

Response to the Final Report of the Presidential and Provostial Advisory Committee on Preventing and Responding to Sexual Violence

Meric S. Gertler
President

Cheryl Regehr
Vice-President & Provost

April 2016



UNIVERSITY OF
TORONTO

Response to the Final Report of the Presidential and Provostial Advisory Committee on Preventing and Responding to Sexual Violence

Context and Background

The University of Toronto is committed to preventing sexual violence, to ensuring that those members of our community who are affected by sexual violence receive support, and to addressing reports of sexual violence appropriately.

Recent attention to the issue of sexual violence on university and college campuses, together with an evolving legal environment and initiatives taken by schools across North America, signal an important focus on new approaches to the prevention of and the response to sexual violence. In this context, the University of Toronto established the Presidential and Provostial Advisory Committee on Preventing and Responding to Sexual Violence in November 2014.

The Committee's mandate was broad. They would review current services and programs, identify community resources and partnerships, examine current policies and practices, consider national and international best and promising practices in higher education, and recommend an institutional framework for preventing and responding to sexual violence.

The Committee submitted its [Final Report](#) to us on February 2, 2016. They had engaged in a year of extensive consultations, research, and deliberations, drawing on working groups, focus groups, and scores of submissions. The result is a detailed and thoughtful report that builds on the University's current resources towards a coordinated, integrated, and clear framework to assist the University community in preventing and responding to sexual violence.

Both of us appreciate the exceptional leadership provided by Vice-President, Human Resources & Equity Angela Hildyard; Vice-Provost, Students Sandy Welsh; and former Vice-Provost Jill Matus in guiding the Committee's work. We are also tremendously indebted to the members of the Committee and its working groups and focus groups for the excellence of their work and for their dedication in undertaking it. Finally, we are grateful for the commitment exhibited by the many students, faculty members, and staff members who contributed ideas and feedback at every stage of the process.

We Fully Endorse the Report's Principles

The Committee clearly articulated four principles to which the University should adhere:

- I. The University of Toronto strives to create an environment where staff, students and faculty are safe to learn, work and live. Safety on campus is a priority. Sexual violence will not be tolerated on our campuses.
- II. Recognize that language must be sensitive to the experiences of the individual who has experienced sexual violence, and acknowledge that some individuals may be unsure whether or not an assault or act of sexual violence has occurred against them. Individuals tend to understand what various terms may mean in the context of their own experience. All terms such as consent, sexual violence, sexual assault, and sexual harassment should be clearly defined in policy, training, and service delivery.
- III. Programs and services related to sexual violence at the University will be rooted in principles of equity and reflect the diversity of the U of T community and be responsive to diverse groups who are at higher levels of risk for sexual violence.
- IV. All policies and procedures must include the principles of procedural fairness for all parties (respondents and complainants) and appropriate procedural safeguards that reflect those principles.

We fully endorse each of these principles. They will guide the University as we implement the Committee's institutional framework for preventing and responding to sexual violence. In this endeavour, it will be important for every member of our University community to embrace these principles and embody them.

We Accept All of the Report's Recommendations

We accept all of the Report's recommendations and we commit to implementing them expeditiously. We are developing action plans for each of the recommendations and, as appropriate, the Office of the Vice-President, Human Resources & Equity and/or the Office of the Vice-President & Provost will lead the processes of implementation.

Highlights of the Committee's recommendations are as follows:

1. The Committee recommends that a University sexual violence centre with a tri-campus mandate and presence be created to assist in triage, reporting, and providing supports for individuals who have experienced sexual violence.
2. The Committee recommends that a policy on sexual violence be created and begin with a clear affirmation that sexual assault and harassment will not be tolerated on campus. The Policy and Protocol should provide a comprehensive and user-friendly set of resources for both formal reporting and confidential disclosures and include the appropriate procedural safeguards for all involved parties (complainants and respondents).
3. The Committee recommends review and revision where applicable to the *Policy and Procedures: Sexual Harassment* and the *Code of Student Conduct* to ensure that they reflect the institutional commitment and provide mechanisms appropriate for resolving the full range of complaints of sexual harassment and sexual assault. This review should include consultation with students, staff and faculty.
4. The Committee recommends University-wide education and training programs that are evidence-informed, and in a number of formats, both online and in-person.
5. The Committee recommends that the principles and recommendations found within this report be reviewed regularly to ensure that progress is made and that institutional commitment remains strong. This review should include consultations with students, staff and faculty, including those who have experienced sexual violence.

