survivor or any other person to function in relation to studies, work or residence
- (f) maintain or build community trust and confidence in Sheridan.

In addition to considering the purposes of Interim Measures set out above, Sheridan will consider the following factors when imposing Interim Measures:

- (a) the wishes and expressed needs of the Survivor/Complainant
- (b) the views of the Respondent, if available, including any consent to the Interim Measures
- (c) the nature and seriousness of the alleged conduct
- (d) the impact of the alleged conduct on the Survivor/Complainant and/or any other member of the Sheridan Community
- (e) the impact of the measures on the Respondent
- (f) whether the Respondent is in a position of trust or authority, and
- (g) the role of Sheridan as an educational institution.

Any Interim Measure imposed shall be reasonable and justified in the circumstances to meet the above goals. Sheridan will take steps to minimize the impact of Interim Measures on the Respondent (and the Complainant, as appropriate) to the extent possible.

An Interim Measure is preventative and protective. It is not a finding of breach of the Policy, nor is it disciplinary.

Interim Measures may include but are not limited to:

- no contact bans
- communication bans for Respondents (including direct communication, such as in-person, telephone, text, email, social media; and indirect communication, such as third-party messages)
- campus restriction from particular area(s) or service(s), including attending classes or place of work
- temporary removal or relocation from Student housing
- temporary restriction from access to all or part of any Sheridan campus
- alternative arrangements for supervisory relationships, teaching or grading
- interim suspension (including as applied to employment, academic, co-curricular and/or extra-curricular activities).

Where a Student has been excluded from class or an internship/placement site as part of an Interim Measure, Sheridan will support or accommodate the Student's studies to the point of undue hardship or as appropriate on a case-by-case basis having regard to the risks posed to the Sheridan Community or any member of the Sheridan Community.

An Employee who is placed on alternate or home assignment as part of an Interim Measure will be supported without loss of wages and benefits.

The process for Sheridan to impose Interim Measures is set out in the Sexual Violence Procedure.

9. Complaints of Sexual Violence

Members of the Sheridan Community who have experienced Sexual Violence under this Policy can file a formal Complaint.

A Complaint is the sharing of information about an incident or pattern of incidents or behaviour related to Sexual Violence, which information is shared for the purpose of initiating an Investigation by Sheridan to determine whether there has been a breach of the Policy and that could result in corrective action imposed on the Respondent.

The Centre for Equity and Inclusion (CEI) is responsible for investigating all Complaints, where the Respondent is an Employee or a Student. Sheridan may take other steps in response to a Disclosure or Complaint involving a Sheridan Community Member who is not an Employee or a Student (e.g. by prohibiting guests, contractors or others who provide services to Sheridan or its members from entering Sheridan property; by discontinuing a partnership with a community partner or Work-Integrated Learning Partner).

Investigations into alleged breaches of the Policy are initiated by filing a Complaint with CEI.

The Sexual Violence Response Specialist acts as a Support Person for the Survivor in the Complaint process, should the Survivor choose. Survivors are encouraged to contact the SVRS.

If Survivors/Complainants have a question about the Complaint process, they may also contact CEI directly by phone at 905.845.9430 ext. 2229 or by email at equity@sheridancollege.ca.

CEI is available during business hours. CEI does not handle emergencies. Campus Safety Services should be contacted during non-business hours and/or for emergency situations at 905.815.4044, or 911 should be called. See also the list of On-Campus and Off-Campus supports and services in Appendices A and B.

Supports for Respondents who are Students will be facilitated by the Student Affairs Liaison. Supports for Employees are available through the EFAP, Human Resources and their union (where applicable).

Complaints are investigated by an Investigator trained in addressing Sexual Violence and Sexual Assault law, trauma-informed practice, and Procedural Fairness. In most cases the Investigator will interview the Complainant(s), Respondent(s) and any witnesses and will review available relevant information and documents. The Investigator will determine whether or not there has been a breach of the Policy on a Balance of Probabilities.

See the Sexual Violence Procedure for detailed information on the Investigation of Complaints under this Policy.

The process to appeal a finding that a Respondent has (or has not) breached the Policy is set out in the Sexual Violence Procedure. The Appeal process applies only to Complainants or Respondents who are a Sheridan Student or Employee.

9.1 Complaint Process Where Respondent Leaves Sheridan

Sheridan may continue or suspend the Investigation of a Complaint if the Respondent leaves Sheridan prior to the completion of the Investigation. Factors that Sheridan may consider in making this decision include:

- the nature and severity of the allegations
- whether the Student or Employee may return to Sheridan

- the stage of the Investigation (e.g. witnesses have already been interviewed)
- the strength of the evidence in the absence of the Respondent (e.g. if there is video evidence)
- the availability of the Respondent to continue to participate, should they choose
- any prior history of misconduct.

10. Corrective Action

Where a Student or Employee of Sheridan is found to have engaged in Sexual Violence in breach of this Policy, they may be subject to corrective action.

