

TITLE: Sexual Violence Procedure – Students

Effective Date: January 1, 2020

Review Date: January 1, 2025

Approved By: CEI and SRRO

The Sheridan College Institute of Technology and Advanced Learning (“Sheridan”) is committed to providing a working and learning environment that is free from Sexual Violence and that is supportive of academic achievement and the dignity, self-esteem and fair treatment of everyone taking part in its activities. Sheridan seeks to foster a climate of mutual respect that reinforces opportunity and allows for each person to contribute fully to the development and well-being of the community. Sheridan will not tolerate any form of Sexual Violence as defined by the Sexual Violence Policy, or other applicable legislation.

1. PURPOSE

The purpose of this Procedure, as set in the Sexual Violence Policy, is to provide the following information:

- How and where a Student who has been affected by Sexual Violence can access resources, support and Accommodation on- and off-campus;
- Supportive ways to handle a disclosure of Sexual Violence and what to do if you witness or are informed about an incident of Sexual Violence;
- Reporting options for a Student, including local police services and Sheridan for informal and formal Complaints; and
- Sheridan’s Procedure when formal Complaints are filed.

2. SCOPE

The scope of this Procedure is to implement the Sexual Violence Policy for Students.

3. DEFINITIONS

Sexual Violence: Any sexual act or act targeting a person’s sexuality, gender identity, or gender expression, whether the act is physical or psychological in nature, that is committed, threatened or attempted against a person without the person’s Consent and includes Cyber Harassment, Indecent Exposure, Sex Trafficking, Sexual Assault, Sexual Exploitation, Sexual Harassment, Stalking, and Voyeurism.

Please see Appendix A for all defined terms.

4. PROCEDURES

I. Overarching Principles:

- A. This Procedure is an administrative process for internal matters at Sheridan. This is not a judicial proceeding and is designed to be an educational and investigative process.
- B. No determination of Misconduct will be presumed until impartial investigations have been conducted according to the principles of Procedural Fairness.
- C. Members of Sheridan responsible for investigations have received specialized training and will investigate all alleged incidents when a formal Complaint is filed, or as otherwise described in this Procedure.
- D. The Student Rights and Responsibilities Office (SRRO) will work with the Respondent (Student alleged to have committed the act of Sexual Violence) and/or the Complainant (Student who brings forward a Complaint that alleges an act of Sexual Violence) to examine the circumstances of the alleged incident. In circumstances, where the incident does not involve another person, Sheridan may be considered the Complainant.
- E. Throughout this Procedure, the SRRO and the appropriate academic area as necessary, will collaborate to ensure that the academic progress of a Respondent is not unreasonably jeopardized. Accommodating the Respondent in question may not be possible if it is not in the best interest of the Sheridan community, due to the nature of the concern.
- F. Throughout this Procedure, Sheridan will accommodate any Student as applicable under the Ontario Human Rights Code, if requested by the Student.

4.1. What to Do If You Have Experienced or Been Affected by Sexual Violence

It is often difficult to disclose and/or report incidents of Sexual Violence. It is entirely up to you if you choose to disclose or report the incident. Students are strongly encouraged to report incidents of Sexual Violence, but do not need to file a formal Complaint to obtain campus supports, services and/or Accommodation from Sheridan.

All Students who have experienced or been affected by Sexual Violence have the right to:

- Be treated with dignity and respect;
- Be believed when disclosing;
- Be informed about on- and off- campus services and resources;
- Decide whether or not to access available services and to choose those services they feel will be most beneficial;
- Decide whether to report to Campus Security and/or to local police services;
- Have an on-campus investigation with Sheridan's full cooperation;
- Have a safety plan created; and
- Have reasonable and necessary actions taken to prevent further unwanted contact with the alleged perpetrator(s).

Sheridan recognizes that a Student may be hesitant to disclose or report Sexual Violence in cases where they may have been drinking while underage or were using drugs at the time when the act of Sexual Violence took place. Students acting in good faith who disclose or report Sexual Violence will not be subject to sanctions for violation of Sheridan's policies related to alcohol and/or drug use, including the Student Code of Conduct, at the time the Sexual Violence took place.

Confidentiality

Sheridan respects the confidentiality of all persons, including the Complainant, Respondent, and witnesses by restricting access to information to individuals with a need for such access.

Information provided by Complainants and Respondents is treated as confidential but may be shared at Sheridan's sole discretion with the other party as reasonably required to investigate a formal Complaint, resolve any Student appeal and/or as may be required by Sheridan policy and/or applicable law.

Confidentiality cannot be assured in the following circumstances:

- an individual is at risk of suicidal ideation and/or action;
- an individual is at risk of harming another;
- there are reasonable grounds to believe that others in the Sheridan or wider community may be at risk of harm; and/or
- disclosure of information is required by law.

In such circumstances, information would only be shared with necessary services to prevent harm.

On-Campus Supports

While everyone on campus has a role to play in responding to incidents of Sexual Violence, certain Members of the Sheridan Community will have specific roles in supporting Students. These include:

The Sexual Violence Response Specialist (the "SVRS")

The SVRS serves as a point of contact for Students who have experienced and/or been affected by Sexual Violence and accepts disclosures in a manner that ensures confidentiality, well-being and safety.

