

SEXUAL ASSAULT AND SEXUAL VIOLENCE RESPONSE PROTOCOL

PREAMBLE

Sheridan is committed to providing an environment that is safe and free from discrimination, harassment, and violence. Sheridan recognizes the inherent right that all persons have to exercise full control of their own bodies, and to engage in sexual activity only to which they have consented. As such, Sheridan will not tolerate behaviour that contributes to an inequitable or hostile learning, living, or work environment. Sexual Assault is an example of such behaviour, and is an offense under the Criminal Code of Canada. All Members of Sheridan are expected to abide by the provisions of the Criminal Code of Canada, and all other applicable legislation, including those regarding Sexual Violence.

The purpose of this protocol, as set in the Sexual Assault and Sexual Violence Policy, is to provide resources and support to those in the Sheridan community who have been affected by Sexual Violence, as well as those working with persons who have been affected by Sexual Violence.

1. If You Have Experienced or Have Been Affected By Sexual Violence

If you have experienced or have been affected by Sexual Violence and require support and accommodation, please call The Student Rights and Responsibilities Office at extension 2306 or 2813 for Trafalgar and STC Campuses, extension 5073 or 5336 for Davis and HMC Campuses. If you want to speak to someone directly, please go to The Student Services Centre: B104 at Trafalgar Campus, B230 at Davis Campus, and A247 at the HMC Campus. If you are an employee, please call the Centre for Equity and Inclusion: B237 at Trafalgar Campus, or call (905) 845-940, ext. 2915 or 2229.

It is often difficult to disclose and report incidents of Sexual Violence. It is entirely up to you if you choose to report the incident; however, we strongly encourage you to do so by contacting your local Police service and/or the following specialized resources. They will assist you by providing available support and resources, including how to access medical attention:

Halton (Trafalgar Campus):

- Sexual Assault and Violence Intervention Services (SAVIS) 905.875.1555, <http://www.savisofhalton.org>
- Halton Regional Police 905.825.4747 ext. 8970 or 911 for emergency assistance

Peel (Davis Campus and HMC Campus):

- Hope 24/7 1.800.810.0180, <http://hope247.ca>
- Peel Regional Police 905.453.3311 ext. 3460 or 911 for emergency assistance

If you are not within these regions but within Ontario please contact the:

Assaulted Women's Helpline:

- Telephone toll-free: 1.866.863.0511
- Or dial #SAFE (#7233) on your Bell, Rogers, Fido or Telus mobile phone
- TTY for the Deaf and hard of hearing: 1.866.863.7868

- Website: www.awhl.org

Individuals who have been affected by Sexual Violence outside of these areas are encouraged to contact local authorities for assistance.

**To file a report and for after hours on campus support please contact Campus Security at 905.815.4044, or use the emergency phones located both inside and outside on each campus.

If you want to speak to someone directly, after having experience Sexual Violence, and need support on campus during business hours, please visit the campus Health Centre at:

- Trafalgar: B129; 905.845.9430 ext. 2550
- Davis: C210; 905.459.7533 ext. 5153
- HMC campus: A147; 905.459.7533 ext. 5375
- As there is no Health Centre at the STC campus, individuals are encouraged to visit another campus if they are in need of on-campus support during business hours.

Please see: <https://www.sheridancollege.ca/life-at-sheridan/student-services/health/contact-us.aspx> for hours of operation.

Or

Contact the Centre for Equity and Inclusion located at the Trafalgar Campus, B237, 905.845.9430 ext. 2915 or 2229.

For after hours on campus support please contact Campus Security at 905.815.4044, or use the emergency phones located both inside and outside on each campus.

Other on campus resources available to you during business hours include:

- Campus Counselling :<https://www.sheridancollege.ca/life-at-sheridan/student-services/counselling-services.aspx>
- Student Rights and Responsibilities Office: <https://www.sheridancollege.ca/life-at-sheridan/student-services/student-rights.aspx>

Campus Counselling and the Student Rights and Responsibilities Office are both located within Student Affairs:

- Trafalgar: B104; 905.845.9430 ext.2557
- Davis: B230; 905.459.7533 ext. 5400
- HMC: Check in at the Welcome Desk; 905.459.7533 ext. 2528
- Individuals at the STC campus are encouraged to visit another campus if they are in need of these resources during business hours.

Additionally:

- If you are a student in Residence, support through the Residence Life staff is available 24/7. They can assist you in connecting with the appropriate resources and supports.

Please see here for a complete listing of services and supports Halton (Trafalgar Campus) ([link](#)) and Peel (Davis Campus and HMC Campus) ([link](#)).

