DALHOUSIE UNIVERSITY **Sexualized Violence Policy**	*Policy Sponsors:* Senate Board of Governors	*Approval Date:* Senate: May 14, 2018 Board: June 26, 2018
	Responsible Unit(s): Human Rights & Equity Services	*Revisions:* Senate: June 20, 2019 June 14, 2021 May 12, 2025 May 25, 2026 Board: June 25, 2019 June 22, 2021 June 24, 2025

A. Background and Purpose

The University occupies a special place in society as an intellectual community with a responsibility for the discovery and sharing of knowledge. This aspiration can only be fulfilled with a commitment from all Members of the University Community[1] to a living, learning and working environment that is free of discrimination, harassment and violence.

Sexualized Violence is a complex and serious problem in society and at post-secondary institutions. It is inherently connected to inequality and power imbalances and can affect individuals of all gender identities, gender expressions, and sexual orientations, as well as those of all ages, abilities, racial, cultural and economic backgrounds. The impact of Sexualized Violence is exacerbated for those at the intersections of multiple social locations for whom additional barriers exist, with disproportionately adverse impacts on queer and trans, Indigenous, Black, people of colour, and related to individuals' race, age, ability, and class.

These factors, along with an individual's personal history, affect individual experiences of Sexualized Violence, reactions and coping, including the ability to access supports and recourse options. The University recognizes that Sexualized Violence is under-reported for a variety of reasons, including shame, stigmatization, self-blame, and fear of re-traumatization, reprisals, isolation, ostracism or of being dismissed or disbelieved. The University also recognizes that post-secondary institutions are unique environments in which power imbalances are inherent and systemic.

Sexualized Violence undermines the full, free and safe participation of all Members of the University Community by creating intimidating, hostile or unsafe living, learning and working conditions, environments and experiences, which can negatively impact an individual's academic and/or employment performance and status.

[1] Capitalized terms are defined in section C below.

The University can play a significant role in preventing and remediating Sexualized Violence, including by:

a) ensuring that the nature, types and impacts of Sexualized Violence are well understood by Members of the University Community;

b) transparently and consistently setting and applying expectations for conduct;

c) supporting Complainants when they seek assistance from the University;

d) providing timely, coordinated, consistent, context-sensitive and fair responses to Disclosures and Reports of Sexualized Violence;

e) taking an educational approach to outcomes whenever possible; and

f) holding Respondents accountable for their conduct in appropriate circumstances.

B. Application

1. This Policy applies to all Members of the University Community, Associates and Visitors.

2. Any Member of the University Community, Associate or Visitor who Discloses Sexualized Violence may access University services and supports.

3. Any Member of the University Community may Disclose or Report, and any Associate or Visitor may Disclose, any experience of Sexualized Violence that is substantially connected to the University. Regardless of whether the Sexualized Violence occurred on or off campus or through any medium, a substantial connection is established when the Sexualized Violence:

    a) occurred in the course of University-related programs, operations, or activities (including but not limited to classes, non-credit courses, offsite conferences, fieldwork or research activities, Advancement events and experiential learning programs such as co-op work placements and field/practicum placements);

    b) occurred within the scope of University employment or while using University-owned or run property or equipment (including but not limited to telephones, computers, and computer networks);

    c) occurred while participating in University-sponsored activities, events or organizations (including but not limited to field trips, athletic team road trips, conferences, training events or social functions);

    d) adversely affects the reasonable participation by a Member of the University Community in their University living, learning, or working environments; or

    e) creates a risk to the physical or psychological health or safety of a Member of the University Community in their University living, learning, or working environments.

4. This Policy applies to an alleged act of Sexualized Violence even if:

a) the Complainant is pursuing processes external to the University, including:

   i. reporting to police; or
   ii. initiating a civil proceeding;

b) the alleged act of Sexualized Violence is the subject matter of an investigation or adjudication by the applicable provincial regulatory body;

c) a University proceeding has been initiated to address an alleged failure to meet standards of professional conduct as required by a College, Faculty or School, and nothing in this Policy in any way precludes the College, Faculty or School from commencing such a proceeding in circumstances where this Policy also applies; or

d) the Dalhousie Student Union is taking action under its disciplinary authority.

5. Members of the University Community continue to have the right to seek assistance from the applicable provincial human rights commission, the criminal justice system, the applicable provincial regulatory body, or University processes for addressing alleged failures to meet professionalism standards, even when actions are being taken under this Policy.

6. This Policy does not replace or supersede existing collective agreement provisions. It also does not replace or supersede applicable legislation.

C. Definitions

1. In this Policy,

a) "Administrative Head" refers to the appropriate Dean, Director, Chair, Associate Vice-President, Provost, Vice-President, President, or other administrator normally responsible for initiating disciplinary action against an employee.

b) "Associate" refers to a person who is not a Member of the University Community who is engaged in activities with the University or its Members and includes, but is not limited to, contractors, agents, affiliates, vendors, service-providers, alumni, donors, prospective donors, corporate or foundation representatives, visiting scholars, and employees of organizations participating in experiential learning opportunities facilitated by the University.

c) "Complainant" refers to the Member of the University Community who has made a Disclosure or Report of a direct experience of Sexualized Violence.

d) "Consent" refers to the voluntary agreement of an individual. It is positive, active and ongoing, and can be withdrawn at any time. Consenting to one kind of sexual act does not mean that consent is given for another sexual act or kind of activity. Consent cannot be obtained where a person is incapable of consenting – as may be the case when intoxicated.

Consent also cannot be given where a person is induced to engage in the activity by someone abusing a position of trust, power or authority.

e) "Designated Supports" – refer to any support persons that a Process Participant needs during any process described in this Policy. Designated Supports take the role of observer or emotional support and do not have independent participation in the process. The Process Participant may speak freely about their experiences with their Supports at any time during the procedures. Support can include but is not limited to parent, friend, Elder, translator, therapist, community-based service provider, or spouse. Designated Supports are subject to confidentiality provisions in section F1 of this Policy.

f) "Disclosure" refers to the sharing of information by a Member of the University Community, Associate or Visitor with the Sexualized Violence Advisor or other Member Designated under section F3(14) of this Policy about a direct experience of Sexualized Violence.

g) "Executive Decision-Maker" refers to the Vice-Provost Student Affairs in the case of a Student Respondent or the Vice-President People and Culture in the case of an employee Respondent.

h) "Intersectional" refers to an approach that acknowledges the integrative nature of social identities and social oppressions, including various forms of violence. An intersectional approach to Sexualized Violence considers the fact that the impact of Sexualized Violence can overlap and interact with experiences of sexism, homophobia, transphobia, racism, classism and ableism.

i) "Investigative Stream" refers to the process where a Report is investigated by an Investigator and where disciplinary, remedial, educational and/or facilitated outcomes may result.

j) "Investigator" refers to the person selected from a pool of qualified, experienced and trained individuals who may be external or internal to the University and available to conduct investigations under the Investigative Stream of this Policy.

k) "Issue of Concern" refers to the sharing of information by a Member of the University Community, Associate or Visitor to an Administrative Head, Human Resources Lead of a faculty or unit, or other trusted individual employed by the University for the purpose of case assessment and support.

l) "Member(s) of the University Community" refer to faculty, staff and Students of Dalhousie University.

m) "Non-Investigative Stream" refers to the process where a Report is addressed without an investigation through remedial, educational and/or facilitated outcomes.

n) “Party” or “Parties” refer to the Complainant(s) and/or Respondent(s) named in a Disclosure or Report.

o) “Policy” refers to the Sexualized Violence Policy.

p) “Process Participant” refers to an individual who participates in any process outlined in this Policy, including but not limited to the Parties, individuals with relevant knowledge of alleged events, or those directly affected by alleged events.