The SVRS may assist Students by:

- Reviewing safety resources on- and off-campus and create safety plans for Students;
- Providing detailed information about legal options and reporting to local police services;
- Reviewing on-campus investigation procedures, even when the Student chooses not to make a report to the police;

- Providing information and/or referrals to specialized off-campus resources;
- Ensuring coordination of supports and communication among various departments as required with the express consent of the Student; and
- Assisting Students with accessing on-campus resources including referrals to:
 - Counselling Services for confidential mental health and emotional support;
 - Health Services for on-campus medical services;
 - Accessible Learning Services for Accommodation;
 - Campus Security for safety concerns on campus and for SafeWalk;
 - Residence contacts; and
 - SRRO for formal Complaints or questions about the investigation process.
- Assisting Students with access off-campus resources including referrals to:
 - Medical services;
 - Local police services; and
 - Counselling services for confidential mental health and emotional support.

Students are able to access the SVRS during regular business hours at:

- Davis: B295B (by appointment); 905.845.9430 ext. 8430; and
- Email: svrs@sheridancollge.ca

Please note that the SVRS can also arrange to meet you at either the Trafalgar or HMC campuses, or off-campus if preferred.

Please note that the SVRS does not handle emergency situations. Please contact Campus Security at 905.815.4044 or 911 for emergency assistance.

Wellness and Counselling Services

Wellness and Counselling Services provides Students with mental health and emotional support and can make referrals to other services as required including Accessible Learning for Accommodations and specialized community resources.

Students who require confidential counselling support on campus during business hours, can visit or call Counselling Services within the Centre for of Student Success at:

- Trafalgar: B104; 905.845.9430 ext. 2557
- Davis: B230; 905.845.9430 ext. 5400
- HMC: A240; 905.845.9430 ext. 2528

Health Services

The Health Centre provides Students with on-campus health supports and will ensure medical safety. The Health Centre can also make referrals to other services as required, including Accessible Learning for Accommodations and medical services.

Students who require medical care on campus during hours, can visit or call the campus Health Centre at:

- Trafalgar: B129; 905.845.9430 ext. 2550
- Davis: C210; 905.845.9430 ext. 5153
- HMC: A147; 905.845.9430 ext. 5709

Accessible Learning

Accessible Learning offers services and Accommodations for Students who have experienced or been affected by Sexual Violence. Please contact the above listed services for a referral to Accessible Learning or contact Accessible Learning directly.

Students who require Accessible Learning support on campus during business hours, can visit or call the Centres for of Student Success at:

- Trafalgar: B104; 905.845.9430 ext. 2557 or Trafalgar.als@sheridancollege.ca
- Davis: B230; 905.845.9430 ext. 5400 or Davis.als@sheridancollege.ca
- HMC: A240; 905.845.9430 ext. 2528 or HMC.als@sheridancollege.ca

Campus Security

Campus Security is available for Students who may require assistance related to their safety concerns on campus. Security can assist Students by providing SafeWalk on campus, which is an escort to parking lots, residences, pathways and hallways, as well obtaining information to create an Incident Report. Campus Security is also available for after-hours on-campus support.

To access Campus Security:

- Call ext. 4044 within the campus or 905.815.4044 on and off campus (24/7)
- Use an Emergency Phone located at the [Trafalgar](#), [Davis](#) and [Hazel McCallion](#) campuses
- Download the “Sheridan ALERT!” app for iOS and Android phones.

Residence

If you are a Student living in Residence, support through the Residence Life staff is available 24/7. They can connect you with the appropriate resources and supports and will facilitate safe living arrangements to the best of their abilities. For Students who have experienced or been affected by Sexual Violence:

- Your floor Residence Advisor (RA) can connect you with the appropriate resources, supports and will connect you with a Residence Manager.
- 24/7 assistance is available at the Residence front desks by phone or in person – **please call and ask for a Residence Manager**
- Trafalgar 1 and 2 Front desks (24/7) – 905.815.4150 ext. 71000

- Davis Residence Front desk (24/7) – 905.874.4373 ext. 73000

[Student Rights and Responsibilities Office \(SRRO\)](#)

SRRO responds to reports of Sexual Violence involving Students. Students can visit/contact SRRO if they: (i) are unsure if they would like to proceed with a formal Complaint, (ii) would like to review their options, (iii) have questions or (iv) would like to file a formal Complaint during business hours.

Students who would like to speak with an SRRO staff member can do so by attending the SRRO during business hours within the Centres for Student Success at:

- Trafalgar: B104; 905.845.9430 ext. 2557
- Davis: B230; 905.459.7533 ext. 5400
- HMC: A247; 905.459.7533 ext. 2528

Students may also contact SRRO by email at srro@sheridancollege.ca.

SRRO can also make referrals to other on-campus supports as required including Accessible Learning for Accommodations.

Off-Campus Supports

If you have experienced or have been affected by Sexual Violence and require support off-campus, please see the following specialized resources:

Halton Region (Trafalgar Campus)

- [SAVIS](#), or [Sexual Assault and Violence Intervention Services of Halton](#) for crisis support and ongoing support at 905.875.1555
- [Nina's Place](#) – Sexual Assault and Domestic Violence Care Centre (Joseph Brant Hospital – enter through Emergency Room) for medical attention at 905.632.3737 ext. 5708, if necessary
- [Victim Services-Halton Police](#) at 905.825.4777 ext. 4923 for the Sexual Violence Outreach person
- [Crisis Outreach and Support Team \(COAST\)](#) at 1.877.825.9011

Peel Region (Davis and HMC Campuses)

- [Hope 24/7](#) for crisis and ongoing support at 1-800-810-0180
- [Chantel's Place](#) – Sexual Assault and Domestic Violence Services (Mississauga Hospital – enter through Emergency Room) for medical attention at 905.848.7580 ext. 2548, if necessary

