



Ontario Undergraduate Student Alliance

The Ontario Undergraduate Student Alliance is a non-partisan advocacy organization that represents the interests of approximately 150,000 undergraduate and professional, full-time and part-time university students at eight student associations across Ontario.

POLICY BRIEF: GENDER-BASED & SEXUAL VIOLENCE PREVENTION & RESPONSE

The need for a comprehensive framework to prevent and respond to gender-based violence (GBV) on post-secondary campuses is long overdue. Everyone deserves to be able to safely pursue their education. All survivors—regardless of race, gender, sexual orientation, ability, income, or heritage—should be supported in ways that allow them to seek justice and heal in meaningful ways. Students and student associations have played a critical role in prevention and response work, providing programming, training, and support in response to the persistence of GBV in the post-secondary context and have come together to propose the following recommendations to guide a provincial framework that addresses student concerns.

THE PROBLEM

Systemic Challenges

In the classroom, students are concerned that some pedagogical methods or content can reinforce GBV or oppression and that GBV increases in situations where gender inequality exists, and there continues to be gender inequality and underrepresentation in certain faculties and institutions on campuses. They are concerned that women aged 18-24, racialized, Black, and Indigenous students, Two Spirit and LGBTQ+ students, and students with varying accessibility needs experience higher rates of GBV, and that post-secondary institutions (PSI) and campus culture can promote attitudes and social norms that can lead to GBV. However, post-secondary campuses are under equipped and under resourced to deliver the quantity and quality of prevention programming necessary to be effective and few are evaluated for effectiveness. International students may not be able to access educational resources and programming that meet their existing cultural understandings.

At the K-12 level, sexual health education is often framed in terms of a gender binary, which prioritizes heterosexual and cisgender students and excludes people of various gender identities and expressions, and sexual orientations, and students are often not provided adequate information about sexual health or technology-facilitated violence to make informed and healthy choices. It is known that consent education is most effective when taught regularly to younger audiences, yet many students coming to post-secondary have not received effective consent education, which is concerning as students are most at-risk of experiencing GBV during the first six to eight weeks of their post-secondary education.

Students are further concerned that male athletes are more likely to perpetuate GBV. They are also concerned that Two Spirit and LGBTQ+ athletes continue to experience transphobia and homophobia in sport and

that participation in athletics by Two Spirit and LGBTQ+ students is lower in comparison to heterosexual and cisgender peers.

Immediate Barriers

Students are concerned about how the built environment can allow for GBV on campus. For example, the Integrated Accessibility Standards under the Accessibility for Ontarians with Disabilities Act do not account for safety from GBV and also allow for exceptions pursuant to the Ontario Heritage Act, preventing alterations that improve student safety and accessibility. Additionally, individuals who identify as transgender or gender non-conforming may experience harassment, discrimination, and safety concerns through limitations on the built environment, such as lack of access to gender-neutral washrooms or changerooms.

Students are also concerned about the structure of current investments in GBV prevention efforts that can be costly to develop and implement. For example, the current title of the Campus Safety Grant does not make specific reference to the issue of GBV at PSIs, and this funding is often not administered by GBV professionals and is split across many different departments within an institution. Unless directed not to, institutions may use Campus Safety Grant funds to replace existing salaries for Sexual Violence Prevention & Response professionals on campus.

Environments where alcohol is consumed are high-risk areas for GBV (both for patrons and staff) and bar staff and security personnel often do not receive extensive training on how to prevent, respond, or intervene in instances of GBV within these unique contexts. Training that is available is primarily delivered through online modules which have inconclusive reviews on effectiveness. This is particularly a concern as bars and restaurants may not have a sexual violence policy

Legislative and Regulatory Compliance

In attempts to be compliant with new laws, some university sexual violence policies leave out aspects that are important to students and survivors, and collective bargaining agreements can contradict PSIs' sexual violence policies.

