

Sexual Assault Policies on Campus

A discussion paper

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METRAC



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About METRAC

METRAC works with individuals, communities and institutions to change ideas, actions and policies with the goal of ending violence against women and youth. Delivering relevant and boundary-breaking services and programs, we focus on education and prevention and use innovative tools to build safety, justice and equity.

For 30 years, METRAC has championed women's safety on campuses. Under the philosophy of "safer for women, safer for everyone", we have led many change-making initiatives and learning opportunities to improve campus environments. In 1989, we launched our Campus Safety Audit Process. It addresses sexual assault, harassment and other forms of gender-based violence in public and private spaces between strangers and people who know each other. It has been adapted and utilized across Canada to improve the safety track record of campuses, from those in urban centres to rural areas to distance/online learning programs. More recently, METRAC contributed to the development of the Ontario Women's Directorate's *Developing a Response to Sexual Violence: a Resource Guide for Ontario's Colleges and Universities* and the Canadian Federation of Students-Ontario's *Campus Toolkit for Combating Sexual Violence*.

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Introduction

Sexual violence is an ongoing concern in post-secondary educational environments. It is “any violence, physical or psychological, carried out through sexual means or targeting sexuality” and includes sexual abuse, assault, rape and harassment (Ontario Women’s Directorate, 2013, p. 3).

Canadian institutions and governmental bodies have made efforts to address sexual violence on campus. For instance, the Ontario Women’s Directorate (2013) created *Developing a Response to Sexual Violence: a Resource Guide for Ontario’s Colleges and Universities* and the Canadian Federation of Students-Ontario (2013) released a *Campus Toolkit for Combating Sexual Violence*. Student groups, universities and colleges have implemented prevention programs such as US-based Bringing in the Bystander™ and Green Dot, as well as awareness campaigns such as Got Consent? and Draw The Line (Banyard, Plante, & Moynihan, 2005; University of New Hampshire, 2014; Senn & Forrest, 2013; University of Windsor, n.d.; Coker et al., 2011; Green Dot etc., 2010; Sexual Assault Support Centre at the University of British Columbia, n.d.; Ontario Coalition of Rape Crisis Centres, n.d.). Grassroots and community-directed efforts such as the It’s Time to End Violence Against Women on Campus Project have also made strides toward addressing and preventing campus sexual assault (Sexual Assault Centre of Hamilton & Area & YWCA Hamilton, 2014).

Prevention efforts must be coupled with effective policies that address the impact of sexual assault on survivors/victims and deter perpetrators

While prevention efforts are essential, they must be coupled with effective policies that address the impact of sexual assault on survivors/victims and deter perpetrators (Potter, Krider, & McMahon, 2000, p. 1360-1361). In this discussion paper, we highlight promising practices and challenges in institutional policies on sexual assault committed by and against

students. We outline results of a “snapshot” review of sample sexual assault policies on Canadian campuses, illustrating gaps and inconsistencies in how the issue is treated. We also review relevant literature to demonstrate helpful practices in reporting, investigation and adjudication and determine future steps for improvement. This paper represents an initial foray into how Canadian post-secondary policies and practices can be strengthened to build safety standards with the goal of making campuses equitable, non-threatening and inclusive, especially for women and others at high risk of sexual violence.

As Marshall (1991) writes, institutions that fail to fulfill their responsibilities in preventing and addressing cases of sexual violence commit an institutional breach of trust (p. 76). Our hope is that all post-secondary institutions across Canada will prioritize an end to sexual and gender-based violence and institute effective, appropriate policies and practices to help achieve that goal.

Background: sexual assault and the post-secondary experience

Sexual assault is too often tolerated in our broader society as well as on campuses (Joseph, Gray, & Mayer, 2013). Although people of any gender can experience sexual violence, women are at high risk of victimization and men are overwhelmingly the perpetrators (Ontario Women's Directorate, 2013, p. 4). Canadian research about transgender communities also shows their increased risk of many forms of violence and harassment, including sexual violence (Faulkner, 2006, p. 157; Longman Marcellin, Scheim, Bauer, & Redman, 2013; Scheim, Bauer, & Pyne, 2014).

