

Sexual Violence & Misconduct Policy - Canada

Overview, Purpose & Scope	CityU Policy:	4300.33
	Adopted:	7/01/2023

Overview

The University is committed to creating and maintaining a learning and working environment characterized by mutual respect, safety, civility, and free inquiry. Every member of the University Community should be aware that the University prohibits any form of sexual violence and misconduct. Safety at the University is a priority. The University will address sexual violence and misconduct through support, awareness, training and prevention programs, and appropriate handling of Reports and disclosure. Those who have experienced sexual violence and misconduct will be treated with compassion, dignity, and respect.

For inquiries relating to this Policy, contact the Director Human Resources.

This Policy will be reviewed at least once every three years.

Purpose

The purpose of this Policy is to clearly state the University's commitment to addressing sexual violence and misconduct through:

- creating an atmosphere in which this behaviour is not tolerated;
- providing education to the University Community about prevention;
- providing information and support, including provision of and/or referral to counseling and medical care, and appropriate academic and/or other accommodation to those who have experienced sexual violence and misconduct; and
- using clear, appropriate, and fair processes for handling a Report.

Scope & Application

This Policy applies to students, employees (both staff and adjunct faculty), advisory board members, volunteers, visitors, community internship sites, school districts or school-based internship sites, or any other individual involved in a University related activity.

This Policy applies to sexual violence and misconduct that is alleged:

- To have occurred, on or off the University's property, including on-line activities or at a University event; and
- Where the parties are acting in a capacity defined by their relationship to the University; or
- Where the alleged conduct adversely affects the University or the rights of a member of the University community to use and enjoy the University's learning and working environment.

This Policy is not intended to supersede or interfere with prevailing laws. Anyone who has experienced sexual violence and misconduct has the right to pursue criminal or civil legal avenues whether they choose to proceed under this Policy. All processes must follow the principles of natural justice and must appropriately protect the rights of all individuals.

Sexual Violence & Misconduct Policy - Canada

Definitions	CityU Policy:	4300.33
	Adopted:	7/01/2023

Definitions

Affirmative Consent: Affirmative, conscious, and voluntary agreement to engage in sexual activity. Consent to sexual activity requires both persons an affirmative, conscious, and voluntary agreement to engage in sexual activity:

- It is the responsibility of each person to ensure that they have the Affirmative consent of the other to engage in sexual activity. Affirmative consent must be ongoing and can be revoked at any time during sexual activity. Consent to one form of sexual activity (or one sexual act) does not constitute consent to the other forms of sexual activity. Consent given to sexual activity on one occasion does not constitute consent on another occasion.
- It is the responsibility of each person involved in the sexual activity to ensure that she/he/they have the Affirmative Consent of the other participant(s) to engage in the sexual activity.
- Lack of protest or resistance does not mean Affirmative Consent, nor does silence or the absence of “no” mean Affirmative Consent.
- Affirmative Consent cannot be assumed or implied.
- Affirmative Consent must be voluntary, and given without coercion, force, threat, or intimidation.
- The existence of a dating or social relationship between those involved, or the fact of past sexual activities between them, should never by itself be assumed to be an indicator of Affirmative Consent. A request for someone to use a condom or birth control does not, in and of itself, constitute Affirmative Consent.
- Affirmative consent cannot be given by a person who is incapacitated.
- It shall not be a valid excuse that a person affirmatively consented to the sexual activity if the Responding Party knew or reasonably should have known that the person was unable to consent to the sexual activity under any of the following circumstances:
 - The person was asleep or unconscious;
 - The person was incapacitated due to the influence of drugs, alcohol or medication, so that the person could not understand the fact, nature or extent of the sexual activity.
- It shall not be a valid excuse that the Responding Party believed that the person consented to the sexual activity under either of the following circumstances:
 - The Responding Party’s belief in Affirmative Consent arose from the intoxication or recklessness of the Responding Party;
 - The Responding Party did not take reasonable steps, in the circumstances known to the Responding Party at the time, to ascertain whether the person provided Affirmative Consent.
- Affirmative Consent can never be obtained if the Responding Party abuses a position of trust, power or authority.

Sexual Violence & Misconduct Policy - Canada

Definitions (continued)	CityU Policy:	4300.33
	Adopted:	7/01/2023

Balance of probabilities: the standard of proof used in an Investigation in which the probability of an event occurring is greater than fifty percent or is more likely than not to have occurred.