Response to Disclosure and Reporting

Students also have concerns about disclosure and reporting practices at institutions which may not be clearly outlined in their GBV policies. This is concerning for students as institutional hierarchies can make it difficult for survivors to feel comfortable disclosing and/or reporting their experiences and the boundaries of institutional confidentiality policies foster a fearful environment for disclosures or formal reports. Without survivor's control over disclosure and reporting guidelines, there is a potential for retraumatization of survivors, yet universities sometimes decide for survivors whether or not to begin an investigation against the person who has caused harm and there is no metric for assessing harm to the community.

Campus security and Special Constables receive disclosures and reports from survivors, yet not all receive education and training to respond to GBV specific to their professions. Further, there is a distrustful relationship between campus security personnel or Special Constables and marginalized peoples due to institutional discrimination and implicit bias that can impair survivors' willingness to disclose and/or report experiences of GBV. Indigenous Awareness Training, or other cultural competency courses centered on Indigenous perspectives, is currently not mandatory to all members of police, including Special Constables, which risks creating gaps in knowledge and understanding in response efforts.

Students are also concerned that not all staff, faculty, and student instructors receive education and training on responding to GBV and supporting survivors in a trauma-informed and survivor-centric way. There are also concerns that while optional training can be impacted by selection bias, research on the effectiveness of mandatory training for staff and faculty is inconclusive and collective bargaining agreements may prevent institutions from ensuring all faculty and staff receive mandatory training.

Resolution processes are another concern for students. There are no best practice guidelines regarding consequences following a formal resolution process for GBV nor are there standard guidelines for alternative resolution processes, which often do not utilize a restorative justice approach. Consequences from formal resolution at institutions do not always reflect the gravity of GBV, and institutional liability and perceived harm to the community are sometimes prioritized over a survivor-centric and trauma-informed approach. And, while appeals are available to all parties, appeal procedures, policies, or protocols are often not made clear and the nature and length of appeal procedures and protocols

have the potential to re-traumatize survivors.

Accommodations & Support

Students are concerned about barriers to accessing necessary supports and accommodations. Survivors of GBV do not always have the financial means to access legal advice and/or representation to support them in navigating formal reporting processes, making the \$133 million reduction to legal aid funding in 2019 a concern for students. Students are also concerned about the financial barriers to seeking care that extends beyond the medical realm, such as holistic and religious healing practices, and the fact that many PSIs across the province have a limited number of counsellors who specialize in GBV. Students are also concerned about financial implications as reduced course loads can mean OSAP will be reassessed and students may be asked to pay back a portion of their allotted funding as a result of being put on OSAP academic probation.

Accessing support is also a concern for students as on-campus sexual assault and peer support centres that are run by students may have limited hours of operation and capacity to support other members of the campus community, and for students who experience GBV on or around campus, support or sexual assault centres on campus can be traumatizing and there can be a distrust between the survivor and those offering support. However, community-based sexual assault centres are often underfunded and rely on donations, limiting their ability to offer support and educate the community and the provincial government cancelled a previous investment of \$1 million for the 42 rape crisis centres across the province.

Research & Data

Lack of consistent and appropriately-collected data creates gaps in knowledge that impede effective prevention and response strategies, as policy and procedural decisions regarding GBV prevention are not always grounded in evidence or established best practices. Students are concerned that some PSIs employ methods of GBV that have not been adequately evaluated, are evidently ineffective, and that could continue to enable rates of GBV to increase.

Students are further concerned that there is limited qualitative and quantitative data available to accurately gauge the climate of attitudes and behaviours related to GBV at PSIs in the province, or to frame public policy decisions. Without adequate frequency of consistent data collection and opportunities for students to provide feedback, it is difficult to accurately measure changes in the climate of attitudes and behaviours over time.