Fisher, Daigle and Cullen (2010) state that, "despite more than two decades of research, reports in newspaper and magazines, activism and programs on college campuses, there is little evidence that female students are less at risk of sexual assault" (p. 177). Four out of five female undergraduate students surveyed at Canadian universities report experiencing dating violence—that is, physical, sexual or psychological assault by a dating partner—and of that number, 29% report experiencing sexual assault (DeKeseredy, 2011, p. 26; National Clearinghouse on Family Violence, 2006, p. 1). North American research suggests that 15 to 25% of post-secondary-aged women will experience sexual assault in their academic career (Lichty, Campbell, & Schuitman, 2008, p. 6). Since most post-secondary students are women in their early 20s and, in general, young women are at highest risk of sexual assault, the incidence of sexual violence on campuses may be intensified (Sinha, 2013, p. 9; Dale, 2010).

In broader society, some women and groups are at an increased risk of sexual and gender-based violence due to their identities and experiences of marginalization, a reality that may play out on campuses as "microcosms of the larger communities in which they reside" (Barry & Cell, 2009, p. xv; Ontario Women's Directorate, 2013, p.

Some women and groups are at an increased risk of sexual and gender-based violence due to their identities and experiences of marginalization

3). Amongst those who face higher risks are Aboriginal women, women with disabilities and transgender individuals (Brennan, 2011, p. 5; National Clearinghouse on Family Violence, 1993, p. 2; Vecova Centre for Disability Services and Research, 2011, p. 6-7; Rainbow Health Ontario, 2012).

Alcohol and drug-facilitated sexual assault on campus is a concern given rates of drinking and substance use on Canadian campuses (Adalf, Demers, & Gliksman, 2005, p. 33; Ontario Women's Directorate, 2013, p. 6). While alcohol is often named as a cause of campus sexual assault, studies demonstrate that perpetrators may drink to excuse or justify their behaviour, and other variables such as impulsivity and peer group norms can lead to both increased alcohol consumption and sexual assault perpetration (Abbey, 2002, p. 119-120; Abbey & Jacques-Tiura, 2011, p. 2883; Abbey, Parkhill, Jacques-Tiura, & Saenz, 2009, 1339; Schwartz, DeKeseredy, Tait, & Alvi, 2001, p. 645-647).

Daigle, Fisher and Cullen (2008) explore repeat perpetration, noting its prevalence and the dearth of suitable post-secondary programs and policies to address it. For example, a study of US university students found that while over six percent of respondents admitted to committing rape or attempted rape, four percent of those respondents accounted for 28% of all of the reported sexual assaults (Lisak & Miller, 2002, p. 80). Other researchers have examined peer influence amongst men-only groups such as those common to campuses and how they are prone to “encourage, justify and support abuse of women by their members” (DeKeseredy & Schwartz, 2013, p. xvi).

Whether on campus or in society at large, most survivors/victims do not report their experience of sexual violence to authorities—only one in ten sexual assaults are reported to police (Brennan & Taylor-Butts, 2008, p. 6). Survivors/victims may not report for many reasons including fear of reprisal and exposure, peer pressure and/or lack of faith in the reporting process (Ontario Women’s Directorate, 2013, p. 8-9; Fisher et al., 2007, p. 69-79; Perreault & Brennan, 2010, p. 14). The reactions of some first responders may magnify these fears and concerns as the process of reporting can make survivors/victims “feel victimized for a second time” (Tiller & Baker, 2014, p. 4). Reporting is least likely to occur where the attacker is known to the survivor/victim, and research indicates that some survivors/victims carry unique concerns in reporting victimization (Campbell-Ruggard & Van Ryswyk, 2001, p. 289). For instance, racialized women are hesitant to report due to factors such as fear of racism, a history of negative experiences with authorities and fear of being disbelieved (Olive, 2012, p. 4-5). In the case of women with disabilities, fear of losing access to basic services and being seen as “unreliable witnesses” can block them from reporting (Vecova Centre for Disability Services and Research, 2011, p. 10). Regardless of whether a sexual assault is reported, it can have dire consequences for a student’s physical and mental well-being, academic achievement and access to education (Ontario Women’s Directorate, 2013, p. 8).

