



12.4 Gendered & Sexual Violence Policy & Procedures

WILFRID LAURIER UNIVERSITY

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Approving Authority:	Board of Governors
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PREAMBLE

- 1.00 Wilfrid Laurier University (Laurier) recognizes an individual's right to work, study and live in an environment of mutual respect and understanding that is free from discrimination and all forms of Gendered and Sexual Violence. As such, Laurier is committed to addressing Gendered and Sexual Violence within the University Community through education, awareness, prevention, support and accountability. Laurier acknowledges that deeply held social attitudes contribute to the perpetuation of Gendered and Sexual Violence and operate to minimize the understanding of the extent and impact of Gendered and Sexual Violence in our communities.
- 1.01 Laurier is committed to fostering a university culture where:
- Gendered and Sexual Violence is unacceptable and not tolerated;
 - Survivors are supported with compassion, dignity and respect;
 - There are a range of supports available to Survivors that are responsive to their Intersecting Identities, lived experiences, and healing needs;
 - All Members of the University Community have access to education about Gendered and Sexual Violence; and,
 - Individuals and groups who commit acts of Gendered and/or Sexual Violence are held accountable through University procedures that follow principles of fairness.

PURPOSE

- 2.00 The primary purpose of this policy is to set out the process for how Laurier will respond to and address Gendered and Sexual Violence involving Members of the University Community when the person who has experienced the violence is a Student. When Gendered and/or Sexual Violence becomes known to the University in accordance with this policy and its associated procedures, Laurier will respond with the aim of providing appropriate support services and accommodations to all individuals affected. Additionally, responses may involve: referring a Survivor to supports available on- and off-campus, assisting with requests for safety planning, assessing the safety of the campus community, providing the Survivor with options to ensure they are aware of how to engage response mechanisms if they wish to file a Report or Official Complaint, and providing impartial, timely and fair application of procedures and accountability measures.

DEFINITIONS

- 3.00 Disclosure: when a Student who has experienced Gendered and/or Sexual Violence tells someone about their experience. Someone who Discloses can receive support without making a Report or an Official Complaint. Disclosures can be received by any Member of the University Community and there is no mandatory Reporting requirement when a Member of the University Community receives a Disclosure except in the instances described in the *Limits to Confidentiality* section.
- 3.01 Complainant: a Student Member of the University Community who has brought forward an Official Complaint.
- 3.02 Gendered Violence: an act or actions that reinforce gender inequalities resulting in physical, sexual, emotional, economic or mental harm. This violence includes sexism, gender discrimination, gender harassment, biphobia, transphobia, homophobia and heterosexism, intimate partner violence, and forms of Sexual Violence. This violence can take place on any communication platform (e.g., graffiti, online environments, and through the use of phones).



12.4 Gendered & Sexual Violence Policy & Procedures

WILFRID LAURIER UNIVERSITY

Waterloo | Brantford | Kitchener | Toronto

- 3.03 Intersecting Identity/Intersectionality: an understanding that people and their experiences of Gendered and Sexual Violence are shaped by their connection to different social locations (e.g., race, ethnicity, Indigeneity, gender, class, sexual identity, geography, age, disability/ability, migration status, religion).
- 3.04 Member(s) of the University Community: persons who currently live, work, or study on any Laurier campus. Members include Students, staff, faculty (including Contract Academic Staff, adjunct and visiting faculty), administrators and volunteers at Laurier.
- 3.05 Official Complaint: making an Official Complaint initiates the procedures related to this Policy. An Official Complaint may prompt an internal or external investigation and may result in a range of possible accountability measures and sanctions. Such action will require a declaration of the particulars of the allegations to the University (e.g., names, date, details of the incident) for the purpose of due process and procedural fairness.
- 3.06 Personal Safety Plans: typically contain a set of objectives and strategies identified by the Survivor to help promote ongoing safety (e.g., how to build a network of supports and crisis contacts, what to do when campus space or activities are shared by a Respondent).
- 3.07 Report: a Report of Gendered and/or Sexual Violence (including online incidents, hate graffiti, etc.) may be filed with the Sexual Violence Support Advocate, the Senior Advisor of Dispute Resolution and Support, the Deans of Students, or a Residence Life Manager in order to generate a record of an incident or case that may be used at a later date, and/or to coordinate a response. Reports may also be filed 24-7 with Special Constable Services which may be shared with the local, regional police and cases may be transferred to the police. Reports can also be made directly to the local, regional police service. Reports may be filed by the person who has experienced Gendered and/or Sexual Violence, witnesses, or those who have become aware of an incident. Providing a Report may initiate the procedures related to this Policy.
- 3.08 Respondent(s): a Member or Members of the University Community against whom allegations of Gendered and/or Sexual Violence have been made. Use of this term does not imply pre-determination that the Respondent is culpable of misconduct.
- 3.09 Sexual Exploitation: the abuse of a position of vulnerability, differential power, or trust for sexual purposes. Where a person abuses their position of authority to attempt to obtain consent, this constitutes sexual exploitation.
- 3.10 Sexual Violence: is a form of Gendered Violence that involves any sexual act targeting a person's sexuality, gender identity or gender expression, whether the act is physical or psychological in nature, that is committed, threatened or attempted against a person without the person's consent, and includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism and sexual exploitation.
- 3.11 Student: includes all undergraduate and graduate Students enrolled in a degree or certificate program at Laurier and includes On-line learning and the Laurier English for Academic Foundations program.
- 3.12 Survivor: a Student who has been negatively impacted by Gendered and/or Sexual Violence. It is important to respect the right of the individual to identify with their preferred terminology (e.g., victim or complainant).
- 3.13 The University: includes Wilfrid Laurier University and its employees, governors and authorized representatives while acting in accordance with their authorized responsibilities.

COMMITMENT TO SURVIVORS

- 4.00 Experiences of Gendered and Sexual Violence have serious negative effects on the well-being of Survivors and their communities which can impact Survivors physically, academically, mentally, financially, emotionally and/or spiritually. Survivors will not be blamed for having experienced Gendered and/or Sexual Violence.



12.4 Gendered & Sexual Violence Policy & Procedures

WILFRID LAURIER UNIVERSITY

Waterloo | Brantford | Kitchener | Toronto

- 4.01 All Survivors of Gendered and Sexual Violence at Laurier have the right to:
- Be provided with non-judgmental and compassionate support;
 - Be treated with dignity and respect;
 - Be informed about on- and off-campus services, resources, and Official Complaint and Reporting options;
 - Choose whether or not to access support services and decide which services they feel would be most beneficial;
 - Include a support person of their choice in meetings related to their case;
 - Have reasonable actions taken to provide a safe and supportive working, learning and living environment including accommodations related to academics, work, campus life, recreation, and residence;
 - Assistance in the creation of a Personal Safety Plan; and,
 - Be kept informed, in a timely manner, about University processes that are undertaken as a result of information they have Disclosed or Reported, including who is informed about a case, the status and outcome of an investigation, and whether accountability measures have been taken.
- 4.02 Laurier seeks to have Survivors act as integral decision-makers in situations pertaining to themselves; however it is essential for Survivors to know once a Report or Official Complaint has been made to the University or external agency there are policy and legislative restrictions that will limit the ability for Survivors to be the sole decision-makers in relation to their cases. In some cases a Disclosure of information may also initiate processes that result in the involvement of other parties. Please consult Limits to Confidentiality section for further information.