- [Victim Services of Peel](#) at 905-568-1068
- [24.7 Crisis Support Peel](#) at 905.278.9036
- [Family Services of Peel \(LGBTQQIAAP\)](#) at 905.453.5775

Additional Supports

- [Good2Talk](#) at 1.866.925.5454 or connect through 2-1-1
- [Crisis Text Line](#) – Text HOME to 686868 in Canada
- Support Services for [Male Survivors of Sexual Violence](#) at 1-866-887-0015
- [Assaulted Women’s Helpline](#) at 1-866-863-0511
- [Talk4Healing](#) for Indigenous women at 1-855-554-HEAL at (1-855-554-4325)
- [Canadian Human Trafficking Hotline](#) at 1-833-900-1010
- [Ontario Coalition for Rape Crisis Centres, or OCRCC](#)

Police Services

Students who have been affected by Sexual Violence may require emergency assistance from police and/or may wish to press criminal charges. Police can also assist you by providing available support and resources in the community, including how to access medical attention.

For regional police services, you can contact:

- Halton Regional Police (Trafalgar campus)
 - 905.825.4777 for non-emergency
 - 911 for emergency
 - You can visit one of their divisions located [here](#).
- Peel Regional Police (Davis and HMC campuses)
 - 905.453.3311 for non-emergency
 - 911 for emergency
 - You can visit one of their divisions located [here](#).

To obtain additional information about off-campus resources and supports, please contact the SVRS at 905.845.9430 ext. 8430 or svrs@sheridancollege.ca .

4.2 What to Do If You Have Witnessed or Become Aware of Sexual Violence

As previously mentioned, it is often difficult to disclose and/or report incidents of Sexual Violence. It is also difficult if you have witnessed Sexual Violence. It is entirely up to you if you choose to disclose or report the incident. While Students are strongly encouraged to report all incidents of Sexual Violence they have witnessed, it should be noted that Employees at Sheridan have a duty to immediately report all incidents and suspected incidents of Sexual Violence that they have witnessed, may have witnessed, or have been made aware of.

If you have witnessed Sexual Violence, you have the option to:

- Call Campus Security at 905.815.4044
- Speak with a Campus Security personnel in person at:
 - Trafalgar; B100
 - Davis; C216
 - HMC; B192
- File an [online](#) witness statement or security report
- Speak with the SVRS who will provide information and support on how to report the incident

If you are neither an Employee nor a Student (e.g. a guest, volunteer, supplier, Governor and contractor)/subcontractor and witness Sexual Violence at any of the campuses, please report the incident to Security at 905.815.4044, or use the emergency phones located both inside and outside on each campus.

4.3 What to Do If Someone Discloses an Experience of Sexual Violence

A person may choose to confide in someone about an act of Sexual Violence, such as a Student, faculty, teaching assistant, coach, or staff from housing, health, counselling or security. An individual who has been affected by Sexual Violence may also inquire about where to seek support, resources and/or Accommodation from Sheridan. A supportive response involves:

- Listening without judgement and accepting the disclosure as true;
- Communicating that Sexual Violence is never the responsibility of the victim;
- Helping the individual identify and/or access available on or off campus services, including emergency medical care and counselling;
- Respecting the individual's right to choose the services they feel are most appropriate;
- Respecting the individual's right to decide whether to report to:
 - the Police;
 - the Sexual Violence Response Specialist at 905.845.9430 ext. 8430;
 - the Centre for Equity and Inclusion 905.845.9430 ext. 2229; or
 - Campus Security at 905.815.4044
- Recognizing that disclosing an experience of Sexual Violence can be traumatic and an individual's ability to recall the events may be limited;
- Respecting the individual's choices as to what and how much they disclose about their experience; and
- Making every effort to respect confidentiality and privacy.

If a disclosure is made to an Employee by a Student seeking support, the Employee should refer the Student to the on-campus resources described above in section 4.2 above called "On Campus Supports".

If a disclosure is made to an Employee by a Student seeking Accommodation, the Employee should refer the Student to the Sexual Violence Response Specialist, who will work with Accessible Learning to ensure that the Student receives all necessary academic and other Accommodations.

As indicated above, if an Employee suspects or becomes aware of an allegation of Sexual Violence against a Student, they have a duty to immediately report it. Please contact the

Sheridan's Sexual Violence Response Specialist at ext. 8430 or svrs@sheridancollege.ca or contact Campus Security at 905.815.4044 immediately.

4.4 Filing A Formal Complaint Within Sheridan

You are not required to file a formal Complaint in order to obtain supports, services or Accommodations from Sheridan.

Students who have experienced Sexual Violence can file a formal Complaint under this Policy, if the alleged individual is another Member of the Sheridan Community.

The SRRO is responsible for Student investigations. Students who would like to file a formal Complaint during business hours, can visit SRRO within the Centres for Student Success at:

- Trafalgar: B104; 905.845.9430 ext. 2557
- Davis: B230; 905.459.7533 ext. 5400
- HMC: A247; 905.459.7533 ext. 2528

Students may also contact SRRO by email at srro@sheridancollege.ca if they have any questions regarding how to file a Complaint or the investigation process.

Please note the SRRO does not handle emergency situations. Please contact Campus Security at 905.815.4044 or 911 for emergency assistance and during non-business hours.

The Complaint procedure will vary depending on the profile of the Complainant (the person who is disclosing the act of Sexual Violence) and the Respondent (the person who is being accused of committing the act of Sexual Violence). Please see below for the correct procedure for filing a formal Complaint. You may also refer to Appendix B as quick reference guide.

