

Memorandum

Office of the Provost and Vice-Principal (Academic)

James Administration Building, Room 504

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TO: Senate

FROM: Professor Christopher Manfredi, Provost & Vice-Principal (Academic)

SUBJECT: Proposed *Policy against Sexual Violence*

DATE: November 23, 2016

DOCUMENT #: D16-22

ACTION REQUIRED: ☐ INFORMATION ☒ APPROVAL/DECISION

ISSUE Presentation for approval of the *Policy against Sexual Violence*.

**BACKGROUND
& RATIONALE**

With sexual violence emerging more publicly as an issue facing campuses across North America, McGill has committed to developing a sexual violence policy to render its campus safer, more inclusive and more equitable for all community members. This policy is an important step in responding to sexual violence. It establishes measures that McGill will adopt with respect to prevention, education, support and response to sexual violence. It outlines mechanisms for disclosures and reporting incidents of sexual violence, outlines immediate steps that will be taken to address campus sexual violence, and establishes McGill's commitments to a survivor-centered approach and to procedural equity.

**PRIOR
CONSULTATION**

- in-person meetings with more than 30 interested groups and individuals within the McGill community (in some cases, meeting multiple times), including: student associations, faculty and staff associations and unions, student services (e.g., Athletics & Recreation, Counseling Services, Dean of Students);
- electronic feedback from more than 200 McGill community members;
- sponsoring student focus groups and studying feedback that these generated;
- engaging with McGill and external media;
- a roundtable discussion with representatives from across the McGill community;
- participating in a newly created initiative of the Quebec government to address campus sexual violence;
- working with an external consulting firm (Parker P Consulting, an arm of White Ribbon), with more than 25 years' expertise in supporting organizations as they work to combat gender and intersectional violence;
- discussion at Senate on October 19, 2016.

**SUSTAINABILITY
CONSIDERATIONS**

N/A

**IMPACT OF
DECISION AND
NEXT STEPS**

- Board of Governors' approval;
- Implementation by committee (section 7);
- Conduct of a study, by panel, of sexual violence at McGill, whose mandate will include examining McGill's disciplinary jurisdiction over incidents involving Members of the University community occurring off-campus (section 22)

**MOTION OR
RESOLUTION
FOR APPROVAL**

Be it resolved that Senate approve, and recommend to the Board of Governors for approval, the proposed Policy against Sexual Violence, as set out in Appendix 2.

APPENDICES

Appendix 1: Statement to the McGill community from PVPA Manfredi and AP(PPE) Campbell

Appendix 2: Policy against Sexual Violence for approval

Appendix 3: Policy against Sexual Violence, version for approval as compared with draft of 12 September 2016, shared with the McGill community

Appendix 4: Report of the McGill Roundtable on Sexual Violence

**Policy against Sexual Violence:
Background, Context and Moving Forward**

McGill University recognizes that it can and must do better to address the realities of campus sexual violence. Indeed, McGill *wants* to do better on this front. The University's *Policy against Sexual Violence* marks a first, crucial step toward realizing our institutional commitment to developing stronger, more effective strategies for supporting survivors and for preventing and responding to sexual violence.

This Policy is inspired by and draws on the assiduous work of students who advanced conversations on sexual violence at McGill. These students made plain the need for a policy response to this matter, and put forward a draft that provides the foundation for the University's Policy.

McGill's Policy is further informed by the sexual violence education, prevention and response efforts that are already in place at McGill, principally within the Office of the Liaison Coordinator (Harm Reduction), led by Bianca Tétrault. These efforts will be maintained and further supported as we move forward.

Moreover, this Policy is the product of a sustained and extensive consultative process. Throughout the Policy's development, we have listened actively to members of the University community and heard diverse views about how McGill can and should address the challenge of campus sexual violence. Our consultations aimed to ensure survivor-informed discussions, and included:

- in-person meetings with more than 30 interested groups and individuals within the McGill community (in some cases, meeting multiple times);
- electronic feedback from more than 200 McGill community members;
- sponsoring student focus groups and studying feedback that these generated;
- engaging with McGill and external media;
- participating in a newly created initiative of the Quebec government to address campus sexual violence; and
- working with an external consulting firm (Parker P Consulting, an arm of White Ribbon), with more than 25 years' expertise in supporting organizations as they work to combat gender and intersectional violence.

Through this process of engagement, we have learned a tremendous amount, and we have endeavoured to embed that which we have learned into this Policy. The Policy's framing and commitments flow directly from conversations with stakeholders who impressed upon us the importance of taking their concerns seriously and of ensuring the explicit reflection of these concerns within the University's governance framework. This was especially true of preoccupations expressed by equity subcommittees and by student associations.

The strength of the Policy is hence largely attributable to the ideas and feedback provided by members of the McGill community. This strength lies in the core commitments that the University makes through this Policy, all of which emerged through consultation, notably:

- the creation of an **office** with trained, professional staff and dedicated to sexual violence education and response, which will coordinate and centralize relevant University services (section 7);
- **education and programming** about sexual violence and its impacts for all members of the McGill community, to be mandatory for all staff who provide front-line health and counseling services and those with investigation and disciplinary authority under University policies and regulations (section 8);
- **empowering survivors** by ensuring clear information about procedures and confidential, non-judgmental and non-directional support (section 9);
- clarifying the range of potential **disciplinary measures** that may ensue from the perpetration of sexual violence (section 12);
- **follow-up communication** for survivors who report incidents of sexual violence to McGill authorities (section 13); and
- continued adherence to **procedural fairness** (section 20).

We recognize that our efforts to address sexual violence will benefit from greater knowledge about sexual violence and its impacts, and about the experiences of those who have been involved in sexual violence disclosures and reports at the University. We commit to deepening our knowledge in this respect. As we do, we further commit to reviewing the Policy on an ongoing basis so that it reflects contemporary knowledge and does all that it can to ensure effective and equitable disclosure and reporting processes. The following measures within the Policy signal the University's understanding of its commitment to addressing sexual violence as iterative:

- The creation of an **implementation committee** to develop and oversee a plan for implementing the Policy (section 7);
- Within four months of the Policy's adoption, appointing a panel to **study** sexual violence at McGill, whose mandate will include examining McGill's disciplinary jurisdiction in regard to incidents involving Members of the University community, but which occur off campus (section 22);
- **Biennial Senate Reports** on the Policy that include data on Disclosures and Reports received during a reporting period (section 23); and
- **Triennial Reviews** of the Policy to ensure it reflects and meets the needs of the McGill community, through a process that involves wide stakeholder consultation (section 24).