Dating Violence: Dating Violence is physical abuse committed by a person who is or had been in a social or dating relationship of a romantic or intimate nature with the Reporting Party. This may include someone the Reporting Party just met, such as at a party, introduced through a friend, or on a social networking website. For purposes of this definition, “abuse” means intentionally or recklessly causing or attempting to cause bodily injury or placing another person in reasonable apprehension of imminent serious bodily injury to the person, or another. Physical abuse does not include non-physical, emotional distress or injury.

Employee: means any person employed by the University, and includes adjunct faculty, advisory board members and consultants.

Incapacitation: A person is unable to consent to sexual activity because of incapacitation, if:

- The person was asleep or unconscious; and/or
- The person was incapacitated due to the influence of drugs, alcohol, or medication so that the person could not understand the fact, nature or extent of the sexual activity

Whether an intoxicated person (because of using alcohol or other drugs) is incapacitated depends on the extent to which the alcohol or other drugs impacts the person’s decision-making ability, awareness of consequences, and ability to make informed judgments. A person’s own intoxication or incapacitation from drugs or alcohol does not diminish that person’s responsibility to obtain Affirmative Consent before engaging in sexual activity.

Investigation: an information gathering, and assessment process used to determine the nature and circumstances of alleged wrongdoing, matters of credibility and whether it is more probable than not that a breach of this Policy occurred. The Investigation process may include, but is not limited to, witness interviews, collection and review of written statements, notes, logs, papers, digital and print records, and any other relevant material.

Investigator: a qualified and trauma informed external party who conducts the Investigation.

No-Contact Undertaking: means an agreement, mutually undertaken by two or more people, to refrain from contacting one another based on specified conditions.

Reporting Party: an individual alleging that they have been subjected to direct or indirect forms of sexual violence or misconduct, or a third party who has witnessed or has knowledge of an incident or incidents of sexual violence or misconduct.

Report: is a statement of facts including a record of the dates, times, nature of any incidents and names of witnesses. The Report must contain sufficient detail to allow the University to assess the Report and investigate if required. A Report can be made by a person who has experienced sexual violence or misconduct, or who has been a witness to sexual violence or misconduct.

Sexual Violence & Misconduct Policy - Canada

Definitions (continued)	CityU Policy:	4300.33
	Adopted:	7/01/2023

Responding Party: an individual against whom an allegation of sexual violence or misconduct has been made.

Sexual Activity: includes but is not limited to kissing, touching intimate body parts, fondling, intercourse, penetration of any body part, and oral sex.

Sexual Assault – Contact: is without the consent of the Reporting Party, touching of an intimate body part, including: genitals, anus, groin, breast or buttocks. The touching can occur when the Reporting Party is either clothed or unclothed.

Sexual Assault – Penetration: is without the consent of the Reporting Party, penetration, no matter how slight: of the vagina, anus, mouth by a penis; or of the vagina or anus by any other body part or object.

Sexual Harassment: means a course of unwanted conduct or comment of a sexual nature based on gender – where the person responsible for the remarks, behaviours or communications knows or ought reasonably to know that these are unwelcome or unwanted.

It is Sexual Harassment when:

A person's submission to such conduct is implicitly or explicitly made the basis for employment decisions, academic evaluation, grades or advancement, or other decisions affecting participation in a University program; or

- Such conduct is sufficiently severe or pervasive that its effect, whether intended, could be construed by a reasonable person in similar circumstances as the Reporting Party, and is in fact considered by the Reporting Party, as limiting his/her/their ability to participate in or benefit from the services, activities or opportunities offered by the University; or
- The conduct is sufficiently severe, persistent or pervasive that its effect, whether or not intended, could be considered by a reasonable person in similar circumstances as the Reporting Party, and is in fact considered by the Reporting Party, as creating an intimidating, hostile or offensive environment. One incident can be considered Sexual Harassment depending on the severity of the comment or conduct.

Sexual Harassment includes, but is not limited to:

- sexual solicitations, advances, remarks, suggestive comments and gestures (including songs and chants);
- the inappropriate display of sexually suggestive pictures, posters, objects or graffiti;
- non-consensual posting or distribution of sexually explicit pictures or video with the intent to distress the person in the picture or video, and/or aggressive comments and slurs on any form of social media;
- physical contact of a sexual nature; and/or
- sexual conduct that interferes with an individual's dignity or privacy such as voyeurism and exhibitionism.