Withdrawing a Complaint

A Complainant has the right to withdraw a complaint at any stage in the process. However, Sheridan may continue to act on the issues identified in the complaint as required by the Policy, other Sheridan policies, in the interests of the Sheridan community, for health and safety reasons, or as otherwise required by law.

4.5 How Will Sheridan Respond to a Formal Complaint of Sexual Violence?

Where a formal Complaint of Sexual Violence has been reported, Sheridan will exercise care to protect and respect the rights of both the Complainant and the Respondent. Sheridan will ensure designated staff members respond in a prompt, compassionate, and personalized fashion.

A Complainant and a Respondent will not be required to meet face to face, at any stage of this Procedure.

Procedural Fairness

All Students have the right to procedural fairness and due process under the Sexual Violence Procedures. Sheridan provides the Respondent and Complainant with disclosure of facts relevant to the decision and an opportunity to be heard. Sheridan may decide how it meets these obligations in different circumstances and will do so with a focus on providing a fair process, making a sound decision and preserving the dignity of Survivors.

Investigation Process

Sheridan adheres to the following (below in paragraphs A to J) in investigating and making decisions about formal Complaints. If an entitlement set out below in paragraphs A to J conflicts with something set out in another Sheridan policy, the entitlement set out below shall prevail.

1. Upon receipt of a formal Complaint, the SRRO will conduct an investigation if the evidence establishes that a violation of the Sexual Violence Policy may have taken place.
2. The Respondent will receive notification (notice of allegation) in person, by phone, email or written letter of the details of the Complaint and alleged Misconduct within fourteen (14) working days of the final Incident Report. Notification will be considered received on the date sent by SRRO. Notification will provide available details of the allegation and reference this document and the Sexual Violence Policy for review. Sheridan will endeavour to hold a Conduct Meeting within a reasonable timeframe, after the notice of allegations has been provided to the Student.
3. The Respondent will be required to attend a Conduct Meeting with SRRO where they will receive a fair and unbiased opportunity to provide information, respond to the allegations and to inform the investigator about any mitigating circumstances which may exist.
 - Where an incident involves a Student's removal from campus as part of an Interim Measure (as defined below in section 4.9), Conduct Meetings may occur via phone or video call.
4. Students are required to:
 - Monitor their Sheridan emails for notice of allegation and a request to meet from the SRRO;
 - Respond in a timely manner to requests to meet; and
 - Attend scheduled meetings to address the alleged Misconduct.
5. After reasonable attempts to meet with Students, SRRO may make a finding, and impose a Sanction based on the information SRRO has obtained when the Student fails to and/or chooses not to participate in this Procedure.
6. The SRRO's investigation may also include video footage and interviews or statements from any involved parties, including but not limited to witnesses, Security, faculty members,

Sheridan Officials and Complainants who may have information that will assist in the investigation. The SRRO will strive to complete the investigation within a timely fashion. Should subsequent allegations be gained through the investigation, Students will be notified as described above, and will reference the applicable Policy and Procedure.

7. The SRRO will render a decision within ten (10) Working Days following the final Conduct Meeting, unless a delay is caused by exceptional circumstances and/or there are multiple allegations against the Student.
8. Complainants and Respondents will be provided with reasonable updates about the status of Sheridan's investigation of the incident when such investigations are undertaken.
9. The SRRO will make a determination regarding whether the Misconduct has been committed based on the Preponderance of Evidence. If it is determined that the Respondent violated the Sexual Violence Policy, the SRRO may impose any of the Sanctions including but not limited to those set out in this Procedure (as described below in section 4.10).
10. In cases where the investigation reveals a finding of Misconduct and the recommended Sanction is a Non-Academic Suspension or a Non-Academic Expulsion, the Sanction will be determined by the Manager of SRRO or designate not involved in the investigation.

4.6 Role of an Advisor and/or Support Person and other Accommodations

A Student may be allowed an Advisor and Support Person throughout this Procedure. One individual may not act in the capacity of both roles.

1. Advisor
 - Every Student has the right to be accompanied by an Advisor throughout the steps of this Procedure.
 - The Student must notify the SRRO if an Advisor will attend any stage of this Procedure.
 - The Student will be required to present information and independently address the allegations even when accompanied by an Advisor.
 - An Advisor's role is to provide emotional support to the Student.
 - An Advisor may not communicate with Sheridan on behalf of a Student.
 - An Advisor may not address the allegations on behalf of a Student.
 - An Advisor may not pose questions on behalf of a Student.
 - Throughout this administrative process, an Advisor may not be disruptive and/or cause unreasonable interference to the application of this Procedure.
 - A potential witness may not be an Advisor.
2. Support Person and other Accommodations
 - If a Student requests the attendance of a Support Person and/or other accommodations, the Student is required to contact Accessible Learning to determine what accommodations are reasonably required for this Procedure (please see Sheridan's Accessibility Policy).

- The Student must notify the SRRO if a Support Person will attend any stage of this Procedure.
- Where the assistance of a Support Person is required by a Student, the Student is permitted access to the Support Person throughout this Procedure.
- The SRRO will, upon request, provide or arrange for the provision of accessible formats of material, or communication supports for a Student.

4.7 Interim Measures

Sheridan may impose Interim Measures immediately and will take the necessary steps to minimize the impact of Interim Measures on the Complainant and Respondent.

Interim Measures will be imposed only as necessary to: (i) meet the needs of Complainants and persons who report incidents of Sexual Violence, (ii) where there is a potential risk to any Member of the Sheridan Community, and/or (iii) to maintain the integrity of the investigation. Imposing an Interim Measure on a Student shall not be considered a finding of Misconduct.