EDUCATION

- 5.00 Education is an essential component of prevention efforts which strengthens personal and institutional accountability; therefore, Laurier is committed to providing ongoing education about Gendered and Sexual Violence to all Members of the University Community.
- 5.01 The University will provide those who will be enacting this policy and staff members who are the most likely to receive Disclosures with training on this policy, Gendered Violence, and how to respond in a trauma-informed way to Disclosures.
- 5.02 Education at Laurier will:
- Empower the University Community to be proactive bystanders.
 - Be rooted in the knowledge that Gendered and Sexual Violence impacts everyone but does not impact everyone equally. Women, in particular Aboriginal and racialized women and women with disabilities, children, and members of the LGBTQ+ community experience Gendered and Sexual Violence more frequently.
 - Address prevalent myths about Gendered and Sexual Violence that function to blame and stigmatize Survivors, and perpetuate a culture in which this violence is normalized.
 - Encourage compassionate responses guided by trauma-informed principles that prioritize safety, trust, choice, collaboration and empowerment.
 - Promote a culture of consent through the following principles:
 - Consent is active: the absence of "no" is not consent;
 - Consent can be withdrawn at any time through words or behaviour;
 - It is the responsibility of the person who wants to engage in physical contact or sexual activity to make sure that they have consent from the other person(s) involved;



12.4 Gendered & Sexual Violence Policy & Procedures

WILFRID LAURIER UNIVERSITY

Waterloo | Brantford | Kitchener | Toronto

- Consent to one sexual act does not constitute or imply consent to a different sexual act;
- Consent given at one time does not indicate or suggest that consent has been given at other times or will be given at a future time;
- Consent is required regardless of the parties' relationship status or sexual history together;
- Consent cannot be given by a person who is incapacitated by alcohol, drugs, or who is unconscious, asleep, or otherwise lacks the capacity to give consent;
- Consent can never be obtained through threats, trickery, coercion, pressure or other forms of control or intimidation; and,
- Consent may be compromised where individuals are in a position of power and/or authority (e.g., a coach, Student leader, teaching assistant, professor or supervisor).

LIMITS TO CONFIDENTIALITY

- 6.00 Confidentiality is an essential consideration whenever an individual has made a Disclosure, filed an Official Complaint or made a Report about an incident of Gendered and/or Sexual Violence.
- 6.01 The University will respect a Survivor's privacy and honour requests for confidentiality to the greatest extent possible; however, there may be times when the University may need to breach confidentiality such as when:
- i. There is reasonable basis to believe someone is at imminent risk, risk of self-harm, or risk of harming another;
 - ii. Members of the University or broader community may be at risk of harm as determined by the University (e.g., when there is an established pattern of behaviour, or the alleged perpetrator is in a position of authority);
 - iii. Reporting is legally required as per the Child and Family Services Act because an incident involves a child 16 or under;
 - iv. University officials require information for the purposes of implementing this policy (including providing accommodation and interim measures and investigative and decision-making processes);
 - v. An Official Complaint process has been initiated and the Respondent must be informed of the details of the Complaint;
 - vi. Laurier Special Constables become aware in any way of Gendered and/or Sexual Violence and may have an obligation to Report to the local police;
 - vii. A Laurier employee is legally obligated and must hand over case notes or other documentation in relation to a criminal or civil proceeding;
 - viii. A Member of the University Community becomes aware of workplace violence or the threat of violence which they must Report immediately as per Laurier's Workplace Violence Prevention Policy; or,
 - ix. A Residence Don receives information about an incident of Gendered and/or Sexual Violence that took place in a Laurier residence.
- 6.02 Noteworthy instances of limits to confidentiality have been listed above; however, Survivors should be aware that there are other instances where information may be shared among staff and faculty in the University in order to facilitate requests for accommodations, support, and/or Official Complaints.
- 6.03 In cases where information has been shared among staff and faculty in the University, Survivors will be kept informed about which individuals have been notified and what information they have been given.
- 6.04 The Sexual Violence Support Advocate records non-identifying data about Disclosures or Reports of incidents of Gendered or Sexual Violence.



12.4 Gendered & Sexual Violence Policy & Procedures

WILFRID LAURIER UNIVERSITY

Waterloo | Brantford | Kitchener | Toronto

JURISDICTION/SCOPE

- 7.00 This policy and the accompanying procedures apply to all Students—regardless of their position or role or time of incident (e.g., evenings, weekends and holidays)—when on University property or when off-campus and there is an impact on their academic program or campus-life (for e.g. in residence, at the gym, etc.).
- 7.01 Supports and resources can be provided to a Survivor regardless of when or where an incident takes place, however Laurier cannot process an Official Complaint against individuals who are not Members of the University Community. While the University is committed to providing supports and resources, there may be geographical limitations that affect the University's ability to investigate for the purposes of an Official Complaint, such as if the experience occurred during an international student experience.
- 7.02 The University will work with other institutions where Students are cross-registered to facilitate the provision of supports and accommodations.
- 7.03 This policy and its procedures do not replace criminal or civil proceedings and do not supersede collective agreements. Procedures set out under this policy may be suspended when there are criminal or civil proceedings; however, the University will continue to provide accommodations and support to the Survivor(s) and may resume with internal procedures when appropriate.

POLICY

- 8.00 Laurier condemns Gendered and Sexual Violence of any kind. Laurier recognizes that Gendered and Sexual Violence impacts people of all genders but it does not impact everyone equally; therefore, responses, prevention efforts, and supports will take into consideration the complexities of violence as experienced by people with Intersecting Identities.
- 8.01 A Student affected by Gendered and/or Sexual Violence may choose to:
- Disclose in order to access ongoing support, accommodations and resources related to Gendered and/or Sexual Violence experienced prior to or during their time at Laurier (see Procedure 2.01);
 - File a Report through the University or an external agency in order to or to generate a record of the case that may be used at a later date or to initiate a response (see Procedure 4.00-4.04); and/or,
 - File an Official Complaint related to Gendered and/or Sexual Violence experienced while at Laurier to engage the procedures that could lead to accountability measures (see Procedure 5.00-5.45).
- 8.02 These options are not mutually exclusive; a Survivor may pursue any, all, or none of them. Survivors should be aware that there are instances where information they provide could result in them no longer being the sole decision-makers in situations pertaining to themselves (see Limits to Confidentiality section).
- 8.03 The University will not tolerate any retaliation, through any means including through social or other electronic media, against anyone who discloses or reports an Incident of Sexual Violence, or who participates in a University process that is addressing allegations of Sexual Violence against a Member of the University Community. Retaliation or threat of retaliation may result in further disciplinary action under this or other University policies.
- 8.04 Accompanying procedures outline how the University responds to incidents of Gendered and Sexual Violence involving Members of the University Community. These procedures aim to be responsive to the complexities of Gendered and Sexual Violence while recognizing the Intersectionality of all parties involved. All Members of the University Community found responsible for committing acts of Gendered/and or Sexual Violence will be held accountable and may be subject to sanctions and discipline. The University is committed to responding to Reports and Official Complaints of Gendered Violence fairly and expeditiously.
- 8.05 Laurier recognizes the difficulty of being involved in a Complaint process. Responses are guided by a commitment to the respectful treatment of all individuals involved and to procedural fairness which



12.4 Gendered & Sexual Violence Policy & Procedures

WILFRID LAURIER UNIVERSITY

Waterloo | Brantford | Kitchener | Toronto

includes all persons' rights to: understand the Complaint process, ask questions, receive information about available supports and accountability options, communicate their experiences, and have access to an appeal process.