It is important to note that the Committee's recommendations are consistent with the Ontario government's Bill 132, *Sexual Violence and Harassment Action Plan Act (Supporting Survivors and Challenging Sexual Violence and Harassment)*, which received Royal Assent on March 8, 2016. The new legislation has significant implications for universities, and the Committee was mindful of the evolving legal context as it considered its recommendations. The new provincial legislation requires that governance approval of the new policy be obtained and changes be put into effect by January 1, 2017.

Recommendation #1: A Tri-Campus Sexual Violence Centre

The first of the Committee's five major recommendations proposes the creation of a University centre with a tri-campus presence and a mandate to assist in triage, reporting, and providing supports for individuals who have experienced sexual violence. We accept this recommendation.

Many University offices and services – such as Health and Wellness, the Community Safety Office, Campus Police, and High-Risk Matters – currently support those who have experienced sexual violence. Our dedicated professionals work extremely hard to inform our fellow University members of their options, provide counselling, make referrals, and assist in navigating campus and community resources. We greatly value the work of these staff members, as well as the contributions of other members of our community, including faculty members and students. We are committed to working together to implement the Committee's first recommendation, concentrating on ensuring greater coordination, integration, and clarity among our existing, comprehensive services.

Accordingly, we are announcing a new Sexual Violence Prevention and Support Centre (SVPSC), which we expect to be fully integrated by January 2017. The new Centre will augment our current approach to safety and high-risk matters at the University. A new position of Executive Director, Personal Safety, High Risk and Sexual Violence Prevention & Support will be created and will report both to the Vice-President & Provost and to the Vice-President, Human Resources & Equity. We will begin the search for the new Executive Director this month and plan to have someone in place before July 1st. Along with leading the University's sexual violence response, the Executive Director will also have responsibility for community safety and high-risk matters. This realignment of services under one Executive Director, together with the new SVPSC, will allow for more effective, integrated case management and enhance crisis response coordination. The new Executive Director will develop resource planning for the newly consolidated services.

The Centre will not be responsible for investigation and adjudication processes; rather, these will be managed by existing offices in line with new policy recommendations as outlined in the next section. This division of responsibilities is important to ensuring comprehensive and responsive support to victims while protecting due process, integrity, and fairness.

The Centre will coordinate education and prevention services, encompassing both new and existing aspects of sexual violence education and services. For example, the SVPSC will be responsible for support services for survivors of sexual violence as well as training for those who receive such disclosures and share after-hours on-call services across the three campuses. As well, the SVPSC itself will be one of a number of places

within the University where individuals can disclose and/or report experiences of sexual violence. Integrated support teams will offer streamlined services to our diverse community and develop shared expertise on available resources, processes, and pathways for those services. In addition, the important work of the U of T Sexual Harassment Office will be incorporated into the SVPSC. Critically, it will be imperative to work closely with local representatives to ensure that the unique needs of each of the three campuses are met as the SVPSC is created.

As part of its first recommendation, the Committee also highlighted the significant role of our external community partners. The University will develop an inventory of community resources and explore new ways of engaging these valuable partners. This inventory will be based on the excellent work of the Committee and various offices at the University. It will be maintained by the new Centre, which will be charged with updating the inventory regularly, liaising with community partners, and keeping staff informed about the various resources available. We are profoundly grateful to these external community partners who provide essential services to members of our University, and we will continue to consult with them about the various initiatives described in this response.

The actions that we will take, as outlined above, are the product of the Committee's deliberations as well as expert consultations conducted by Professor Kelly Hannah-Moffat. Professor Hannah-Moffat has been advising both of us, along with Vice-President Hildyard, on the structure and coordination of sexual violence services and related crisis services at the University. We are grateful to Professor Hannah-Moffat for her work as an advisor and member of the Committee.

