



SEXUAL VIOLENCE AND MISCONDUCT PREVENTION, EDUCATION AND SUPPORT

March 30, 2017

GP-44

May 20, 2021

May 20, 2024

Policy Authority: Vice-President, Academic and Provost

EXECUTIVE SUMMARY

This policy commits SFU to establish a Sexual Violence and Misconduct Support and Prevention Office through which to provide trauma-informed support for members of the university community affected by sexual violence and misconduct and coordinated and comprehensive education and training about sexual violence and misconduct. This policy also requires the University to establish fair processes for managing and investigating reports about such conduct and establishes a framework for doing so.

	PROCEDURAL FAIRNESS	9
10.0	CONSEQUENCES AND OUTCOMES	10
11.0	RELATED LEGAL, POLICY AUTHORITIES AND AGREEMENTS	10
12.0	ACCESS TO INFORMATION AND PROTECTION OF PRIVACY	11
13.0	MULTIPLE PROCEEDINGS.....	12
14.0	RETENTION AND DISPOSAL OF RECORDS.....	12
15.0	POLICY MONITORING, EVALUATING, REVIEW AND REPORTING	12
16.0	POLICY AUTHORITY	12
17.0	INTERPRETATION	13
18.0	PROCEDURES AND OTHER ASSOCIATED DOCUMENTS.....	13

1.0 PREAMBLE

1.1 Simon Fraser University (“the University”) values and promotes the health, safety and well-being of individuals and the community. The University does not tolerate sexual violence and misconduct. With this policy, the University commits to:

1.1.1 R4.6 (he)-6.8 (ni)17.z(nc)-12.5 (e)31 (t)-4.6 (he)31nd niversityl/MCID 0 t t 1.1

1.1.11 Report regularly to the University Community about the outcomes of this policy and its associated procedures.

2.0 PURPOSE

2.1 The purpose of this policy is to affirm the University's commitment to maintaining and enhancing a safe and healthy campus for all members of the University Community and to state the University's commitment to addressing Sexual Violence and Misconduct by making available:

2.1.1 coordinated and comprehensive training and education for reducing, preventing, and responding to Sexual Violence and Misconduct for members of the University Community;

2.1.2 coordinated and comprehensive trauma-informed support for members of the University Community affected by Sexual Violence and Misconduct; and

2.1.3 clear and fair processes for managing and investigating Reports of Sexual Violence and Misconduct and, where appropriate, for establishing consequences and discipline.

2.2 This policy must be read, interpreted, and applied within the context of these overarching purposes.

3.0 SCOPE and JURISDICTION

Prohibited Conduct

3.1 Acts of Sexual Violence
2.2

knowledge and experience in reducing, preventing, and responding to Sexual Violence and Misconduct.

- 5.3 The Sexual Violence Support and Prevention Office (“Office”) will facilitate Reporting an incident of Sexual Violence and Misconduct pursuant to section 8 of this policy when requested by a Survivor, and it will provide the Survivor with confidential and ongoing support, but the Office will not be an advocate for any member of the University Community, nor will it have a role in investigations or disciplinary actions.

6.0 AWARENESS, EDUCATION AND TRAINING

- 6.1 In cooperation with relevant partners, the Sexual Violence Support and Prevention Office will oversee, develop, and coordinate a proactive and sustained education plan for the University Community that may include a combination of campaigns, on-line and in-person training sessions, workshops, print and on-line resources, programs, and other events on a range of topics related to:
- 6.1.1 reducing, preventing, and responding to Sexual Violence and Misconduct; and
 - 6.1.2 providing support for members of the University Community affected by Sexual Violence and Misconduct.
- 6.2 The Sexual Violence Support and Prevention Office will facilitate the inclusion of educational materials related to Sexual Violence and Misconduct in student and employee orientation and will be available to consult with individual faculty members, departments, and faculties in the development of course materials and program curriculum.
- 6.3 The

7.3 A member of the University Community who receives a Disclosure should treat the Survivor with compassion, dignity, and respect. They should ensure that the Survivor is aware of this policy and inform the Survivor that the

Report to the other office. However, an incident fully investigated under one policy will not be investigated under the other policy.

8.5.2 to initiate, as a Complainant, one of the following processes through the Sexual Violence Support and Prevention Office:

- a. if the Respondent is a student, the Sexual Violence Support and Prevention Office will direct the matter to the Office of Student Support, Rights and Responsibilities pursuant to the Student Conduct Policy (S 10.05) for investigation and further steps;
- b. if the Respondent is an employee of the University covered by a collective agreement, the Sexual Violence Support and Prevention Office will direct the matter to the (r)-14.8 (s)-2.3 (i)17.1 (t)-26.3 (y)11 ()--hehh,

- 9.3 Investigations must comply with all relevant provisions in an applicable collective agreement or policy, including notice requirements, timelines, and other process issues.
- 9.4 A Complainant and a Respondent shall each be advised of the procedures that will be followed.
- 9.5 A Respondent shall be advised of the allegation and shall be given an opportunity to respond.

10.0 CONSEQUENCES AND OUTCOMES

- 10.1 A Respondent who is found to have committed an act of Sexual Violence and Misconduct will be held accountable by the University and may be subject to consequences which may include disciplinary action up to and including suspension or termination, pursuant to the Student Conduct Policy (S 10.05) for students, or the applicable collective agreement, employment contract or relevant policy for employees.
- 10.2 The University will provide a Complainant who initiates a process under section 8.5.2 with the outcome of the Report that was made.

11.0 RELATED LEGAL, POLICY AUTHORITIES AND AGREEMENTS

- 11.1 The legal and other University Policy authorities and agreements that may bear on the administration of this policy and may be consulted as needed include but are not limited to:

- 11.1.1 *University Act*, R.S.B.C. 1996, c. 468

- 11.1.2 *Freedom of Information and Protection of Privacy Act*

11.1.12 Employee collective agreements and relevant human resources policies.

12.0 ACCESS TO INFORMATION AND PROTECTION OF PRIVACY

12.1 The information and records made and received to administer this policy are subject to the access to information and protection of privacy provisions of British Columbia's *Freedom of Information and Protection of Privacy Act* and the University's Information Policy series.

12.2 To the extent possible, the information and records will be treated in a confidential manner, in compliance with the Act and with applicable University's policies, including the Student Conduct Policy (S 10.05) and its related procedures, and with the relevant collective agreement.

12.3 A University employee who receives a Disclosure or a Report or who is involved in addressing or investigating it must:

12.3.1 make every reasonable effort to protect personal information and maintain confidentiality;

12.3.2 collect the minimum information about individuals that relates directly to and is necessary to respond to a Disclosure or Report, which9 (r)-36.8.5 (b)5 lo 5E255nr o-h-26.7 (a) (c)9 (r)24)26

17.0 INTERPRETATION

17.1 Q