q) “Psychological Safety” refers to an experience of a Member of the University Community of the absence of harm and/or threat of harm to their mental well-being, where “harm” is defined as actual damage or injury, and “threat of harm” is defined as a reasonable apprehension of actual damage or injury. For greater certainty, discomfort and inconvenience do not constitute harm unless they form part of a persistent pattern of conduct that rises to the level of harm or threat of harm.

r) “Report” refers to a written statement of allegations submitted to the Sexualized Violence Advisor, or other Member Designated under section F3(14) of this Policy, about one or more incidents of Sexualized Violence experienced by the Complainant.

s) “Respondent” refers to a Member of the University Community who has allegedly committed an act of Sexualized Violence.

t) “Sexual Assault” is illegal under Canada’s Criminal Code and refers to:

    i. any form of unwanted, forced or coerced sexual activity, including kissing, fondling, touching, and any kind of intercourse, that is done onto the Member of the University Community, Associate or Visitor without their Consent; or

    ii. any attempts or threats, by an act or a gesture, to force sexual activity onto the Member of the University Community, Associate or Visitor, if the person committing the act had or caused the Member of the University Community, Associate or Visitor to believe the person committing the act had the present ability to act on the attempt or threat.

u) “Sexual Harassment” is contrary to provincial human rights legislation and refers to:

    i. vexatious sexual conduct or a course of conduct or comment that is known or ought reasonably to be known as unwelcome;

    ii. sexual solicitation or advance made to a Member of the University Community, Associate or Visitor by another individual where the other individual is in a position to confer a benefit on, or deny a benefit to, the Member of the University Community, Associate or Visitor to whom the solicitation or advance is made, where the individual who makes the solicitation or advance knows or ought reasonably to know that it is unwelcome; or

iii. a reprisal or threat of reprisal against a Member of the University Community, Associate or Visitor for rejecting a sexual solicitation or advance.

v) "Sexualized Violence" refers to an act of violence, whether the act is physical or psychological in nature, that is characterized by an attempt to threaten, intimidate, coerce or engage in any unwelcome behaviour of a sexual nature against a Member of the University Community, Associate or Visitor without that individual's Consent. Sexual Assault and Sexual Harassment are subsets of Sexualized Violence, defined above. Other examples, include, but are not limited to, creating and/or sharing images non-consensually, stalking, voyeurism and non-consensual condom removal. Whether Sexualized Violence under this Policy constitutes Violence as defined by the *Violence in the Workplace Regulations* will depend on the nature of the alleged conduct.

w) "Student" refers to a person registered in or enrolled at the University in any academic work or placement for a program that leads to the recording and/or issue of a mark, grade or statement of performance in a University-recognized Student information system.

x) "Supportive Measures" refer to temporary or permanent adaptations to an employee or Student's living, learning, or working environment and/or workload or duties to reduce or eliminate barriers to full performance or participation due to an experience of Sexualized Violence.

y) "Survivor-Centric" refers to an approach that, wherever possible, seeks to empower the individual who has experienced Sexualized Violence by placing their needs at the centre of decision-making related to support and response.

z) "Systemic Concerns" refer to policies, practices, patterns of behaviour or attitudes that are part of the social or administrative structures of an organization that, whether intentional or not, cause or contribute to the creation of negative experiences in one's living, learning or working environments.

aa) "Trauma-Informed" refers to an approach that takes into consideration the profound and complex physical, psychological, and social (biopsychosocial) impacts of trauma on an individual.

bb) "Trauma-Informed Practices" are intended to minimize the negative impacts of sharing Issues of Concern, Disclosures and Reports, recognizing that processes for responding to Sexualized Violence may, in themselves, be stressful, traumatizing and harmful for Process Participants, especially the Parties. Examples of Trauma-Informed Practices include, but are not limited to:

i. providing Process Participants with choice and flexibility whenever practicable, subject to reasonable limits identified in this Policy;

ii. providing the Parties with as much information in advance as possible, including clarity about their choices regarding confidentiality and privacy;

iii. providing regular updates to and check-ins with Parties, as appropriate;

iv. making best efforts to minimize process delays;

v. eliciting sensitive information from Process Participants on a need-to-know basis so that they are not required to share their experiences multiple times;

vi. refraining from asking irrelevant questions or making assumptions based on irrelevant factors such as sexual history or expression; and

vii. facilitating processes and communications under this Policy with sensitivity to any Intersectionalities, given the social identities of Process Participants.

cc) "Vice-Provost Equity and Inclusion" refers to the head of Human Rights and Equity Services.

dd) "Violence" refers to the definition in Nova Scotia's *Violence in the Workplace Regulations* and includes any of the following:

i. threats, including a threatening statement or threatening behaviour that gives an employee reasonable cause to believe that the employee is at risk of physical injury; and

ii. conduct or attempted conduct of a person that endangers the physical health or physical safety of an employee.

ee) "Visitor" refers to a person who is not a Member of the University Community who is engaged in activities on Dalhousie University's property or with Members of the University Community.

D. Policy

1. The University is committed to maintaining respectful, inclusive and safe campus living, learning and working environments.

2. No Member of the University Community, Associate or Visitor shall commit an act of Sexualized Violence.

D1. Shared Responsibility

1. All Members of the University Community have a shared responsibility to ensure that the University's living, learning and working environments are free from Sexualized Violence. Members who experience or witness conduct that may be prohibited by the Policy are encouraged to share their concerns with an Administrative Head, Sexualized Violence Advisor, or other trusted faculty or staff member.

D2. Intimate Personal Relationships

1. Members of the University Community in positions of power, trust and authority (including but not limited to leading, managing, teaching, advising, supervising, mentoring or evaluating) are responsible for maintaining integrity and professionalism in their relationships with other Members of the University Community. The onus is on the individual in a position of power to set and maintain appropriate relationship boundaries.

2. No Member of the University Community shall use or abuse a position of power, trust or authority to coerce intimate or sexual activity with another Member of the University Community. Consent cannot be given where a person is induced to engage in the activity by someone abusing a position of trust, power or authority.

3. Where a consensual intimate personal relationship between Members of the University Community may give rise to a conflict of interest, the relationship must be promptly disclosed to the applicable Administrative Head, who will address the matter according to the University's Conflict of Interest Policy.

D3. University Response to Disclosures & Reports

Procedural Commitments

1. Disclosures and Reports of Sexualized Violence shall be addressed under this Policy in an equitable manner without regard to the Parties' title, position, authority, financial or professional successes, public reputation or status.

2. The University will strive to provide Sexualized Violence response and support that is:

    a) confidential, within the limits defined below;

    b) respectful of the dignity and privacy of individuals;

    c) non-judgemental, empathic and compassionate;

    d) Trauma-Informed;

    e) timely;

    f) transparent;

    g) accessible;

    h) culturally relevant and intersectional;

    i) Survivor-Centred;

    j) respectful of the rights of all Process Participants; and

    k) consistent with principles of due process and procedural fairness.

3. The University is committed to making every reasonable effort to ensure procedures under this Policy are completed as expeditiously as possible. The University acknowledges, however, that time frames will vary depending on the circumstances involved.

4. Human Rights & Equity Services shall provide information about Supportive Measures and process options, including potential Student or employee accommodations, immediate and interim measures, and potential process outcomes to the Parties through separate advisors.

Student Amnesty

5. The University recognizes that some individuals and those impacted by Sexualized Violence may be reluctant to come forward or provide information if they fear sanction for personal use or possession of alcohol or other substances contrary to University policy or rules. The University will not use information from a Disclosure or Report of Sexualized Violence to initiate disciplinary proceedings against a Student Complainant or any other Student witness for violations relating to drug or alcohol use at the time the alleged Sexualized Violence occurred.