We are indebted to the many members of the McGill community who have shown commitment and generosity through their engagement with the development of the *Policy against Sexual Violence*. We look forward to ongoing collaboration as we build on the vital foundation that this Policy sets for preventing and responding to sexual violence on our campus.

Christopher P. Manfredi
Provost & Vice-Principal (Academic)

Angela Campbell
Associate Provost (Policies, Procedures & Equity)



Policy against Sexual Violence

Approved:		
Senate	XXX, 2016	Minute XXX
Board of Governors	XXX, 2016	Minute XXX
Effective Date:		
<i>Full history appears at the end of this document.</i>		

Preamble:

McGill University is committed to creating and sustaining a safe environment through proactive, visible, accessible and effective approaches that seek to prevent and respond to Sexual Violence. The University further recognizes the singular importance of striving toward an equitable environment in which all Members of the University Community feel respected, safe and free from violence, especially Sexual Violence.

The University does not tolerate Sexual Violence in any form. It acknowledges that attention to Sexual Violence is particularly important in university campus settings, and that the University has a role to play in preventing and responding to Sexual Violence. It further acknowledges that, while Sexual Violence impacts all members of society, Sexual Violence and its consequences may disproportionately affect members of social groups who experience intersecting forms of systemic discrimination or barriers (on grounds, for example, of gender, sexual orientation, gender identity and expression, race, religion, Indigenous identity, ethnicity, disability or class).

The University recognizes that Sexual Violence often involves power imbalances and is under-reported on account of a range of reasons, which include stigmatization, the risk of further trauma and difficulties associated with investigating and imposing sanctions for Sexual Violence. This Policy focuses on ensuring support for Survivors, as opposed to attributing fault or responsibility. The University commits to support Survivors based on their personal experiences, whether or not a criminal offence has been proven, and whether or not the Survivor chooses to make a Report through University or external law enforcement processes.

General

1. This Policy applies to all Members of the University Community.
2. This Policy extends to all Sexual Violence.
3. This Policy complements and does not derogate from or supersede other University policies, regulations or applicable collective agreements, including those that establish disciplinary and administrative processes, such as McGill's [Code of Student Conduct and Disciplinary Procedures](#), [Regulations Relating to the Employment of Tenure Track and Tenured Academic Staff](#), [Policy on Harassment, Sexual Harassment and Discrimination Prohibited by Law](#) and [Regulation on Conflict of Interest](#).

Definitions

4. For the purposes of this Policy, the following definitions apply:
- 4.1 “Consent” means free, informed, expressed and ongoing agreement to engage in sexual activity and cannot occur when a person is incapable of consenting to the activity, for example, when a person is rendered incapacitated by alcohol or drugs, is unconscious, or where the sexual activity has been induced by conduct that constitutes an abuse of a relationship of trust, power or authority, such as the relationship between a professor and their student.
 - 4.2 “Disclosure” means the act of informing a member of the Office for Sexual Violence Response, Support and Education about an incident of Sexual Violence for the purpose of seeking support.
 - 4.3 “Member of the University Community” means the following:
 - a. anyone holding office under the University Charter and Statutes;
 - b. an appointee or employee of the University; or
 - c. a student as defined in Section 1 of the *Code of Student Conduct and Disciplinary Procedures*.
 - 4.4 “Office for Sexual Violence Response, Support and Education” means the University office created to establish and coordinate processes for supporting Survivors who make Disclosures or Reports and for education initiatives that seek to raise awareness about and prevent sexual violence on campus.
 - 4.5 “Report” means the act of informing an individual having authority to discipline an alleged perpetrator (for example, the Dean of Students, the Dean of Graduate and Postdoctoral Studies, a Faculty Dean) about an incident of Sexual Violence for the purpose of initiating a disciplinary or administrative process.
 - 4.6 “Sexual Violence” means sexual act or acts targeting a person’s sexuality, gender identity or gender expression that is committed, threatened or attempted against a person without the person’s consent and includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism and sexual exploitation. Acts of sexual violence can happen in person, by phone or online.
 - 4.7 “Survivor” means any person who has experienced Sexual Violence, including individuals who self-identify as a victim or victim/survivor.

Objectives

- 5. The Policy shall have the following objectives:
 - a. to prevent Sexual Violence through education and other proactive efforts to promote awareness about the nature and effects of Sexual Violence;
 - b. to support Survivors; and
 - c. to respond effectively and in a timely manner to Disclosures and Reports.
- 6. This Policy is Survivor-focused. It aims to promote the development and implementation of proactive measures for reducing Sexual Violence and its attendant harms and supporting Survivors through means that are compassionate and respectful of their

dignity and autonomy. Processes related to disciplinary investigations and measures are established by other University policies and regulations (e.g., [*Code of Student Conduct and Disciplinary Procedures*](#), [*Regulations Relating to the Employment of Tenure Track and Tenured Academic Staff*](#)) and collective agreements.