- 8.06 Laurier will offer on-campus supports and welcomes Survivors to choose to seek a number of different off-campus supports based on their experience or identity. Examples of on- and off-campus resources that serve diverse populations could include LGBTQ+ supports, elders, faith or culturally-based counselling, etc. Laurier recognizes the importance of directly collaborating with community agencies to fulfill the education and support commitments outlined in this policy.
- 8.07 In collaboration with Members of the University Community and community partners, Laurier will continue to monitor best practices and existing research within and beyond the institution, and review and update this policy at least every three years or as may be required.

RELEVANT LEGISLATION

Canadian Criminal Code, RSC 1985, c. C-46

Child and Family Services Act, RSO 1990, c. C. 11

Ontario Human Rights Code, RSO 1990, c. H.19

Occupational Health & Safety Act, RSO 1990, c. O.1

Sexual Violence and Harassment Action Plan Act (Supporting Survivors and Challenging Sexual Violence and Harassment), SO 2016

RELATED POLICIES, PROCEDURES, & DOCUMENTS

[Policy 6.1, Prevention of Harassment and Discrimination](#)

[Policy 7.18, Workplace Violence Prevention Policy](#)

[Policy 12.3, Non-Academic Student Code of Conduct](#)

ACKNOWLEDGEMENTS

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12.4 Gendered & Sexual Violence Policy & Procedures

WILFRID LAURIER UNIVERSITY

Waterloo | Brantford | Kitchener | Toronto

Student Procedures for Responding to Incidents of Gendered and Sexual Violence

KEY SUPPORT CONTACTS

- 1.00 Supports, services and/or accommodations are available to all Students affected by Gendered and Sexual Violence regardless of when or where the violence took place and whether or not a Report or Official Complaint is made.
- 1.01 To Report Sexual Violence, seek support or accommodations, and/or learn about resolution and/or Complaint options Students may contact the Sexual Violence Support Advocate, Diversity and Equity Office by e-mailing sscanlon@wlu.ca or by phoning 519.884.0710 x. 4847.
- 1.02 Additional supports are available to persons who have experienced, witnessed, or who have received a Disclosure through partnerships with the Sexual Assault Centre of Brant and the Sexual Assault Support Centre of Waterloo Region.

Waterloo:

- The Sexual Assault Support Centre of Waterloo Region 24-hour support line: 519.741.8633. Phone support is available in over 200 languages through an interpreter service.
- Sexual Assault Support Centre Counselling (available on or off-campus): 519.571.0121, intake@sascwr.org.

Brantford:

- The Sexual Assault Centre of Brant 24-hour crisis and support line: 519.751.3471
- The Sexual Assault Centre of Brant Business Line: 519.751.1164
- Sexual Assault Centre Counselling and Advocacy (available on or off-campus): Hayley Moody at hayley@sacbrant.ca or 519.751.1164 x209.

DISCLOSURE, SUPPORT, REPORTING AND COMPLAINT OPTIONS

- 2.00 Survivors are encouraged to connect with the Sexual Violence Support Advocate for support and guidance about options.
- 2.01 A Student who has experienced Gendered and/or Sexual Violence may:
- **Make a Disclosure** – A Disclosure is when a person who has experienced Gendered and/or Sexual Violence tells someone about their experience. Someone who discloses can receive support without making a Report or an Official Complaint. Disclosures can be received by any Member of the University Community and there is no mandatory Reporting requirement when a Member of the University Community receives a Disclosure except in the instances described in the Limits to Confidentiality section of this Policy. If you receive a Disclosure, Survivors should be informed about this policy and about the Sexual Violence Support Advocate.
 - **Access Campus Services** – A Survivor can access the Sexual Violence Support Advocate for referrals to on and off-campus Sexual Violence counselling, resources, accommodations, supports, and to learn about voluntary accountability processes, reporting options and complaint processes. The Sexual Violence Support Advocate records non-identifying data about Disclosures or Reports of incidents of Gendered or Sexual Violence.
 - **Make a Report** – A Report of Gendered and/or Sexual Violence (including online incidents, hate graffiti, etc.) may be filed with the Sexual Violence Support Advocate, the Senior Advisor of Dispute Resolution and Support, Deans of Students, or Residence Life Managers in order to generate a record of an incident or case that may be used at a later date, and to coordinate a response. Reports may also be filed 24-7 with Special Constable Services. Special Constable Services can provide immediate crisis and safety support. Reports to Special Constable Services may be shared with the local, regional police and cases may be transferred to the police. Reports may be filed by



12.4 Gendered & Sexual Violence Policy & Procedures

WILFRID LAURIER UNIVERSITY

Waterloo | Brantford | Kitchener | Toronto

the person who has experienced Gendered and/or Sexual Violence, witnesses, or those who have become aware of an incident. Reports may also be filed anonymously however the University's ability to respond may be limited depending on the information available. The University records all Reports made under this Policy.

- Make an Official Complaint – An Official Complaint initiates a formal process under this Policy. An Official Complaint may prompt an internal or external investigation and may result in a range of possible accountability measures and sanctions such as restrictions of services, behavioural contracts, suspension or expulsion. The process for initiating an Official Complaint is set out below.

- 2.02 The University will not tolerate any retaliation, through any means including through social or other electronic media, against anyone who discloses or reports an Incident of Sexual Violence, or who participates in a University process that is addressing allegations of Sexual Violence against a Member of the University Community. Retaliation or threat of retaliation may result in further disciplinary action under this or other University policies.