Given the complex interplay of factors involved in sexual victimization, a coordinated approach for prevention and intervention is a necessity. Policies are a core component of the total campus response to sexual violence, which should include a variety of other elements including services for those who are victimized, educational initiatives and monitoring and evaluation of interventions (Lichty et al., 2008, p. 6, 13). As the American Association of University Professors (2013) writes, “careful attention to policy demonstrates the institution’s resolve to reduce rates of campus sexual assault on a continuing and sustained basis” (p. 99-100).

Sexual assault policies: challenges and needs

Snapshot review

Effective, well-communicated policies help create “an environment where everyone on campus knows that sexual violence is unacceptable, victims receive the services they need, and perpetrators are held accountable” (Ontario Women’s Directorate, 2013, p. 11). To get an initial sense of the Canadian campus context, METRAC carried out an

informal “snapshot” review of relevant policy documents of 15 post-secondary institutions.

- Number of universities reviewed: 10
- Number of colleges reviewed: 5
- Provinces where reviewed universities and colleges are based: Alberta (1), British Columbia (2), Manitoba (1), New Brunswick (2), Nova Scotia (1), Ontario (4), Prince Edward Island (1), Quebec (2), Saskatchewan (1)

Effort was made to include universities and colleges from the majority of provinces and cover a variety of sizes and types of institutions. Only institutions that have relatively easy-to-find online policy and procedure documents were included in the sample. Reviewed documents include:

- sexual assault-specific policies
- student codes of conduct
- student disciplinary processes
- discrimination, harassment and violence-related policies that address sexual assault behaviours
- complaint procedures

Results

Factors assessed	Yes	No	Unclear	Not applicable
Is there a specific sexual assault policy?	3	12	0	0
Do policies, general or sexual assault-specific, include a comprehensive definition of sexual assault?	3	11	1	0
Do policies, general or sexual assault-specific, address conflict of interest for those tasked with following up on a report of sexual assault?	7	7	1	0
Do policies stipulate confidentiality in complaint reporting and follow-up process?	8	3	3	0
Are complainant rights in the complaint reporting and follow-up process outlined?	2	12	1	0
Do policies outline interim measures to protect complainants and the campus community while a complaint is being followed up on?	11	3	1	0
Do policies appear to allow for mediation or informal resolution to follow up with reports of sexual assault?	9	1	3	1
Do policies, general or sexual-assault	0	9	5	1

specific, stipulate that those leading investigations, hearings or mediations must be trained on issues of sexual violence?				
Do policies state that the complainant has the right to representation, a support person or an advocate in mediations, hearings and/or investigations?	10	3	1	1
Do policies, general or sexual assault-specific, state that lesser violations of school policies on the part of the complainant (e.g. alcohol policies) will be excused in a case of sexual assault?	0	14	0	1
Do policies, general or sexual assault-specific, explicitly prevent irrelevant inquiries into the complainant's sexual history?	0	14	0	1
Do policies say a complainant has the right to be informed of the result of an investigation, hearing or disciplinary process?	10	1	3	1
Do policies say a complainant has the right to appeal the decision of mediations, hearings and/or investigations?	8	4	2	1

This review is preliminary, incomplete and excludes documents not easily accessible to the public online, but it suggests that some post-secondary institutions lack comprehensive policies to deal with sexual assault. Many of the reviewed policies are not specific to sexual assault and/or do not include a comprehensive definition of sexual assault. Many do not clearly detail the rights of complainants, nor do they stipulate that those following up on sexual assault reports be trained on the issue. In the case of most institutions reviewed, there are also multiple policies, procedures and guidelines that could apply to situations of sexual assault. The resulting overlap and intersections can reduce consistency and clarity in practice. An in-depth review of all Canadian post-secondary policies is required to fully understand their strengths and pitfalls.

The following directions for post-secondary sexual assault policies are culled from research, articles and reports based in the United States and Canada. Although the social and legal situation in the United States is different to that of Canada and the context of each country is unique and varies internally across regions, these policy directions are nonetheless relevant and useful to apply to Canadian universities and colleges.

Directions for comprehensive policies

General

METRAC's analysis of sample policies demonstrates that most institutions reviewed do not have a sexual assault-specific policy. Many encompass sexual assault behaviours under harassment, discrimination and/or misconduct policies. However, post-secondary institutions must treat sexual assault as distinct from other kinds of misconduct given its gendered power dynamics and the unique challenges faced by those who are victimized (California Campus Sexual Assault Task Force, 2004, p. 14; Cook, 2010, p. 16-17. Block (2012) explains that it is best to create a "separate and distinct sexual harassment policy that covers faculty, staff and students"—a specific policy for sexual assault would be similarly important (p. 65).