Corrective action may include any one or more of the following:

- verbal or written warning
- apology letter and/or reflective paper
- no contact orders
- educational or remedial program or project related to the finding of breach of the Policy and unrelated to their academic or employment obligations
- removal from class, residence, activity, course or program
- restrictions on accessing all or parts of Sheridan
- suspension from employment
- temporary or indefinite suspension or eviction from one or more facilities and/or services at Sheridan, including Athletic Facilities, Student Centre pubs and/or licensed events
- non-academic probation
- behavioural agreement, including mandatory meetings with designated Sheridan offices
- suspended re-enrolment where a Student has left Sheridan prior to the conclusion of an Investigation
- non-academic suspension
- non-academic expulsion
- termination of employment

Work-integrated Learning partners, contractors, suppliers, volunteers and visitors may face Debarment, penalties, cancelation of contracts and other corrective action.

In determining the appropriate corrective action, Sheridan will consider:

- the nature and severity of the conduct
- the harm caused and the impact of the conduct on the Complainant, including on the Complainant's continued education, employment or residence at Sheridan
- the harms caused and the impact of the conduct on others in the Sheridan Community
- whether the incident in question was an isolated incident or part of repeated acts on the part of the Respondent
- the risk the conduct poses to Sheridan and/or its community members
- Sheridan's role as an educational institution
- Sheridan's commitment to combating Sexual Violence on campus
- Sheridan's commitment to reducing the barriers to reporting

The process for Appeal by a Complainant or Respondent of any corrective action imposed on Students is set out in the Sexual Violence Procedure. There is no Appeal of corrective action for non-Student Respondents.

10.1 Corrective Action and Termination of Employment: Sexual Misconduct

If an Employee is found to have engaged in Sexual Misconduct toward a Student prohibited by this Policy:

- a) the corrective action (including termination of employment) is deemed to be for just cause for all purposes,
- b) the Employee is not entitled to notice of termination, termination pay or any other compensation or restitution as a result of the corrective action (except as may be required by the *Employment Standards Act*), and
- c) despite any provision of the Collective Agreement or employment contract specifying a penalty for the breach, no arbitrator, arbitration board or other adjudicator shall substitute any other penalty for the corrective action or termination of employment imposed by Sheridan.

10.2 No Re-Employment

(a) If an Employee is subject to termination of employment or chooses to resign from their employment following a finding of a breach of Sexual Misconduct under this Policy, Sheridan shall not subsequently re-employ the Employee.

(b) If Sheridan determines that it has re-employed an individual contrary to the above-mentioned clause, Sheridan will discharge the Employee and Section 10.1 (a) to (c) shall apply to the discharge.

10.3 Non-Disclosure Agreement: Sexual Misconduct

(a) An agreement between Sheridan and any Sheridan Community Member, including a Collective Agreement or agreement settling existing and contemplated litigation, that is entered into on or after July 1, 2023, will not contain any term that directly or indirectly prohibits Sheridan or any Sheridan Community Member from disclosing that an allegation or complaint has been made that an Employee committed an act of Sexual Misconduct, and any such term that is included in an agreement is void.

(b) An exception to s.10.3(a), however, is that Sheridan may enter into a Non-Disclosure Agreement if the impacted Student requests Sheridan to do so, provided that:

- the Student has had a reasonable opportunity to receive independent legal advice;
- there have been no undue attempts to influence the Student with respect to the request;
- the agreement includes an opportunity for the Student to decide to waive their own Confidentiality in the future and the process for doing so; and
- the agreement is of a set and limited duration.

10.4 Student Employees

Sections 10.2 and 10.3 above do not apply to persons whose primary relationship with Sheridan is as a Student, but who may also, at times, be employed by Sheridan (Student Employees). In respect of Student Employees, Sheridan may determine on a case-by-case basis whether the Student may be re-hired in any capacity by Sheridan.

10.5 Transcript Notations

Where a corrective action of Non-Academic Suspension or Expulsion is imposed on a Student, a notation will appear on a Student's official transcript as follows: "Non-Academic Suspension: 1 to 3 years" (depending on the assigned corrective action) and "Non-Academic Expulsion: Lifetime." The corrective action will be a permanent part of the Student record.

11. Sheridan-Initiated Investigations

Sheridan understands that an individual who has experienced Sexual Violence may wish to control whether and/or how their experience will be dealt with by Sheridan. In most circumstances, as described above, the person will retain this control. A person who has experienced Sexual Violence may choose not to file a Complaint. ^(b)

In certain circumstances, however, Sheridan may be required to initiate an Investigation and/or inform the police of the need for a criminal Investigation, even without the person's consent. This will be the case where Sheridan believes there is a potential risk to the safety of any Member of the Sheridan Community or the community itself, in accordance with Sheridan policies.

