

Procedures Title: Sexualized Violence Prevention and Response

Associated Policy: BA 1.0 Sexualized Violence Prevention and Response

Procedure Holder: Office of the President

Executive Lead: President

Original Date: October 2016

Last Revised: March 2025

Next Review: March 2027

1. Purpose and Background

These procedures are guided by the Yukon University's Sexualized Violence Prevention and Response Policy ("Policy") and set out the University's framework to address Sexualized Violence by providing guidelines for disclosing, reporting, and responding to incidents of Sexualized Violence on Yukon University ("University") campuses.

2. Guiding Principles

- 2.1. Anyone can experience Sexualized Violence; therefore, these procedures apply to all University Community members regardless of a person's social position or position within the University structures, hierarchies, and power relations.
- 2.2. Some individuals or groups experience Sexualized Violence at higher rates. Efforts to address Sexualized Violence should be grounded in an Intersectional understanding that each person's experience and the relationship between those who are subject to the Policy will be affected by many factors, including but not limited to, their sex; gender identity or expression; sexual identity; family status; Indigenous, racial, or ethnic background; language barrier; ability; faith; age; migration status; socioeconomic status; academic standing; as well as their position within the University structures, hierarchies, and power relations.
- 2.3. Sexualized Violence is a human rights violation and the principles and approaches to address Sexualized Violence must be linked to the University's broader equity and anti-discrimination initiatives and goals.
- 2.4. Sexualized Violence does not exist or operate in isolation. Acts of Sexualized Violence can also be acts of colonial violence, racism, sexism, ableism, ageism, classism, religious intolerance, homophobia, transphobia, queer antagonism, trans antagonism, bi antagonism and/or any other form of discrimination. Every person impacted by Sexualized Violence will engage with the University and the Policy from

their unique situation or position; given existing hierarchies and power dynamics that may exist at the University, they may enter their engagement with the Policy at a disadvantage.

- 2.5. The University commits to Procedural Fairness and to the principles that inform and guide processes. Yukon University commits to ensure an environment in which any form of Sexualized Violence will not be tolerated. The purpose of these procedures is to outline a framework to prevent and respond to Sexualized Violence.

3. Definitions

Defined terms in these procedures have the same meaning as defined terms in BA 1.0 Sexualized Violence Prevention and Response Policy.

4. Procedures

4.1. Immediate Assistance

The University encourages but does not require individuals who have experienced Sexualized Violence to seek immediate assistance. Seeking assistance promptly may be important to ensure physical safety, to obtain medical care or emotional support, or to preserve evidence, but it is entirely up to the individual who has experienced Sexualized Violence to decide to seek any assistance at all.

4.2. Support

- 4.2.1. The University will provide support services and Accommodation to members of the University Community who disclose, or report Sexualized Violence.
- 4.2.2. The University will also provide support services to Respondents, witnesses of Sexualized Violence, and support persons.
- 4.2.3. A member of the University Community is not required to formally report an incident of Sexualized Violence to obtain support.
- 4.2.4. Support services include but are not limited to:
 - safety planning
 - referrals to counselling, legal and/or medical assistance
 - academic accommodations (e.g., extensions on assignments, deferrals of exams, withdrawing from classes without academic or financial penalty, continuing studies from home)
 - potential alternative living arrangements, if an affected individual is living in

Campus Housing

- Information about reporting and other complaint options.

For an extensive list of Yukon wide supports please visit the University's Sexualized Violence education and awareness webpage.

4.3. The Response and Support Team (R&S team)

4.3.1. The R&S team will be comprised of the

- Registrar & AVP Student Life (Co-Chair)
- Director of Human Resources (Co- Chair)
- One member from the Senior Leadership Committee (SLC), selected annually by SLC, in August of each year.

4.3.2. The team will abide by their terms of reference and assist in managing the response to any Report or Disclosure. Additional members of the team will be determined by the Co-Chairs on a case-by-case basis and will be chosen based on their relevance to the case. Roles and responsibilities of the team members will be assigned by the Co-Chairs.

4.3.3. **Contact the team:** SVRSteam@yukonu.ca.

4.4. Disclosures

4.4.1. Disclosure is the sharing of information by an individual who has experienced Sexualized Violence. A Disclosure can be made to any University Community member and may or may not be for the purpose of accessing supports, services and/or Accommodations.

4.4.2. The decision to disclose and the decision to report are separate decisions. A Disclosure does not trigger a Report being made or initiate an Investigation. An individual who has experienced Sexualized Violence can make a Disclosure and choose to report at a later date; there is no deadline to make a Disclosure or Report.

4.4.3. If an individual who has experienced Sexualized Violence chooses to disclose, the R&S team should be contacted. The R&S team will help to guide and support the response following these procedures but will tailor each response in the best way possible, based on the individual circumstances of each case. Provisions on confidentiality and a consent on information sharing from an individual who has

experienced Sexualized Violence are outlined under section 4.14.2 of these Procedures.