VOLUNTARY ACCOUNTABILITY PROCESSES

- 3.00 Where the University has received a Disclosure, Report, or Official Complaint from a Survivor relating to another Student, Voluntary Accountability Processes may be explored. Participation in any Voluntary Accountability Process must be informed and voluntary. Prior to engaging in a process, all individuals involved will be informed of their need to consider the possible impact of their participation on other external processes (e.g. criminal or civil legal processes) and encourage participants to seek further advice as they may deem appropriate. Participants in a Voluntary Accountability Process may be accompanied by an advocate throughout the process.
- 3.01 Voluntary Accountability Processes explore strategies to help participants recognize and account for harmful behaviour and may be an appropriate tool to address Gendered and Sexual Violence. Voluntary Accountability Processes could include a variety of accountability mechanisms agreed to by all participants. Some of the outcomes may include; facilitated discussion, safety planning and agreements, anti-violence/anti-oppression/consent education and training, a recognition of impact statement or letter. Where all participants agree, a settlement agreement of terms may be signed, which will include follow-up reviews to ensure that the accountability processes have been implemented effectively.
- 3.02 The opportunity to consider Voluntary Accountability is available at any point. All participants in a Voluntary Accountability Process must be engaging voluntarily and remain free from reprisal during these confidential meetings if meaningful resolution is to occur. All communications in a Voluntary Accountability Process, including the facilitator's notes and records, shall remain confidential and be deemed to have been made without prejudice to the parties in any proceedings. The conversations, notes or records from the Voluntary Resolution process cannot be relied upon for future discipline within the University.
- 3.03 If all participants in the process agree with the chosen outcomes, the details will be set out in a written agreement, reviewed and signed by all participants. The agreement may be created by any individual engaged to facilitate the process. A copy of the signed agreement will be provided to all parties and may be provided to university administrators if it is reasonably necessary to implement the terms of the resolution.
- 3.04 Where there is a written agreement outlining the terms of the resolution, a University employee designated by the voluntary accountability process facilitator, will monitor the implementation of these terms. Failure to comply with the agreed upon terms may lead to sanctions or discipline.
- 3.05 If a Voluntary Accountability process is not successful, the person who acts as the facilitator of the process shall prepare a written report that simply notes that an agreement was not achieved, a copy of which shall be provided to the participants. Supports, services and accommodation will continue to be available to all Students affected by Gendered and Sexual Violence.



12.4 Gendered & Sexual Violence Policy & Procedures

WILFRID LAURIER UNIVERSITY

Waterloo | Brantford | Kitchener | Toronto

- 3.07 A copy of the terms of the resolution shall be confidentially retained by the University and shall not be placed in official Student files.

REPORT

- 4.00 University Reporting: Reports can be made to the Sexual Violence Support Advocate, Senior Advisor of Dispute Resolution and Support, the Deans of Students or Residence Life Managers. Reports can be made in-person, by e-mail, or by phone and may be made by someone who has experienced Gendered or Sexual Violence, or someone who has witnessed Gendered or Sexual Violence. Anonymous Reports will also be accepted however the University's ability to respond may be limited by the information available.
- 4.01 Reports can also be filed 24-7 with Special Constable Services. Special Constable Services can provide immediate crisis and safety support. Reports to Special Constable Services may be shared with the local, regional police and cases may be transferred to the police.
- 4.02 University Reporting Contacts:
Sexual Violence Support Advocate — Sarah Scanlon, sscanlon@wlu.ca, 519.884.4710 x.4847
Senior Advisor of Dispute Resolution and Support — Dawn Ricker, dricker@wlu.ca, 519.884.4710 x.4847
Dean of Students Waterloo (including Kitchener) — Leanne Holland-Brown lhollandbrown@wlu.ca, 519.884.4710 x. 3704
Dean of Students Brantford — Adam Lawrence, alwarence@wlu.ca, 519.756.8228 x.5644
Residence Life Managers Waterloo, — Elissa Cressman, ecressman@wlu.ca, 519.884.0710 x.3793,
Dwayne Taylor, dwtaylor@wlu.ca 519.884.0710 x.4616
Residence Life Manager Brantford — Chris Eley, celey@wlu.ca, 519.756.8228 x.5856
Special Constable Services Waterloo (including Kitchener) — dispatch@wlu.ca, 519.885.3333
Special Constable Services Brantford — dispatch@wlu.ca, 519.756.8228 x.5762
- 4.03 External Reporting
Reports may also be filed with the local, regional police for 24-7 crisis intervention, to generate a record of the case, and/or to pursue criminal charges.
- 4.04 External Reporting Contacts:
Waterloo Regional Police (serves Kitchener, Waterloo and Cambridge) — for emergencies 911, for non-emergencies 519.653.7700
Brantford Police Service, for emergencies 911, for non-emergencies 519.756.0113

OFFICIAL COMPLAINT

- 5.00 **Right to Representation and Support**
At any interview or proceeding related to the decision-making process of an Official Complaint under this policy, individuals may bring a support person who may be internal or external to the University and/or be accompanied by a legal representative.
- Survivors are encouraged to connect with the Sexual Violence Support Advocate for assistance prior to filing an Official Complaint.
- 5.01 **Filing an Official Complaint**
Any Student may file an Official Complaint against any Student regarding Gendered and/or Sexual Violence. Complaints against other Members of the University Community will be addressed under other University policies, collective agreements or dispute resolution processes.
- 5.02 All Official Complaints must be set out in writing and include the name and contact information of the person making the Official Complaint. The university will not accept an anonymous Official Complaint under this Policy. On-campus supports are available to provide guidance on the preparation of a Complaint or response to a Complaint.



12.4 Gendered & Sexual Violence Policy & Procedures

WILFRID LAURIER UNIVERSITY

Waterloo | Brantford | Kitchener | Toronto

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- 5.03 Complaints must be submitted to Dean of Students' Office for the campus where the Student(s) against whom allegations of Gendered and/or Sexual Violence is enrolled. In the event of a conflict of interest or inability of the Dean of Students to act, the Official Complaint may be transferred for resolution to the Dean of Students at another Laurier campus or designate. In making this determination, the Dean of Students Office shall consider any information provided by the Complainant or Members of the University Community on potential conflicts of interest.
- 5.04 The written Official Complaint should set out the nature of the incident(s) of Gendered or Sexual Violence and behaviour to be addressed.
- 5.05 Individuals are encouraged to Report and submit an Official Complaint in a timely way and generally it is recommended that the Official Complaint be filed within one year of the date of the incident(s) addressed in the Official Complaint to facilitate investigation and resolution efforts. However, the University will accept an Official Complaint for as long as the individual(s) against whom the allegations of Gendered and/or Sexual Violence are made is/are a Student(s).
- 5.06 Upon receipt of an Official Complaint, the Dean of Students or designate (consistently referred to throughout as "Dean of Students"), will follow-up in a timely way to address the Complaint and will implement the steps set out in appendix A to make assessments related to risk, potential conflicts of interest and the applicability of this policy, and will notify the Complainant(s), in writing, when the Complaint is to be provided to the Respondent(s).
- 5.07 **Response**
The Respondent(s) will be provided with a copy of the Official Complaint, information about confidentiality, retaliation, and supports available to them, and will be given a reasonable opportunity to respond in writing to the Official Complaint and to submit relevant information.
- 5.08 It is the responsibility of the Respondent(s) to provide all materials and information that will support their position. The written Response should be submitted to the Dean of Students within fifteen (15) working days of receipt of the Official Complaint. If the Respondent does not respond to the Official Complaint after having received the Official Complaint, the Dean of Students may proceed to resolve the Complaint and/or impose a sanction or sanctions. A copy of the Respondent's response will be provided to the Complainant(s).
- 5.09 **Complaint Resolution**
The Dean of Students may consult with or seek assistance from appropriate University officials or external advisors in resolving an Official Complaint. Unless disclosure is required for safety or security reasons, confidential identifiers will be used for all consultations.
- 5.10 Allegations of Gendered or Sexual Violence are very serious and must be handled accordingly. Once an Official Complaint has been filed, the University has an obligation to respond expeditiously.
- 5.11 The integrity and efficacy of the Official Complaint process requires that all individuals involved in the process consider their actions and obligations under University policies and procedures, including privacy and confidentiality. The University will not accept retaliation or threat of retaliation through any means including through social media by or against any individuals involved in an Official Complaint. Retaliation or threat of retaliation may result in further disciplinary action under this or other University policies
- 5.12 **Interim Measures**
Where immediate action is required to protect the safety and security of the Complainant(s) or Members of the University Community, the Dean of Students, Special Constable Services, or such other appropriate University officials, such as Residence Life may impose Interim Measures. In determining whether to impose Interim Measures and the most appropriate Interim Measure, the University will consider all relevant and necessary information. The need for Interim Measures and the measures to be imposed will be assessed on the basis of the nature of the allegations and specific circumstances in the situation.