Anonymous Concerns

6. Any Member of the University Community, Associate or Visitor may anonymously or confidentially convey an Issue of Concern about an act of Sexualized Violence to the Sexualized Violence Advisor, who may, in consultation with the Executive Decision-Maker, decide to initiate a University Report pursuant to section F5(3 – 4) of this Policy.

7. Alternatively, information provided by the anonymous source may be used as the basis to engage a process aimed at addressing Systemic Concerns or assessing the climate of the living, learning or working environment in which the Issue of Concern arose.

Immediate and Interim Measures

8. When necessary, the University will put in place appropriate immediate or interim measures against the Respondent and offer Members of the University Community, Associates or Visitors involved in an alleged incident of Sexualized Violence appropriate Accommodations to protect against possible further harm to the Complainant, and to support, where possible, the continued living, learning, or working needs of all Process Participants.

No Retaliation

9. The University will not tolerate any retaliation or the threat of retaliation against any person on account of sharing an Issue of Concern, making or expressing an intention to make a Disclosure or Report, or on account of evidence or assistance given with respect to a Disclosure or Report under this Policy. Such retaliation is considered to be a serious offence and may constitute grounds for disciplinary action under the Code of Student Conduct (for Students) or applicable collective agreement or handbook (for employees).

D4. Information & Training

1. Human Rights & Equity Services shall develop and disseminate information and Trauma-Informed training on how to appropriately support and refer Members of the University Community, Associates and Visitors who share information about an experience of Sexualized Violence.

2. Human Rights & Equity Services shall develop and disseminate information and training on Sexualized Violence to the Senate Discipline Committee and any other Members of the University Community involved in the administration and processing of Reports.

3. Human Rights & Equity Services, in collaboration with on-campus and off-campus groups, including student groups, will develop and implement strategic initiatives related to campus Sexualized Violence prevention. These initiatives will include an annual education strategy that includes campaigns, training sessions, workshops, print and online resources, programs and events on topics related to Sexualized Violence on campus, including Consent and rape culture. Training and education will also be provided on this Policy, the prevention of Sexualized Violence, and responding to Sexualized Violence, including bystander intervention.

E. Administrative Structure

1. Authority: This Policy falls under the joint authority of the Board of Governors and Senate.

2. Responsible Unit: Human Rights & Equity Services is the unit responsible for the administration of this Policy.

3. Sexualized Violence Advisors in Human Rights & Equity Services are trained to help individuals who have experienced Sexualized Violence. Advisors offer Parties confidential support, crisis intervention, liaise with medical/legal/police services as needed, coordinate safety plans with Security Services, refer Parties to counselling and ongoing support, advise Parties on possible Supportive Measures and processes outlined in this Policy, and provide other consultation and case management services (including incident logging). They consult and liaise with university partners in Student Affairs, People and Culture, Security Services and Administrative Heads, as appropriate.

4. The President's Advisory Committee on Sexual Violence is responsible for working through, and with, Human Rights & Equity Services to provide advice on the strategic planning, implementation, monitoring and evaluation of this Policy and the University's Sexualized Violence Prevention and Response Strategy.

5. Annual Reporting by Human Rights & Equity Services: The Vice-Provost Equity and Inclusion or their delegate will deliver an annual report to Senate and Board of Governors, through the President's Advisory Committee on Sexualized Violence, which will include anonymized aggregated data whenever possible regarding:

    a) the number of Disclosures and Reports at the end of each academic year;

b) Reports by type (Complainant or University-Initiated);

c) Reports by Party status (faculty, staff (union affiliation), Student, Associate Visitor);

d) Reports by kind of outcomes (e.g., dismissal of Reports, Non-Investigative Stream, Investigative Stream);

e) Investigation Stream outcomes (e.g., no finding or finding of Sexualized Violence);

f) outcomes applied as a result of a finding that an act of Sexualized Violence was committed;

g) incident location, displayed as on-campus, residence, and off-campus;

h) the number of incidents which were, versus were not, deemed to have met the criteria in section B(3)(d);

i) the previous five (5) academic years' data regarding the type of Sexualized Violence (e.g. sexual harassment, sexual assault, intimate partner violence) and voluntary, self-identified demographics of Complainants (e.g. racially visible, sexual orientation and gender identity, person with a disability); and

j) the average, median and maximum number of days a case is open.

The Annual Report will be made available to Members of the University Community.

6. Record Keeping: Records of all Disclosures, Reports, and matters related thereto under this Policy will be kept separate from all other University records and will be maintained and stored securely and confidentially under the care and control of Human Rights and Equity Services.

7. Policy Review: This Policy will be reviewed every three years or earlier if deemed necessary by the Board of Governors, Senate, or the Vice-Provost Equity and Inclusion or their delegate.

F. Procedures:

F1. Confidentiality and Its Limits

1. Issues of Concern, Disclosures and Reports of Sexualized Violence will be kept confidential to the greatest extent possible, within the limitations described in this section.

2. Confidentiality is limited where those within the University Community or Associates need to know information to carry out their responsibilities under this Policy, including providing Accommodations, determining what, if any, immediate or interim measures are required, investigating a Report, responding to a Report, and administering outcomes resulting from a Report. In all cases, the Sexualized Violence Advisor will share the least amount of information possible.

3. Confidentiality is limited in circumstances where a serious safety risk exists and/or the University has a legal obligation that require it to act. Examples of such circumstances are:

a) where the Sexualized Violence Advisor, in consultation with the Executive Decision-Maker, Director of Security, or any other appropriate Member of the University Community, determines that the Complainant and/or the Respondent poses a serious and credible risk of harming themselves and/or another person;

b) where there are reasonable grounds to believe that one or more Members of the University Community, Associates or Visitors pose a serious and credible risk of harm based on information that has been provided;

c) where there is a legal obligation to report to authorities (for example where the Sexualized Violence was a visual depiction of sexually-explicit conduct of a child under 18 years of age or where Sexualized Violence was committed against a child under 16 years of age); or

d) where there is a legal obligation to act or cooperate in an extra-University adjudicative process.

Information that must be disclosed pursuant to this section will be limited to the least amount of information possible for the University to fulfill its legal obligation.

4. Where the alleged Discrimination is experienced by an employee, this Policy should be read in conjunction with the University's Workplace Violence Prevention Plan and applicable occupational health and safety legislation. For greater certainty, any duty to report Violence by employees, or any process conducted pursuant to occupational health and safety requirements, shall be treated as separate and distinct from processes described in this Policy. Reports or processes conducted pursuant to occupational health and safety requirements should include only cursory information and should not include identifying information of the individuals involved.

5. For educational purposes, Human Rights & Equity Services may discuss specific Disclosures and Reports and their resolutions without personal information or other information that may result in identifying individuals.

6. For reporting purposes, Human Rights and Equity Services may disclose general information about Disclosures and Reports so long as all information is provided without personal information or other information that may result in identifying individuals.

7. Nothing in this Policy limits the rights of the Complainant and those impacted by Sexualized Violence to share their personal experiences. The University will not ask a Complainant to sign a non-disclosure agreement in a Sexualized Violence case. During an ongoing investigation, however, confidentiality should be maintained, as set out in section F6(35)(e) below.

F2. Sharing at the First Instance

1. A Member of the University Community, Associate or Visitor who has experienced Sexualized Violence at the University may choose to share information about their experience as an Issue of Concern and seek help from a Member of the University Community who they trust, such as an Administrative Head, professor, advisor, supervisor or mentor.

2. The Member of the University Community who receives an Issue of Concern should listen compassionately without judgment, apply Trauma-Informed Practices and inform the individual about this Policy.

3. The Member of the University Community who receives an Issue of Concern shall respect Confidentiality provisions under section F1 of this Policy and promptly refer the individual to the Sexualized Violence Advisor.