4.5. Response to Disclosures

- 4.5.1. Upon receiving a Disclosure of Sexualized Violence, all University Community members have a responsibility to ensure that an individual affected by Sexualized Violence is informed of this policy, aware of their reporting options, support services and potential Accommodations available to them.
- 4.5.2. If requested, the University will provide reasonable academic Accommodation for students affected by Sexualized Violence and will create a safety plan in consultation with a University Liaison.
- 4.5.3. The R&S team can support members of the University Community who have received a Disclosure or a Report with communication and information.

4.6. Reporting Sexualized Violence

- 4.6.1. The University commits to providing clear, appropriate, and fair processes for handling Reports of Sexualized Violence. It is important that the person who reports an incident of Sexualized Violence perpetrated by a member of the University Community is heard and has access to appropriate resources and support. For the purpose of these procedures, the person who brings forward a formal complaint will be referred to as the Complainant, the person accused of violation of this policy will be referred to as the Respondent.
- 4.6.2. A Report is made for the purpose of initiating some form of Investigation or Adjudication. Reporting options include:
 - a. Judicial: a report can be made to RCMP to pursue criminal charges under the Criminal Code of Canada.
 - b. Non-judicial, on-campus: a report can be made to the University under these procedures and Policy regulating them. On-campus supports with individuals trained to appropriately respond to a Report shall be maintained by the Co-Chairs of the R&S team and posted on the University's Sexualized Violence education and awareness webpage.
 - c. Non-judicial, off-campus: third-party reporting is available from the Women's Transition Home - [Third Party Reporting Yukon](#), and Sexualized Response Team (SART) - [Sexualized Assault Response Team | Yukon.ca](#).

- 4.6.3. The Complainant may file a Report in writing via email or letter or may request an in-person meeting with those mentioned under section 4.6.2. (b) to make their Report.

4.7. Response to a Report of Sexualized Violence

- 4.7.1. The complainant will be contacted when the Report is received by a member of the R&S team to discuss the appropriate formal process, the assignment of a University Liaison, as well as any need for interim measures and/or safety planning.
- 4.7.2. In responding to a Disclosure or Report of Sexualized Violence the University will be guided by reporting individual's needs and requests and will seek to empower the self-agency of the individual who experienced Sexualized Violence. The Complainant will not be required to share their experience with each person they have contact with.

4.8. Circumstances where the University may proceed without a formal Report

- 4.8.1. In rare cases, where the University has reason to believe there is an imminent risk to any member of the University community, the R&S Co-Chairs may decide to take responsive action, even if the individual who experienced Sexualized Violence decides not to Disclose or Report. Examples of such circumstances could include but are not limited to where there is:
- risk to the safety of the individuals and/or the broader community, for example, where repeated allegations have been made about the conduct of the same individual;
 - requirement by law;
 - evidence of Sexualized Violence in the public realm (such as a video posted on social media).
- 4.8.2. If it is determined that the risk and/or impact of the information brought forward to the University necessitates a Report and/or Investigation, this can proceed under the Sexualized Violence Prevention and Response Policy as a University Report. 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 the Policy, including support and resources for any reporting third party. It will also be conducted in the same manner as a Report and/or Investigation in accordance with these procedures, with the following key differences:

- all references to the Report shall be read as University Report;
- the person bringing forward information (i.e., an individual who decides not to Disclose or Report formally, or a third party with direct information) will not be required to participate in any way. The person bringing forward information is entitled to support from the R&S team but will not have access to further Report documents.

4.9. Investigations

- 4.9.1. The R&S team will coordinate the Investigation and all related processes.
- 4.9.2. The R&S team will appoint an internal or external impartial Investigator who has the knowledge and experience in this field.
- 4.9.3. Each party will be assigned a Liaison to support the individuals involved in the Investigation.
- 4.9.4. The Liaisons will meet separately with the Complainant and Respondent. In the initial meetings, each party will be informed of the process and the following:
 - their rights in the investigation and decision-making process
 - the details of interim measures if applicable
 - the name and contact information of the Investigator
 - relevant support services
 - links to any University related process and policies.
- 4.9.5. Any individual has the right to decline participation in an Investigation at any time throughout the process. The Investigation will continue without that individual's participation.
- 4.9.6. All Investigations will be conducted in accordance with principles of Procedural Fairness including the following:
 - The Respondent will know the nature of the allegations and be given an opportunity to respond.
 - A written summary of the complaint with an option for an in-person discussion.
 - The Complainant, Respondent, and any other witness(es) can be assisted at the Investigation by a support person of their choice.
 - The Respondent has the right to be apprised of, and to respond to, any new information obtained during the Investigation.
 - The R&S team will provide notifications and updates on the progress of the Report to all parties and be a point of communication for questions.

- After reviewing the written account of the complaint and any relevant documentation, the Investigator will contact the Complainant and the Respondent to arrange separate interviews. The Complainant and the Respondent will have the opportunity to provide the Investigator with information, documents, names of witnesses and other submissions or evidence that they believe are relevant to the complaint.

4.9.7. The Investigator will conduct the Investigation, complete a final report for the University, and submit it to the Co-Chairs of the R&S team. The Co-chairs will have identified an appropriate decision-maker for each case.