Policies must explicitly define key terms such as "consent", "force" and "incapacity" and cover the range of sexually violent behaviour including distributing sexual images or video without consent (Cook, 2010, p. 16-17; Bohmer & Parrot, 1995, p. 45; Ontario Women's Directorate, 2013, p. 16; Krishovey, Hayes, Klein, Nemeth, & Adkins, 2013, p. 142-147). Policies should address off-campus assaults, assaults against campus visitors and campus-based groups that engage in practices that condone sexual violence, and they must be developed in ways that include student voices (Bohmer & Parrot, 1995, p. 42; White House Task Force to Protect Students from Sexual Assault, 2014, p. 2; Tamborra & Narchet, 2011, p. 16-17).

From METRAC's review of sample policies, it appears that rights of the respondent to a complaint of sexual violence are more often articulated than rights of the complainant. Bohmer and Parrot (1993) state that institutions that handle sexual assault best are "those who recognize that it is appropriate to provide parallel rights to both the victim and the defendant" (p. 80). Instituting a fulsome survivor/victim "bill of rights" is a useful practice to this end (Ontario Women's Directorate, 2013, p. 15; California Campus Sexual Assault Task Force, 2004, p. 31). Policies should also detail the institutional response to survivors/victims to ensure "consistency in treatment, referrals, and services" (Amar, Strout, Simpson, Cardiello, & Beckford, 2014, p. 581).

Accessibility and the campus community's understanding of policies and procedures are important to their application

Beyond the written policies themselves, accessibility and the campus community's understanding of policies and procedures are important to their application. For instance, information about sexual assault policies and incidents must be distributed in formats and language suited to the needs of students with disabilities, and all of this information should be easy for anyone to find (Langdon, 2012, p. 23; Yoshida, Odette, Hardie, Wills, & Bunch, 2009, p. 1850; Krishovey et al., 2013, p. 146). Awareness-raising mechanisms such as special orientation training should be implemented to build familiarity with sexual violence policies and practices, because "one cannot assume that just because

a policy is published it will be read and understood” (Potter, Krider, & McMahon, 2000, p. 1359).

Reporting, investigation and adjudication

Robust processes for reporting, investigating and adjudicating sexual assault cases are essential. Carr and Ward (2006) note that “any policy or procedure that compromises, or worse, eliminates the student’s ability to make her/his own informed choices about proceeding through the reporting and adjudication process ... not only reduces reporting rates but may be counter-productive to the victim’s healing process” (p. 307). Policy problems can include:

- a lack of confidential and/or online reporting options (Fisher et al., 2007, p. 72; Fisher et al., 2010, p. 187).
- discouragement to report incidents to the police (Loreng, 2001, quoted in Cantalupo, 2010, p. 58; Raphael, 2013, p. 162).
- failure to provide interim measures to protect and support the complainant (Schwartz & DeKeseredy, 1997, p. 158).
- a requirement that those who file complaints must participate in an adjudication process (Fisher et al., 2007, p. 73).

Reporting

Both the Ontario Women’s Directorate (2013) and the White House Task Force to Protect Students from Sexual Assault (2014) stress the importance of instituting a team of specially trained first responders and advocates who, among other things, help survivors/victims make reports, develop safety plans and access services and accommodations (p. 12-13; p. 3). A Sexual Assault Response Team model consisting of on and off-campus health care providers, sexual assault advocates, law enforcement and other disciplines can be effective in these functions (Barry & Cell, 2009, p. 3-6, 10-3). Efforts must be made to ensure this team reflects “voices of those members of campus communities who are traditionally marginalized (e.g., lesbian, gay, bisexual, transgender [LGBT] students; students of color; students with disabilities) or who are at differential risk” (Lichty et al., 2008, p. 8). At the same moment, faculty and staff often find themselves in the position of first responders with students. It is thus essential to provide them with tools and training to assist and explain relevant procedures and services (American Association of University Professors, 2013, p. 98-99).