4. Sharing an Issue of Concern about an experience of Sexualized Violence to a Member of the University Community other than the Sexualized Violence Advisor or Member Designated under section F3(14) does not constitute a Disclosure or Report under this Policy.

F3. Disclosures and Reports Generally

1. A Disclosure and a Report are separate actions that a Complainant can choose to take. An Associate or Visitor can only make a Disclosure.

Option to Report to Police

2. A Complainant who Discloses or Reports an incident that may constitute Sexual Assault will be provided with information about the option to report to the police.

3. Unless otherwise required by law, a Complainant's decision to report or not to report to the police shall be respected.

4. If a Complainant chooses to report a Sexual Assault to the police, they may also, at any time, Disclose or Report under this Policy.

Complainant-led process

5. The University recognizes that a Member of the University Community, Associate or Visitor may require time before deciding whether they wish to make a Disclosure or Report and as such there is no deadline to make a Disclosure or Report. Members of the University Community, Associates or Visitors are, however, encouraged to make a Disclosure and/or submit a Report as soon as they are able.

6. A Complainant can, at any time, choose to stop participating in the processing of their Report or discontinue any Accommodations or immediate or interim measures provided through the Disclosure or Report processes.

7. A Complainant can be accompanied by a Designated Support or advocate at any time when making a Disclosure or Report. Any additional supports will also be offered by the Sexualized Violence Advisor or Member Designated under section F3(14), for example:

a) when a Student makes a Disclosure or Report, they will be advised of assistance available from the Ombudsperson, Student Health and Wellness, and other supports; or

b) when an employee makes a Disclosure or Report, they will be advised of Employee & Family Assistance Program, if applicable.

Process Participants' Rights & Obligations

8. Members of the University Community, Associates or Visitors who witness or have concerns about an act of Sexualized Violence are encouraged to contact the Sexualized Violence Advisor. They may provide the Sexualized Violence Advisor with information on an anonymous basis. Unless a Report is received, the University initiates a University Report under section F5(3) of this Policy, or there are extraordinary circumstances requiring immediate measures as described in section F4(4) below, the University cannot pursue any steps against a Respondent under this Policy.

9. Process Participants will be informed by the Sexualized Violence Advisor of their rights and obligations to maintain confidentiality, as set out in section F1 of this Policy. However, Process Participants may speak freely with their Designated Supports at any time.

10. The Sexualized Violence Advisor will address all Disclosures and Reports in a transparent manner and will keep the Parties informed of expected timelines.

11. In making any determinations with respect to a Disclosure, Report, or University Report, the Sexualized Violence Advisor, the Executive Decision-Maker or other Member Designated under section F3(14) of this Policy may consult with other appropriate employees for advice. Any sharing of information as part of that consultation will be done in accordance with section F1(2) of this Policy.

Systemic Concerns

12. In the event that Systemic Concerns of Sexualized Violence have been raised with the Sexualized Violence Advisor, the Advisor, in consultation with the Executive Decision-Maker, will determine whether and/or what further procedures or actions should be initiated to address the Systemic Concerns.

13. The Sexualized Violence Advisor will communicate a summary of any process or actions taken, and outcomes resulting from, the University's steps to address Systemic Concerns, subject to confidentiality requirements in section F1 of this Policy. The summary will be provided to individuals directly affected by the Systemic Concerns and may be shared more widely with the affected community, faculty or unit, as appropriate.

Designated Members

14. In circumstances where the usual procedure cannot apply because of the identities of the individuals involved, another Member of the University Community will be designated to address the Disclosure or Report ("Member Designated under section F3(14)"), as follows:

    a) if the Sexualized Violence Advisor is unable to discharge their responsibilities under this Policy due to a conflict of interest or absence from the workplace, the Vice-Provost Equity and Inclusion or their delegate will ensure that another employee within Human Rights & Equity Services who is trained to help individuals who have experienced Sexualized Violence is able to carry out the responsibilities usually assigned to Sexualized Violence Advisor under this Policy;

    b) in the event that the Respondent named in a Disclosure or Report is an employee within Human Rights & Equity Services, the responsibilities usually assigned to the Sexualized Violence Advisor under this Policy will be assumed by a Vice-President of the University selected by the President, and who can then in turn delegate as appropriate; or

    c) in the event that the Respondent named in a Disclosure or Report is the President or a Vice-President, all responsibilities usually assigned to the Sexualized Violence Advisor and Executive Decision-Maker will be assumed by an ad hoc committee of the University's Board of Governors consisting of the Chair of the Board, the Chair of the Governance and Human Resources Committee, and the Chair of the Finance, Audit, Investment, and Risk Committee, who can then in turn delegate as appropriate.

Conflict of Interest

15. The Sexualized Violence Advisor, the Executive Decision-Maker, the Administrative Head, or any other member of the University Community who receives information to carry out their responsibilities under this Policy, shall disclose any actual or potential conflict of interest with respect to a Disclosure or Report in accordance with the University's Conflict of Interest Policy.

16. Where a Party is aware or has reasonable grounds to believe that an undisclosed actual or potential conflict of interest exists with respect to a Disclosure or Report, they shall report the matter to the Sexualized Violence Advisor. In such circumstances, the Sexualized Violence Advisor shall be deemed to be the Administrative Head for purposes of the University's Conflict of Interest Policy and the matter shall be addressed in accordance with that policy.

F4. Disclosure Process

1. A Disclosure does not result in a Report being made and does not initiate the Investigative or Non-Investigative Streams under this Policy.

2. The Sexualized Violence Advisor, or Member Designated under section F3(14) where applicable, shall listen compassionately without judgment, apply Trauma-Informed Practices, and inform the individual about this Policy.

Supportive Measures

3. The Sexualized Violence Advisor will ask the Complainant what their needs are, who their Designated Supports are, and will inform the Complainant of additional support and services available. Those supports and services may include:

    a) safety planning and protective measures;

    b) information about community-based and University specialized supports and counselling services, including those available for Students through Dalhousie's Student Health and Wellness Centre, and the Employee & Family Assistance Program for some University employees;

    c) access to medical services;

    d) Supportive Measures as described in sections F6(13 – 15) below, such as student residence relocation, class schedule changes, academic accommodations, temporary work location reassignment, and work scheduling changes; and

    e) faculty-level supports.

Immediate Measures Against Respondents

4. In extraordinary circumstances, the Complainant may request, and/or the University may impose, immediate measures against a Respondent in the absence of a Report where the Executive Decision-Maker identifies an imminent risk of harm to the Complainant, Process Participants, any Member of the University Community, or University operations.

5. Provisions regarding interim measures set out in sections F6(16 - 22) of this Policy apply equally to immediate measures, except for the appeal process outlined in section F6(21).

6. The decision to implement immediate measures will be taken according to the following process:

    a) the Sexualized Violence Advisor will describe the extraordinary and safety-related purpose of immediate measures to the Complainant and ensure that they understand that their identity and the general nature of the allegations are likely to become known to the Respondent. The Sexualized Violence Advisor will then ascertain the Complainant's wishes regarding immediate measures;

    b) The Sexualized Violence Advisor will convey the Complainant's wishes to the Executive Decision-Maker. The Executive Decision-Maker shall consider the following factors in deciding whether and what immediate measures to impose:

        i. the wishes of the Complainant;

        ii. the advice of other University employees with expertise, such as the Administrative Head of the faculty or unit affected, Security Services, Student Health & Wellness, the Case Management Team or the Behavioural Intervention Team, as applicable;

iii. in the case of Student Respondents, the Case Assessment Matrix set out in section F2 of the *Code of Student Conduct*, and

iv. in the case of employee Respondents, the relevant collective agreement or employee handbook.