Anyone who has been affected by Sexual Violence has the right to:

- be treated with dignity and respect,
- be believed,
- be informed about on- and off-campus services and resources,
- decide whether or not to access available services and to choose those services they feel will be most beneficial,
- decide whether to report to campus security and/or local police,
- have an on-campus investigation with the institution's full cooperation,
- have a safety plan, and
- have reasonable and necessary actions taken to prevent further unwanted contact with the alleged perpetrator(s).

If you witness Sexual Violence, we will assist you by providing available resources and necessary support to report the incident.

Please note if you are a Sheridan employee and you witness or become aware of an allegation of Sexual Violence against another Member of Sheridan, you are required to report the alleged incident to the Centre for Equity and Inclusion at 905.845.9430 ext. 2915 or 2229 or after hours to Security at 905.845.9430 ext. 4044.

Employees may wish to access the Employee Assistance Program ([link](#)) services after witnessing or becoming aware of and reporting an incident of Sexual Violence.

If you are a visitor to campus, please report the incident to Security at 905.815.4044 or use the emergency phones located both inside and outside on each campus.

2. If You Would like to File a Formal Complaint

Please note that you are not required to file a formal complaint to obtain supports, services or appropriate accommodation from Sheridan.

If you are a student:

The Student Rights and Responsibilities Office can also assist you with filing a complaint. If the alleged individual is another Member of Sheridan, you may file a complaint under this Policy.

Individuals who have been affected by Sexual Violence may also wish to press charges under the *Criminal Code*. The Student Rights and Responsibilities Office can also assist you with contacting the local Police service.

For more information about your local Police service please call or visit:

Halton Regional Police (Trafalgar Campus): 905.825.4747 ext. 8970

<http://www.haltonpolice.ca/SpecializedUnits/CriminalInvestigations/CASA/SexualAssault/Pages/FAQ.aspx>

Peel Regional Police (Davis Campus and HMC Campus): 905.453.3311 ext. 3460

<http://www.peelpolice.on.ca/en/aboutus/specialvictimsunit.asp>

More information on filing a complaint can be found at: [Filing a Complaint](#)

If you are not a student:

Please contact the Centre for Equity and Inclusion (905.845.9430 ext. 2915 or 2229) who can assist you with filing a complaint. If the alleged individual is another Member of Sheridan, you may file a complaint under this Policy.

Individuals who have been affected by Sexual Violence may also wish to press charges under the *Criminal Code*. The Centre for Equity and Inclusion can also assist you with contacting the local Police.

For more information about your local Police service please call or visit:

Halton Regional Police (Trafalgar Campus): 905.825.4747 ext. 8970

<http://www.haltonpolice.ca/SpecializedUnits/CriminalInvestigations/CASA/SexualAssault/Pages/FAQ.aspx>

Peel Regional Police (Davis Campus and HMC Campus): 905.453.3311 ext. 3460

<http://www.peelpolice.on.ca/en/aboutus/specialvictimsunit.asp>

3. What to Do if You Witnessed Sexual Violence

If you have witnessed sexual violence, please call The Student Rights and Responsibilities Office at extension 2306 or 2813 for Trafalgar and STC Campuses, extension 5073 or 5336 for Davis and HMC Campuses. If you want to speak to someone directly, please go to The Student Services Centre: B104 at Trafalgar Campus, B230 at Davis Campus, and A247 at the HMC Campus.

Faculty, staff, other employees and contractors have a duty to immediately report all incident and suspected incidents of sexual violence. Please call the Centre for Equity and Inclusion at ext. 2915 or 2229, or contact Campus Security at ext. 4044.

Students are strongly encouraged to report incidents of sexual violence, but do not need to report incidents of sexual violence to obtain supports, services or accommodation from Sheridan.

All Members of Sheridan who have witnessed sexual violence have a duty to cooperate with a Sheridan investigation.

4. What to Do if Someone Discloses Allegations of Sexual Violence

A person may choose to confide in someone about an act of Sexual Violence, such as a student, faculty, teaching assistant, coach, or staff from housing, health, counselling or security. An individual who has been affected by Sexual Violence may also disclose to staff or faculty when seeking support and/or academic accommodation. A supportive response involves:

- listening without judgement and accepting the disclosure as true;
- communicating that Sexual Violence is never the responsibility of the victim;
- helping the individual identify and/or access available on- or off-campus services, including emergency medical care and counselling;
- respecting the individual's right to choose the services they feel are most appropriate and to decide whether to report to the police or to:
 - the Student Rights and Responsibilities Office at 905.845.9430 ext. 2306 (Trafalgar/STC) or 905.459.7533 ext. 5073 (Davis/HMC);
 - the Centre for Equity and Inclusion at 905.845.9430 ext. 2915 or 2229, or
 - to Campus Security at 905.815.4044
- recognizing that disclosing can be traumatic and an individual's ability to recall the events may be limited;
- respecting the individual's choices as to what and how much they disclose about their experience; and
- making every effort to respect confidentiality and anonymity.