Sexual Violence & Misconduct Policy - Canada

Definitions (continued)	CityU Policy:	4300.33
	Adopted:	7/01/2023

Sexual Misconduct: includes sexual violence and means any unwanted sexual act or act targeting a person's sexuality, whether the act is physical or psychological in nature, that is committed, threatened, or attempted against a person without the person's Affirmative Consent, and includes without limitation:

- sexual assault;
- sexual harassment;
- stalking (including cyber stalking);
- indecent exposure;
- voyeurism;
- sexual exploitation; or
- non-consensual posting or distribution of sexually explicit pictures or video with the intent to distress.

Stalking: is a form of criminal harassment involving behaviours that are a repeated Course of Conduct¹ and which collectively would cause a Reasonable Person² to suffer Substantial Emotional Distress³, by threatening a person's safety or mental health. Stalking can also include threats of harm to a person's friends and/or family. These behaviours include, but are not limited to:

- non-consensual communications (face to face, phone, email, social media);
- threatening or obscene gestures;
- surveillance;
- sending unsolicited gifts;
- creeping via social media/cyber- stalking; and/or
- uttering threats.

Student: means any person enrolled as a student at the University.

University-related activity: includes an activity conducted under the authority of the University at any location. The conduct in question must have a real and substantial connection to the University, University activities or University-related functions, whether or not the conduct occurred on University property (e.g. internship sites).

University Community: means students, faculty, adjunct faculty, employees, advisory board members, volunteers, visitors, community internship sites, school districts or school-based internship sites.

¹ Course of Conduct means two or more acts, including but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

² Reasonable Person means a reasonable person under similar circumstances as the Reporting Party.

³ Substantial Emotional Distress means significant mental suffering or anguish.

Sexual Violence & Misconduct Policy - Canada

Roles & Responsibilities	CityU Policy:	4300.33
	Adopted:	7/01/2023

Program Directors and Associate Directors

- Explain Policy and options,
- Facilitate implementation of temporary academic accommodations and related academic requests for students who have experienced Sexual Misconduct and/or make referrals to on-campus support services,
- Facilitate implementation of temporary employment accommodations for employees who have experienced Sexual Misconduct and/or make referrals to on-campus support services.

Director of Student Services/Title IX Coordinator:

- receives informal/informational reports of Sexual Misconduct from students,
- receives formal reports of Sexual Misconduct from students,
- explains options and process,
- provides support for police reporting,
- facilitate or arrange temporary academic accommodations for students as required,
- assists with safety planning and make referrals to support services, including external medical services.

Director Human Resources

- receives informal/informational reports of Sexual Misconduct from employees,
- receives formal reports of Sexual Misconduct from employees,
- explains options and process,
- provides support for police reporting,
- facilitate or arrange temporary accommodations for employees and students as required,
- assists with safety planning and make referrals to support services, including external medical services.

Sexual Misconduct Prevention

The University will provide education and training to students and employees to increase awareness, prevent incidents and promote effective responses to Sexual Misconduct.

The University will make reasonable efforts to ensure that every member of the University Community is aware of this Policy.

Sexual Violence & Misconduct Policy - Canada

Procedures ⁴	CityU Policy:	4300.33
	Adopted:	7/01/2023

Making a Report or Disclosure of Sexual Misconduct

Any member of the University Community may bring a concern about Sexual Misconduct that falls within the scope of this Policy to the attention of the University or to the police. The University encourages, but does not require, immediate reporting by those who have knowledge of or who have witnessed incidents of Sexual Misconduct.

Reporting a concern will initiate an Investigation in the following situations:

- If there is a legal obligation to undertake an Investigation; or
- There is a reasonable assumption of risk to an individual or to members of the University Community.

The University will accept a third-party Report of Sexual Misconduct in those situations where the Reporting Party has given consent to Report.