7. This Policy's objectives shall be pursued through an implementation plan, developed and guided by a committee that includes representation of students, academic staff and administrative and support staff. This implementation plan will include:
 - a. the allocation of resources for pursuing the Policy's objectives, including provision for appropriate and accessible physical space for the Office for Sexual Violence Response, Support and Education;
 - b. the appointment of adequate and qualified staff within the Office for Sexual Violence Response, Support and Education with capacity to respond to, and develop awareness about, the impact that potentially intersecting factors, such as racial, religious, gender and sexual identity, may have on experiences of Sexual Violence;
 - c. the establishment, within the Office of Sexual Violence Response, Support and Education, of services to inform, support and accompany Survivors, especially in connection with navigating Disclosure and Reporting processes;
 - d. the development of a confidential monitoring framework, which includes recording the number of Disclosures and Reports, to ensure ongoing assessment of the effectiveness of the University's responses to Sexual Violence, and to inform Senate reporting and the triennial review of this Policy;
 - e. the review and strengthening of existing support, education, communication, prevention and training measures and resources, including those provided through existing orientation sessions for students, academic staff, and administrative and support staff;
 - f. the establishment of an obligation for the University to provide continuous education for all Members of the University Community, with the ultimate goal of mandatory education for all Members of the University community about sexual violence, its prevention and University resources for responding to Disclosures and Reports;
 - g. stakeholder engagement and consultation (for example: SSMU, PGSS, MACES, MCSS, SACOMSS, SEDE, JBSCE, AGSEM, AMURE, AMUSE, MAUT, MUNACA, MUNASA, MCLIU, SEU);
 - h. the revision of responsibilities for responding to Reports, specifically to ensure that disciplinary officers assigned to Sexual Violence cases have appropriate training.

Education and Awareness

8. The University shall take proactive, visible measures to provide education, guidelines and dissemination of information relating to Sexual Violence and varied impacts of Sexual Violence through a variety of means, as appropriate, including the following:
 - a. informational campaigns across its campuses;
 - b. training and information sessions within various sites where faculty, staff, and students work, live and learn including in collaboration with various campus services;
 - c. a dedicated accessible website that includes information about the nature of Sexual Violence, resources within and outside the University relevant to Survivors and their supporters, and about the processes associated with making a Disclosure or a Report;
 - d. orientation and training sessions for all students, academic staff and administrative and support staff intended to raise awareness about Sexual Violence and about the

shared role of all Members of the University Community in preventing Sexual Violence;

- e. mandatory training for all academic, administrative and support staff who provide front-line health and counseling student services and those charged with investigation and disciplinary authority under University policies and regulations, about effective, Survivor-focused methods of responding to a Disclosure or Report;
- f. education initiatives that develop awareness about the impact that potentially intersecting factors, such as racial, religious, gender and sexual identity, may have on experiences of Sexual Violence.

Responding to Disclosures

9. The University shall support Survivors regardless of where or when the incident of Sexual Violence occurred. When responding to Disclosures, members of the Office for Sexual Violence Response, Support and Education shall take all reasonable efforts to do the following, as applicable, with a view to informing and empowering Survivors:
 - a. inform about and provide access to appropriate University services, including health and counseling services;
 - b. inform about and support access to appropriate services beyond the University, such as law enforcement and legal, health and social services;
 - c. encourage the Survivor to seek support and care, while not directing the Survivor to use particular resources or take specific recourses, either within or outside of the University;
 - d. preserve the Survivor's privacy and confidentiality whenever possible under the law and under applicable University policies and procedures;
 - e. refrain from questions or comments that imply judgment or blaming of the Survivor (such as questions or comments about the Survivor's dress, conduct, language, emotional disposition, past sexual history, consumption of alcohol or drugs, or about the timing of the Disclosure or Report);
 - f. respect the Survivor's wishes in regard to being accompanied by a person who provides support throughout the duration of processes associated with making Disclosures and Reports;
 - g. facilitate referrals to the appropriate University office in cases where reasonable accommodations or immediate measures may be warranted as a result of the incident of Sexual Violence;
 - h. inform about the process associated with making a Report, including the length of time that a disciplinary process may take;
 - i. respect, insofar as possible and taking into account the University's institutional obligations, including the obligation to take reasonable measures to protect the safety of the University Community, the Survivor's decision to refrain from making a Report;
 - j. respect the Survivor's decision to, at any time, discontinue their involvement in any process associated with a Disclosure;
 - k. ensure that processes established to receive Disclosures and Reports are free and clear of discrimination prohibited by law, as defined in McGill's [*Policy on Harassment, Sexual Harassment and Discrimination Prohibited by Law*](#);
 - l. strive to ensure that a Survivor need not unnecessarily recount the details of their experience of Sexual Violence multiple times;
 - m. deliver services to the Survivor in the official language of their choosing.
10. A Survivor who is of the view that the University has not adhered to the requirements set by Section 9 may pursue a recourse through the grievance process established by the applicable University regulation or collective agreement.

Responding to Reports

11. Where a Survivor wishes to make a Report, the matter will be referred to the appropriate University authority, who is the person with authority to investigate and discipline the alleged perpetrators (for example, the Dean of Students, the Dean of Graduate and Postdoctoral Studies, a Faculty Dean).
- 11.1 The Office for Sexual Violence Response, Support and Education and, where appropriate, McGill Campus Security may facilitate such referral.
12. In responding to a Report, the appropriate University authority will initiate an investigation or disciplinary process in accordance with procedural fairness, as established by applicable University regulations or policies (e.g., [*Code of Student Conduct and Disciplinary Procedures*](#), [*Regulation Relating to the Employment of Tenure Track and Tenured Academic Staff*](#)). Pursuant to such regulations and policies, measures taken following an investigation and disciplinary hearing that establish cause for discipline range in severity, with the most severe being expulsion or termination of employment from the University. Disciplinary measures may be accompanied by mandatory education about sexual violence and its attendant harms.
13. During an investigation that follows a Report, the University authority charged with the investigation shall provide the Survivor with reasonable periodic updates about the status of the investigation. These updates must not include substantive information about the investigation, unless appropriate consents have been obtained from individuals whose personal information would be disclosed.
14. Where a Survivor wishes to make a Report to external law enforcement authorities, this process will, with the Survivor's consent, be facilitated by the Office for Sexual Violence Response, Support and Education and by Security Services.
15. The University will, insofar as possible taking into account its institutional obligations, notably its obligation to take reasonable measures to protect the safety of the University Community, respect the wishes of the Survivor in regard to internal measures and external recourses, including respecting the Survivor's decision to discontinue their involvement in any process associated with a Report.
16. The University shall communicate information about processes for Disclosures and Reports through multiple formats to promote the accessibility of this information to Members of the University Community.