7. Where the Complainant objects to immediate measures:

   a) the Executive Decision-Maker will balance the Complainant's wishes, and the nature of the safety interests engaged, to decide whether immediate measures are warranted; and

   b) where the Executive Decision-Maker decides that immediate measures are warranted, then the Sexualized Violence Advisor will consult with the Complainant to create a safety plan that minimizes negative impacts on the Complainant that are reasonably likely to result from the imposition of immediate measures.

8. Immediate measures are imposed temporarily to address imminent safety concerns, and will be reviewed frequently as follows:

   a) immediate measures that affect a Student Respondent will be reviewed by the Vice-Provost Student Affairs within fourteen (14) calendar days of their initial imposition and will be reviewed at least every thirty (30) days thereafter or upon a significant change in circumstances, whichever occurs first; and

   b) immediate measures that affect an employee Respondent are effective for up to thirty (30) days, after which time the measures may be reclassified as interim measures pursuant to a Complainant- or University Report under section F5 of this Policy, and subject to the requirements of the applicable collective agreement or employee handbook.

9. The Respondent will receive written notice from the Executive Decision-Maker that immediate measures have been imposed. The Respondent may provide a written response at any time that immediate measures are in effect; potential responses include:

   a) without-prejudice consent to immediate measures;

   b) a request to change or discontinue immediate measures with reasons, including information about the impacts of immediate measures on the Respondent; or

   c) a request to change or discontinue immediate measures pursuant to section F4(4) above due to a change in circumstances.

F5. Report Processes

Report by Member of the University Community

1. A Report shall be directed to a Sexualized Violence Advisor or Member Designated under section F3(14) where applicable. The Sexualized Violence Advisor will provide support, information and/or referral to assist the Complainant with submission of the Report and to understand the reporting process under this Policy.

2. A Report must be submitted by the Complainant in writing and include:

    a) the names of the Complainant(s) and the Respondent(s);

    b) a detailed description of the behaviour that forms the basis of the Report, including where and when the incident(s) occurred; and

    c) an indication of the redress sought by the Complainant.

Report by University

3. The University respects the Complainant's choice not to proceed with a Report process under this Policy. In limited circumstances, the University may determine it is necessary to submit a Report in its own name where one of the circumstances set out in section F5(4) below applies and the Executive Decision-Maker determines that:

    a) proceeding with the processing of the University Report is in the interest of the health and safety of Members of the University Community or consistent with the University's obligations and responsibilities; and

    b) it is reasonably likely that sufficient evidence can be obtained to determine if the Respondent has committed an act of Sexualized Violence without the Complainant or Associate or Visitor's ongoing involvement.

4. The University may initiate a University Report where:

    a) one or more Members of the University Community, Associates or Visitors, by name or anonymously, have provided information about an act of Sexualized Violence against a Member of the University Community;

    b) there has been more than one Disclosure made about more than one alleged act of Sexualized Violence committed by the same Respondent;

    c) the allegations name a Respondent who is deceased or otherwise no longer a Member of the University Community, if failure to address those allegations could negatively impact the University's reputation; or

    d) the allegations raise significant concerns about equitable operations at the University such as Systemic Concerns and/or matters of institutional culture.

5. A University Report will be processed and responded to by the University in a manner that is consistent with the University's core values and principles set out in section D of this Policy and in the same manner as a Report by a Member of the University Community in accordance with the procedures set out in section F6 of this Policy except that:

    a) all references to Report shall be read as University Report;

    b) the Complainant will not be required to participate in any way;

c) there will be no communication with the Complainant about the University Report unless the Complainant has indicated that they wish to be kept informed; and

d) any information that would have been sought from the Complainant that may be known by Security Services will be obtained from Security Services.

F6. University Responses to Reports

Initial Assessment

1. Upon receipt of a Report, the Sexualized Violence Advisor will determine:

   a) if the criteria in section B(3) of this Policy have been met;

   b) if based on the Report, there could be a finding that Sexualized Violence occurred under this Policy; and

   c) if the allegations in the Report are not being heard and have not been heard through another University process.

2. If the Sexualized Violence Advisor determines that any elements in section F6(1) above have not been met, the Complainant will be advised of support and resources as appropriate, and that no further action with respect to the Report will be taken and why. If new information is subsequently provided, this decision may be re-evaluated.

3. Where there are external proceedings (i.e. police investigation or criminal proceeding, civil proceeding, investigation or adjudication by the applicable human rights commission or other provincial regulatory body), or internal proceedings (i.e. University process for addressing alleged failures to meet professionalism standards) pending against a Member of the University Community for conduct related to a Report, the Executive Decision-Maker may, but does not have to, defer the processing of a Report. That deferral will be on such terms and conditions as are appropriate in the circumstances (including an interim suspension and notice to the union where the Respondent is represented by a union) until the conclusion of all or part of the external or internal proceedings. Conviction of a criminal offence or a finding that provincial human rights legislation has been breached will be considered on its face evidence of a parallel violation under this Policy.

4. If the Sexualized Violence Advisor determines that all elements in section F6(1) above have been met, the Advisor, in consultation with the Executive Decision-Maker, will determine whether the Report should proceed under the Investigative Stream or Non-Investigative Stream. In making that determination, the Sexualized Violence Advisor will consider the following criteria:

   a) the informed and non-coerced choice of the Complainant after receiving information about the Investigative Stream and Non-Investigative Stream, recognizing that individuals affected by Sexualized Violence are integral decision-makers in situations pertaining to themselves;

b) the safety of all Process Participants and Members of the University Community generally;

c) the voluntary participation of the Respondent (i.e. – to the extent that any resolution options involve the participation of the Respondent, the Respondent must be in agreement); and

d) any applicable collective agreement or employee handbook.

5. The Sexualized Violence Advisor will notify the Complainant in writing of the decision made under section F6(4) above as well as provide reasons for that decision and information on available resources, such as the Ombudsperson, faculty-level supports, and contact information for the appropriate employee group as applicable.

6. Where two or more Complainants have made Reports against the same Respondent arising out of essentially the same conduct or incident, these Reports may be addressed in the same process unless the Sexualized Violence Advisor concludes that prejudice might thereby result to the Complainants or Respondent.

7. Report processes outlined in this section do not apply to Reports that name Associates or Visitors as Respondents. A Report about an Associate or Visitor will be assessed by the Sexualized Violence Advisor according to the criteria in section F6(1) above. Where the criteria are met, the Report will be addressed pursuant to sections F7(18 – 19) below.

Withdrawal of Report or Departure

8. The Complainant may decide to stop participating in the Report process or withdraw their Report at any time. The University will decide whether the Report process shall proceed as a University Report based on its analysis of the considerations in sections F5(3 – 4).

9. If a Respondent's relationship with the University ends before the Report process is concluded, the University may:

a) suspend the process, with the option of reinstating it if the Respondent rejoins the University community; or

b) continue the process, whether or not the Respondent participates.

10. If the University continues with the process after the Respondent's relationship with the University has ended, and the Report proceeds to the Investigative Stream, then the Respondent will be notified of the process according to the procedure in sections F6(25), (28) and (35), and provided the opportunity to participate. If the Respondent does not participate in the investigation, then the Investigator may draw an adverse inference (i.e. – that the Respondent is refusing to meet with the Investigator because they have evidence that would adversely affect their position).

Supportive Measures

11. When the Sexualized Violence Advisor receives a Report, they will arrange to meet with the Complainant to discuss available process options and to provide the Complainant with information about supports and services, including information about Accommodations of the Complainant's own living, learning, and working environments that can be put in place.

12. Supportive Measures may include student residence re-location, class schedule changes, academic accommodations, temporary reassignment of work location or adjustments to reporting structure, or work scheduling changes.