Anyone who experiences or witnesses Sexual Misconduct, or has reason to believe that Sexual Misconduct has occurred or may occur, may pursue any of the following options (or pursue more than one option simultaneously):

- **Criminal Reporting Option:** individuals may report their allegations through the criminal justice system by contacting the local police detachment. The University will cooperate with any criminal investigation.
- **Non-Criminal, On-Campus Report Option:** A Report should be directed as follows:
 - for student-student related matters – Title IX Coordinator or the Vice President of Canadian Operations and Enrollment;
 - for student-employee related matters – HR Director and the Title IX Coordinator
 - for employee-employee related matters – HR Director;
 - for adjunct faculty –HR Director and the Program Directors.

A Report may initiate an Investigation and/or resolution process. The person the Report is made to will explain the procedures and assist to get any support and resources needed⁵.

⁴ See Appendix A for full Procedure details

⁵ See Appendix C for a list of internal and external resources

Sexual Violence & Misconduct Policy - Canada

Procedures (continued)	CityU Policy:	4300.33
	Adopted:	7/01/2023

Without a Report Option

- if a student who has experienced Sexual Misconduct, including Sexual Misconduct at a non-University related activity, and does not want to report the experience through the criminal justice system, or the University's non-criminal on-campus Report option, the student has the option of disclosing their experience to a counsellor through the University's **Empower Me**, a complementary and confidential student assistance program designed to support students' mental health and well-being.
- if an employee who has experienced Sexual Misconduct, including Sexual Misconduct at a non-University related activity, and does not want to report the experience through the criminal justice system, or the University's non-criminal on-campus Report option, the employee has the option of disclosing their experience to a counsellor through the University's **Life Assistance Program (LAP)**, a complementary and confidential employee assistance program designed to support employees mental health and well-being.
- Disclosure will not initiate a process to investigate the Sexual Misconduct or engage any resolution process.

Interim Measures

Prior to the commencement of an Investigation or resolution process, the University may impose interim measures as may be appropriate for the safety of the individuals involved, and the University Community, in any Report of Sexual Misconduct. A Report of Sexual Misconduct does not have to be filed to obtain interim measures. Interim measures may include, but are not limited to:

- alteration of the academic schedule of any student involved in a Report of Sexual Misconduct;
- no-contact undertakings or no-contact direction;
- temporary, non-disciplinary, leave of a person alleged to have engaged in Sexual Misconduct; and/or
- any other interim restrictions as may be determined by the University.

Academic Accommodation

A student who has experienced Sexual Misconduct, including Sexual Misconduct at a non-University related activity, and who may require an academic accommodation (for example, exam deferral, an extension on an assignment, withdrawing from a class, changing location of studies to another campus or from home, etc.), will be supported by the Student Services Department, in accordance with the University procedures for requesting and granting academic accommodations.

A student requesting academic accommodation under this Policy is not required to file a Report of Sexual Misconduct to receive academic accommodation.

Sexual Violence & Misconduct Policy - Canada

Procedures (continued)	CityU Policy:	4300.33
	Adopted:	7/01/2023

Investigation

If the University initiates an Investigation, the purpose of the Investigation will be to gather, analyze, and make findings based on the facts. The Investigation will include the following:

- Conducting personal interviews with the Reporting Party, the Responding Party and any witnesses the Investigator deems relevant;
- Gathering and analyzing all documentary and oral evidence;
- Reviewing the provisions of the applicable policies and/or Collective Agreement(s); and
- Submitting a written report to the Vice President of Canadian Operations and Enrollment that will include reference to the relevant evidence gathered, organizational documents and policies, findings of fact, conclusions, and recommendations (if requested).

Investigations will conform to reasonable standards of fairness and due process and will be conducted in a timely manner. Investigations will be conducted by external professionals who have specialized training in Sexual Misconduct and conducting trauma informed investigations.

The Responding Party will receive reasonable and timely notice of the allegations against them, will have the right to respond to the allegations and will have the right to an unbiased decision arising from the allegations.

Both the Reporting Party and Responding Party may have a support person to accompany them during the Investigation. Involvement of support people who are not members of the University Community shall be at the discretion of the Investigator.

Decisions of whether the allegations contained in the Report happened will be made on the balance of probabilities based on the preponderance of evidence.

The Reporting Party and the Responding Party will receive a summary report of the Investigation that will include the findings of fact, analysis, and conclusion, and be advised of the decision of the University.