CEI may commence or continue a Sheridan-initiated Investigation without the approval of the Survivor or when no formal Complaint has been made, if CEI reasonably believes that:

- 1) a Sheridan Community Member has committed Sexual Violence that affects the learning, working, and/or living environment, and
- 2) there is a serious risk to the safety of Sheridan Community Members, such as where:
 - a. the alleged Respondent is in a position of power at Sheridan
 - b. Sheridan has reasonable grounds to believe the alleged Respondent may have committed multiple acts of Sexual Violence; and/or
 - c. there is a pattern of similar behaviour or there is a single incident which puts the safety of the community at risk.

To the extent possible, Sheridan will consider the wishes of the Survivor.

Where Sheridan initiates an Investigation, it is the Survivor's choice whether they will participate in the Investigation.

12. Anonymous and Third-Party Reports

An anonymous report is where information about an alleged incident of Sexual Violence is shared in a form that does not reveal the identity of the Survivor or the person making the Disclosure, for example a written Complaint with no name attached to it or a meeting with the SVRS with a person who does not provide their name. An anonymous report may be made by a Survivor or a third-party.

A third-party report is where information about an alleged incident of Sexual Violence is shared by an identifiable person (e.g. a witness or a friend/colleague) who is not the person who directly experienced the Sexual Violence.

CEI will consider and review anonymous and third-party reports, but Sheridan may be unable to investigate or otherwise act on an anonymous or third-party report due to a lack of information

or out of respect for the individual impacted by the Sexual Violence who has decided not to come forward. Where Sheridan is able to proceed with an Investigation, the Respondent will be provided with information which forms the basis of Sheridan's Investigation and an opportunity to respond.

Individuals who receive Disclosures of Sexual Violence from a Sheridan Community Member may make a third-party Disclosure and consult with the SVRS on how to provide support and information to the Survivor or witness if that person is reluctant to meet with the SVRS directly.

13. Protection from Reprisals

It is contrary to this Policy for anyone to retaliate, threaten to retaliate, or engage in Reprisals, against a Complainant or other individual for:

- having invoked or pursued rights under this Policy, the Ontario *Human Rights Code*, or other applicable legislation
- having participated or co-operated in an Investigation or other process under this Policy, or other applicable legislation, or
- being associated with someone who has invoked or pursued rights under this Policy, the Ontario *Human Rights Code*, or other applicable legislation.

Sheridan takes reasonable steps to protect people from Reprisals. This may entail, for example, advising individuals in writing of their duty to refrain from committing a Reprisal and disciplining individuals for a breach of this duty. Sheridan may also address the potential for Reprisals by imposing an Interim Measure on a Respondent (or other people engaged in Reprisals) and/or providing an Accommodation to the Survivor as appropriate in the circumstances.

14. Facilitated Resolution

Sheridan recognizes that in some cases, a Survivor may wish to resolve an incident without a formal Complaint or prior to the conclusion of the Complaint process. A Respondent may also seek to initiate a Facilitated Resolution process.

At no time should either a Survivor or Respondent be pressured to participate in a Facilitated Resolution process. Facilitated Resolution will only be explored with the consent of the Survivor and the Respondent and with the approval of CEI.

CEI or people retained by CEI will conduct all Facilitated Resolution processes, from a Survivor-centric and trauma-informed perspective and based on the principle that the goals of Facilitated Resolution processes are acknowledgement and acceptance of responsibility for harm by the Respondent, safety and healing for the Survivor, education and remediation.

A Facilitated Resolution process does not require any face-to-face interaction between the Survivor and Respondent.

Examples of Facilitated Resolution outcomes include:

- an apology
- education and/or training
- changing work responsibilities, course or class schedule or timetable, or residence location
- behavioural contract or Memorandum of Agreement binding on the Respondent
- undertaking by the Respondent to engage in counselling
- agreement by the Respondent to temporary or permanent campus restrictions

A Survivor or Respondent may withdraw from the Facilitated Resolution process at any time and any information shared or admissions or acknowledgements made in the process cannot be used against the other party in a formal Complaint under this Policy or any other proceeding.

Where a Facilitated Resolution occurs prior to or during the course of a Complaint Investigation, the Sheridan facilitator will not be involved in the Investigation, unless the Parties expressly agree.

15. Parallel Criminal Proceedings

Where a Respondent to a Complaint has been charged criminally for a Sexual Violence offence, Sheridan may initiate, continue or suspend any Sheridan Investigation, which determination will be made on a case-by-case basis. The factors that Sheridan will consider in determining whether to proceed with or suspend its Investigation may include:

- the views of the Complainant and/or Respondent
- the stage of the Investigation (e.g. where all interviews have been completed when the charge is laid)
- the scope of the Investigation, including the extent to which the Investigation covers facts and allegations that are beyond the subject matter of the criminal charge
- the seriousness of the Complaint and its impact on the Sheridan Community
- the extent to which Interim Measures and/or criminal conditions address the ongoing health, safety and well-being of the Sheridan Community and/or the Complainant in continuing to access the learning, working and living activities at Sheridan.

16. Responsible Office

The Responsible Office is the Centre for Equity and Inclusion.