1. The SRRO also has discretion to immediately impose an Interim Measure without a Conduct Meeting and/or a finding that the Student has committed Misconduct.

Interim Measures for Respondents can include, but is not limited to:

- Communication bans or no contact measures. Clear communication to the Respondent that the behaviour is unwelcome and must stop.

Communication bans are used to restrict communication between Students involved, and include both direct (i.e. in-person, telephone, text, email, social media) and indirect communication (i.e. third-party messages);

- Campus restriction from particular area(s) or service(s), including attending classes;
- Temporary removal or relocation from student housing; and/or
- Temporary restriction from access to any Sheridan campus (interim trespass);
- Interim suspension (interim suspensions extend to all academic, co-curricular, or extra-curricular activities);

SRRO may impose an interim suspension without a Conduct Meeting if:

- The safety of others is or may be endangered;
- Damage to Sheridan property may be likely to occur; and/or
- Continued presence of the Student would be disruptive to the operations of Sheridan.

In these situations, the Student may be required to remain off campus pending the conclusion of an investigation and a final decision.

2. If possible, SRRO will strive to expedite any proceedings when an Interim Measure is imposed, to ensure that a Student's progress is not unreasonably delayed and/or hindered.
3. Interim Measures for Complainants can include safety plans during the course of an investigation and other measures to protect the Complainant during any internal process, including placing Interim Measures on the Respondent.

4. Students may ask SRRO to review the Interim Measures imposed, but only to address the impact of the imposed Interim Measures on the Student.

4.8 Sanctions

1. When imposing any Sanctions for violations to the Sexual Violence Policy, the SRRO will take an educational approach and consider the full context of the Misconduct, including, but not limited to, the following facts:
 - The nature and severity of the Misconduct;
 - The harm caused and the impact of the Misconduct on the Complainant, as well as others in the Sheridan community;
 - The degree to which the Misconduct was intentional;
 - Whether the Misconduct in question was an isolated incident or part of repeated acts of Misconduct on the part of the Student; and/or
 - The risk the Misconduct poses to Sheridan and the potential safety of its community members.
2. SRRO may apply any of the following Sanctions, individually or collectively:
 - i. Verbal warning
 - ii. Written warning
 - iii. Rights and Responsibilities Hold (RRH)
 - iv. Completion of an educational program or project unrelated to academic obligations
 - v. Requiring the student to write an apology letter and/or a reflection paper
 - vi. Community service
 - vii. Temporary or indefinite suspension or eviction from one or more facilities and/or services at Sheridan, including but not limited to Athletic Facilities, Student Centre pubs, and/or licensed events
 - viii. Restitution for damages caused by the Misconduct
 - ix. Non-academic probation
 - x. Behavioural agreements which may include, but are not limited to mandatory meetings with the SRRO, and no contact measures
 - xi. Removal from a class, activity, course, or program
 - xii. Eviction or temporary removal from student housing
 - xiii. Suspended re-enrolment in circumstances when a student has left Sheridan prior to the conclusion of this Procedure
 - xiv. Issue a Trespass Notice pursuant to the Trespass to Property Act

- xv. Non-Academic Suspension
 - xvi. Non-Academic Expulsion
3. Upon a Respondent being sanctioned, they will receive written notification that indicates how they have violated the Sexual Violence Policy and the accompanying written Sanction(s). When a Student is suspended or expelled, the SRRO will provide written reasons explaining the decision.
 4. When a Student is suspended or withdraws from Sheridan during the course of an investigation, the SRRO will have the authority to impose return-to-campus conditions. Generally, these conditions will be derived from the Sanctions set out above.

Where Sheridan becomes aware that Misconduct which may have a negative impact on the Sheridan community or any of its members, and is under legal review, the Student may be required to present the outcome of legal proceedings (including, but not limited to, all documentation such as conditions or orders) and/or any interaction with law enforcement authorities related to that Misconduct prior to any re-enrolment considerations.

Transcript Notations

When a Sanction of Non-Academic Suspension and/or Non-Academic Expulsion is imposed, a notation will appear on a Student's official transcript as follows: "Non-Academic Suspension: 1 to 3 years" (depending on the assigned Sanction) and "Non-Academic Expulsion: lifetime." The Sanction will be a permanent part of the student record.

Removing transcript notations for Non-Academic Suspension and Non-Academic Expulsion will be handled as follows:

- Non-Academic Suspensions:
 - Following an interruption of studies due to Non-Academic Suspension, the transcript notation referencing the suspension will be expunged from a Student's official transcript. Should a Student wish to return to Sheridan following this period, re-enrolment will only be considered once all conditions for return have been met. Notations/comments in the official record will remain.
- Non-Academic Expulsions – the record of expulsion shall be noted on a Student's official transcript indefinitely, unless a student requests to have their notation expunged no sooner than five (5) years after the date of expulsion by stating (i) reasons why the notation should be expunged, and (ii) what they have done to address the behaviour that led to their expulsion and provide any requested documentation. Such requests are to be made to the Dean of Students (deanofstudents@sheridancollege.ca) who will consult with the Provost and Registrar in making this decision. Notations/comments in the official record will remain.

Multiple Proceedings

In some instances, the actions of an individual may violate more than one Sheridan policy. Where multiple policies apply, those responsible for initiating the processes will confer to determine which Policy should be applied, whether multiple processes are required and/or

which takes precedence. Individuals may have multiple relationships with Sheridan (e.g. simultaneously a student and an employee). The facts of the situation and/or the context of the behaviour will determine which policies and related processes shall be applied and in what order.