An Investigation may not proceed if the Responding Party is not a member of the University Community at the time the Investigation commences. The University will decide whether an Investigation will be conducted based on the circumstances. The Reporting Party will also be referred to external resources for assistance.

Possible Consequences

Any member of the University Community who is found to have engaged in an act of Sexual Misconduct will be subject to sanctions up to and including suspension or termination from the University.

No sanction and/or disciplinary action will be taken against an individual without their knowledge.

Sexual Violence & Misconduct Policy - Canada

Procedures (continued)	CityU Policy:	4300.33
	Adopted:	7/01/2023

Right to Withdraw from an Investigation

At any time during the Investigation process, the Reporting Party has the right to withdraw from that process without consequences to their university status and activities. The University may continue with the Investigation to comply with its obligation under this Policy and/or its legal obligations. In the event that the University is required to proceed, the Reporting Party will be advised of the decision to proceed.

Confidentiality

The University recognizes that privacy and the maintenance of dignity and control over personal information is particularly important to those who have experienced Sexual Misconduct. The University will maintain the confidentiality of all persons involved, recognizing that limited information sharing may be necessary to address the concerns and ensure procedural fairness.

Confidentiality cannot be assured in the following circumstances:

- When an individual is at imminent risk of self-harm;
- When an individual is at imminent risk of harming another;
- There are reasonable grounds to believe that others in the University Community or wider community may be at risk of harm;
- When there are reasonable grounds to believe that an individual under 18 years of age may be at risk of harm; and/or
- Where there is a legal duty to report.

Protection from Retaliation

It is contrary to this Policy for anyone to retaliate, engage in reprisals or threaten to retaliate against a person making a Report, a witness or other individual for:

- having pursued options/rights under this Policy or any other relevant Provincial or Federal legislation;
- having participated or co-operated in any resolution process under this Policy; or
- having been associated with someone who has pursued rights under this Policy.

Anyone engaged in such conduct may be subject to sanctions including suspension and termination.

False Statements & Accusations

Any person who knowingly makes a false statement or accusation in connection with an Investigation under this Policy will be in violation of the Student Code of Conduct or other relevant University Policy and will be subject to disciplinary action.

Sexual Violence & Misconduct Policy - Canada

Appendix A: Sexual Violence & Misconduct Procedures	CityU Policy:	4300.33
	Adopted:	7/01/2023

Procedure for Students, Employees, Adjunct Faculty, Volunteers and Other Members of the University Community

All members of the University community have a responsibility to assist individuals who have experienced Sexual Misconduct and to report incidents they have witnessed.

An individual who has experienced Sexual Misconduct falling within the scope and definition found in the Policy has a range of options that include:

Disclosure

An individual may disclose an incident of Sexual Misconduct to a trusted member of the University Community to seek support and/or guidance. Individuals who receive a disclosure of Sexual Misconduct from a student or another member of the University Community are encouraged to follow the suggestions found in Appendix B.

Report to Police

Individuals may report allegations through the criminal justice system by contacting their local Police Department or the RCMP. The University will cooperate with any criminal investigation.

Informal/Information Report to the University

Individuals wishing to notify the University of an incident of Sexual Misconduct without initiating an investigation, may report the incident to:

- Instructor, Program Director, Title IX Coordinator or the Vice President of Canadian Operations and Enrollment - Where the alleged Responding Party is known or believed to be a **student** at the University.
- Program Director or the Director Human Resources - Where the alleged Responding Party is known or believed to be an **employee** of the University or a **non-employee academic supervisor** (e.g., practicum supervisor or similar).
- Vice President of Canadian Operations and Enrollment - Where the alleged Responding Party is known or believed to be a contractor, visitor or another individual engaged in business or service related to the University.

When an informal/information report is received, the recipient will outline formal reporting options including the option to notify law enforcement and will offer support as outlined in the Policy. The recipient of the informal report will make a written record of the incident. Written records of an informal/information report will be kept in a confidential file located in Human Resources, Seattle.

Where the individual making the report requests no action by the University, this request will be noted in the written record. The University reserves the right to act on an informal/information report if,

- The allegation involves a minor,
- Federal or provincial legislation requires an investigation, or
- There is a reasonable assumption of risk to the individual or members of the University Community.

Where the University is required to act based on any of the reasons outlined above, the Reporting Party will be informed of the reasons for the action.