Respect for complainant choice and confidentiality is of high importance in reporting, at the same time that institutions have a responsibility to reduce risks to their communities. Even if a student chooses not to proceed with a complaint process, a university or college can institute various procedures to continue investigating a report of sexual violence (Block, 2012, p. 66).

Policies must detail exactly what happens when a report is made and options for survivors/victims to contact law enforcement and pursue legal recourse apart from campus mechanisms. Connected to that, policies should outline processes to ensure

effective coordination between on and off-campus law enforcement and services (Schwartz & DeKeseredy, 1997, p. 156; American Association of University Professors, 2013, p. 96). They should list available supports, how to request a change in academic or living situations and allow for immunity on lesser policy violations that may have been committed by the complainant during the incident, such as breeches of policies on alcohol consumption (California Campus Sexual Assault Task Force, 2004, p. 32). To be effective, policies should also identify who is notified when a sexual assault is reported, how notification is done and how the complainant's needs are considered in the notification process (Schwartz & DeKeseredy, 1997, p. 157). A checklist developed by the White House Task Force to Protect Students from Sexual Assault (n.d.) to evaluate the strength of policies includes defined confidentiality options and requirements so students understand "what information will be kept confidential and what information may be disclosed, to whom it will be disclosed, and why" (p. 5).

Policies should outline processes to ensure effective coordination between on and off-campus law enforcement and services

Cantalupo (2010) notes that institutions risk liability when failure to protect a survivor through separation and other protective measures results in further harassment or assault (p. 62). An array of measures must be available to guard the safety of those who report sexual violence, such as no contact orders and changing the on-campus living situation of the accused person(s) (Block, 2012, p. 66; Bohmer & Parrot, 1995, p. 43; Cantalupo, 2010, p. 62).

Following up on a report

Methods to follow up on sexual assault reports can range from investigations to mediations and/or hearings. Triplett (2012) acknowledges the differences between campus adjudication and criminal law proceedings, noting that "although the same conduct might be adjudicated in both systems, the systems themselves and their attendant levels of victim protection and due process are distinct" (p. 492). At any rate, procedural safeguards must be in place in the campus complaint process to prevent arbitrariness and capricious dealings (Douglas, 2001, p. 221).

In METRAC's review of sample policies, clear direction for adjudicators, mediators and investigators to receive specialized training and/or hold specific expertise on sexual assault could not be identified. But expertise in the dynamics of sexual violence is important to the success of policies and practices to deal with these behaviours (Block, 2012, p. 66; Amar et al., 2014, p. 588).

Conflict of interest and actual or perceived bias that can result is a problem regardless of the type of process used to deal with sexual violence cases, especially in smaller institutions, and it must be addressed through policy (Bohmer & Parrot, 1993, p. 93). Policies must also prevent irrelevant inquiries into a complainant's prior sexual history, again regardless of the process used (California Campus Sexual Assault Task Force, 2004, p. 32; Bohmer & Parrot, 1995, p. 43).

The particular dangers of mediation to follow up on campus sexual assault reports have been identified

The particular dangers of mediation to follow up on campus sexual assault reports have been identified. For example, the California Campus Sexual Assault Task Force (2004) concludes that power imbalances inherent to sexual assault make mediation unhelpful (p. 32). Cook (2010) says it places too much

pressure on the survivor/victim and takes advantage of self-doubts (p. 17). In Lancaster and Waryold's (2008) *Student Conduct Practice: the Complete Guide for Student Affairs Professionals*, mediation is deemed inappropriate for sexual assault and any other violent behaviours (p. 110).

Overall, campus proceedings can be secretive and difficult to understand (American Association of University Professors, 2012, p. 99). A US-based study found that 33.5% of examined colleges used judicial or disciplinary hearings, and of that percentage, only 45.8% detailed a written explanation of the hearing process in their policy documents (Fisher et al., 2010, p. 188). Similar research about Canadian institutions is not available, but METRAC's "snapshot" review suggests a need for greater transparency with respect to how such processes are conducted and decisions are made. Ensuring campus community members know what to expect and the reasoning applied to dispositions is essential to building safety and demonstrating a commitment to end sexual violence. Good practices in adjudication include elements such as:

- acknowledgement of competing rights and interests of the complainant and respondent to reduce barriers to justice for complainants;
- options for closed or private hearings;
- balancing disclosure of witnesses and evidence to all parties with privacy interests;
- practices to support witness involvement such as excusing them from class to encourage their testimony;
- allowing both respondent and complainant the option of an advisor, advocate or legal counsel and support person;
- allowing for videotaped testimony from the complainant and/or physical separation from the respondent;
- cross-examination structured to protect the complainant from harm;
- consideration of victim impact statements;
- notifying all parties of the outcome, not only the respondent;
- granting a right of appeal to the complainant as well as the respondent; and
- a quick resolution, ideally within a month's timeframe (Cantalupo, 2010, p. 66; Cooke, 2010, p. 16-17; Bohmer & Parrot, 1993, p. 90; California Campus Sexual Assault Task Force, 2004, p. 27; Lancaster & Waryold, 2008, p. 78; Triplett, 2012, p. 516-517, 521, 524-525).

Many of these good practices can be applied to investigations that do not include a hearing.

Note: legal framework for sexual assault complaints on campus

It is important to understand the Canadian legal context that applies to adjudication processes in post-secondary institutions. A university or college campus hearing that deals with a sexual assault complaint is very different from a criminal trial. The provincial statute or Act that incorporates a university or college is what creates the basic legal framework that allows for campus hearings. The statute may set out specific procedures for the university or college to follow to ensure the hearing process is fair. Therefore, elements of “procedural fairness” that may be required in a sexual assault hearing are first dictated by the statute. But if the statute does not include specific rules, common law principles of procedural fairness fill the gap.

Under common law, a “duty of fairness” usually applies in decision-making settings where an individual’s rights, interests or privileges are affected. Once it is determined that there is a duty of fairness, the actual procedures that must be followed to ensure fairness vary according to context, considering the following factors:

- nature of the decision and the process followed—the more the process resembles a judicial hearing, the more “trial-like” procedures are required
- nature of the statutory scheme—if the decision is final rather than preliminary or there is no chance for appeal, the greater the requirement for procedures to ensure fairness
- importance of the decision to the individual affected—the more important the decision and its impact is to the people involved, the greater the requirement for procedures to ensure fairness
- legitimate expectations of involved people about the process that will be followed
- procedure chosen by the tribunal—for example, if a tribunal chooses a procedure related to its expertise, that will be taken into consideration

Common law rules for university and college hearings into complaints of sexual assault are fairly clear with respect to the rights of the respondent—that is, the person accused of sexual assault. Some procedures which have been required to protect the rights and interests of a respondent include:

- disclosure of the case against them
- opportunity to respond to allegations before a decision is made
- in-person hearing when credibility is an issue
- legal representation
- opportunity to cross-examine witnesses when credibility is an issue
- access to reasons for the decision
- impartial decision-maker(s)

Rules are less clear with respect to ensuring fairness for and protecting the interests of the complainant. Issues that may be relevant for the complainant include the right to:

- hear and reply to the respondent's defence
- choose to attend or not attend a hearing with the respondent
- be assisted or represented by a support person or lawyer
- cross-examine the respondent and witnesses
- privacy
- receive reasons for the decision
- have an impartial decision-maker(s)

In addition to common law rules, human rights laws might also apply to an institution's hearing process. For instance, if the general process does not show sensitivity to issues of gender and leads to a negative impact on female complainants, it may be seen as "adverse effect discrimination" based on sex under the *Ontario Human Rights Code*.

An institution may also go beyond minimum legal requirements for procedural fairness and establish additional best practices for hearings into sexual assault to respect interests of both the complainant and respondent. A useful practice could be to require all students to accept and follow a code of conduct as a condition of admission to the institution. Expectations for conduct, an explanation of individual rights and duties and the complaint process for sexual assault should be communicated clearly and broadly to all campus community members on a regular basis.

Outcomes and tracking

In terms of case outcomes, Schwartz and DeKeseredy (1997) advocate for making final decisions of disciplinary processes public. They note that "the problem with secrecy ... is that the campus rumour mill will presume that cases never heard about again were dropped without penalty" and that "penalizing rapists and then keeping in secret negates the entire point of general deterrence" (p. 161). However, in the interest of safety and privacy for complainants, this decision should be considered on a case-by-case basis with survivor/victim needs at the forefront, and all factors considered in decisions about whether or not to make case outcomes public must be detailed in sexual assault policies.

