



Victoria University in the University of Toronto Statement of Adoption of the University of Toronto Policy on Sexual Violence and Sexual Harassment with Amendments

A. PREAMBLE

Victoria University is committed to providing an environment in which all members of its community are treated with respect and dignity. Sexual violence or sexual harassment will not be tolerated in the Victoria University community.

A new provincial law requires universities and colleges in the province to have a policy on sexual violence. In 2016, the University of Toronto approved a new policy that establishes a consistent system for responding to incidents and getting support. It took effect on January 1, 2017. The University of Toronto Policy on Sexual Violence and Sexual Harassment ("*University of Toronto Policy*") applies to all members of the U of T community and makes available the same services to everyone – students, faculty and staff. The *University of Toronto Policy* covers all students at Victoria University. However, the *University of Toronto Policy* does not cover Victoria University-appointed faculty and staff, who are covered by the *Victoria University Statement on Harassment and Violence and related policies*¹.

As a federated College within the University of Toronto system, Victoria University is committed to a consistent system for addressing incidents of sexual violence and sexual harassment. For these reasons, Victoria University adopts the *University of Toronto Policy* with those amendments contained herein required by the independent status of Victoria University.

This statement of adoption must be read together with and in the context of the *University of Toronto Policy*, as well as any applicable Victoria University policies and statements, including *Victoria University Statement on Harassment and Violence*.

Victoria University is committed to ensuring that all members of the Victoria University community have the ability to study, work and live in a campus environment free from Sexual Violence, including Sexual Assault and Sexual Harassment. Victoria University supports and specifically adopts the *University of Toronto Policy's* Statement of Commitment with the following additions:

1. Victoria University is committed to making available programs and resources to educate its community on the prevention of and response to Sexual Violence.

¹ See <http://www.vicu.utoronto.ca/about/board/Policies.htm>

2. Victoria University is committed to responding to and addressing incidents and complaints of Sexual Violence involving its students, staff and faculty, and to ensuring that those members of the community who are affected by Sexual Violence receive support.

B. AMENDMENTS REGARDING INTERPRETATION

3. For the purposes of Victoria University, the definition of Member(s) of the University Community in the *University of Toronto Policy* is replaced with the following definition of “Members of the Victoria University Community”:

All Victoria University students, faculty, librarians, fellows, associates, post-doctoral fellows, retirees on campus, and all employees of Victoria University. For clarity, this definition includes anyone employed by Victoria University to teach in Victoria College and Emmanuel College but does not include faculty or employees covered by the *University of Toronto Policy*.

For the purposes of Victoria University’s training obligation, this also includes members of the College’s governance structure, including its Board of Regents, members of the Senate, members of committees and task forces struck by the President or the Board of Regents and its standing committees, as well as contractors engaged by Victoria University².

C. AMENDMENTS REGARDING PROCEDURES FOR CONFIDENTIALITY, DISCLOSURE, REPORTING AND INVESTIGATION

4. Section 13 of the *University of Toronto Policy* establishes the University of Toronto Sexual Violence Prevention and Support Centre (“the Centre”). The mandate of the Centre includes conducting intake, accepting Disclosure and Reporting of Sexual Violence, and providing support to individual Members of the University Community who have experienced Sexual Violence. Section 42 of the *University of Toronto Policy* makes the Centre responsible for receiving Reports of Incidents of Sexual Violence involving a Member of the University Community in a non-emergency situation. The Centre will also provide education and training to Members of the University Community with respect to how to respond to Disclosures of Sexual Violence and how to support Complainants. By agreement, the Centre will also provide these services to Members of the Victoria University Community.
5. In the event that a Report is made under the *University of Toronto Policy* either by or against a person who is a Member of the Victoria University Community, the University of Toronto Office of Safety and High Risk will notify the Victoria University President and Vice-Chancellor or designate of such a report and will

² Recommendation: Create mandatory SV/SH awareness training for members of the University’s governance structures.

consult with that office as such a Report is being processed under the *University of Toronto Policy*.

6. If an investigation proceeds against a Member of the Victoria University Community, the Victoria University President and Vice-Chancellor or designate will review the investigation report pursuant to paragraphs 73, 74 or 75 of the *University of Toronto Policy* as the case may be and make the decisions referred to in those paragraphs. In doing so, the Victoria University President and Vice-Chancellor or designate will consult with the University of Toronto administrators named in those paragraphs in making Victoria University's decisions as to whether or not Sexual Violence occurred and as to the appropriate outcome or sanction under those paragraphs.

7. Victoria University adopts Section E: Decision-Making and Appeal Process under Part

VIII: Reporting of the University of Toronto Policy, as amended below:

73. In the case of a student Respondent who is a Member of the Victoria University Community, the investigation report will be reviewed by the Victoria University President and Vice-Chancellor or designate, in consultation with the University of Toronto Vice-Provost, Students or designate to determine whether or not the matter will be referred for a hearing under the *University of Toronto Code of Student Conduct* in order to determine whether or not Sexual Violence occurred and, if so, the appropriate penalty or remedies. Appeals against the decision of the Hearing Officer may be made to the Discipline Appeals Board of the Governing Council as provided for in the *University of Toronto Code of Student Conduct*.

74. In the case of a staff member Respondent who is a Member of the Victoria University Community, the investigation report will be reviewed by the Victoria University President and Vice-Chancellor or designate, in consultation where appropriate with the University of Toronto Vice-President, Human Resources & Equity or designate, who will determine whether workplace violence and/or Sexual Violence occurred and, if so, the appropriate sanctions or discipline and corrective action, having regard to appropriate factors such as the nature of the offence and any mitigating or aggravating circumstances. The Respondent will be notified in writing of the decision and any discipline or sanction imposed and will have access to the grievance process under the relevant collective agreement or human resources policy in order to appeal.

75. In the case of a Victoria University faculty member or librarian Respondent who does not have a University of Toronto appointment, the Victoria University President and Vice-Chancellor or designate, in consultation where appropriate with the University of Toronto Vice-President and Provost or designate and the Vice-President, Human Resources & Equity, will review the investigation report and determine whether workplace violence and/or Sexual Violence occurred

and impose the appropriate discipline, sanction or corrective action, having regard to appropriate factors such as the nature of the offence and any mitigating or aggravating circumstances. The Respondent will be notified in writing of the decision and any discipline or sanction imposed and will have access to the applicable grievance process in order to appeal.

76. In the case of a Member of the Victoria University Community who holds more than one role – for example, a student who is also an employee – or in the case of multiple Respondents who hold different roles, or in the case of a Respondent who is a Member of the Victoria University Community who is not covered in paragraphs 73, 74 or 75, the Trinity College Provost and Vice-Chancellor or designate in consultation with the University of Toronto where applicable will decide which process(es) will apply in the circumstances of the particular case.

8. For the purposes of clarity, in the event that both parties are exclusively Members of the Victoria University Community, all decision-making rests solely with the Victoria University President and Vice Chancellor or designate.
9. For the purposes of this section, Victoria University interprets paragraph 77 of Section E under Part VIII: Reporting of the University of Toronto Policy to also include any applicable Victoria University policies.
10. This statement of adoption shall take effect June 7, 2018.

Approved by the Victoria University Board of Regents: June 7, 2018.