Immediate Measures

17. Once made aware of a Disclosure or Report, the appropriate University authority will consult with the Survivor and undertake an initial risk assessment to identify and implement immediate reasonable measures necessary to protect and support the Survivor and the University Community in compliance with applicable McGill policies, regulations and collective agreements and Quebec law. A Survivor will be informed about the length of time that may be required to institute an immediate measure, and will be entitled to periodic updates according to the terms set by Section 13 of this Policy.
18. Such immediate measures may be taken whether or not the Survivor makes a Report.

19. Any immediate measures instituted shall comply with University regulations, policies and collective agreements, and shall ensure that procedural fairness is maintained. Such measures may include:
- a. voluntary measures (i.e., those agreed to by the alleged perpetrator);
 - b. devising and implementing alternate academic (e.g., course changes or reimbursement of fees associated with academic tuition), extra-curricular, residential or work arrangements in regard to the Survivor and alleged perpetrator;
 - c. temporarily excluding the alleged perpetrator from campus or limiting that person's role, privileges or duties, in accordance with applicable University policies, regulations and collective agreements.

Procedural Fairness

20. The University's commitment to supporting Survivors shall not deprive anyone of procedural fairness, or of access to appropriate University services to which they are entitled under applicable policies, regulations and collective agreements.
21. Any person who makes a Disclosure or Report, or who is involved in an investigation or other process that follows a Disclosure or Report, maintains entitlements afforded to them under applicable policies, regulations and collective agreements, including a right to be protected against harassment and vexatious conduct.

Campus Study of Sexual Violence

22. Within four months of this Policy coming into effect, the Provost shall initiate a study of Sexual Violence at the University. An *ad hoc* panel with relevant expertise, which will include student representation, will conduct this study. In carrying out this study, efforts will be made to engage with individuals who have had direct experiences with Disclosure or Report processes, and with individuals and groups with relevant expertise and knowledge. This study will also assess the present Policy's harmonization with current University policies and procedures and may make recommendations intended to enhance the present Policy and its implementation. The results of this study shall be reported to McGill Senate and shared with the Members of the University Community.

Biennial Report to Senate

23. The Provost shall report biennially to Senate on the implementation and application of this Policy. This report will include information about the number of Disclosures and Reports received during the reporting period, and about measures taken to pursue the prevention and education objectives of this Policy.

Policy Review

24. A triennial review of this Policy shall be conducted by a working group chaired by the Provost (or delegate) and comprised of one representative each of: SSMU, PGSS, MACES, MCSS, SACOMSS, SEDE, JBSCE, AGSEM, AMURE, AMUSE, MAUT, MUNACA, MUNASA, MCLIU, SEU. This review shall include an assessment of the effectiveness of the educational measures established in this Policy, as well as recommendations aimed at their enhancement.

APPENDIX 3

Policy against Sexual Violence

Draft circulated for consultation (12 Sept 2016)	Proposed Version for Adoption (November 2016)
<p>Preamble:</p> <p>McGill University is committed to creating and sustaining a safe environment through proactive, visible, accessible and effective approaches that seek to prevent and respond to Sexual Violence. The University further recognizes the singular importance of striving toward an equitable environment in which all Members of the University Community feel respected, safe and free from violence, including Sexual Violence.</p> <p>The University does not tolerate Sexual Violence in any form. It acknowledges that attention to Sexual Violence is particularly important in university campus settings. It further acknowledges that individuals who are members of groups who experience intersecting forms of disadvantage (on grounds, for example, of gender, sexual orientation, gender identity, race, Indigenous identity, ethnicity, disability or class) may be disproportionately affected by Sexual Violence and its consequences.</p> <p>The University recognizes that Sexual Violence often involves power imbalances and is under-reported on account of a range of understandable reasons, which include stigmatization and the risk of trauma. This Policy focuses on ensuring support for Survivors of Sexual Violence. Through it, the University commits to support Survivors based on their personal experiences, whether or not a criminal offence has occurred, and whether or not the Survivor chooses to make a Report through University or external law enforcement processes.</p>	<p>Preamble:</p> <p>McGill University is committed to creating and sustaining a safe environment through proactive, visible, accessible and effective approaches that seek to prevent and respond to Sexual Violence. The University further recognizes the singular importance of striving toward an equitable environment in which all Members of the University Community feel respected, safe and free from violence, especially Sexual Violence.</p> <p>The University does not tolerate Sexual Violence in any form. It acknowledges that attention to Sexual Violence is particularly important in university campus settings, and that the University has a role to play in preventing and responding to Sexual Violence. It further acknowledges that, while Sexual Violence impacts all members of society, Sexual Violence and its consequences may disproportionately affect members of equity-seeking social groups who experience intersecting forms of systemic discrimination or barriers (on grounds, for example, of gender, sexual orientation, gender identity and expression, race, religion, Indigenous identity, ethnicity, disability or class). may be disproportionately affected by Sexual Violence and its consequences.</p> <p>The University recognizes that Sexual Violence often involves power imbalances and is under-reported on account of a range of understandable reasons, which include stigmatization, and the risk of further trauma and difficulties associated with investigating and imposing sanctions for Sexual Violence. This Policy focuses on ensuring support for Survivors of Sexual Violence, as opposed to attributing fault or responsibility. Through it, The University commits to support Survivors based on their personal experiences, whether or not a criminal offence has occurred been proven, and whether or not the Survivor chooses to make a Report through University or external law enforcement processes.</p>
<p>General</p> <p>1. This Policy applies to all Members of the</p>	<p>General</p> <p>1. This Policy applies to all Members of the</p>