Related Documents

[Sexual Violence Procedure](#)

[Code for Professionalism and Civility](#)

[Discrimination and Harassment Policy and Procedure](#)

[Student Code of Conduct](#)

[Workplace Accommodation Policy](#)

[Health and Safety Occupational Health and Safety Policy](#)

[Academic Accommodation Policy for Students with Disabilities](#)

APPENDIX A ON-CAMPUS SUPPORTS

1) Sexual Violence Response Specialist

The role of the SVRS is to:

- receive Disclosures in a manner that ensures confidentiality (within the specified limits set out in this Policy), well-being and safety and that respects the agency and dignity of the Sheridan Community Member
- review safety resources on- and off-campus and help to facilitate safety plans
- ensure coordination of Accommodations, supports and communication among various departments as required and with the consent of the person seeking services, including:

(for Students)

- Accessible Learning for Accommodation
- Residence contacts
- Counselling Services for confidential mental health and emotional support
- Health Services for on-campus medical services, and
- Campus Safety Services for safety concerns on campus and for SafeWalk

(for Employees)

- Employment Family Assistance Plan (EFAP)
- Human Resources for Accommodation
- Campus Safety Services for safety concerns on campus and for SafeWalk

- provide detailed information about reporting options and processes within Sheridan, including how to access Interim Measures and/or to initiate a Complaint
- provide information and/or referrals to specialized off-campus resources, including for counselling, mental health, medical and/or police services
- act as a liaison and provide support to Survivors who make a Complaint under this Policy
- track statistics related to disclosures/contacts for Ministry-required reporting, campus risk identification, and to ensure all records are legislatively compliant

It is not uncommon for international Students to worry about how seeking support will impact their studies, including their visa status. The SVRS will ensure that students are advised that seeking support services should not impact their student academic or immigration status in Canada.

The SVRS is available during regular business hours at:

- Davis: B295 by appointment; 905.845.9430 ext. 8430; and
- Email: svrs@sheridancollege.ca

The SVRS can arrange to meet Sheridan Community Members at any Sheridan campus, or a safe location off-campus, if preferred and as appropriate.

The SVRS does not handle emergency situations. For emergency assistance contact Campus Safety Services at 905.815.4044 or 911.

2) Campus Safety Services

Campus Safety Services is available to address safety concerns on campus. Security can assist by providing SafeWalk on campus, which is an escort to and from parking lots, residences, pathways and hallways, classes, work locations, etc., as well as obtaining information to create an Incident Report. Campus Safety Services is also available for after-hours on-campus support.

To access Campus Safety Services:

- call ext. 4044 within the campus or 905.815.4044 on and off campus (24/7)
- use an Emergency Phone located at the [Trafalgar](#), [Davis](#) and [Hazel McCallion](#) (HMC) campuses
- download the “Sheridan ALERT!” app for iOS and Android phones.

3) Centre for Equity and Inclusion

Services Offered:

Interim Measures, Complaints and Facilitated Resolution

- provide information about Interim Measures (imposed on a Respondent) and how to request them
- receive, investigate and determine Complaints
- facilitate Facilitated Resolution processes

Consultations

- provide advice on effective strategies to identify, address and prevent Sexual Violence
- address concerns and questions relating to Sexual Violence and gender-based violence, and
- provide information on reporting processes at Sheridan

Education

- partner with Student and Employee groups to develop educational events designed to identify, address and prevent Sexual Violence
- develop customized workshops and presentations for classes, Student clubs or work teams
- design awareness campaigns on issues related to Sexual Violence

Should you wish to file a formal Complaint, you may contact CEI’s staff directly at:

- Email: equity@sheridancollege.ca
- Phone: 905.845.9430, ext. 2229

4) Student-Specific Supports

4.1) Support for Student Respondents: Student Affairs Liaison – Sexual Violence

The role of the Student Affairs Liaison – Sexual Violence is to:

- support Students who are Respondents to a Complaint or are facing Interim Measures
- provide detailed information about the Complaint and Interim Measures processes at Sheridan, including Appeals and requests to review Interim Measures
- implement procedural elements related to Student Respondents named in Sexual Violence Disclosures/Investigations

- liaise with the Centre for Equity and Inclusion (CEI) for the purpose of implementing Interim Measures and corrective action
- assist with coordination of Accommodations, supports and communication among various departments as required and with the consent of the person seeking services, including:
 - Accessible Learning for Accommodation
 - Residence contacts
 - Counselling Services for confidential mental health and emotional support
 - Health Services for on-campus medical services, and
 - Campus Safety Services regarding any campus bans/restrictions
- track statistics related to contact/supports for Ministry-required reporting

The Student Affairs Liaison – Sexual Violence is available during regular business hours at:

- Email: srro@sheridancollege.ca
- Phone: 905.845.9430 ext. 8256

The Student Affairs Liaison – Sexual Violence can arrange to meet with Student Respondents at all Sheridan campuses by appointment.

The Student Affairs Liaison – Sexual Violence does not handle emergency situations. For emergency assistance contact Campus Safety Services at 905.815.4044 or 911.