Related to disclosing case outcomes is the overall tracking of campus sexual assaults. In the US context, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (2012) requires federally funded colleges and universities to keep and disclose information about crimes that happen on or near their campuses, including violent crime. Neither Canada nor its provinces have enacted such overarching requirements, making it difficult to evaluate risks at particular institutions and successes of their interventions to reduce sexual assault.

Future directions

Review policies and practices across institutions.

Although many promising practices in sexual assault policies applicable to North American universities and colleges have been identified, it is unclear how Canadian post-secondary institutions are conforming to them. A comprehensive review of post-secondary policies with respect to reporting, adjudication and tracking of sexual assault is required to identify what must be done to improve them.

Examine policy implementation.

Even well-written policies are only as effective as their implementation, and promising practices require monitoring and evaluation to understand if they are truly working as best practices to reduce harm and build safety. Research about sexual assault protocols tends to focus on due process concerns rather than on their effect on students. However, the experiences of survivors/victims and the voices of advocates and support workers on campuses and surrounding communities are crucial in the exploration of policy implementation (Amar et al., 2014, p. 580). At the same time, it is important to explore how policy implementation impacts campus members at higher risk of sexual victimization and/or who tend to have less access to appropriate, relevant supports. This includes students with disabilities, Aboriginal students, international students, racialized students and lesbian, gay, bisexual, transgender, two-spirit, queer, questioning and intersex students.

Implement standards for campus sexual assault policies.

Canada and its provinces do not outline overarching standards for campus sexual assault policies. This gap has led to differing practices from institution to institution and may compromise student safety and willingness to report violence; monitoring and evaluation of policies; and overall access to justice.

Given the known harms of sexual violence and its impact on our educational system, governmental strategies to improve campus policies and practices are warranted. Provincial and federal standards that detail institutional responsibilities, protections and rights for survivors/victims, transparency mechanisms and accountability measures to ensure compliance are critical for universities and colleges to become safer learning environments that fulfill the trust students and the broader society place in them.

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Academic reviewer comments

Professor Mary Bunch

“It is a national travesty that campus rape culture is so prevalent, and that female students are persistently at such high risk of sexual violence. The cost of getting an education should not be so high! This report is an important step in assessing what Canadian universities and colleges are doing about this crisis, and signals a need for a more in depth review of policies and practices that hinder or foster safety and impact whether or not campuses are equitable and inclusive of everyone.”

Dr. Gail Hutchinson

“As a Psychologist and Director of a University Counselling Centre, I am aware of the enormity of the issue of sexual assault on campuses and of the devastating effects on the lives of so many women students. With all of the attention this issue has received over the past thirty years, there is no indication that the scope of the problem has been reduced. METRAC makes compelling arguments for the types of improvements in policies and procedures that are required in order to move forward in achieving real changes in the manner in which this issue is viewed and handled on campuses across the country.”

Dr. Charlene Senn

“Researchers on university campuses in North America have been documenting the alarming rates of sexual violence experienced by female students for nearly 30 years. Student and community activists have long struggled to influence university administrations to take action to better serve the needs of survivors, hold perpetrators accountable, and take steps to educate campus communities and prevent sexual violence. In the US, federal government action (particularly the Violence against Women Act and recent Obama taskforce report) has supported these efforts although the situation is far from remedied. In Canada, without similar funding, requirements or recommendations, we have little or no documentation of the policy situation at universities across the country. It is likely that we have made little systematic progress. This report by METRAC pushes the issue of sexual violence campus policies into the spotlight and provides a welcome starting point for renewed discussion and action.”

Professor Elizabeth Sheehy

“This report comes at a critical juncture for Canadian universities and colleges, as we struggle to come to grips with sexual violence by and against students. Incidents at several institutions over the last two years – sexual assault and rape-promoting chants, campaigns and men’s groups targeting feminists and feminism on campus – have forced universities to re-examine, through task forces and policy changes, how they respond to misogyny and sexual violence and threat by and against students. This important document leads the way by putting the challenges ahead into a broader legal context and by identifying key steps, including further research, that must be undertaken to provide these institutions with the best practices available to create a non-discriminatory and safe environment for all students and to respond fairly, promptly and compassionately to sexually violence.”