Missing & Murdered Indigenous Women & Girls

Indigenous women, girls, Two Spirit, and LGBTQ+ individuals are disproportionately affected by GBV and a lack of knowledge and understanding around issues facing Indigenous communities persists. Students

are concerned that public education curricula do not adequately include Indigenous history and heritage, which may contribute to further violence against Indigenous women and girls. Without direct leadership from and meaningful consultation with Indigenous women and girls, personal and social education and GBV policy frameworks do not champion Indigenous women and girls and can thus be ineffective in representing their unique needs, histories, and experiences.

Human Trafficking

PSIs rarely educate students and other members of the campus community about human trafficking, and misconceptions about human trafficking further isolate victims and negatively impact efforts to educate. Students are concerned that there is a disproportionate number of Indigenous persons who are victims of human trafficking and that comprehensive data to inform programming about human trafficking and services for victims is largely unavailable.

RECOMMENDATIONS

Systemic Prevention

The provincial government should mandate that all PSIs offer anti-oppression training for faculty, staff, and student instructors that addresses pedagogical and procedural best practices, through staff and faculty centres, for free. They should also develop a post-secondary education equity strategy that aims to increase representation in programs where women, and marginalized groups, are underrepresented and, in collaboration with experts, GBV educators, students, and those with lived experience, create a GBV prevention framework for PSIs that outlines best practices and identifies toolkits for prevention programs. They should further provide funding to PSIs to implement promising prevention programs for promoting healthy masculinities, positive sexualities and healthy relationships, bystander intervention programs, and anti-oppression training. Additionally, the provincial government should task the Higher Education Quality Council of Ontario to complete a review to determine the appropriate number of GBV educators on post-secondary campuses to support effective prevention efforts and amend section 17 of the Ministry of Training, Colleges and Universities Act to require post-secondary campuses to employ a proportional number educators.

The Ontario College of Teachers should develop a comprehensive Additional Qualification Course that incorporates lessons on gender identity and expression, sexual health, sexual orientation, masturbation and sexual pleasure, STIs, pregnancy and contraception, gender norms, toxic masculinity, and technology-facilitated violence that is trauma-informed and utilizes a harm reduction framework in order to ensure educators have all the skills necessary to teach students that is mandatory for those teaching the Health and Physical Education Curriculum. The provincial government should expand

the cyberbullying component of the Health and Physical Education Curriculum to discuss technology-facilitated violence; amend the Health and Physical Education Curriculum to include lessons on gender identity, consent, sexual orientation, masturbation and sexual pleasure, STIs, pregnancy and contraception, gender norms, toxic masculinity, and technology-facilitated violence that are introduced in early grades and built upon throughout the course of a student's education; and include education about consent, healthy relationships, respect, autonomy, sexual orientation, gender identity and expression, and other topics outlined by the Human Rights Code under Strand A of the Health and Physical Education Curriculum. The Ministry of Education should invest in a trauma-informed, early-alert system to educate teachers on how they can support students that may be experiencing GBV, trauma, or neglect at home.

The provincial government should mandate that sport organizations, coaches, and coach-teachers verify that they have completed training on gender identity and expression, masculinity, and leadership and that all provincial sport organizations and multi-sport organizations recognized by the Ministry of Tourism, Culture and Sport ensure that coaches receive the "Coaching Boys Into Men" program, or a program with demonstrated equal or increased impact, and disseminate education to their athletes once per year.

Immediate Prevention

The proposed Gender-based & Sexual Violence Knowledge Centre and Council of Ontario Universities should develop a set of mandatory, minimum safety standards for GBV prevention at all post-secondary campuses. The provincial government should mandate that all PSIs perform regular campus safety audits to identify safety concerns and ensure that the mandatory safety and accessibility standards are being met; make capital project funds available to PSIs to allow them to address all gaps and areas of concern identified in regular campus safety audits; mandate that all institutions have gender neutral-washrooms and that all new institutions and infrastructural expansions dedicate spaces, including in recreational facilities, for gender-neutral washrooms and change rooms that are easily accessible for all students; and conduct a review of the Integrated Accessibility Standards under the Accessibility for Ontarians with Disabilities Act to identify and address gaps pertaining to GBV and remove heritage site exceptions.