12.4 Gendered & Sexual Violence Policy & Procedures

WILFRID LAURIER UNIVERSITY

Waterloo | Brantford | Kitchener | Toronto

- 5.13 In circumstances indicating a safety or security risk to the Complainant or to others, Special Constable Services may immediately and temporarily remove a student from a university campus or a specified part of campus pending application of these Interim Measures and other parts of this Policy.
- 5.14 When Interim Measures are to be implemented, the University will notify the Complainant(s) in writing in advance. The Complainant(s) is encouraged to work with the Sexual Violence Support Advocate or other internal University or external community supports to address plans for safety, wellness, and academic accommodations.
- 5.15 Interim measures will be required when:
- There are reasonable grounds to believe that a Respondent's continued presence on campus poses a significant threat and/or risk to the safety or security of themselves, others or to property. In such cases, referrals will be made to the Threat Assessment and Prevention Team for review;
 - The Student's presence on campus could lead to a breach of court imposed restrictions (e.g. release or probation conditions or a peace bond including a non-association order) or where the University is unable to reasonably accommodate the conditions;
 - There are reasonable grounds to believe that the Student poses a threat of disruption or of interference with the normal operations of the University;
 - There are reasonable grounds to believe that a Student's personal health and wellness are significantly impacting their academic success and/or conduct.
- 5.16 Interim Measures may include:
- Banning access from campus (includes all University buildings or property);
 - Restricted access to University facilities (including classes, buildings or residence);
 - Involuntary withdrawal (i.e. suspension);
 - Voluntary withdrawal, and/or
 - Restrictions on any other University activities or privileges for which the Student might otherwise be eligible, as the Dean of Students may determine to be necessary or appropriate.
- 5.17 Interim Measures will remain in effect for as long as reasonably required pending the outcome of the Official Complaint. Students affected by Interim Measures may request, in writing, an appeal or review of the Interim Measures at the following times:
- where there has been a change in the status of court conditions or criminal charges (e.g. charges amended/dropped, bail conditions amended);
 - following completion of a University approved violence risk assessment completed internally or externally;
 - when the Student has additional or new information relevant to the decision to impose Interim Measures; or
 - when the Interim Measure may have the effect of a Student losing their academic year.
- 5.18 Appeals, reviews or reconsiderations of Interim Measures will be completed by the Vice-President, Student Affairs. All appeals, reviews and reconsiderations by the Vice-President, Student Affairs will be in writing. Students subject to Interim Measures may submit written information relating to the Interim Measure and alleged conduct. The Vice-President, Student Affairs will review all information provided by the Student and any other information deemed relevant from internal or external sources and will provide a decision, in writing, including reasons, as soon as reasonably possible, and usually within ten (10) working days.



12.4 Gendered & Sexual Violence Policy & Procedures

WILFRID LAURIER UNIVERSITY

Waterloo | Brantford | Kitchener | Toronto

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- 5.19 **Voluntary Resolution of the Official Complaint**
The Dean of Students will offer to meet or speak with all participants in the Official Complaint separately to discuss the Complaint and determine if Voluntary Accountability Processes may be appropriate to develop consensual, mutually satisfying solutions. The parties to the Official Complaint will decide whether or not to meet with the Dean of Students and whether they wish to engage in voluntary accountability efforts (see 3.00-3.07 Voluntary Accountability Processes).
- 5.20 Prior to engaging in a resolution process, the Dean of Students will inform all individuals involved in the process of their need to consider the possible impact of their participation on other external processes (e.g. criminal or civil legal processes) and encourage participants to seek further advice as they may deem appropriate. The Sexual Violence Support Advocate is available to provide support for the Complainant.
- 5.21 **Formal Resolution**
If the Voluntary Accountability process is not appropriate or where there is no resolution, the Dean of Students may initiate a Formal Resolution process which will involve the Dean of Students making a decision on the Official Complaint. In making their decision, the Dean of Students will have access to all relevant documents submitted in the Official Complaint and may decide to proceed with an investigation.
- 5.22 Complaints that are more appropriately addressed through Formal Resolution are those where there is a potential for significant intersection between the alleged misconduct and community safety, as well as a Student's personal and academic success. In addition, where Interim Measures are in place, Formal Resolution may be required to determine the appropriateness of and timeline to maintain the Interim Measures.
- 5.23 If a Complaint has also resulted in criminal or civil proceedings, the Dean of Students may choose to defer investigation and/or resolution of the Official Complaint. A Complainant or Respondent may request to the Dean of Students in writing that the university postpone the Formal Resolution process until completion of the criminal or civil proceedings. The Dean of Students will provide a decision, with reasons, to a Complainant's or Respondent's request prior to the start of an investigation or further steps in the Formal Resolution process. During this time, the Dean of Students may institute and maintain Interim Measures as appropriate.
- 5.24 **Investigation**
In consultation with internal and/or external advisors, the Dean of Students will determine if an investigation is required to reach a decision in the Official Complaint. A Complainant may choose not to request an investigation by the University and has the right not to participate in any investigation; however, where the University determines there are issues relating to safety, security or legal obligations, it may decide to proceed to conduct an investigation without the Survivor's participation. Where a choice not to participate in an investigation is made, the Complainant will be advised that this may affect the nature of the investigation and the ability to draw conclusions from any investigation report. Supports and services will continue to be available to all Students affected by Gendered and Sexual Violence.
- 5.25 Investigator(s) shall be appointed by the university and the investigation shall occur as promptly as possible. Investigator(s) may include individuals internal or external to the university, but in no event will an investigator be in a reporting relationship to any of the parties to the Complaint or have a conflict of interest. University-appointed investigators will be neutral and have appropriate experience and skills in completing investigations relating to issues of Gendered and Sexual Violence and harassment.
- 5.26 The investigator(s) shall receive a copy of the Official Complaint, Response and any other relevant documentation. Investigators will receive information including the names of the Complainant(s), Respondent(s) and any other participants in the Official Complaint who may have relevant information in the investigation.