Recommendations #2 and #3: A New Policy on Sexual Violence and a Review of Existing Policies

Provost Regehr and Vice-President Hildyard will implement the Committee's second and third recommendations by developing a new, stand-alone University policy on sexual violence and by reviewing existing policies, including the *Policy and Procedures: Sexual Harassment* and the *Code of Student Conduct*.

An expert panel chaired by Mayo Moran, Professor of Law and Provost of Trinity College, will be established to advise on developing a new policy on sexual violence as well as reviewing existing policies addressing sexual violence and harassment. As well, the panel will make recommendations regarding a companion document that will explain procedures related to the approved policies. The panel will be a small working group of members with expertise on issues of sexual violence, including one faculty member, one administrative staff member, one undergraduate student, and one graduate student. A call for nominations for the expert panel will be issued on April 8th.

The creation of a new policy and the review of existing policies will proceed in two phases. First, Professor Moran's expert panel will develop principles to guide the policy work and engage in consultations with stakeholder groups across the University of Toronto community. In this phase, the expert panel will rely heavily on the excellent foundation established by the Committee's report. Specifically, the panel will advise and consult on two key policy issues: 1) the reporting process for sexual violence cases; and 2) the investigation, resolution, and adjudication processes for such cases. Throughout, the panel will consider how to incorporate principles of procedural fairness for all parties - respondents and complainants - and how to ensure that University policies and procedures reflect those principles.

In the second phase, the Offices of the Vice-President & Provost and Vice-President, Human Resources & Equity will work together to draft the new policy on sexual violence and draft revisions to existing policies. Consultation with all members of the University community – students, staff, and faculty – will be essential to both the development of new policy and the revision of existing policies. Student input, including that of survivors, during the development of the new policy on sexual violence and during consideration of the relevant sections of the *Code of Student Conduct*, will be vital. Revisions to the *Policy and Procedures: Sexual Harassment* in particular must include consultation with employee groups and the University of Toronto Faculty Association (UTFA). Input from the broader University community will be sought during this process, explicitly from members whose experiences have been historically marginalized and/or underrepresented. The new policy and all proposed policy revisions will then be considered for approval by University governance before January 1, 2017, as required by provincial legislation. Subsequently, the new policy on sexual violence will be reviewed every two to three years.

With consultation, the Offices of the Vice-President & Provost and Vice-President, Human Resources & Equity will also develop a clear and concise procedural document to accompany the new policy on sexual violence and other related policies. Information about supports and services available to students, staff, faculty, and other members of the University community will be included in this companion document.

Recommendation #4: A Coordinated Approach to Education & Prevention

The Committee's fourth recommendation speaks to the importance of University-wide, evidence-based education and training programs. Given that research-based education is a core part of the University's mission, we are confident that our community possesses the knowledge and resources to carry out this recommendation in an effective manner. Through our actions in this area, we will strengthen the culture of understanding and prevention of sexual violence.

The University is fortunate to have a range of dedicated professionals who provide education and training programs in the divisions. Examples include: the sexual assault response and prevention training provided for Residence Life staff across all three campuses; trainings by the Sexual Harassment Office (Office of Vice-President, Human Resources & Equity); SafeU, a student peer training program on healthy relationships (Student Life on the St. George campus); the CampUS Safety Project (University of Toronto Mississauga and Interim Place); and prevention education delivered to students through theatre forum groups (University of Toronto Scarborough). These are valuable activities and they will benefit from renewed approaches and greater coordination across the University.

Policy and process training will be developed for all members of our community both in-person and online. The content and delivery of our existing programs will be updated to ensure that members are aware of available supports and services, that they understand the processes for addressing sexual violence complaints, and that programming includes historically marginalized and underrepresented groups. Importantly, students and peer groups will continue to play a significant role through consultation, creative outreach, and information-sharing about sexual violence services.