13. Formal accommodations to work or study may be obtained pursuant to the *Student Accommodation Policy* or *Employee Accommodation Policy*, as applicable. If the Complainant wishes to obtain formal accommodations, the Sexualized Violence Advisor will assist the Complainant in requesting the accommodations while maintaining the right of the Complainant to confidentiality.

Interim Measures

14. Interim measures are non-disciplinary conditions that may be imposed upon a Respondent where the allegations in a Report would, if proven, constitute Sexualized Violence, and with regard to all of the circumstances, are necessary to ensure:

    a) the safety and wellbeing of the Complainant, Respondent, and other Members of the University Community;

    b) the integrity of any potential investigation, or

    c) where there is evidence that the Respondent poses a threat of disruption or of interference with the operations of the University or the activities of Members of the University Community.

15. Where interim measures are imposed, they must be proportionate to the seriousness of the alleged act of Sexualized Violence and as minimally restrictive as possible upon the Respondent to achieve their purpose. In the case of employee Respondents, they must also be permissible under, and imposed in accordance with, any applicable collective agreement or employee handbook.

16. At any time following receipt of a Report, the Executive Decision-Maker (in consultation with the Respondent's Administrative Head, as applicable) may determine there is a need for interim measures and which interim measures will be imposed upon the Respondent.

17. Where interim measures are required, the Sexualized Violence Advisor will give written notice to the Respondent of any interim measures being imposed.

18. Interim measures may include, but are not limited to:

    a) separating the Complainant and Respondent to minimize or prevent encounters in living, working, and learning environments;

b) implementing a no-contact agreement;

c) prohibiting the Respondent from being on some or all of the University's premises and attending University-affiliated activities;

d) imposing on a Respondent who is an employee any interim measures that are permissible under, and imposed in accordance with, any applicable collective agreement or employee handbook.

19. Interim measures may be challenged as follows:

a) where the person upon whom interim measures have been imposed is a Student, the Student may appeal in writing to the Provost within ten (10) calendar days of the interim measures being imposed. The Vice-Provost Student Affairs will be given an opportunity to respond to the appeal in writing and the Provost will deliver a written decision on the appeal;

b) where the person upon whom interim measures have been imposed is a unionized employee, that employee may take steps under the provisions of the applicable collective agreement; and

c) where the person upon whom interim measures have been imposed is a nonunionized employee, that employee may request reconsideration of the decision by raising their concern in writing with the Vice-President, People and Culture within ten (10) calendar days of the interim measures being imposed.

20. Alleged breaches of interim measures are to be reported to the Sexualized Violence Advisor, who will then refer the matter to the Executive Decision-Maker to take appropriate steps to determine:

a) whether the interim measures have been breached; and

b) if so, what action will be taken as a result of any such breach. Where there is an immediate concern of risk to safety, alleged breaches should be reported to Security Services.

Non-Investigative Stream

21. Under the Non-Investigative Stream, the Sexualized Violence Advisor will work with all applicable Parties to identify outcomes desired and design processes to achieve those outcomes.

22. If the Sexualized Violence Advisor determines that the Report will proceed under the Non-Investigative Stream, the Sexualized Violence Advisor will determine the appropriate remedial, educational and/or facilitated process according to the nature of the Report, which does not necessarily require face-to-face or in-person interaction between the Parties. Examples of Non-Investigative Stream processes include, but are not limited to:

a) **impact statement, letter, or video**: the Complainant communicates to the Respondent the harm that they have experienced, that the Respondent's behaviour is unwelcome and unwanted, and that the behaviour must stop immediately;

b) **facilitation**: the Complainant may request that the Sexualized Violence Advisor or other qualified person facilitate a discussion between themself and the Respondent with the goal of developing mutual understanding of the incident(s) and mutually agreeable resolution;

c) **notification**: the Sexualized Violence Advisor notifies the Respondent that the behaviour must stop immediately;

d) **no contact**: Parties agree to have no contact for a period of time that both are Members of the University Community;

e) **education**: the Sexualized Violence Advisor arranges coaching, support, or educational opportunities for the Respondent and other Members of the University Community as appropriate through Human Rights & Equity Services;

f) **apology**: the Respondent may wish to apologize to the Complainant;

g) **written agreement**: the Parties agree to immediate, interim or other measures for as long as one or both of them are Members of the University Community; or

h) any other process or intervention that incorporates a restorative approach, or one or both Parties' cultural or community values.

23. A Non-investigative Stream process is inappropriate where previous Reports have been made about the Respondent, where the University has received multiple Disclosures about the Respondent, or where there are other identified safety concerns.

24. Any process under the Non-Investigative Stream that involves face-to-face communication between the Parties must be facilitated by a person with training or experience appropriate to the seriousness and nature of the allegations and the context of the Parties. Specifically, training or experience is required in Trauma-Informed Practices, mediation or counselling, gender-based violence, and managing communication and power dynamics between Parties.

25. Where a remedial, educational or facilitated outcome requires the voluntary participation of the Respondent or will otherwise impact the Respondent in any way, prior to being required to advise the Sexualized Violence Advisor if they will voluntarily participate or engage in any process whatsoever, the Respondent will be provided with:

a) written notice that a Report has been brought against them and that at this time the Report will be proceeding under the Non-Investigative Stream;

b) contact information for the HRES Advisor to whom they have been assigned and to whom they may direct any questions about the Report or process;

c) a copy of the Report and this Policy;

d) opportunity to identify their Designated Supports and details of available advocacy and support services;

e) a reminder that information shared while proceeding under the Non-Investigative Stream may be documented and subsequently disclosed to outside parties (e.g. – police, professional regulatory body), if such disclosure is required by law (as set out in sections F1(3 – 4));

f) a reminder that this Policy prohibits retaliation; and

g) if the Respondent is not willing to voluntarily participate in the desired remedial, educational or facilitated process, the Sexualized Violence Advisor may, after considering the factors outlined in section F6(4) of this Policy, decide to proceed under the Investigative Stream.

26. Except for section F6(25)(e) above, Parties that engage in a process under the Non-Investigative Stream do so on a 'without prejudice' basis; either Party may withdraw from the process at any time and any information or admissions shared in the process cannot be used against either Party in a Report process or any other University proceeding.

27. Where a process pursuant to the Non-Investigative Stream does not result in the desired outcomes, the Sexualized Violence Advisor may, after considering the factors outlined in section F6(4) of this Policy, decide that the Report will proceed under the Investigative Stream.

Investigative Stream

Initiating an investigation

28. If the Sexualized Violence Advisor determines that the Report will proceed under the Investigative Stream, the Sexualized Violence Advisor will:

a) provide written notice to the Respondent that:

i. a Report has been brought against them and that at this time the Report will be proceeding under the Investigative Stream;

ii. contact information for the HRES Advisor to whom they have been assigned and to whom they may direct any questions about the Report or process;

iii. a copy of the Report and this Policy;

iv. they have the opportunity to identify their Designated Supports and receive details of available advocacy and support services;

v. a reminder that information shared while proceeding under the Investigative Stream may be documented and subsequently disclosed to outside parties (e.g. – police, professional regulatory body), if such disclosure is required by law (as set out in sections F1(3 – 4)); and

vi. a reminder that this Policy prohibits retaliation;

b) notwithstanding section B(4), upon receiving a written request from the Respondent, suspend processing a Report under this Policy pending completion of all or part of those other proceedings to avoid potential procedural unfairness, conflicting and prejudicial outcomes for either Party, or where circumstances otherwise warrant;

c) appoint an Investigator, whether internal or external, who is:

i. qualified to conduct a procedurally fair and Trauma-Informed investigation; and

ii. an independent decision-maker with no actual or reasonable apprehension of bias given the particular facts and identities engaged by investigation of the Report; and

d) provide the Investigator with all relevant materials in the University's possession, including any materials submitted by Process Participants.