12.4 Gendered & Sexual Violence Policy & Procedures

WILFRID LAURIER UNIVERSITY

Waterloo | Brantford | Kitchener | Toronto

-
- 5.27 Prior to the start of the investigation, the investigator will notify the Complainant(s) in writing. The Complainant(s) is encouraged to work with the Sexual Violence Support Advocate or other internal University or external community supports to address plans for safety and wellness.
- 5.28 The investigator will provide all involved parties with the opportunity to provide information relating to the Official Complaint and may interview material witnesses at the investigator's discretion or at the request of a party unless the individual has indicated that they will not participate in the investigation.
- 5.29 Where early or voluntary accountability processes were conducted, no information shall be provided to the investigator other than a notation that the parties participated in voluntary accountability strategies.
- 5.30 Students involved in an investigation may be accompanied by another person during all investigation and decision-making processes, which may include a colleague or support person of his or her choosing, legal or other representation at the Student's expense. The Sexual Violence Support Advocate is available for support and advice. The support person's role is not to act or speak on behalf of the Student, but to be available for information and support. The Student is responsible for notifying the Dean of Students' Office, in advance of any meetings, if anyone will be accompanying him/her.
- 5.31 All participants involved in the investigation, including Complainant(s), Respondent(s) any witnesses, and individuals providing support to a participant should keep matters confidential during the investigation process and after the completion of the investigation. Participants must remain free from reprisal or harassment during the investigation process.
- 5.32 Following completion of the investigation, the investigator(s) shall provide a thorough written report to the Dean of Students that will include a detailed summary of the facts gathered through the investigation.
- 5.33 The Complainant(s) and Respondent(s) shall receive a copy of the investigator's report. Investigator reports will be treated in a confidential manner and in accordance with the Freedom of Information and Protection of Privacy Act. Witness and other personal information will be omitted from the investigator's report when provided to the Complainant(s) and Respondent(s).
- 5.34 **Decision of Dean of Students**
Prior to making a decision, the Dean of Students shall provide written notice to the Complainant(s) and Respondent(s) that they have the opportunity, but not the obligation, to meet with the Dean of Students and to submit any new information or make written submission relevant to the Official Complaint or the investigator's report. Submissions should address new information or respond to the investigator's report and should be provided to the Dean of Students within five (5) working days of receipt of the notice from the Dean of Students.
- 5.35 In making a decision, the Dean of Students will review all relevant facts and information and consider all available information including, but not limited to:
- The Official Complaint and Response, as well as any other written submissions or information provided by a party;
 - Notes from meetings with any party;
 - The investigation report.
- 5.36 The Dean of Students will set out their decision, with reasons, in writing including a summary of the information relied upon in making the decision. This written decision will be provided to the Complainant and the Respondent.
- 5.37 The Dean of Students may access internal University or external resources for guidance in the decision-making process. Such resources do not include the investigator, the Sexual Violence Support Advocate, or any facilitator of a voluntary resolution process completed as part of the Official Complaint.



12.4 Gendered & Sexual Violence Policy & Procedures

WILFRID LAURIER UNIVERSITY

Waterloo | Brantford | Kitchener | Toronto

- 5.38 If, on a balance of probabilities, the Dean of Students determines there has been a breach of the Gendered & Sexual Violence Policy and that the Official Complaint (in whole or in part) is upheld, the Dean of Students will determine whether sanctions or other action is appropriate to reasonably address the Official Complaint.
- 5.39 **Sanctions**
In determining the appropriate sanction, the Dean of Students shall provide the Complainant(s) with an opportunity to submit written comments addressing the impact of the harm. Where requested by a Complainant, the Sexual Violence Advocate may provide written recommendations to the Dean of Students on sanctions considering the Survivor's needs.
- 5.40 Sanctions will consider the nature of the harm, the interests of the university community and whether there has been acceptance of responsibility. Sanctions may include one or more of:
- a. Disciplinary Warning or Written Reprimand – This includes notice that the Student violated this Policy. A warning or reprimand may be for a designated period of time during which the Student is required to change the problem behaviour(s), adhere to policies or standards, and implement specific plans or remedies. Specific sanctions or restrictions (including banning or limiting access to campus) may be imposed as a part of this sanction.
 - b. Restriction or Denial of University Services or Privileges – Removal of, prohibition of, or limitations on specific access to or use of University services and premises.
 - c. Behavioural Contract – A set of specific behavioural expectations, terms and conditions that is developed with and signed by the Student. The contract clearly outlines expectations being placed on the Student and that any breach of the contract may result in more serious sanctions including suspension or expulsion from the University.
 - d. Educational programs or assignments, written or oral apologies, restorative justice, peer conduct advising, facilitated discussion, community service, individual assessment, counseling, substance abuse education, intervention, or treatment, or other related educational sanctions may be offered or required.
 - e. Suspension – Removal of the Student from the University for a specified period of time after which the Student is eligible to return. Conditions for readmission may be specified. Suspensions are noted on the Student's transcript for the duration of the suspension.
 - f. Expulsion – Permanent separation of the Student from the University. Expulsions are noted on the Student's transcript.
- 5.41 The Dean of Students's decision, including reasons, along with recommended sanctions and the individual(s) involved in facilitating the implementation of the sanctions will be set out in writing and provided to the Respondent(s). As an official decision of the University, a copy of the Dean of Student's decision will be retained in the Dean of Students' Office at the campus where the Respondent is primarily registered in accordance with University retention practices.
- 5.42 Failure to complete or abide by a required sanction may result in further disciplinary action.
- 5.43 Prior to informing a Respondent(s) of a decision and sanctions, the Complainant(s) shall be notified in writing when the Dean of Student's decision is to be provided to the Respondent(s). The Complainant(s) is encouraged to work with the Sexual Violence Support Advocate or other internal University or external community supports to address plans for safety and wellness.
- 5.44 If a sanction includes suspension or voluntary withdrawal from the University, the University may request additional information from the Respondent(s) prior to permitting the Student(s) to return in order to ensure a safe and reasonable return to campus. This information will allow the Dean of Students to determine whether the University can provide and maintain a safe learning environment and uphold conditions from criminal or civil proceedings.