If disclosure is made to faculty or staff by a student seeking support or academic accommodation, the faculty or staff should refer the student to the Counselling Services, and work with the Counsellor to ensure that the student receives all necessary academic and other accommodations.

As indicated above, if a Sheridan employee becomes aware of an allegation of Sexual Violence against another Member of Sheridan, the faculty or staff is required to report the alleged incident to the Centre

for Equity and Inclusion at ext. 2915 or 2229 or if it is after hours to Security at ext. 4044 immediately.

5. Communicating with Individuals who have Been Affected By Sexual Violence

Sensitive and timely communication with individuals who have been affected by Sexual Violence and their family members (when an individual consents to this communication) is a central part of Sheridan's first response to Sexual Violence. To facilitate communication Sheridan will:

- Ensure that designated staff members in Student Affairs and the Centre for Equity and Inclusion who are knowledgeable about Sexual Violence, are responsible for advocacy on campus on behalf of staff, students or any other member of the Sheridan community who have been affected by Sexual Violence;
- Ensure designated staff members respond in a prompt, compassionate, and personalized fashion; and
- Ensure that the victim is provided with reasonable updates about the status of Sheridan's investigation of the incident when such investigations are undertaken.

6. Roles and Responsibilities of the Sheridan Community

While everyone on campus has a role to play in responding to incidents of Sexual Violence, some Members of Sheridan will have specific responsibilities which might include:

- On-campus health supports to provide psychological and emotional support, assist with safety planning and make referrals to other services, including medical services;
- Faculty, staff and administrators to facilitate academic accommodations and other academic needs of those who have been affected by or who have experienced Sexual Violence. Sheridan will help students explore options that will support academic success such as extensions on assignments.
- Residence staff to facilitate safe living arrangements to the best of their abilities;
- Student operated Sexual Violence services to provide peer supports;
- Human Resources to assist with any incidents relating to employees; and
- Security, Centre for Equity and Inclusion and the Student Rights and Responsibilities Office to assist with investigations and gathering evidence, to implement measures to reduce Sexual Violence on campus, and to collaborate with local police where appropriate.

Information about these resources is available using the link to go directly to the resources:

<https://www.sheridancollege.ca/about/respectful-and-safe-communities/sexual-assault/resources.aspx>.

7. How Will Sheridan Respond to a Report of Sexual Violence?

Where a complaint of Sexual Violence has been reported to Sheridan, Sheridan will exercise care to protect and respect the rights of both the complainant and the respondent. Sheridan understands that an individual who has been the survivor of Sexual Violence may wish to control whether and how their experience will be dealt with by the police and/or Sheridan. In most circumstances, the person will retain this control. A person who has experienced sexual violence may choose not to request an investigation and has the right not to participate in any investigation that may occur.

In certain circumstances, however, Sheridan may be required to initiate an internal investigation and/or inform the police of the need for a criminal investigation, even without the person's consent, if Sheridan believes that the safety of other Members of Sheridan is at risk, in accordance with Sheridan policies.

A report of Sexual Violence may also be referred to the police, or to other community resources at the complainant's request, where the persons involved are not Members of Sheridan or otherwise where appropriate.

Sheridan adheres to the following (below in 7.1 to 7.9) in investigating and making decisions about formal complaints. If an entitlement set out below in 7.1 to 7.9 conflicts with something set out in another Sheridan policy, the entitlement set out below shall prevail:

7.1. Where the Respondent is a Student

Sexual Violence is a violation of **the Student Code of Conduct Policy**. It is considered a serious offence and will be addressed in a manner which is consistent with other serious offences. Please see **the Student Code of Conduct- Adjudication Process and Appeals Procedure** for more details on the investigation and adjudication process. All students have the right to procedural fairness and due process when involved in an alleged breach of the Student Code of Conduct Policy.

Student Code of Conduct Policy:

- <https://policy.sheridanc.on.ca/dotNet/documents/?docid=777&mode=view>

Student Code of Conduct – Adjudication Process and Appeals Procedure:

- <https://policy.sheridanc.on.ca/dotNet/documents/?docid=820&mode=view>

The Student Rights and Responsibilities Office is responsible for intake, investigation and decision-making. Sheridan may also decide to use an external investigator when appropriate in the circumstances.