Sexual Violence & Misconduct Policy - Canada

Appendix A: Sexual Violence & Misconduct Procedures (cont'd)	CityU Policy:	4300.33
	Adopted:	7/01/2023

Third Party Reporting

If extenuating circumstances prevent direct reporting, an individual may request that a willing and trusted member of the University community (e.g., Instructor, Program Director or another third party) initiates the report on their behalf. Extenuating circumstances include trauma induced psychological or functional impairment.

Employment Accommodation

Employees who are seeking accommodations because of Sexual Misconduct, may contact the Human Resources Director.

Academic Accommodation

Students who are seeking accommodations because of Sexual Misconduct, may contact the VP of Student Services or the Title IX Coordinator.

Formal Report to the University

The Reporting Party may submit their Report of an alleged incident of Sexual Misconduct by contacting the following University personnel:

- Instructor, Program Director, Title IX Coordinator or the Vice President of Canadian Operations and Enrollment - Where the alleged Responding Party is known or believed to be a **student** at the University.
- Program Director or the Director Human Resources - Where the alleged Responding Party is known or believed to be an **employee** of the University or a **non-employee academic supervisor** (e.g., practicum supervisor or similar).
- Vice President of Canadian Operations and Enrollment - Where the alleged Responding Party is known or believed to be a contractor, visitor or another individual engaged in business or service related to the University.

A formal Report should be in writing and include the following:

- Reporting Party's name and contact information;
- Responding Party's name and contact information (if known);
- Detailed description of the situation/incident(s);
- List of any witnesses to the situation/incident(s), along with as much information as possible to assist in identifying and contacting witnesses; and
- Date and signature of the Reporting Party.

Sexual Violence & Misconduct Policy - Canada

Appendix A: Sexual Violence & Misconduct Procedures (cont'd)	CityU Policy:	4300.33
	Adopted:	7/01/2023

Investigation Process

When a formal Report is received, the Vice President of Canadian Operations and Enrollment or Director of Human Resources will review the request to ensure it falls within the scope of the Policy. Where the matter falls outside the scope of the Policy, the Reporting Party will be referred to the appropriate University policy or to another University or external resource.

Upon reviewing the request and determining that it falls within the scope of the Policy, the Title IX Coordinator or Director Human Resources will meet with or otherwise communicate with the Reporting Party and Responding Party to:

- Review the allegations in the Report;
- Outline any alternate resolution options and the Investigation process; and
- Review accommodation and support options that may be available.

The Investigation process will include of:

- Conducting virtual or personal interviews with the Reporting Party, the Responding Party and any witnesses the Investigator deems relevant;
- Gathering and analyzing all documentary and oral evidence;
- Reviewing the provisions of the applicable policies and/or Collective Agreement(s); and
- Submitting a written report that will include reference to the relevant evidence gathered, organizational documents and policies, findings of fact, analysis, conclusions, and recommendations (if requested).

Decision-making will include an assessment of the information gathered during the Investigation, and matters of credibility, to determine if a breach of the Policy occurred. Decisions following an Investigation will be made on the balance of probabilities based on the preponderance of evidence.

The Investigation report will be provided to the Vice President of Canadian Operations and Enrollment, and if the Responding Party is a staff member, to the Director Human Resources.

The Investigation report will be kept in a confidential file located in the Human Resources department (if a university employee or adjunct instructor is implicated); a copy will be kept in Student Services (for a student Reporting Party and Responding Party).

The Reporting Party and the Responding Party will receive a summary report of the Investigation that will include the findings of fact, analysis, and conclusion, and be advised of the decision of the University.

Sexual Violence & Misconduct Policy - Canada

Appendix A: Sexual Violence & Misconduct Procedures (cont'd)	CityU Policy:	4300.33
	Adopted:	7/01/2023

Interim Measures

The individual receiving the Report will arrange or implement interim measures deemed appropriate to the circumstances. Interim measures may include, but are not limited to:

- No-contact undertakings or no-contact directives,
- Restrictions on access to all or some parts of the University offices or internship site facilities, or external teaching locations,
- Temporary, non-disciplinary leave of absence for the person alleged to have engaged in Sexual Misconduct, and
- Any other interim restrictions deemed appropriate by the University.