Where criminal and/or civil proceedings are commenced in respect of the allegations of Sexual Violence, Sheridan shall conduct its own independent investigation into such allegations and will make its own determination in accordance with its policies and procedures. Where there is an ongoing criminal investigation, Sheridan will cooperate with the local Police service. This may cause delay in Sheridan's investigation process.

Sheridan-Initiated Investigations

Sheridan understands that an individual who has been the Survivor of Sexual Violence may wish to control whether and how their experience will be dealt with by the police and/or Sheridan. In most circumstances as described above, the person will retain this control. A person who has experienced Sexual Violence may choose not to request an investigation and has the right not to participate in any investigation that may occur.

In certain circumstances, however, Sheridan may be required to initiate an internal investigation and/or inform the police of the need for a criminal investigation, even without the person's consent, if Sheridan believes there is a potential risk to the safety of any Member of the Sheridan Community or the community itself, in accordance with Sheridan policies.

In these circumstances, Sheridan may commence or continue a Sheridan-initiated investigation without the approval of the Survivor or when no formal Complaint has been made by considering:

- Whether the alleged offender is in a position of power at Sheridan;
- Whether Sheridan has reasonable grounds to believe the alleged offender may have committed multiple acts of Sexual Violence;
- Whether there is a pattern of similar incidents; and,
- Any other considerations that Sheridan deems relevant.

4.9 Appeals

A Student found to have violated the Sexual Violence Policy and who is sanctioned under this Procedure may appeal a written decision by filling out the *Non-Academic Appeal Request Form* (please see [Appendix A](#)). The Student must file an appeal in writing that identifies one or more of the appeal ground(s) listed below (1 a, b, and/or c) and provide information that supports their appeal. Verbal Warnings may not be appealed.

1. Appeals must be sent to nonacademicappeals@sheridancollege.ca within ten (10) Working Days of the Student receiving written notification of the Student's decision. The appeal grounds for when an appeal will be heard are:
 - I. There was an error in the application of this Procedure that rendered this process unfair;
 - II. The SRRO did not consider material evidence that ought to be heard on appeal;
or
 - III. The Sanction imposed is unreasonable having regard to the nature of the offence.

If an Appeal is denied, then the SRRO decision shall be considered final and there is no further right to appeal.

2. The Associate Dean, Community Citizenship, Student Leadership & Engagement, or designate will review and access the written appeal submission to decide if the appeal will be heard. If it is decided that an appeal will be heard, the Dean of Students, or designate will assemble an Appeals Committee to meet within ten (10) days from the decision to grant the hearing, unless a delay is caused by exceptional circumstances.
3. The Appeals Committee will be comprised of: (a) the Dean of Students, or designate; (b) one (1) Faculty member; (c) one (1) Student.
4. The sanctioned Student attending the appeal hearing may bring an Advisor and/or Support Person as per section 4.8 above. The sanctioned Student must notify the SRRO if an Advisor and/or Support Person will attend the appeal hearing.
5. If the sanctioned Student fails to attend the appeal hearing, a decision may be made in the Student's absence.
6. The Appeals Committee will review the *Non-Academic Appeal Request Form* and any other relevant Sheridan information. The Appeals Committee may hear from the SRRO, if necessary.
7. Based on the information available, a decision will be made by the Appeals Committee by a majority vote and the Student will be informed in writing by the Dean of Students or designate within five (5) Working Days following the hearing. The Appeals Committee will make one of the following decisions below:
 - I. Appeal denied – SRRO Sanctions are upheld and considered final
 - II. Appeal accepted – all SRRO Sanctions are removed
 - III. Adjustment – SRRO Sanctions are lowered or increased

The Appeals Committee has the final authority on sanctioning decisions related to this Procedure. All decisions made by the Appeals Committee are final and there is no further right to appeal.

5. ADDITIONAL RESOURCES AND SUPPORTS AVAILABLE TO YOU

The following link provides a list of both on-campus and off-campus resources within both Halton (Trafalgar Campus) and Peel (Davis Campus and HMC Campus) Regions:

<https://www.sheridancollege.ca/about/respectful-and-safe-communities/sexual-assault/resources.aspx>.

6. RESPONSIBLE OFFICES

The Responsible Offices are CEI and SRRO jointly.

7. RELATED DOCUMENTS

[Code of Professionalism and Civility](#)

[Sexual Violence Policy](#)

[Sexual Violence Procedure – Employees](#)

[Student Code of Conduct Policy](#)

Appendix A

DEFINITIONS

Accommodations: For the purpose of this Policy, an Accommodation is a mean of preventing and removing barriers that impede full participation and access among

Survivors of Sexual Violence. It is not a courtesy or a favour, nor is it a lowering of academic or employment standards. Accommodation is the recognition that individuals may require some adjustments in order to support their performance on the job or in the classroom.

Advisor: means a non-Sheridan employee chosen by a Student to assist them with a Conduct Meeting and provide emotional support. An Advisor may not address the allegations on behalf of a Student.

Complainant: An individual who brings forward a Complaint that alleges Sexual Violence has taken place.

Complaint: An allegation of an incident or behaviour, that is believed by the Complainant to contravene the Sexual Violence Policy.

Conduct Meeting: means a meeting at which evidence and information is presented and students are able to respond to the allegation(s) of Misconduct.

Consent: The voluntary and explicit agreement to engage in the sexual activity in question. It is the act of willingly agreeing to engage in specific sexual behaviour, and requires that a person is able to freely choose between two options: yes and no. This means that there must be an understandable exchange of affirmative words, which indicates a willingness to participate in mutually agreed upon sexual activity.