7.2. Where the Respondent is an Employee

Sexual Violence is a violation of **Harassment and Discrimination Policy**. Allegations against employees will be addressed in accordance with the procedures set out in this Policy, and in accordance with any applicable collective agreement, and/or other Sheridan policies. If the findings of an investigation substantiate a violation of the policy Sheridan will decide on the appropriate disciplinary actions in accordance with any applicable collective agreement and/or policies regarding discipline.

Harassment and Discrimination Policy:

- <https://policy.sheridanc.on.ca/dotNet/documents/?docid=645&mode=view>

The Centre for Equity and Inclusion is responsible for intake, investigation and decision-making. Sheridan may also decide to use an external investigator when appropriate in the circumstances.

7.3. Where the Respondent is not a Student, Faculty or Staff

Contractors, suppliers, volunteers or visitors who attend on campus will be subject to complaints if they engage in prohibited conduct.

All contractual relationships entered into by Sheridan will be governed by a standard contract compliance clause stating that contractors must comply with this Policy and the Ontario *Human Rights Code*, including co-operating in investigations. Breach of the clause may result in penalties, cancellation, or other sanctions.

The Centre for Equity and Inclusion is responsible for intake, investigation and decision-making. Sheridan may also decide to use an external investigator when appropriate in the circumstances.

7.4. Multiple Proceedings

Where criminal and/or civil proceedings are commenced in respect of the allegations of Sexual Violence, Sheridan shall conduct its own independent investigation into such allegations, and will make its own determination in accordance with its policies and procedures. Where there is an ongoing criminal investigation, Sheridan will cooperate with the local Police service.

7.5 Procedural Fairness

Except as otherwise stated in this Protocol, Sheridan provides whose rights, privileges, or interests may be affected by a decision with notice of the decision to be made, disclosure of facts relevant to the decision and an opportunity to be heard. Sheridan may decide how it meets these obligations in different circumstances, and will do so with a view to providing a fair process, making a sound decision and preserving the dignity of survivors. Sheridan has the right to withhold disclosure early on in its process to obtain a person's independent recollection of events.

7.6 Support and Representation

Complainants and respondents may attend meetings with a single (non-participating) support person. Sheridan considers requests to attend meetings with additional support persons and with legal or other representation on a case-by-case basis, with a view to promoting a fair and expeditious process. Sheridan may still question and expect direct answers from an individual who is represented.

7.7 Interim Measures

Sheridan will take the necessary steps to minimize the impact on the complainant and respondent. Interim measures such as being asked to remain off campus, be moved from residence, restricted from entering certain areas of the campus, restricted from attending classes and required to have no direct or indirect contact with a complainant.

Such "interim measures" will be imposed only as necessary to meet the needs of complainants and persons who report incidents of Sexual Violence. Sheridan will also take steps to minimize the impact of interim measures on respondents to ensure procedural fairness and due process.

Interim measures are not punishment and do not represent a finding of misconduct. Sheridan may impose interim measures immediately, without a hearing. Respondents may ask Sheridan to review a decision to impose interim measures, but only to address the impact of the imposed measures.

7.8 **Outcomes**

Sheridan will make a finding of fact based on its investigation, what happened and whether it constitutes Sexual Violence or another form of misconduct. If Sheridan finds there has been misconduct, it will determine the appropriate sanction. Students may face discipline, up to and including expulsion. Employees may face discipline, up to and including discharge. Contractors, suppliers, volunteers and visitors may face penalties, cancellation of contracts and other sanctions. Sheridan may also impose measures, such as: expulsion, suspension, behavioural agreement, non-academic probation, removal from residence, no contact orders, and educational opportunities.

7.9 **Written Decision**

Sheridan will inform the complainant and respondent of the results of its investigation in writing. The written decision summary will include a brief description of any corrective action that Sheridan has taken or will take as a result of its investigation.

8. Other Resources and Supports Available to You

The following link provides a list of both on-campus and off-campus resources within both Halton (Trafalgar Campus) and Peel (Davis Campus and HMC Campus) Regions:

<https://www.sheridancollege.ca/about/respectful-and-safe-communities/sexual-assault/resources.aspx>

9. Related Documents

[Student Code of Conduct Policy](#)

[Student Code of Conduct - Adjudication Process and Appeals Procedures](#)

[Threat Assessment Policy](#)

[Student at Risk and Intervention Policy](#)

[Student at Risk and Intervention Procedure](#)

[Acceptable Use Policy](#)

[Residence Community Living Standards](#)

[Harassment and Discrimination Policy](#)

[Resolving Harassment and Discrimination and Workplace Harassment Issues Procedure](#)

[Workplace Violence Policy](#)

[Workplace Harassment Policy](#)

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

[Support Staff Collective Agreement](#)

[Academic Collective Agreement](#)

[Appendix: Dispelling the Myths and Misconceptions about Sexual Assault](#)