29. In the event that a Report under this Policy engages issues under other policies, such as intersecting issues of Harassment, Discrimination or other alleged misconduct, the Report will be investigated under this Policy, with the Investigator's terms of reference including consideration of all other relevant and appropriate intersecting issues and policies.

Investigator's Obligations

30. The Investigator will conduct the investigation in a manner that is consistent with this procedure and the principles set out in section D3(2) of this Policy. For greater certainty, the Investigator will conduct the investigation process in a manner that is fair, transparent and flexible in recognition that the process should be responsive to the Parties' stated needs and maximize opportunities for choice and agency, subject to reasonable limits.

31. All steps under the Investigative Stream will be completed in a timely manner, having regard to the circumstances surrounding a particular Report, this Policy, and requirements of fairness and due process. Wherever possible, the investigation, including the submission of the investigation report, will be completed within sixty (60) calendar days of the receipt of materials by the Investigator pursuant to section F6(28)(d) above.

32. Where the Investigator becomes aware that more than sixty (60) days will be required to complete the investigation, the Investigator shall submit an interim report to the Sexualized Violence Advisor setting out:

    a) steps completed in the investigation process to date;

    b) any delays experienced and their causes;

    c) steps remaining to be taken before the investigation is complete;

    d) a realistic estimate of the additional time required to complete those steps; and

    e) in the case of an external Investigator, any adjustments to actual and anticipated costs of the investigation.

33. The Investigator will submit an additional interim report for every subsequent sixty (60)-day period until the investigation is completed.

34. External Investigators shall treat all materials related to the investigation as confidential and shall retain secure custody and control of investigation materials for as long as there is a reasonable prospect of legal proceedings and not less than seven (7) years.

Investigation Process

35. The investigation process requires that:

a) the Investigator will treat all information received in the course of the investigation in accordance with the confidentiality provisions outlined in section F1 of this Policy;

b) the Investigator will give written notice to the Parties that the allegations set out in the Report will be investigated;

c) the Investigator will not require the Complainant to participate in the investigation but may request and/or receive additional clarifying information or evidence to supplement the Report or names of any potential witnesses. If the Complainant wishes to be interviewed by the Investigator, then they will be provided a reasonable opportunity to schedule an interview. For the purpose of scheduling an interview or follow-up interview, "reasonable opportunity" shall be no more than thirty (30) calendar days after the Investigator's initial request;

d) the Respondent will be given a reasonable opportunity to participate in the investigation process, including a reasonable opportunity to schedule an interview or follow-up interview, as the phrase "reasonable opportunity" is defined in F6(35)(c) above. The Respondent may also provide names of any potential witnesses, and submit any additional information they wish to have considered as a part of their response;

e) the Investigator will remind all Process Participants of the importance of maintaining confidentiality until the investigation process is concluded. To protect the integrity of information gathered during the investigation, Process Participants are not to speak about the fact that they have participated in the investigation or the information they provided with anyone other than their Designated Supports until the investigation is concluded; and

f) interviews with Process Participants will be recorded. If, for some reason, recording is not available or the Process Participant does not consent to recording, the Investigator will prepare written notes of the Process Participant's evidence and review those notes with the Process Participant. The Process Participant will have the opportunity to make corrections, clarifications or additions to the Investigator's notes. Process Participants are not permitted to retain a copy of the Investigator's notes or review the notes when the Investigator is not present.

Investigation Report

36. At the conclusion of the investigation, the Investigator will prepare a confidential draft written investigation report that makes a finding as to whether or not, on a balance of probabilities (i.e. more likely than not), the Respondent has committed an act of Sexualized Violence against the Complainant and provide reasons for the finding. Reasons will include findings of credibility, a description of what evidence was accepted and was not, and a weighing of that evidence.

37. The Investigator will provide the investigation report to the Sexualized Violence Advisor.

38. Once the investigation report is finalized, the Investigator will prepare the investigation report for distribution to each Party by redacting the personal information (as that term is

defined in applicable privacy legislation) of any person other than the intended recipient of the investigation report.

39. The Investigator will provide redacted versions of the investigation report to the Sexualized Violence Advisor.

40. The Sexualized Violence Advisor will provide the Parties with their respective redacted version of the investigation report along with information regarding available advocacy and support services.

41. The Complainant and the Respondent will be given ten (10) calendar days to provide written comments on the report to the Sexualized Violence Advisor, including but not limited to:

    a) challenging the report's finding based upon jurisdiction, a denial of natural justice, unfairness in the application of the Policy, or that the finding is unreasonable based on the evidence or the Investigator's reasoning. This is the only stage at which the finding of Sexualized Violence made by the Investigator can be challenged; and

    b) commenting on appropriate outcomes and sanctions.

42. The Parties may request a time extension not exceeding thirty (30) days to submit their comments. If extenuating circumstances necessitate that a Party requires additional time in excess of the thirty (30)-day extension, then the Party shall submit a written request to the Sexualized Violence Advisor that sets out the length of additional time needed and reasons for the requested extension.

43. The Sexualized Violence Advisor will submit the final investigation report and any comments received from the Parties to the Executive Decision-Maker.

F7. Outcomes

Outcomes and Disciplinary Measures where Respondent is a Student

1. The final investigation report and any comments received from the Parties will be reviewed by the Vice-Provost Student Affairs, who will decide whether to accept the Investigator's report, and advise the Parties accordingly.

2. Where the Investigator's finding that the Respondent has breached the Policy is accepted, then the Vice-Provost Student Affairs will proceed to determine appropriate remedial measures and/or referral to the Senate Disciplinary Committee for disciplinary sanction. In determining the appropriate procedural path, the Vice-Provost Student Affairs will consider the level of individual or community risk, disruption, or seriousness of the incident.

3. The following factors will be weighed by the Vice-Provost Student Affairs and Senate Discipline Committee when determining appropriate remedial measures and/or disciplinary sanctions:

    a) the nature of the act of Sexualized Violence;

b) the needs of and impact on the Complainant and other Members of the University Community;

c) the safety of Members of the University Community;

d) the prevention of further acts of Sexualized Violence;

e) the education and well-being of Respondent; and

f) any mitigating or aggravating circumstances.

4. The Vice-Provost Student Affairs may consult individually with either or both of the Parties to discuss factors (b) – (f) immediately above.

5. Upon finding that the Respondent has violated the Sexualized Violence Policy, the Vice-Provost Student Affairs may impose remedial measures without referring the matter to the Senate Discipline Committee; such measures may include:

   a) mandatory training and education;

   b) probation for a designated period of time, including the possibility of more severe disciplinary sanctions if the Respondent is found to be violating any institutional regulation(s) during the probationary period;

   c) denial of specified privileges or imposition of certain conditions upon the Respondent, which may include but are not limited to restricting access to University property, equipment or resources, and not being permitted to register in any classes the Complainant is enrolled in for a specific period of time; or

   d) any other remedy that does not impact academic continuity.

6. The Vice-Provost Student Affairs will advise the Parties in writing of their decision, along with reasons for the decision. Information on available resources, such as the Ombudsperson and Dalhousie Student Health and Wellness will be included in the letter from the Vice-Provost Student Affairs.

7. Sanctions that impact the Respondent's academic continuity can only be imposed by the Senate Discipline Committee, upon referral from the Vice-Provost Student Affairs. If the matter is referred to the Senate Discipline Committee, the matter will be conducted in accordance with the Senate Discipline Committee Jurisdiction and Procedures.

8. Disciplinary sanctions that would impact academic continuity are defined as those that would materially delay, interfere with, or end a student's progression within their academic program, and may include:

   a) suspension 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; or

   b) expulsion from the University.