4.2) Wellness and Counselling Services

Wellness and Counselling Services provides Students with mental health and emotional support and can make referrals to other services as required including Accessible Learning for Accommodations and specialized community resources.

Students who require confidential counselling services on campus during business hours, can visit or call Counselling Services within Student Affairs at:

- Trafalgar: B104; 905.845.9430 ext. 5400
- Davis: B230; 905.845.9430 ext. 5400
- HMC: A240; 905.845.9430 ext. 5400

4.3) Health Services

The Health Centre provides Students with on-campus health supports and will ensure medical safety. The Health Centre can also make referrals to other services as required, including Accessible Learning for Accommodations and medical services.

Students who require medical care on campus during hours, can visit or call the campus Health Centre at:

- Trafalgar: B129; 905.845.9430 ext. 2550
- Davis: C210; 905.845.9430 ext. 5153
- HMC: A147; 905.845.9430 ext. 5709

4.4) Accessible Learning

Accessible Learning offers services and Accommodations for Students who have experienced or been affected by Sexual Violence.

Requests for academic Accommodations related to Sexual Violence can be facilitated and/or coordinated by the SVRS. Students should contact the SVRS. Students may also contact Health Services (above) for a referral to Accessible Learning or contact Accessible Learning directly on campus during business hours or call:

- Trafalgar: B104; 905.845.9430 ext. 5400 or Trafalgar.als@sheridancollege.ca
- Davis: B230; 905.845.9430 ext. 5400 or Davis.als@sheridancollege.ca
- HMC: A240; 905.845.9430 ext. 5400 or HMC.als@sheridancollege.ca

4.5) Residence

If you are a Student living in Residence, support through the Residence Life staff is available 24/7. They can connect you with the SVRS (during business hours) and other resources and supports and will facilitate safe living arrangements to the best of their abilities. For Students who have experienced or been affected by Sexual Violence:

- your floor Residence Advisor (RA) can connect you with the appropriate resources, supports and will connect you with a Residence Manager
- 24/7 assistance is available at the Residence front desks by phone or in person (please call and ask for a Residence Manager)
- Trafalgar 1 and 2 Front desks (24/7) – 905.815.4150 ext. 71000
- Davis Residence Front desk (24/7) – 905.874.4393 ext. 73000
- the SVRS is also available as the central point of contact during business hours at 905.845.9430 ext. 8430 or svrs@sheridancollege.ca

5) Employee-Specific Supports

5.1) Counselling Services for Employees

Employees have complimentary access to a variety of professional support resources and tools, including counselling, through the [TELUS Health Employee and Family Assistance Program \(EFAP\)](#). TELUS Health, formerly LifeWorks, is available 24/7/365 for confidential support.

To access TELUS Health, Employees may:

- Call the LifeWorks Care Access Centre at 1.844.880.9142
- Use Online Access (Canada only) at <https://www.workhealthlife.com/>.
- Download the “My EAP” app to register and login for counselling.

5.2) Workplace Accommodations

[Human Resources](#) offers services and Accommodations for Employees who have experienced or been affected by Sexual Violence.

Requests for workplace Accommodations related to Sexual Violence can be facilitated and/or coordinated by the SVRS. Employees should contact the SVRS. Employees may also contact Human Resources directly to request workplace Accommodations.

Employees can contact Human Resources at:

- hr@sheridancollege.ca

5.3) Safety-Related Issues

[Occupational Health and Safety \(OHS\) Services](#) are available to all Employees in the Sheridan community including directors, managers, supervisors, support staff, faculty, and Student-Employees. For safety-related issues, Employees can contact the Occupational Health and Safety Office at:

- Phone: 905.845.9430 ext. 2515
- Email: ohsservices@sheridancollege.ca

APPENDIX B OFF-CAMPUS SUPPORTS

If you have experienced or been affected by Sexual Violence and require support off-campus you can contact the Sexual Violence Response Specialist at 905.845.9430 ext. 8430 or svrs@sheridancollege.ca for information and referrals, or please see the following specialized community resources:

Halton Region (Trafalgar Campus)

- [SAVIS](#), or [Sexual Assault and Violence Intervention Services of Halton](#) for crisis support and ongoing support at 905.875.1555
- [Nina's Place](#) – Sexual Assault and Domestic Violence Care Centre (Joseph Brant Hospital - enter through Emergency Room) for medical attention at 905.632.3737 ext. 5708
- [Victim Services-Halton Police](#) at 905.825.4777 ext. 4923 for the Sexual Violence Outreach person
- [Crisis Outreach and Support Team \(COAST\)](#) at 1.877.825.9011

Peel Region (Davis and HMC Campuses)

- [Hope 24/7](#) for clinical support for individuals affected by sexual and gender-based violence at 905.792.0821.
- [nCourage](#) for sex trafficking support at 905.866.2831
- [Chantel's Place](#) – Sexual Assault and Domestic Violence Services (Mississauga Hospital – enter through Emergency Room) for medical attention at 905.848.7580 ext. 2548.
- [Victim Services of Peel](#) at 905.568.1068
- [24.7 Crisis Support Peel](#) at 905.278.9036