12.4 Gendered & Sexual Violence Policy & Procedures

WILFRID LAURIER UNIVERSITY

Waterloo | Brantford | Kitchener | Toronto

APPEALS

- 6.00 Either party in a Complaint process may appeal the University's sanctions or handling of the Complaint when it meets the requirements outlined below. Participation in the appeal process is voluntary; however, the choice not to participate may impact the process and outcome of the appeal.
- 6.01 A Respondent subject to sanctions following a decision under this Policy may appeal the University's finding of breach of this Policy and/or the sanctions imposed by the Dean of Students where one or more of the following applies:
- There was a serious procedural error in the handling of the Complaint which was prejudicial to the Student or might have substantially affected the final decision;
 - The decision and/or sanction(s) are unreasonable or unsupportable on the evidence and will have the effect of deregistration, removal and restriction from campus, suspension, or expulsion.
- All requests for an appeal must be provided to the University within fifteen (15) business days of the Dean of Student's decision and should follow the appeal process set out in Appendix B Appeals.
- 6.02 A Complainant may appeal the University's finding of no breach of this Policy and/or sanctions imposed by the Dean of Students where one or more of the following applies:
- There was a serious procedural error in the handling of the Complaint which was prejudicial to the Complainant or might have substantially affected the final decision;
 - The decision and/or sanction(s) are unreasonable or unsupportable on the evidence and fail to sufficiently address the severity of the conduct, the impact on the Complainant, or the safety to the University community.
- All requests for an appeal must be provided to the University within fifteen (15) business days of the Dean of Student's decision and should follow the appeal process set out in Appendix B Appeals.
- 6.03 Appeals of the University's decision or process followed in making the decision shall be made to the Gendered and Sexual Violence Policy Appeal Committee (the "Committee"). Members of the Committee will be independent of all prior decisions or processes relating to the Complaint and have no prior knowledge of the matters to be addressed in the appeal hearing.
- 6.04 The Student(s) appealing the University's decision is the Appellant in the Appeal and the University is responding to the Appeal. Appeal hearings are conducted as a de novo hearing and will be conducted in accordance with procedural fairness.
- 6.05 Where an appeal raises issues requiring an assessment of credibility, the Committee shall provide the Appellant the opportunity for an oral hearing. When requested by the Appellant, or where the Committee determines no assessment of credibility is required (e.g. an appeal of only the sanction), the appeal may be conducted as a written hearing with all evidence to be relied upon submitted in writing. For oral hearings, both the Appellant and the University shall have the right to appear, call evidence, make oral representations and cross-examine in accordance with Committee determined procedures. In all hearings, whether oral or written, the Committee will consider all information, documents and submissions provided to the Dean of Students and all new evidence provided in the hearing. The Committee may ask questions of the participants and may invite witnesses to provide evidence as the Committee deems necessary.
- 6.06 The Sexual Violence Support Advocate is available to provide support and information to a Complainant(s) about the appeal process, including the availability of additional accommodations (see Appendix C – Testimonial Aids).
- 6.07 Due to the confidential nature of the issues and impact on participants, appeal hearings shall be closed and not open to the public.



12.4 Gendered & Sexual Violence Policy & Procedures

WILFRID LAURIER UNIVERSITY

Waterloo | Brantford | Kitchener | Toronto

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- 6.08 **Decision of the Gendered and Sexual Violence Policy Appeal Committee**
The Committee will act expeditiously in making its decision and will consider all relevant evidence, the procedures followed in the Official Complaint, and the reasonableness of the Dean of Students' decision and recommended sanctions.
- 6.09 All Interim Measures and/or conditions implemented by the Dean of Student in their decision shall remain in place pending the Appeal.
- 6.10 The Committee's decision shall be final and shall include a clear decision along with written reasons for the decision. A copy of the decision shall be provided to the Complainant, Respondent, Dean of Students and such other university representatives involved in the Complaint as may be required. Recipients of the Committee's decision shall keep confidential the personal information of those involved and avoid acts of reprisal.



12.4 Gendered & Sexual Violence Policy & Procedures

WILFRID LAURIER UNIVERSITY

Waterloo | Brantford | Kitchener | Toronto

Appendix A – Initial Steps in Processing a Complaint (see Procedure 5.00-5.06)

Upon receipt of an Official Complaint, the Dean of Students, or designate, will:

1. Assign a unique identification number for all individual(s) filing an Official Complaint (Complainant(s)), individual(s) against whom an Official Complaint is made (Respondent(s)) and Student witnesses referenced in the Official Complaint for confidentiality. Unless names are required for safety or security, the unique identifier will be used by the Dean of Students for any internal or external communication and consultation (except for the Investigation, as noted below).
2. Identify if there is any reason why the Dean of Students at the Campus where the Official Complaint is filed is unable to assess the Official Complaint and make a decision. In the event of a conflict of interest or inability of the Dean of Students to act, the Official Complaint may be transferred for resolution to the Dean of Students at another Laurier campus. In making this determination, the Dean of Students shall consider any information provided by the Complainant or Members of the University Community on potential conflicts of interest.
3. Assess if the matter should be referred to the Threat Assessment and Prevention Team and/or the Behaviour Intervention Team in order to assess risk of harm and determine the best course of action to enhance Campus safety.
4. Determine, without investigation, if the information set out in the Official Complaint supports resolution under this Policy or if another University policy or process, or an external process may be more appropriate. In making this determination, the Dean of Students may consult with internal or external advisors which may include, the Sexual Violence Support Advocate or Senior Advisor, Dispute Resolution & Support.
5. Where the Dean of Students determines that this policy is not the most appropriate policy or process for effective resolution, the Dean of Students will offer to meet with the Complainant(s) to outline the reasons why the Dean of Students is making this recommendation and the other available policies or processes. Written reasons for the Dean of Student's recommendation will be forwarded to the Complainant(s) and, with the Complainant(s)'s consent, to the Sexual Violence Support Advocate.
6. When the Dean of Students determines that an Official Complaint should proceed under this Policy, a copy of the Official Complaint will be provided to the Student(s) who is the subject of the Official Complaint (the "Respondent").
7. The Dean of Students will also provide information to the Complainant and Respondent involved in the Official Complaint that explains Voluntary Accountability and Formal Resolution processes, the Dean of Student's role in resolution and a copy of this Policy.
8. The Complainant(s) shall be kept informed of steps in the Complaint process and will be notified in writing when the Complaint is to be provided to the Respondent(s). The Complainant(s) is encouraged to work with the Sexual Violence Support Advocate or other internal University or external community supports to address plans for safety and wellness.
9. If the participants are interested in pursuing a Voluntary Accountability process to work toward resolution of the Official Complaint, the Dean of Students will refer the Complaint to the Senior Advisor, Dispute Resolution & Support or such other appropriate internal or external facilitator(s) or support(s). If the Voluntary Accountability process does not resolve the Official Complaint, the person who acts as the Voluntary Accountability facilitator shall prepare a written report that simply notes that resolution was not achieved, a copy of which shall be provided to the Complainant, Respondent, and Dean of Students.



12.4 Gendered & Sexual Violence Policy & Procedures

WILFRID LAURIER UNIVERSITY

Waterloo | Brantford | Kitchener | Toronto

Appendix B – Appeals (see Procedure 6.00-6.10)

Membership of Gendered and Sexual Violence Policy Appeal Committee

The Appeal Committee shall have two members:

- 1 external representative who shall be a lawyer with experience in administrative law and adjudicative processes addressing Gendered and Sexual Violence, who shall chair the appeal Committee;
- The Provost and VP, Academic or designate when the Provost and VP Academic is unable to serve who shall be an academic Dean, AVP or VP.