Employee: Employee includes a person under the employ of Sheridan either: on a full-time, ongoing basis under the terms of the Academic Employees Collective Agreement, the Support Staff Collective Agreement, the Part Time Support Staff Collective Agreement, or the Terms and Conditions for Administrative Employees; on a less than full-time, and/or temporary basis under the terms of an employment agreement; on a cooperative or work-term placement educational training program; and/or on a volunteer basis. Employee also includes the term "Worker" as it is defined, for the purposes of "Workplace Harassment" protections, under the Occupational Health and Safety Act. An Employee can be defined as faculty and staff at Sheridan.

Guest: means any individual who is not a Student and is invited to Sheridan Premises and/or a Sheridan Activity by a Student.

Interim Measure(s): includes a measure imposed on a Student without a Conduct Meeting in situation(s) where there is a potential risk to any member of the Sheridan community and/or to maintain the integrity of an investigation and is further defined in this Procedure. Imposing an Interim Measure on a Student shall not be considered a finding of Misconduct as set out in this Procedure.

Members of the Sheridan Community: For the purpose of this Policy, includes Students, Employees, Governors, contractors, suppliers of service, volunteers, Guests, individuals who are directly connected to any Sheridan initiative.

Misconduct: refers to the failure to comply or violation of the Sexual Violence Policy or other Sheridan Policies applicable to Students.

Non-Academic Expulsion: means no eligibility for re-admission or re-enrolment consideration for any reason to a Sheridan program or course at any time whatsoever. No fees will be refunded, and the Student may be required to pay outstanding fees.

Non-Academic Suspension: means no eligibility for re-admission or re-enrolment consideration to any Sheridan program or courses, for a period of up to three years. No fees will be refunded, and the Student may be required to pay outstanding fees.

Preponderance of Evidence: means it is more likely than not, that the incident occurred.

Respondent: An individual against whom a Complaint has been made alleging the commission of Sexual Violence.

Rights and Responsibilities Hold [RRH]: is a hold placed on a student's Sheridan records and registration because of an outstanding misconduct case. For example, a student may not have met with the SRRO to respond to the allegations or failed to complete Sanctions imposed by the SRRO. An SRRO Hold cannot be lifted until the student contacts the SRRO and resolves or makes plans to resolve the situation.

Sanction: means the range of imposed consequences, either interim or permanent, as set out in this Procedure.

Sexual Violence: Any sexual act or act targeting a person's sexuality, gender identity, or gender expression, whether the act is physical or psychological in nature, that is committed, threatened or attempted against a person without the person's Consent and includes Cyber Harassment, Indecent Exposure, Sex Trafficking, Sexual Assault, Sexual Exploitation, Sexual Harassment, Stalking, and Voyeurism, and as defined below:

Cyber Harassment: for the purposes of this Policy and Procedure, Cyber Harassment is when uses of communication technologies, such as the Internet, social networking sites, websites, emails, text messaging and instant messaging to repeatedly intimidate or harass others in a sexual manner.

Indecent Exposure: exposure of private or intimate part of the body in a lewd or sexual manner, in a public place when the accused may be readily observed, including exhibitionism.

Sex Trafficking: the recruitment, transportation, transfer, harbouring, sale or receipt of persons by improper means (such as force, abduction, fraud, coercion, deception, repeated provision of a controlled substance) for an illegal purpose, such as Sexual Exploitation. This is not to be confused with sex work where the person willingly takes part in the sale of sex and their human rights are not compromised.

Sexual Assault: non-consensual contact or activity, can include use of force, intimidation, abuse of authority, coercion.

Sexual Exploitation: taking advantage of another person through non-consensual or abusive sexual control. May include digital or electronic broadcasting, distributing, recording or photographing of people involved in sexual acts without their Consent.

Sexual Harassment: vexatious comments, conduct and/or communication based on sex, sexual orientation, gender, gender identity or gender expression that is known or should have been known to be unwelcome. Includes: sexual solicitations, attention, advances, creates a hostile or poisoned environment to persons of a specific gender, orientation, identity.

Stalking: behaviour occurs on more than one occasion and collectively instills fear in the person or threaten the person's safety or mental health, or that of family or friends. Includes: non-consensual communication in any form, surveillance and pursuit, obscene or threatening gestures sending unsolicited gifts.

Voyeurism: surreptitious observing of a person without their Consent and in circumstances where they could reasonably expect privacy. May include direct observation, observation by electronic means, visual recording.

Sexual Violence includes but is not limited to:

- unwelcome remarks, jokes, innuendoes or taunting about a person's body, attire, physical characteristics, gender, or sexual orientation,
- unwanted touching or any unwanted or inappropriate physical contact such as touching, kissing, patting, hugging or pinching,
- unwelcome inquiries or comments about a person's sex life or sexual preference,
- leering, whistling, or other suggestive or insulting sounds,
- posting or display of materials, including by electronic means, articles, or graffiti, etc. which is sexually oriented,
- requests or demands for sexual favours which include, or strongly imply, promises of rewards for complying (e.g. job advancement opportunities, improved academic grades)

Sheridan Activity means an activity approved and/or supported by Sheridan on or off Sheridan property in Canada and internationally. This may include but is not limited to co-op, placement, inter-campus shuttle buses, field trips, sporting competitions, off-campus lectures, or any other events sponsored by a Sheridan Official acting in their capacity.

Sheridan Premises: refers to all Sheridan owned, rented or leased land, buildings, structures, vehicles and property located on or off campus. For clarity, vehicles on Sheridan Premises are subject to this Policy.