Additional Supports

- Support Services for Male Survivors of Sexual Violence at 1.866.887.0015
- [Assaulted Women's Helpline](#) at 1.866.863.0511
- [Talk4Healing](#) for Indigenous women at 1.855.554.HEAL at 1.855.554.4325
- [Canadian Human Trafficking Hotline](#) at 1.833.900.1010
- [Ontario Coalition for Rape Crisis Centres, or OCRCC](#)

Police Services

A Member of the Sheridan Community who has been affected by Sexual Violence may require emergency assistance from police and/or may wish to have criminal charges laid. Police can also assist you by advising about available supports and resources in the community, including how to access medical attention.

For regional police services, you may contact:

- Halton Regional Police (Trafalgar campus)
 - 905.825.4777 for non-emergency
 - 911 for emergency
 - you can visit one of their divisions located [here](#).

- Peel Regional Police (Davis and HMC campuses)
 - 905.453.3311 for non-emergency
 - 911 for emergency
 - You can visit one of their divisions located [here](#).

To obtain additional information about off-campus resources and supports, please contact the SVRS at 905.845.9430 ext. 8430 or svrs@sheridancollege.ca.

APPENDIX C

SEXUAL VIOLENCE POLICY AND PROCEDURE: ROLES AND RESPONSIBILITIES

The purpose of this chart is to set out the primary responsibilities for compliance with the Sexual Violence Policy and Procedure, and the identified roles they fall under. It is not an exhaustive list of duties, and the Policy and Procedure should be reviewed in full.

All members of the Sheridan community are obligated to support the creation of a learning, working, and living environment that is free from Sexual Violence. Every Sheridan community member is expected to review the Policy and Procedure to understand their rights and obligations related to preventing and addressing Sexual Violence.

The responsibilities ascribed to each role listed below may be delegated to a designated individual or group, as is required to carry out the requirements of the Policy and Procedure.

ROLE	RESPONSIBILITIES
Accessible Learning	<ul style="list-style-type: none"> • Facilitate and offer academic Accommodations for Students who have experienced or been affected by Sexual Violence • Receive referrals for academic Accommodations related to Sexual Violence, from the Sexual Violence Response Specialist (SVRS), Student Affairs Liaison – Sexual Violence and Health Services • May receive requests for Accommodations from the SVRS as the central point of contact and support under this Policy and/or the Student Affairs Liaison – Sexual Violence.
Campus Safety Services	<ul style="list-style-type: none"> • Receive safety and security reports • Triage matters, including notifying necessary individuals and/or departments as is appropriate • Provide contact information for, and make referrals to, the Sexual Violence Response Specialist • Address matters during non-business hours and/or for emergency situations • Receive notice of Interim Measures imposed, e.g., suspension, campus ban, no-contact order
Centre for Equity and Inclusion (CEI)	<ul style="list-style-type: none"> • Responsible Office for the Sexual Violence Policy and Procedure • Coordinate Sheridan’s response to matters that engage other Sheridan Policies as well as this Policy • Receive Complaints of alleged breach of Policy • Responsible for investigating Complaints where Respondent is an Employee or Student • Receive requests for Facilitated Resolution and decide whether Facilitated Resolution is appropriate in the circumstances • Grant required approval and conduct Facilitated Resolutions when appropriate • Determine whether to commence or continue a Sheridan-initiated investigation without the approval of the Survivor or when no formal Complaint has been made

	<ul style="list-style-type: none"> • Provide information about Interim Measures and how to request them • Receive requests for the imposition of Interim Measures and forward said requests to the responsible decision-maker • Liaise with the Student Affairs Liaison – Sexual Violence, related to implementing Interim Measures and corrective action • Receive notice of and a copy of letter to Respondent informing them of Interim Measures • May be consulted about Interim Measures imposed, for periodic review by responsible decision-maker • Receive notice of any request to review or modify Interim Measures, from the responsible decision-maker • Provide final summary of Investigation Report to Parties • Provide final Investigation Report to appropriate Vice-President where an investigative finding of Policy breach is made • • Receive copies of decision letter on corrective action • Provide consultation and education about Sexual Violence prevention, response and reporting • Retain documentation related to all Complaints
Disclosure Recipients	<ul style="list-style-type: none"> • Refer the individual making Report/Disclosure to the SVRS • In case of emergency contact Campus Safety Services or 911 • Refer the individual making Disclosure to the Policy and to Sheridan’s website that provides information on the Policy, its related Procedure and on- and off -campus resources • In cases of mandatory reporting, contact the SVRS • If guidance needed about mandatory reporting obligations, contact SVRS <p>*For details about how and what to communicate with an individual making a disclosure of sexual violence, please refer to section 6.3 of the Sexual Violence Policy</p>
Employee Family Assistance Plan	<ul style="list-style-type: none"> • Provide counselling support, resources and tools to assist Employees
Head of Department (with the support of Human Resources and/or Student Affairs, as appropriate)	<ul style="list-style-type: none"> • May impose Interim Measures on an Employee (one of Human Resources, the Employee’s Supervisor, or the head of the department) if responsible decision-maker • If responsible decision-maker, notify Respondent of Interim Measures imposed • Where Interim Measure is suspension or campus ban, notify Campus Safety Services • Where Interim Measures are imposed, notify the Respondent as soon as reasonably possible after the decision is made • Where Interim Measures are imposed, notify CEI and provide a copy of the letter informing the Respondent of the Interim Measures