No one shall serve on a Committee for an Appeal that has any direct interest or prior involvement in the Complaint, Decision or issues under consideration. Committee members are expected to identify any actual or perceived conflicts of interest as soon as possible and in advance of the start of the Appeal hearing.

A Student appealing the Decision (the “Appellant”) who believes that a Committee member has a conflict of interest is required to identify the conflict as soon as possible and in advance of the start of the Appeal hearing. The University Secretary shall make a determination on the potential conflict of interest and communicate the decision to the Appellant and Committee members prior to the start of the Appeal hearing.

Members of the Committee will be trained on myths about Gendered and Sexual Violence (for e.g. myths related to relationship status, dress, prior sexual history, lack of resistance, delayed Disclosure or participation in counselling or therapy) and on responses to trauma.

Parties to the Appeal

The Student (Complainant or Respondent) submitting the appeal is the Appellant. Appeals are to the University.

Notice and Scheduling

Upon receipt of an appeal, the University Secretary will constitute an Appeal Committee. The Appellant will be notified of the membership of the Committee and provided with reasonable written notice, through the Student’s Laurier email account, of the date(s), time and location for the Appeal hearing.

Hearings will be arranged as expeditiously as possible but depending on the academic calendar, may need to be extended to address availability of witnesses and parties. The date(s) for Appeal hearings will be set sufficiently in advance for both the Appellant(s) and Respondent to have an opportunity to review documents and prepare for full and fair presentation of their case.

All reasonable efforts will be made to schedule the Appeal hearing at a time and place convenient for all parties. However, if a party, who has been notified of the date, time and location for the Appeal hearing does not attend the hearing, the Appeal Committee may proceed in the party’s absence and the party will not be entitled to any further notice of the proceeding.

Notice of the Appeal hearing will be provided, in writing, to the Appellant, University, Complainant(s) (where the Respondent is the Appellant), or the Respondent(s) (where the Complainant(s) is the Appellant). The Complainant(s) is encouraged to work with the Sexual Violence Support Advocate or other internal University or external community supports to address plans for safety and wellness and consider the need for accommodations.

Documents

All relevant documents relating to the Complaint and Decision will be provided to the Appellant and Respondent. This will include (as may be applicable):

- The Complaint and any submissions provided by the Complainant;
- The Response and any submissions provided by the Respondent;
- The investigation report and investigation file;
- File notes and records held by the Dean of Students relating to the Complaint and Decision;



12.4 Gendered & Sexual Violence Policy & Procedures

WILFRID LAURIER UNIVERSITY

Waterloo | Brantford | Kitchener | Toronto

- File notes and records (if any) held by Special Constable Services or Residence.

Representation

The parties to the Appeal have the right to have an advisor or retain and be represented by counsel for the Appeal hearing, at their own expense. The Appeal Committee reserves the right to retain counsel. The Appeal Committee has no authority to make any order for the payment of costs.

Notice of the name of any advisor or legal counsel retained by a party shall be provided to the Committee and to the other party(ies) as soon as possible and at least three working days prior to the start of the Appeal hearing. Board hearings will normally not be unreasonably postponed or rescheduled due to the unavailability of the advisor or counsel.

Procedures

Subject to the requirements set out in this Policy and Procedure, the Committee shall determine its own procedures and practices in any appeal and the Chair may make such rules and orders as he or she deems necessary and proper to ensure a fair and expeditious proceeding. In determining its own hearing procedures, the Committee shall take into account the need for participants to be safe and have access to supports.

The Committee is bound by neither strict legal procedures nor strict rules of evidence. It shall proceed fairly in its disposition of the appeal, ensuring that all parties are aware of the evidence to be considered, provided copies of all relevant documents to be considered by the panel, and are given an opportunity to be heard during the process.

The University Secretary, or designate, shall provide administrative support and procedural advice to the Committee.

Summary Dismissal

The Committee may summarily dismiss an Appeal if the Appeal, in the judgment of the Committee, does not raise a valid ground for an appeal.

Decision

At the conclusion of the Appeal Hearing, the Committee shall render a decision, in writing, including written reasons setting out the basis for the Committee's decision. The decision of the Committee must be unanimous. The decision and reasons shall be provided to the Appellant, Respondent and Complainant.

The Committee decision shall consider all of the relevant evidence in making its determination. The standard to apply is a balance of probabilities. For appeals of a finding of breach of this Policy and/or the sanctions imposed, the Committee's decision will include a determination on whether sanctions or other action is appropriate to reasonably address the Official Complaint.

The Committee has no authority to order general, aggravated or special damages or costs.

The Committee's decision is final.



12.4 Gendered & Sexual Violence Policy & Procedures

WILFRID LAURIER UNIVERSITY

Waterloo | Brantford | Kitchener | Toronto

Appendix C – Testimonial Aids

The Sexual Violence Support Advocate is available to provide support and information to a Complainant(s) about the appeal process, including the availability of additional accommodations and supports. The Complainant may request access to additional supports or testimonial aids, which should be submitted in writing to the Chair of the Appeal Committee. Supports may include:

1. A support person (someone to sit with the Survivor when providing evidence);
2. A screen (the Survivor testifies in the room from behind a "one way" screen - meaning the Respondent can see the claimant through the screen but Survivor can't see the Respondent);
3. The Complainant can testify from a different room that is shown through closed circuit television into the hearing room;
4. Accompaniment of service animal for emotional support; or
5. Playing a pre-recorded statement prepared by the Complainant in lieu of an in-person statement. With the consent of the Appeal Committee, a pre-recorded statement of an account of the Complainant's experience may be prepared. All parties, including the Complainant, sit in the room and watch the recorded statement. The Complainant is asked minimal questions by the Appeal Committee to verify the statement and create an opportunity for elaboration. As permitted by the Appeal Committee, there may be an opportunity to cross examination the Complainant.



12.4 Gendered & Sexual Violence Policy & Procedures

WILFRID LAURIER UNIVERSITY

Waterloo | Brantford | Kitchener | Toronto

Appendix D – Records

Information regarding a Student's disciplinary record is available to persons or offices internal to the University who have a "demonstrated need to know." Disclosure of disciplinary records shall be in accordance with the Notice of Collection and Examples of Use or Disclosure and Ontario's Freedom of Information and Protection of Privacy Act.

Notations of disciplinary action on a Student's transcript will be made only by the Registrar's Office. Expulsion will be permanently noted on the academic transcript and cannot be removed. Suspension is noted on the academic transcript during the period of suspension and/or until the conditions for re-admission have been met. No record of other disciplinary action will be noted on a Student's transcript.

The decision, with reasons, shall be filed with the Office of Student Affairs at the campus where the Complaint was commenced. Student disciplinary records will be retained in accordance with University retention practices and policies. Disciplinary records will be destroyed after this period except in cases of expulsion.