Student: means any individual who is admitted, enrolled or registered for study at Sheridan. Individuals who are active in a program, but not enrolled in classes for a

particular term (e.g. on a vacation, or coop term) are considered to have a continuing Student relationship and are included in the definition of a Student.

Support Person: means in relation to a person with a disability, another person who accompanies him or her in order to help with communication, mobility, personal care or medical needs, or with access to goods, services or facilities.

Survivor: An individual affected by Sexual Violence and who chooses to identify as a Survivor rather than with the term “victim”. It is the prerogative of the person affected in these circumstances to determine how they wish to identify.

WIL Activity: Work-integrated learning (WIL) activities at Sheridan typically include apprenticeship, field placement/experience, mandatory professional practice, cooperative education, and internship (degree programs only); any of these types of WIL may also include research.

Appendix B

Investigations: The Complaint procedures will vary depending on the profile of the Complainant (the person who brings forward a Complaint that alleges Sexual Violence) and the Respondent (the person alleged to have committed the act of Sexual Violence). Please see below for the correct procedure for filing a formal Complaint in different instances or scenarios.

Complainant	Respondent	Where to File Complaint	Resolution Lead
1) Employee*	Employee	CEI	CEI
2) Employee	Student*	CEI	CEI (working with SRRO)
3) Student	Employee	SRRO	SRRO (working with CEI)
4) Student	Student	SRRO	SRRO
5) Other*	Employee	CEI	CEI
6) Employee	Other	CEI	CEI
7) Other	Student	CEI	CEI (working with SRRO)
8) Student	Other	SRRO	SRRO (working with CEI)

* See Appendix A for definitions of “Student” and “Employee”. “Other” may include anyone who is not a Student or an Employee, but who is otherwise included in the definition of “Sheridan Community Member”.

Students may have multiple relationships with Sheridan (e.g. they may be both a Student and an Employee). The preponderance of the facts/and or the context of the behaviour may determine which policy and related procedure shall be applied and in what order.

A. Student to Student Complaints

Where the Respondent and Complainant are both Students:

- Sexual Violence is a violation of the Sexual Violence Policy. It is considered a serious offence and will be addressed in a manner which is consistent with other serious offences.
- The SRRO is responsible for Student to Student investigations
- Please see the Sexual Violence Procedure – Students (section 4.6) for details on how to file a Complaint.

B. Student to Employee Complaints

Where the Complainant is a Student and the Respondent is an Employee:

- Sexual Violence is a violation of both the Discrimination and Harassment Policy and the Sexual Violence Policy at Sheridan. Allegations against employees will be addressed in accordance with the Sexual Violence Procedure - Employees, and in accordance with any applicable collective agreement, and/or other Sheridan policies. If the findings of an investigation substantiate a violation of the aforementioned policies, Sheridan will decide on the appropriate disciplinary actions in accordance with any applicable collective agreement and/or policies regarding discipline.
- The Centre for Equity and Inclusion (CEI) is responsible for investigations into allegations against Employees and will work with the SRRO under these Procedures when the Complainant is a Student. In these circumstances, the SRRO and CEI may jointly meet with Students to receive formal statements required for next steps.

C. Employee to Student

Where the Complainant is an Employee and the Respondent is a Student:

- The joint process described above will be used to receive formal statements from the Student. Students found responsible for violations of the Sexual Violence Policy may be subject to sanctions as described in section 4.10 above.
- Sheridan may also decide to use an external investigator when appropriate in the circumstances.

D. Student to Other

Where the Complainant is a Student and the Respondent is not a Student or an Employee:

- “Other” may include contractors, suppliers, volunteers, Guests, and/or Sheridan’s Work-Integrated Learning (WIL) partners. Others who attend on campus, or who are otherwise connected to Sheridan’s operations, will be subject to Complaints if they engage in prohibited conduct.
- All contractual relationships entered into by Sheridan will be governed by a standard contract compliance clause stating that contractors must comply with Sheridan’s Policies (including the responsibility to co-operate in investigations), the Ontario Human Rights Code, and all other applicable legislation. Breach of the clause may result in penalties, cancellation, or other sanctions.
- Students who are affected by or experience Sexual Violence while engaged in a WIL Activity will be provided with the full support of this Policy and Procedure.
- CEI is responsible for Complaint-handling when the Respondent is not a Student or an Employee and will work with the SRRO under these Procedures, when the Complainant is a

Student. In these circumstances, the SRRO and CEI may jointly meet with students to receive formal statements required for next steps.

- Sheridan may also decide to use an external investigator where appropriate.

E. Other to Student

Where the Complainant is not a Student, or an Employee and the Respondent is a Student:

- “Other” may include contractors, suppliers, volunteers, Guests, and/or Sheridan’s Work-Integrated Learning partners. In order for this Procedure to be applicable in circumstances where the Complainant is not a Student or an Employee and the Respondent is a Student, the incident in question must have either:
 - Occurred on Sheridan Premises (as defined below), including Sheridan Residences; or
 - Occurred at a Sheridan Activity (as defined below).
- In circumstances where a Student is the Respondent and the Complainant is not a Student or an Employee, and the incident meets the criteria above, resolution may be sought under this Procedure within the limits defined herein.
- Sheridan will determine on a case by case basis how the matter will be handled. Students found responsible for violations of the Sexual Violence Policy may be subject to sanctions as described in section 4.10 above.
- A report of Sexual Violence may also be referred to the police at the Complainant’s discretion, or where otherwise appropriate.