	<ul style="list-style-type: none"> • Where Interim Measures are imposed, periodically review the Interim Measures as appropriate in the circumstances • If a request to impose Interim Measures is made, notify CEI and provide CEI with a copy of the letter informing the Respondent of the Interim Measures • Receive requests for the modification or removal of Interim Measures, advise the other Party of the request and provide an opportunity for response • Immediately notify CEI of any requests to review or modify Interim Measures
Health Services	<ul style="list-style-type: none"> • Provide Students with on-campus health supports and ensure medical safety • Make referrals for Students to other services as required
Human Resources	<ul style="list-style-type: none"> • Provide support to Employees • May receive requests for Accommodations from SVRS as central point of contact and support under this Policy • May impose Interim Measures on an Employee (one of Human Resources, the Employee’s Supervisor, or the head of the department) if responsible decision-maker • Where Interim Measures are imposed, notify the Respondent as soon as reasonably possible after the decision is made • Where Interim Measures are imposed, notify CEI and provide a copy of the letter informing the Respondent of the Interim Measures • Where Interim Measure is suspension or campus ban, notify Campus Safety Services • Where Interim Measures are imposed, periodically review the Interim Measures as appropriate in the circumstances • Receive requests for the modification or removal of Interim Measures, advise the other Party of the request and provide an opportunity for response • Immediately notify CEI of any requests to review or modify Interim Measures • Provide consultation to Vice-Presidents about corrective action when there has been a finding that an Employee has breached the Sexual Violence Policy • Receive Disclosures from Employees of their existing spouse or partner becoming a Student and manage potential conflict of interest • Receive reports from Employees in a position of trust to Students, of sexual relations between an Employee and Student and address any power imbalance and/or potential conflict of interest. This language is added to the Sexual Violence Policy to be compliant with Bill 26, the <i>Strengthening Post-Secondary Institutions and Students Act, 2022</i> • Advise Employees of available counselling services.

Occupational Health and Safety Office	<ul style="list-style-type: none"> • Address Employees' safety-related concerns
President (Office of the President)	<ul style="list-style-type: none"> • Receive complaints against CEI staff member(s) and oversee application of this Procedure to the Complaint
Provost	<ul style="list-style-type: none"> • Provide consultation about removal of transcript notations for Non-Academic Suspension and Non-Academic Expulsion
Registrar	<ul style="list-style-type: none"> • Provide consultation about removal of transcript notations for Non-Academic Suspension and Non-Academic Expulsion
Residence Life	<ul style="list-style-type: none"> • Available to support Students 24/7 • Connect Students with the SVRS, other resources and supports • Facilitate safe living arrangements to the best of their abilities • Floor Residence Advisor connects Students with appropriate resources, supports and with a Residence Manager
Sexual Violence Response Specialist (SVRS)	<ul style="list-style-type: none"> • Central point of contact and support for all Sheridan Community Members who have experienced or been affected by Sexual Violence • Provide consultations to address concerns relating to Sexual Violence and gender-based violence • Coordinate Accommodations, supports and communication among various departments as required and with the consent of the person seeking services • Act as a confidential resource and support for Sheridan Community Members impacted by Sexual Violence • Provide information about reporting options and processes • Receive mandatory reports of Sexual Violence from Employees, Governors and contractors • Provide guidance to Employees about the duty to report Disclosures or awareness of Sexual Violence • Review safety resources and help facilitate safety plans • Provide information and/or referrals to specialized off-campus resources • May explain the process for Interim Measures with the Complainant • May be consulted about Interim Measures imposed, for periodic review by responsible decision-maker • Ensure that the Complainant is informed of any Interim Measures imposed resulting from a Disclosure or formal Complaint of Sexual Violence Develop and coordinate Sexual Violence education and strategies • Track statistics related to incidents and formal Complaints, types of Sexual Violence and services, supports and Accommodations provided to Students for Ministry-related reporting • Prepare Annual Report