University Community.	University Community.
2. This Policy extends to all Sexual Violence.	2. This Policy extends to all Sexual Violence.
3. This Policy does not derogate from or supersede other University policies, regulations or applicable collective agreements, including those that establish disciplinary and administrative processes, such as McGill's <i>Code of Student Conduct and Disciplinary Procedures, Regulations Relating to the Employment of Tenure Track and Tenured Academic Staff and Policy on Harassment, Sexual Harassment and Discrimination Prohibited by Law</i> .	3. This Policy complements and does not derogate from or supersede other University policies, regulations or applicable collective agreements, including those that establish disciplinary and administrative processes, such as McGill's <u>Code of Student Conduct and Disciplinary Procedures, Regulations Relating to the Employment of Tenure Track and Tenured Academic Staff</u> , and <u>Policy on Harassment, Sexual Harassment and Discrimination Prohibited by Law</u> and <u>Regulation on Conflict of Interest</u> .
Definitions	Definitions
4. For the purposes of this Policy, the following definitions apply:	4. For the purposes of this Policy, the following definitions apply:
4.1 "Consent" means free, informed, expressed and ongoing agreement to engage in sexual activity. Consent may not be free or informed when a person is intoxicated, unconscious or where the sexual activity has been induced by conduct that constitutes an abuse of trust, power or authority.	4.1 "Consent" means free, informed, expressed and ongoing agreement to engage in sexual activity and cannot occur when a person is incapable of consenting to the activity, for example, when a person is rendered incapacitated by alcohol or drugs, is unconscious, or where the sexual activity has been induced by conduct that constitutes an abuse of a relationship of trust, power or authority, such as the relationship between a professor and their student. Consent may not be free or informed when a person is intoxicated, unconscious or where the sexual activity has been induced by conduct that constitutes an abuse of trust, power or authority.
4.2 "Disclosure" means the act of informing a University staff member holding office under Section 7 of this Policy about an incident of Sexual Violence for the purpose of seeking support.	4.2 "Disclosure" means the act of informing University staff member a member of the Office for Sexual Violence Response, Support and Education holding office under Section 7 of this Policy about an incident of Sexual Violence for the purpose of seeking support.
4.3 "Member of the University Community means the following: a. anyone holding office under the University Charter and Statutes; b. an appointee or employee of the University; or c. a student as defined in Section 1 of the <i>Code of Student Conduct and Disciplinary Procedures</i> .	4.3 "Member of the University Community" means the following: a. anyone holding office under the University Charter and Statutes; b. an appointee or employee of the University; or c. a student as defined in Section 1 of the <i>Code of Student Conduct and Disciplinary Procedures</i> .
	4.4 "Office for Sexual Violence Response, Support and Education" means the University office created to establish and coordinate processes for

	supporting Survivors who make Disclosures or Reports and for education initiatives that seek to raise awareness about and prevent sexual violence on campus.
4.4 “Report” means the act of informing an individual having authority to discipline an alleged perpetrator about an incident of Sexual Violence for the purpose of initiating a disciplinary or administrative process.	4.5 “Report” means the act of informing an individual having authority to discipline an alleged perpetrator (for example, the Dean of Students, the Dean of Graduate and Postdoctoral Studies, a Faculty Dean) about an incident of Sexual Violence for the purpose of initiating a disciplinary or administrative process.
4.5 “Sexual Violence” means sexual activity imposed on a person without that person’s Consent.	4.6 “Sexual Violence” means sexual activity imposed on a person without that person’s Consent sexual act or acts targeting a person’s sexuality, gender identity or gender expression that is committed, threatened or attempted against a person without the person’s consent and includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism and sexual exploitation. Acts of sexual violence can happen in person, by phone or online.
4.6 “Survivor” means any person who has experienced Sexual Violence, including individuals who self-identify as a victim or victim/survivor.	4.7 “Survivor” means any person who has experienced Sexual Violence, including individuals who self-identify as a victim or victim/survivor.
Objectives	Objectives
5. The Policy shall have the following objectives: <ul style="list-style-type: none"> a. to seek to prevent Sexual Violence through education and other proactive efforts to promote awareness about the nature and effects of Sexual Violence; b. to support Survivors of Sexual Violence; and c. to respond effectively to Disclosures and Reports of Sexual Violence. 	5. The Policy shall have the following objectives: <ul style="list-style-type: none"> a. to prevent Sexual Violence through education and other proactive efforts to promote awareness about the nature and effects of Sexual Violence; b. to support Survivors of Sexual Violence; c. to respond effectively and in a timely manner to Disclosures and Reports of Sexual Violence.
6. This Policy is Survivor-focused. It aims to promote the development and implementation of proactive measures for reducing Sexual Violence and its attendant harms and supporting Survivors through means that are compassionate and respectful of their dignity and autonomy.	6. This Policy is Survivor-focused. It aims to promote the development and implementation of proactive measures for reducing Sexual Violence and its attendant harms and supporting Survivors through means that are compassionate and respectful of their dignity and autonomy. Processes related to disciplinary investigations and measures are established by other University policies and regulations (e.g., <u>Code of Student Conduct and Disciplinary Procedures</u>, <u>Regulations Relating to the Employment of Tenure Track and Tenured Academic Staff</u>) and collective agreements.