Withdrawing From an Investigation

An individual wishing to withdraw from an Investigation must provide a written request to withdraw to the Title IX Coordinator or the Director Human Resources. Upon receipt of a request to withdraw, the University will determine whether the Investigation should continue based on all circumstances or requirements by law. If the decision is made to cease the Investigation, the parties will be notified in person and in writing.

Sanctions or Other Disciplinary Measures

When an Investigation establishes that there has been a violation of the Policy, the Director Human Resources, may impose sanctions including termination, suspension, or expulsion.

Appeals

Any individual wishing to file a dispute regarding the Report or Investigation process may do so by notifying the Director Human Resources in writing of the concerns within 30 days of receiving the Investigation summary report.

Sexual Violence & Misconduct Policy - Canada

Appendix B: Response to Disclosures

CityU Policy: 4300.33

Adopted: 7/01/2023

When an individual discloses an incident of Sexual Misconduct to a member of the University Community that member should:

- Listen empathically and without judgment or interruption.
- Validate the individual's experience or reactions.
- Help the person identify safe individuals within their existing support system.
- Reassure the individual that they are not responsible for the actions of the other person.
- Review the current safety of the individual.
- Provide information on off- campus resources, including counselling and medical support services. A list of resources is contained in Appendix C.
- Inform the individual of the Policy, their reporting options, including contact information for on-campus reporting of the incident(s).
- Encourage the individual to seek medical attention and counselling support, while respecting the individual's right to choose the services they believe will be of most benefit, including any decision to notify the police.
- Avoid personal advice.
- Do not investigate.
- Do not call the police unless you are specifically asked to do so.
- Ask the individual what you can do to be supportive.

If an individual receiving a disclosure feels unable to assist the individual, please contact the Title IX Coordinator or Director Human Resources.

Sexual Violence & Misconduct Policy - Canada

Appendix C: Local Resources	CityU Policy:	4300.33
	Adopted:	7/01/2023

Crisis Line

A Crisis Line is a non-profit, volunteer organization committed to helping people help themselves and others deal with crisis. 24-hour crisis lines are available to provide immediate crisis support.

Women Against Violence Against Women (WAVAW) 24-Hour Crisis Line: 604-255-6344 or toll free 1-877-392-7583

VictimLink BC: 1- 800- 563- 0808 can help you find a support service program nearest you.

Vancouver Campus

Vancouver General Hospital Sexual Assault Service: 920 West 10th Avenue (near Broadway & Oak)

- Female patients can call 604.255.6344 if they would like a Rape Crisis Centre counsellor from WAVAW to meet them at the hospital. When you call, ask for “Hospital Accompaniment Staff.”

Vancouver Police Department: 604.771.3321 (non-emergency) or 911 (emergency)

- The Vancouver Police can provide information on various reporting options and are available to accompany the survivor to the Vancouver General Hospital (VGH) Sexual Assault Service if desired.

Victoria Campus

Victoria Sexual Assault Clinic, Victoria General Hospital: 250-383-3232 (24-hour crisis line)

<https://vsac.ca/recent-sexual-assault/>

Victoria Police Department: 250-995-7654 (non-emergency) or 911 (emergency)

Edmonton Campus

Sexual Assault Centre of Edmonton: <https://www.sace.ab.ca/index.php/get-help/community-resources>

Edmonton 24-hour Sexual Assault Crisis Line: 780-423-4121

Edmonton Police Department: 780-423-4567 (non-emergency) or 911 (emergency)

Calgary Campus

Calgary Sexual Assault Response Team: 403-237-5888 or toll free 877-237-5888

<http://www.connectnetwork.ca>

Calgary Police Department: 403-266-1234 (non-emergency) or 911 (emergency)

Sexual Violence & Misconduct Policy - Canada

Appendix C: Campus Resources	CityU Policy:	4300.33
	Adopted:	7/01/2023

Contacts for Students

Title IX Coordinator

Harvey Duncan

Email: duncaniiharvey@cityu.edu

Vice President of Canadian Operations and Enrollment

Tanya Scolah

Email: tscolah@cityu.edu

Empower Me

Ali Versi

Email: ali@studentcare.net

Contacts for Employees

Human Resources Director

Janet O'Leary

Email: joleary@cityu.edu

Pacific Blue Cross Employee & Family Assistance Program

1-844-PBC-EFAP (722-3327)