<p>Student Affairs</p> <p>Including:</p> <ul style="list-style-type: none"> -Associate Vice President, Student Experience -Student Affairs Liaison – Sexual Violence 	<p><u>Associate Vice President, Student Experience</u></p> <ul style="list-style-type: none"> • Decide whether to impose Interim Measures on a Student • Where Interim Measures are imposed, notify the Respondent as soon as reasonably possible after the decision is made • Where Interim Measures are imposed, notify CEI and provide a copy of the letter informing the Respondent of the Interim Measures, to CEI • Where Interim Measure is suspension or campus ban, notify Campus Safety Services • Where Interim Measures are imposed, periodically review the Interim Measures as appropriate in the circumstances • Receive requests to review or reconsider Interim Measures, notify the other Party, and provide opportunity for response • As soon as reasonably possible notify CEI of any requests to review or modify Interim Measures • Determine corrective action for Students • Where corrective action is determined, prepare a letter in writing setting out the corrective action ordered with reasons, and provide a copy of the letter to the Respondent and CEI • May work with delegate of necessary department to implement any corrective or disciplinary actions and manage circumstances resulting from Investigation • Where corrective action is a suspension or campus ban, notify Campus Safety Services • Ensure that the Complainant and Respondent are provided with a decision letter in writing of any corrective action <p><u>Student Affairs Liaison – Sexual Violence</u></p> <ul style="list-style-type: none"> • May be consulted about Interim Measures imposed, for periodic review by responsible decision-maker • Support Students who are Respondents to a Complaint or are facing Interim Measures • Assist with the coordination of Accommodations, supports and communication among various departments as required and with the consent of the person seeking services • Provide information about the Complaint and Interim Measure processes, including Appeals and requests to review Interim Measures • Obtain the views of a Respondent on the imposition of Interim Measures where possible • Implement procedural elements related to Student Respondents named in Sexual Violence Disclosures/Complaints/Investigations • Liaise with CEI related to the implementation of Interim Measures and Corrective Action • Develop and coordinate Sexual Violence education and strategies • Track statistics related to contacts/supports for Ministry-related reporting
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Supervisor	<ul style="list-style-type: none"> • Receive reports from Employees in a position of trust to Students, of sexual relations between an Employee and Student and address any power imbalance and/or potential conflict of interest • Receive reports from supervising Employees of their sexual relationship with a supervised Employee, and work with the parties and Human Resources to address any potential conflict of interest • May decide whether to impose Interim Measures on Employee (one of Human Resources, Employee’s Supervisor, or head of the department) if responsible decision-maker • Where Interim Measures are imposed, notify the Respondent as soon as reasonably possible after the decision is made • Where Interim Measures are imposed, notify CEI and provide a copy of the letter informing the Respondent of the Interim Measures • Where Interim Measure is suspension or campus ban, notify Campus Safety Services • Where Interim Measures are imposed, periodically review the Interim Measures as appropriate in the circumstances • Receive requests for the modification or removal of Interim Measures, advise the other Party of the request and provide an opportunity for response • Immediately notify CEI of any requests to review or modify Interim Measures
Support Person	<ul style="list-style-type: none"> • Provide emotional or procedural support to a Participant in the dispute resolution process • Is not connected to the dispute resolution process • Maintain confidentiality
Unions	<ul style="list-style-type: none"> • Provide support to union member Employees
Vice-President (of relevant area)	<ul style="list-style-type: none"> • Determine corrective action for Employees, in consultation with Human resources and in accordance with applicable Collective Agreement or contracts • May work with delegate of necessary department to implement any corrective or disciplinary actions and manage circumstances resulting from Investigation • Where corrective action is a suspension or campus ban, notify Campus Safety Services • Where corrective action is determined, prepare a letter in writing setting out the corrective action ordered with reasons, and provide copy of the letter to CEI • Where corrective action is ordered, work with necessary departments to implement any corrective or disciplinary action

	<ul style="list-style-type: none"> • Ensure that the Complainant and Respondent are informed of any corrective action resulting from an Investigation in accordance with relevant legislation • Receive disclosures from Employees of their existing spouse or partner becoming a Student, and manage potential conflict of interest •
Vice-President, Inclusive Communities	<ul style="list-style-type: none"> • Receive requests for Appeal of an investigator’s findings • Receive requests for Appeal of corrective action imposed on student • Appoint a panel of three impartial reviewers to hear an Appeal where leave to Appeal is granted • Notify CEI when an Appeal has been filed • Notify CEI when an Appeal has been determined • Provide CEI with a copy of Appeal decision • Where an Appeal is heard, communicate the disposition of the Appeal to the Complainant and Respondent
Vice Provost, Student Experience and Enrolment Management	<ul style="list-style-type: none"> • Appoint Student Affairs Liaison – Sexual Violence or similar role if applicable • In matters involving a Student, participate on Appeals panel • Receive requests for the removal of transcript notations for Non-Academic Suspension and Non-Academic Expulsion and consult with the Provost and Registrar in considering request
Wellness and Counselling Services	<ul style="list-style-type: none"> • Provide Students with mental health and/or safety assessments • Provide Students with confidential counselling services • Support referrals to other services as required

APPENDIX D: INFOGRAPHIC

please contact CEI at equity@sheridancollege.ca or ext. 2229 for an accessible copy of this document