9. Once the Senate Discipline Committee has decided the sanctions to be imposed upon the Respondent, the decision will be communicated in writing to the Respondent. The

Complainant will be informed of any disciplinary outcomes that have a direct impact on them.

10. If the Respondent is found to have breached the Policy, the sanction may be noted on their transcript in accordance with the Academic Calendar.

11. If the Respondent is found to have breached the Policy and the Senate Discipline Committee makes a decision that affects the Respondent's transcript, any transcripts issued for the Respondent while the Report process was ongoing may be reissued and sent to the recipients identified by the Respondent, as per the Academic Calendar.

12. The Respondent may appeal the Senate Discipline Committee's decision to the Senate Appeals Committee in accordance with the Senate Appeals Committee Jurisdiction and Appeals Procedures.

Outcome and Disciplinary Measures where Respondent is an Employee

13. The final investigation report and any comments received from the Parties will be reviewed by the Vice-President, People and Culture, who will decide whether to accept the Investigator's report, and advise the Parties accordingly.

14. Where the Investigator's finding that the Respondent has breached the Policy is accepted, then the Vice-President, People and Culture, in consultation with the Respondent's Administrative Head, will proceed to determine any further procedures, or remedial or disciplinary measures in accordance with the applicable collective agreement or employee handbook.

15. The Vice-President, People and Culture will advise the Respondent, with a copy to the Sexualized Violence Advisor, in writing of that decision, along with information on available resources, such as Dalhousie's Employee & Family Assistance Program, if applicable, and contact information for the appropriate union where the Respondent is a unionized employee.

16. The Complainant will be informed of any disciplinary outcomes imposed upon an employee Respondent that have a direct impact on them. They will also be provided with information on available resources, such as Dalhousie's Employee & Family Assistance Program, if applicable, and contact information for the appropriate union where the employee is represented by a union.

17. Documents received by the Vice-President, People and Culture pursuant to section F7(13) above will be retained by the Vice-President, People and Culture in accordance with the applicable collective agreement or employee handbook.

Outcomes where Respondent is an Associate or Visitor

18. If the Sexualized Violence Advisor determines that any elements in section F6(1) have not been met, the Complainant will be advised of support and resources as appropriate, and

that no further action with respect to the Report will be pursued. If new information is subsequently provided, this decision may be re-evaluated.

19. If the Sexualized Violence Advisor determines that all of the elements in section F6(1) have been met, the Sexualized Violence Advisor, in consultation with the appropriate Administrative Head or Executive Decision-Maker, will determine whether and/or what further procedures or actions should be initiated. Possible further actions include banning the Associate or Visitor from Dalhousie property or activities, terminating any contract or agreement pursuant to which the Associate or Visitor is on Dalhousie University's property or participating in Dalhousie University activities, and advising the Associate or Visitor's employer or home academic institution of the Report.

G. Resources and Related Policies, Procedures, and Legislation

G1. Supports within the Dalhousie University Community:

• **Human Rights & Equity Services**
Website linked here.
https://www.dal.ca/about/mission-vision-values/equity-diversity-inclusion-and-accessibility/about-office-equity-inclusion/human-rights-and-equity-services.html

• **Security Services**
Website linked here.
https://www.dal.ca/about/contact-us.html

• **Ombudsperson** (*independent and impartial support*)
Website linked here.
https://www.dal.ca/campus_life/safety-respect/ombudsperson.html

• **Dalhousie Student Health & Wellness Centre** (*for students*)
Website linked here.
https://www.dal.ca/campus_life/health-and-wellness.html

• **Student Health & Wellness Centre, Truro** (*for students at the Agricultural campus*)
Website linked here.
https://www.dal.ca/campus_life/health-and-wellness/my-health/Medical-Services/agricultural-campus-services.html

• **Sex Education Resource Center (SERC)** (*for students*)
Website linked here.
https://www.dsu.ca/serc

• **Resident Affairs** (*for medical residents across the Maritimes*)
Website linked here.
https://medicine.dal.ca/departments/core-units/resident-affairs/about.html

• **Union or employee group** *(for employees)*

Website linked here.
https://www.dal.ca/dept/hr/EmployeeResources/new-employees/Employee-Groups.html

• **Dalhousie Employee & Family Assistance Program** (*for employees*)
Website linked here.
https://www.workhealthlife.com/

G2. Additional Resources in the Broader Community:

• **Avalon Sexual Assault Centre**
Website linked here.
http://avaloncentre.ca/

• **Sexual Assault Nurse Examiner**
Website linked here.
https://avaloncentre.ca/sexual-assault-nurse-examiner-sane-program/

• **Colchester Sexual Assault Center**
Website linked here.
http://www.colchestersac.ca/

• **Healing Narratives** (*Free counselling for men who have experienced sexual assault*)
Website linked here.
https://www.newstartcounselling.ca/other-programs

• **Nova Scotia Independent Legal Advice (ILA) program** (*for adult survivors of sexual assault)*
Website linked here.
https://novascotia.ca/sexualassaultlegaladvice/?gclid=EAIaIQobChMI2biW1cbu2AIVyeDICh2aaw-QEAAYASAAEgKXVPD_BwE

• **Mi'kmaw Native Friendship Centre**
Website linked here.
https://mymnfc.com/

• **Sexualized Violence Prevention and Supports** *(Nova Scotia Department of Community Service)*
Website linked here.
http://www.breakthesilencens.ca/

• **Provincial Mental Health Crisis Support**
Website linked here.
https://mha.nshealth.ca/en

• **Legal Info Nova Scotia** *(Workplace Sexual Harassment – Employer toolkit and survivor resources)*
Website linked here.
https://www.legalinfo.org/safeatwork

• **Halifax Regional Police**
Website linked here.

https://www.halifax.ca/safety-security/police/programs-services/victim-services-halifax/sexual-assault

• **Town of Truro Police**
Website linked here.
https://truro.ca/police-service.html

• **Royal Canadian Mounted Police** (Colchester County detachment).
Website linked here.
https://www.rcmp-grc.gc.ca/detach/en/d/371

G3. Related Policies and Procedures

• **Applicable collective agreement or handbook** (*for employees)*
Website linked here.
https://www.dal.ca/dept/hr/labour-relations/collective-agreements.html

• **Code of Student Conduct**
Website linked here.
https://www.dal.ca/content/dam/www/about/leadership-and-governance/governing-bodies/code-student-conduct.pdf

• **Conflict of Interest Policy**
Website linked here.
https://www.dal.ca/content/dam/www/about/leadership-and-governance/university-policies/conflict-interest-policy.pdf

• **Employee Accommodation Policy**
Website linked here.
https://www.dal.ca/content/dam/www/about/leadership-and-governance/university-policies/employee-accommodation-policy.pdf

• **Records Management Policy**
Website linked here.
https://www.dal.ca/content/dam/www/about/leadership-and-governance/university-policies/records-management-policy.pdf

• **Senate Appeals Committee Jurisdiction and Appeals Procedures**
Website linked here.
https://www.dal.ca/about/leadership-governance/governing-bodies/senate/senate-standing-committees/senate-appeals-committee.html

• **Senate Discipline Committee Jurisdiction and Procedures**
Website linked here.
https://www.dal.ca/content/dam/www/about/leadership-and-governance/governing-bodies/sdc-jurisdiction-procedures.pdf

• **Student Accommodation Policy**
Website linked here.

https://www.dal.ca/content/dam/www/about/leadership-and-governance/university-policies/student-accom-policy.pdf

• **Workplace Violence Policy**
Website linked here.
https://www.dal.ca/content/dam/www/about/leadership-and-governance/university-policies/workplace-violence.pdf

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