It will be critical to communicate that these education programs are not solely for counsellors and triage staff. Rather, they are intended for all members of the community. In addition, specialized training will regularly be provided to academic administrators, including Chairs and Deans, who will facilitate the provision of support for employee and student complainants and respondents. These academic leaders will be critical to guiding the development of a culture in which we all work to prevent and respond to sexual violence.

In implementing this recommendation, advice will be provided by an expert panel, chaired by Professor Gretchen Kerr, Acting Dean of the Faculty of Kinesiology and Physical Education. As with the expert panel on policy, the small panel will include one faculty member, one administrative staff member, one undergraduate student, and one graduate student. Panel members' research expertise related to sexual violence education and/or prevention and experience in curricular design will guide the planning and implementation of coordinated education and training initiatives. A call for nominations for the expert panel will be issued on April 8th.

Recommendation #5: A Regular Campus Climate Survey

Lastly, the Committee wisely identifies in its fifth recommendation the need for regular review and monitoring to ensure that progress is ongoing and that institutional commitment to the Committee's principles and recommendations remains strong. The University will report annually to the Ministry of Training, Colleges and Universities and to the Governing Council and/or its bodies on steps taken to address sexual violence. To

this end, the University will conduct a periodic University of Toronto campus climate survey on sexual violence. A climate survey is an important tool for benchmarking as well as understanding and addressing sexual violence. Climate surveys are most effective and meaningful when included as part of a larger university-wide assessment process that uses the survey results and other data to evaluate the effectiveness of services, supports, and reporting processes and ultimately improve them.

The University will also establish an institutional-level Sexual Violence Climate Survey Advisory Board to help guide the development of a tri-campus survey and its implementation. As with the expert panels on policy and education, the Advisory Board will include one faculty member, one administrative staff member, one undergraduate student, and one graduate student who have expertise in this area through relevant research and scholarship. The Advisory Board will consult across the institution, including with faculty, on-campus service providers, students, survivors, and local community services. A call for nominations for the Sexual Violence Climate Survey Advisory Board will be issued on April 8th.

With the passage of Bill 132, we note that the Ontario Ministry of Training, Colleges and Universities (MTCU) may also conduct (or direct universities to conduct) climate surveys, as well as develop common metrics for institutional data collection. We will continue participating in expert working groups in the university sector and with MTCU on these issues. As part of this process, Professor Sandy Welsh, Vice-Provost, Students is a member of the MTCU Sexual Violence Post-Secondary Reporting Advisory Committee, and will serve as Chair of the U of T Sexual Violence Climate Survey Advisory Board. Depending on the Ministry's decisions, the U of T Advisory Board would provide advice and guidance regarding the implementation of a potential provincial survey.

Conclusion

Two points will be immediately evident in conclusion.

The University of Toronto strives to create an environment free from the threat of sexual violence. We accordingly commit to an ambitious plan, appropriate to the magnitude of the issue. As we indicated at the outset, the Office of the Vice-President, Human Resources & Equity, and/or the Office of the Vice-President & Provost will lead the processes of implementing each recommendation. We are already developing action plans for each of the recommendations, drawing from the comprehensive resources that the Committee has amassed. These plans will be implemented in a manner that is consistent with Bill 132.

Second, again appropriate to the magnitude of the issue, the University is committing to extensive consultation in implementing this plan. In addition to the expert panels and advisory board nominated from the broad University community, key steps in the

implementation – and especially the policy development – will involve consultation with the University’s students, staff, and faculty members.

Finally, we repeat our appreciation for the work of the Committee. The recommendations they have made, and we have accepted, will have a significant and lasting impact on our community. Moreover, the principles the Committee has articulated, and we have endorsed, will continue to guide the University’s response to sexual violence in the years to come. As those principles make clear, the University of Toronto strives to maintain an environment that is free from discrimination and harassment, one that is safe for its students, staff, and faculty.

We recognize the significance and the importance of the challenges we face and the courage it will take to meet them. At the same time, we are confident in our community and inspired by the commitment and collegiality that our students, faculty, and staff share with one another every day.