4.10. Timeline

Participating in a formal complaint process can be challenging. For those who undertake this process it is often a precursor to healing and closure. Therefore, every attempt will be made to expedite a timely process without compromising the inclusion of best practices and appropriate Procedural Fairness for all parties.

4.11. Rendering of the decision

- 4.11.1. The decision-maker, appointed under section 4.9.7. of these procedures, will review the final report and may ask to speak to any of the parties involved.
- 4.11.2. Within ten (10) business days of a complete review of the Investigator's report, the decision-maker will render a decision and assign an appropriate sanction/remedy. The final decision will indicate whether there has been a breach of Policy or not. Individuals who perpetuate Sexualized Violence will have their relationship with the University terminated.

4.12. Interim measures

It may be necessary to enact temporary measures to protect the individuals and the community during an investigation and decision-making process. These will be applied without prejudice to the outcome of the Investigation.

4.13. Appeal process

- 4.13.1. The Complainant or Respondent involved in a formal complaint under these procedures and Policy has the right to appeal the decision or imposed sanction.

- 4.13.2. Any disputes arising from a decision made as a result of applying these procedures will be subject to the following appeals process:
- a. Those wishing to appeal a decision or sanction will be required to submit a written request within five (5) business days of receiving the decision letter. The decision letter will identify the individual responsible for an appeal in the case and the process for accessing that option.
 - b. Appeals will be considered on the following grounds:
 - There is new information that could not be reasonably presented earlier, potentially rendering the original decision unreasonable.
 - An alternative sanction is being suggested.
 - There is clear evidence of lack of Procedural Fairness and/or bias or unfair treatment in the process.
 - c. When an individual requesting an appeal is a union member, the right to appeal is determined within the applicable processes identified within the Yukon University Collective Agreement.
 - d. If an appeal request is granted, the individual responsible for the appeal process will review:
 - the investigation file;
 - the original findings and sanctions determined by the original decision-makers;
 - any other relevant documents or information.
 - e. Any parties included in the original Investigation or related to any new information brought forward may be interviewed.
 - f. The review will be communicated in writing to all parties within fifteen (15) business days of the commencement of the appeal.
 - g. The decision made through the appeal process is final regarding the options available within the University.

4.14. Confidentiality and Limits of Confidentiality

- 4.14.1. Confidentiality is an essential principle in creating an environment where individuals feel safe to disclose, Report, and seek supports.
- 4.14.2. Information about Disclosures and Reports will be shared only with those who need to know to address the incident, provide support or as required by law, with consent from an individual who has experienced Sexualized Violence unless there is a risk to the person who the information was disclosed to.

- 4.14.3. In cases where Confidentiality or anonymity cannot be maintained when accessing supports or Accommodation, the individual will be notified of which information will be shared and with whom. Efforts will be made to limit the amount of information that is shared and the number of individuals with whom it is shared.
- 4.14.4. Participants involved in an Investigation will be advised of the need for Confidentiality to protect the integrity of the Investigation and will be advised to refrain from discussing the matter while the process is ongoing. Any information shared with witnesses will be limited to what is necessary to conduct a fair and thorough Investigation.

4.15. Maintaining Statistics

- 4.15.1. Yukon University uses a Trauma-Informed Approach and acknowledges that the sharing of these statistics within the media and community may potentially re-victimize the reporting individuals and therefore will not be provided.
- 4.15.2. The Registrar & AVP Student Life will maintain annual statistics on reported incidents of Sexualized Violence on campus. This data will not include any information that would identify any University Community member. This report will be submitted to the President and Board of Directors annually, for information purposes, and assist in informing ongoing policies, procedures, or initiatives related to Sexualized Violence. An annual report that summarizes the University's education and awareness activities will be provided to the Senior Executive Committee.

4.16. Education

The University is committed to supporting ongoing education and awareness about Sexualized Violence and its prevention. The Student Success Division, Departments of University Relations and First Nations Initiatives, and Student Union, in collaboration with the Response and Support Team ("R&S team"), will work together to develop and implement an annual education strategy that provides coordinated, comprehensive, inclusive and culturally relevant awareness, training and education programs that address relevant topics that may include but are not limited to:

- promoting a culture of consent and healthy relationships
- addressing issues of Sexualized Violence and Rape Culture
- promoting bystander intervention strategies and peer support
- facilitating access to supports for community members affected by Sexualized Violence

- promoting awareness of the Sexualized Violence policy and procedures for responding to Sexualized Violence
- reducing barriers to reporting and accessing Accommodation.

The University will maintain a dedicated Sexualized Violence education and awareness webpage.

5. Exceptions to the Procedures

There are no foreseen exceptions to these procedures.

6. Problem Solving

Any questions arising out of the content or communication of this policy or disputes arising from a decision made as a result of applying this policy should be first reported to the Executive Lead who will endeavor to find a resolution with all stakeholders. Failing such a resolution, the matter should be reported to the University Secretariat.

7. Document History

Include all updates here, including non-substantive changes, beginning with formal approval.

<i>Date (Month DD, YYYY)</i>	<i>Update (Approver: change)</i>
October 2016	Policy established
June 2018	Policy revised
March 2025	Policy revised and moved under the Board's jurisdiction; code changed from SF7.1 to BA1.1