<p>7. This Policy's objectives shall be pursued through the allocation of appropriate resources. Such resources shall include provision for appropriate, visible and accessible physical office space and the appointment of adequate and qualified staffing focused on Sexual Violence case management, education, prevention and support, which accounts for the particular effects of Sexual Violence on members of equity-seeking groups.</p>	<p>7. This Policy's objectives shall be pursued through the an implementation plan, developed and guided by a committee that includes representation of students, academic staff and administrative and support staff. This implementation plan will include:</p> <ul style="list-style-type: none"> a. the allocation of resources for pursuing the Policy's objectives, including provision for appropriate and accessible physical space for the Office for Sexual Violence Response, Support and Education; b. the appointment of adequate and qualified staff within the Office for Sexual Violence Response, Support and Education with capacity to respond to, and develop awareness about, the impact that potentially intersecting factors, such as racial, religious, gender and sexual identity, may have on experiences of Sexual Violence; c. the establishment, within the Office of Sexual Violence Response, Support and Education, of services to inform, support and accompany Survivors, especially in connection with navigating Disclosure and Reporting processes; d. the development of a confidential monitoring framework, which includes recording the number of Disclosures and Reports, to ensure ongoing assessment of the effectiveness of the University's responses to Sexual Violence, and to inform Senate reporting and the triennial review of this Policy; e. the review and strengthening of existing support, education, communication, prevention and training measures and resources, including those provided through existing orientation sessions for students, academic staff, and administrative and support staff; f. the establishment of an obligation for the University to provide continuous education for all Members of the University Community, with the ultimate goal of mandatory education for all Members of the University community about sexual violence, its prevention and University resources for responding to Disclosures and Reports; g. stakeholder engagement and consultation (for example: SSMU, PGSS, MACES, MCSS, SACOMSS, SEDE, JBSCE, AGSEM, AMURE,
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	<p>AMUSE, MAUT, MUNACA, MUNASA, MCLIU, SEU);</p> <p>h. the revision of responsibilities for responding to Reports, specifically to ensure that disciplinary officers assigned to Sexual Violence cases have appropriate training, allocation of appropriate resources. Such resources shall include provision for appropriate, visible and accessible physical office space and the appointment of adequate and qualified staffing focused on Sexual Violence case management, education, prevention and support, which accounts for the particular effects of Sexual Violence on members of equity seeking groups.</p>
<p>Education and Awareness</p> <p>8. The University shall take proactive, visible measures to provide education, guidelines and dissemination of information relating to Sexual Violence and varied impacts of Sexual Violence through a variety of means, as appropriate, including the following:</p> <ul style="list-style-type: none"> a. informational campaigns across its campuses; b. training and information sessions within various sites where student live and learn including in collaboration with Teaching and Learning Services, University Residences, Athletics and Recreation and Security Services; c. a dedicated accessible website that includes information about the nature of Sexual Violence, resources within and outside the University relevant to Survivors of Sexual Violence and their supporters, and about the processes associated with making a Disclosure or a Report; d. orientation and training sessions for students and for academic and administrative and support staff; and e. training for administrators, in particular for those charged with disciplinary authority under University policies and regulations, about effective, Survivor-focused methods of responding to a Disclosure or Report. 	<p>Education and Awareness</p> <p>8. The University shall take proactive, visible measures to provide education, guidelines and dissemination of information relating to Sexual Violence and varied impacts of Sexual Violence through a variety of means, as appropriate, including the following:</p> <ul style="list-style-type: none"> a. informational campaigns across its campuses; b. training and information sessions within various sites where faculty, staff, and students work, live and learn including in collaboration with various campus services Teaching and Learning Services, University Residences, Athletics and Recreation and Security Services; c. a dedicated accessible website that includes information about the nature of Sexual Violence, resources within and outside the University relevant to Survivors of Sexual Violence and their supporters, and about the processes associated with making a Disclosure or a Report; d. orientation and training sessions for all students, and for academic staff and administrative and support staff intended to raise awareness about Sexual Violence and about the shared role of all Members of the University Community in preventing Sexual Violence; e. mandatory training for administrators all academic, administrative and support staff who provide front-line health and counseling student services and those

	<p>charged with investigation and disciplinary authority under University policies and regulations, about effective, Survivor-focused methods of responding to a Disclosure or Report;</p> <p>f. education initiatives that develop awareness about the impact that potentially intersecting factors, such as racial, religious, gender and sexual identity, may have on experiences of Sexual Violence.</p>
<p>9. The University shall support all Survivors regardless of where or when the incident of Sexual Violence occurred. When responding to Disclosures, staff members holding office under Section 7 of this Policy shall take all reasonable efforts to do the following, as applicable:</p> <ul style="list-style-type: none"> a. inform about and provide access to appropriate University services, including health and counseling services; b. inform about and support access to appropriate services beyond the University; c. encourage the Survivor to seek support and care, while not directing the Survivor to use particular resources or take specific recourses, either within or outside of the University; d. preserve the Survivor's privacy and confidentiality whenever possible under the law and under applicable University policies and procedures; e. refrain from questions or comments that imply judgment or blame of the Survivor (such as questions about the Survivor's dress, conduct, language or consumption of alcohol or drugs); f. respect the Survivor's wishes in regard to being accompanied by a person who provides support; g. facilitate referrals to the appropriate University authority in cases where reasonable accommodations or immediate measures may be warranted as a result of the incident of Sexual Violence; h. inform about the process associated with making a Report; i. respect, insofar as possible and taking into account the University's institutional obligations, the Survivor's decision to refrain from making a Report; 	<p>9. The University shall support Survivors regardless of where or when the incident of Sexual Violence occurred. When responding to Disclosures, members of the Office for Sexual Violence Response, Support and Education holding office under Section 7 of this Policy shall take all reasonable efforts to do the following, as applicable, with a view to informing and empowering Survivors:</p> <ul style="list-style-type: none"> a. inform about and provide access to appropriate University services, including health and counseling services; b. inform about and support access to appropriate services beyond the University, such as law enforcement and legal, health and social services; c. encourage the Survivor to seek support and care, while not directing the Survivor to use particular resources or take specific recourses, either within or outside of the University; d. preserve the Survivor's privacy and confidentiality whenever possible under the law and under applicable University policies and procedures; e. refrain from questions or comments that imply judgment or blaming of the Survivor (such as questions or comments about the Survivor's dress, conduct, language, emotional disposition, past sexual history, or consumption of alcohol or drugs, or about the timing of the Disclosure or Report); f. respect the Survivor's wishes in regard to being accompanied by a person who provides support throughout the duration of processes associated with making Disclosures and Reports; g. facilitate referrals to the appropriate University authority office in cases where

<ul style="list-style-type: none"> j. respect the Survivor's decision to, at any time, discontinue their involvement in any process associated with a Disclosure; k. ensure that processes established to receive Disclosures are free and clear of discrimination prohibited by law, as defined in McGill's <i>Policy on Harassment, Sexual Harassment and Discrimination Prohibited by Law</i>; l. deliver services to the Survivor in the official language of their choosing. 	<p>reasonable accommodations or immediate measures may be warranted as a result of the incident of Sexual Violence;</p> <ul style="list-style-type: none"> h. inform about the process associated with making a Report, including the length of time that a disciplinary process may take; i. respect, insofar as possible and taking into account the University's institutional obligations, including the obligation to take reasonable measures to protect the safety of the University Community, the Survivor's decision to refrain from making a Report; j. respect the Survivor's decision to, at any time, discontinue their involvement in any process associated with a Disclosure; k. ensure that processes established to receive Disclosures and Reports are free and clear of discrimination prohibited by law, as defined in McGill's <u>Policy on Harassment, Sexual Harassment and Discrimination Prohibited by Law</u>; l. strive to ensure that a Survivor need not unnecessarily recount the details of their experience of Sexual Violence multiple times; m. deliver services to the Survivor in the official language of their choosing.
<p>10. A Survivor who is of the view that the University has not adhered to the requirements set by Section 9 may pursue a recourse through the grievance process established by the applicable University regulation or collective agreement.</p>	<p>10. A Survivor who is of the view that the University has not adhered to the requirements set by Section 9 may pursue a recourse through the grievance process established by the applicable University regulation or collective agreement.</p>
<p>Responding to Reports</p> <p>11. Where a Survivor wishes to make a Report to the University, the matter will be referred to the University authority having authority to discipline the alleged perpetrators. Staff members appointed under Section 7 of this Policy and, where appropriate, McGill Security Services may facilitate such referral.</p>	<p>Responding to Reports</p> <p>11. Where a Survivor wishes to make a Report to the University, the matter will be referred to the appropriate University authority having, who is the person with authority to investigate and discipline the alleged perpetrators (for example, the Dean of Students, the Dean of Graduate and Postdoctoral Studies, a Faculty Dean). Staff members appointed under Section 7 of this Policy</p> <p>11.1 The Office for Sexual Violence Response, Support and Education and, where appropriate, McGill Campus Security may facilitate such referral.</p>

<p>12. In responding to a Report, the appropriate University authority may initiate an investigation or disciplinary process in accordance with procedural equity, as established by other University policies and regulations.</p>	<p>12. In responding to a Report, the appropriate University authority may will initiate an investigation or disciplinary process in accordance with procedural equity fairness, as established by other University policies and regulations applicable University regulations or policies (e.g., <u>Code of Student Conduct and Disciplinary Procedures</u>, <u>Regulation Relating to the Employment of Tenure Track and Tenured Academic Staff</u>). Pursuant to such regulations and policies, measures taken following an investigation and disciplinary hearing that establish cause for discipline range in severity, with the most severe being expulsion or termination of employment from the University. Disciplinary measures may be accompanied by mandatory education about sexual violence and its attendant harms.</p>
	<p>13. During an investigation that follows a Report, the University authority charged with the investigation shall provide the Survivor with reasonable periodic updates about the status of the investigation. These updates must not include substantive information about the investigation, unless appropriate consents have been obtained from individuals whose personal information would be disclosed.</p>
<p>13. Where a Survivor wishes to make a Report to external law enforcement authorities, this process will, with the Survivor's consent, be facilitated by staff members appointed under Section 7 of this Policy and by Security Services.</p>	<p>14. Where a Survivor wishes to make a Report to external law enforcement authorities, this process will, with the Survivor's consent, be facilitated by the Office for Sexual Violence Response, Support and Education staff members appointed under Section 7 of this Policy and by Security Services.</p>
<p>14. The University will, insofar as possible taking into account its institutional obligations, respect the wishes of the Survivor in regard to internal measures and external recourses, including respecting the Survivor's decision to discontinue their involvement in any process associated with a Report.</p>	<p>15. The University will, insofar as possible taking into account its institutional obligations, notably its obligation to take reasonable measures to protect the safety of the University Community, respect the wishes of the Survivor in regard to internal measures and external recourses, including respecting the Survivor's decision to discontinue their involvement in any process associated with a Report.</p>
<p>15. The University shall communicate information about processes for Disclosures and Reports through multiple formats to promote the accessibility of this information to Members of the University Community.</p>	<p>16. The University shall communicate information about processes for Disclosures and Reports through multiple formats to promote the accessibility of this information to Members of the University Community.</p>
<p>Immediate Measures</p>	<p>Immediate Measures</p>

<p>16. Once made aware of a Disclosure or Report, the appropriate University authority may take immediate measures that such University authority deems necessary to protect the Survivor and the University Community in compliance with applicable McGill policies, regulations and collective agreements and Quebec law.</p>	<p>17. Once made aware of a Disclosure or Report, the appropriate University authority will consult with the Survivor and undertake an initial risk assessment to identify and implement take immediate reasonable measures necessary to protect and support the Survivor and the University Community in compliance with applicable McGill policies, regulations and collective agreements and Quebec law. A Survivor will be informed about the length of time that may be required to institute an immediate measure, and will be entitled to periodic updates according to the terms set by Section 13 of this Policy.</p>
<p>17. Such immediate measures may be taken whether or not the Survivor makes a Report.</p>	<p>18. Such immediate measures may be taken whether or not the Survivor makes a Report.</p>
<p>18. Any immediate measures instituted shall comply with University regulations, policies and collective agreements, and shall ensure that procedural equity is maintained. Such measures may include:</p> <ul style="list-style-type: none"> a. voluntary measures (i.e., those agreed to by the alleged perpetrator); b. devising and implementing alternate academic (e.g., course changes or reimbursement of fees associated with academic tuition), extra-curricular, residential or work arrangements in regard to the Survivor and alleged perpetrator; c. temporarily excluding the alleged perpetrator from campus or limiting that person's role, privileges or duties, in accordance with applicable University policies, regulations and collective agreements. 	<p>19. Any immediate measures instituted shall comply with University regulations, policies and collective agreements, and shall ensure that procedural equity fairness is maintained. Such measures may include:</p> <ul style="list-style-type: none"> a. voluntary measures (i.e., those agreed to by the alleged perpetrator); b. devising and implementing alternate academic (e.g., course changes or reimbursement of fees associated with academic tuition), extra-curricular, residential or work arrangements in regard to the Survivor and alleged perpetrator; c. temporarily excluding the alleged perpetrator from campus or limiting that person's role, privileges or duties, in accordance with applicable University policies, regulations and collective agreements.
<p>Procedural Equity</p> <p>19. The University's commitment to supporting Survivors shall not deprive anyone of procedural equity or access to appropriate University services to which they are entitled under applicable policies, regulations and collective agreements.</p>	<p>Procedural Equity Equity Fairness</p> <p>20. The University's commitment to supporting Survivors shall not deprive anyone of procedural equity fairness, or of access to appropriate University services to which they are entitled under applicable policies, regulations and collective agreements.</p> <p>21. Any person who makes a Disclosure or Report, or who is involved in an investigation or other process that follows a Disclosure or Report, maintains entitlements afforded to them under applicable policies, regulations and collective</p>

	agreements, including a right to be protected against harassment and vexatious conduct.
Annual Report 20. The Provost shall report biennially to Senate on the application of this Policy.	Annual Report The Provost shall report biennially to Senate on the application of this Policy.
Review of Sexual Violence at the University and this Policy 21. Within four months of this Policy coming into effect, the Provost shall initiate a review of the phenomenon of Sexual Violence at the University. In carrying out this review, efforts will be made to engage with individuals who have had direct experiences with Disclosure or Report processes, and with individuals and groups on campus with relevant expertise and knowledge. This review will also assess the present Policy's harmonization with current University policies and procedures. The results of this review shall be reported to McGill Senate and shared with the Members of the University Community.	Campus Study of Sexual Violence Review of Sexual Violence at the University and this Policy 22. Within four months of this Policy coming into effect, the Provost shall initiate a review study of the phenomenon of Sexual Violence at the University. An <i>ad hoc</i> panel with relevant expertise, which will include student representation, will conduct this study. In carrying out this review study , efforts will be made to engage with individuals who have had direct experiences with Disclosure or Report processes, and with individuals and groups on campus with relevant expertise and knowledge. This review study will also assess the present Policy's harmonization with current University policies and procedures and may make recommendations intended to enhance the present Policy and its implementation. The results of this review study shall be reported to McGill Senate and shared with the Members of the University Community.
	Biennial Report to Senate 23. The Provost shall report biennially to Senate on the implementation and application of this Policy. This report will include information about the number of Disclosures and Reports received during the reporting period, and about measures taken to pursue the prevention and education objectives of this Policy.
23. The Provost shall conduct a triennial review this Policy in consultation with all appropriate stakeholders as determined by the Provost, including student, faculty and staff associations (for example: SSMU, PGSS, MAUT, MUNACA, MUNASA).	Policy Review 24. The Provost shall conduct a A triennial review of this Policy shall be conducted by a working group chaired by the Provost (or delegate) and comprised of one representative each of: in consultation with all appropriate stakeholders as determined by the Provost, including student, faculty and staff associations (for example: SSMU, PGSS, MACES, MCSS, SACOMSS, SEDE, AGSEM, AMURE, AMUSE, MAUT, MUNACA, MUNASA, MCLIU, SEU). This review

	shall include an assessment of the effectiveness of the educational measures established in this Policy, as well as recommendations aimed at their enhancement.
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Summary Report on the McGill Roundtable on Sexual Violence

On November 4, 2016, the Provost and Associate Provost hosted a two-hour roundtable on Sexual Violence at McGill University with a diverse range of stakeholders. This session focused on identifying opportunities on how to move forward and begin implementing the proposed sexual violence policy.

The session began with a plenary discussion about the concept and a vision for what a safe McGill University campus would look like including the need for community members to feel like they could safely report incidents, and that they would be supported through this process. Others spoke to the need for a campus free of all forms of violence, and that the administration could take a strong stand by ensuring that the whole community would see themselves represented. Measures to address and combat sexual violence need to account for the diversity among the population, both within the student population and also extended to staff, faculty and other members at McGill.

The roundtable then moved into smaller discussion groups to further explore the vision for a safer community, reflecting on lessons learned and finally a discussion of challenges and barriers to consider for policy implementation. The following is a summary of key issues raised in the discussions.

Vision for a Safe McGill

- This concept will need to encompass many understandings; including emotional and physical aspects of safety. It will require continuous, ongoing communication among all community members, and an acknowledgement of the need for transparency, accountability and trust for all.
- Some were critical of the idea of a “safe” McGill, feeling that it can be perceived as more of a branding exercise, rather than an attainable concept. In addition, some felt the goal should be modeled on a “harm reduction” approach, striving for a “safer” rather than “safe” campus.
- Each group spoke to the need for stronger communications about what was acceptable and not tolerated, and that the administration could show this by demonstrating that they were responding in a timely and fair manner.

Lessons Learned and opportunities and barriers to move forward

- To move forward, the administration will need to acknowledge that there have been challenges within the university in the past, but there is now an opportunity to act and lead on the issue of sexual violence.
- There was a consensus that training and education needs to reach everyone across the community. Training and education also comprise several areas; training on the policy and support resources, education on culture change and prevention; education for by-standers, targeted education at critical junctures, and with specific audiences.
- McGill staff who have roles as disciplinary officers, and who hold management positions, need to have access to training that ensures that they can respond and thoughtfully support those who are disclosing experiences.
- Community members need to learn about how to recognize and respond to sexual violence and they need to be engaged in addressing how the culture can be changed.
- Many great initiatives are already underway led by student groups and by the Harm Reduction Liaison Coordinator; aligning and strengthening these efforts will be important as well as looking to new ways to reach those who do not feel connected to this issue.



Measures and Suggestions

- This issue needs a multi-pronged approach: training and communications, resources, and champions within the senior administration.
- Support for survivors should be explicitly named in the policy. The role of advocates should be explored as a mechanism to support survivors at all stages of the process.
- Establishing an advisory committee could help to ensure that the policy is implemented, accountable, and actively used across the community.

The insights and recommendations from the roundtable session will help inform the draft policy, and to identify important elements of the implementation plan. The intention is to see the policy adopted by McGill's Senate and Board of Governors by the end of 2016, and to then begin the work of implementation.

Invitees to the roundtable:

- Human Resources
- Dean of Students
- Residence Life
- Liaison Coordinator (Harm Reduction)
- Director, Social Equity & Diversity Education
- Athletics & Recreation
- Security Services
- Office for Students with Disabilities
- 7 Union/Assoc. Leaders (AGSEM, AMURE, AMUSE, MAUT, MCLIU, MUNACA, MUNASA)
- 6 Student Leaders (SACOMSS, SSMU, PGSS, MACES, MCSS, Student Advocacy)
- Senior Officer, Equity and Inclusion
- Research Advisor, Student Life and Learning
- Teaching and Learning Services
- Counseling Services



Parker P.
CONSULTING