The provincial government should change the name of the Campus Safety Grant to the Gender-Based & Sexual Violence Prevention & Response Grant; continue to provide \$6 million a year for the Grant; and mandate that each institution's Sexual Violence Prevention & Response office or equivalent should administer the allocation of the Grant. Additionally, the Ministry of Colleges and Universities (MCU) should mandate that each PSI submit a standardized yearly public report indicating all allocations of the Grant and create a yearly report outlining all grant allocations and action plans.

The provincial government should mandate that all establishments with a liquor sales license have a sexual violence policy that includes recourse for how to intervene and respond to situations of GBV between staff, staff-patron, and patron-patron; invest in the development of a best practice bystander intervention program to prevent GBV for staff in bars, restaurants, or establishments with liquor sales licenses; and mandate all personnel at establishments with liquor sale licenses have completed appropriate training as outlined by the best practice bystander intervention program and that the Smart Serve certification be expanded to include GBV prevention and response and bystander intervention principles. The Ministry of the Solicitor General should expand the Security Guard Syllabus to include trauma-informed and survivor-centric bystander intervention training to help security guards recognize and respond to GBV.

Strengthening Legislative and Regulatory Frameworks

The provincial government should clarify which government agency is responsible for ensuring regulatory compliance when it comes to enforcing section 17 of the Ministry of Training, Colleges, and Universities Act and its associated regulation, and amend Ontario Regulation 131/16 to:

- include all essential aspects of survivor-centric sexual violence policies, as identified in existing literature;
- require that PSIs develop institution-specific processes in consultation with students and local experts to respond to technology-facilitated GBV.
- ensure that PSIs revise any interacting agreements, such as collective agreements, after the sexual violence policy review process has finished to ensure that policies do not contradict one another.

Consistent Response to Disclosures and Reporting

The MCU should work in collaboration with the Ministry of the Solicitor General and experts in GBV to develop a standardized risk assessment tool that provides a metric to evaluate the potential risk of harm to the community. The provincial government should create a taskforce composed of students, administrators, and GBV experts from PSIs and the community to develop best practices for responding to disclosures and reporting processes on university campuses, including the limits and minimum standards of confidentiality. They should also amend Ontario Regulation 131/16 to require all institutions have staff who are available to provide students with information on GBV reporting procedures and disclosures, and with whom students can discuss their options and to ensure that institutions' sexual violence policies take a trauma-informed and survivor-centric approach.

The Ontario Association of College and University Security Administrators should work with the Ministry of Labour, Training and Skills Development to mandate and deliver training for all campus security officials in trauma-informed and survivor-centric responses to disclosures. The Ministry of the Solicitor General should require all Special Constables and local police be trained to provide

referrals to campus and community supports in cases of GBV and develop an Indigenous Awareness Training course mandatory for all members of the police, including Special Constables, and adaptable for campus security services. The provincial government should mandate that survivors must be notified in advance of universities' duties to report to the police and obligations of collective agreements.

The MCU should contract the Institute for Research on Public Policy and collaborate with Quebec's Ministry of Education and Higher Education to conduct a study on the effectiveness of mandatory GBV training for staff and faculty. Until conclusions can be drawn from this study, the provincial government should amend section 17 of the Ministry of Training, Colleges and Universities Act to require that all staff and faculty be trained in how to respond to disclosures of GBV in a way that is survivor-centric and trauma-informed and providing funding to PSIs to do so. They should also amend Ontario Regulation 131/16, section 5, clause 1 to require that GBV response training must be regular and completed every time the policy is renewed, as well as by all incoming members of the institution's governing board or council, and other senior administrators; faculty, staff and other employees and contractors; and students.

The MCU should outline a best-practice framework for integrating restorative justice into formal and alternative resolution processes and the provincial government should amend Ontario Regulation 131/16 to:

- mandate that institutions include procedural mechanisms that consider a survivor-centric and trauma-informed approach to resolution processes;
- include a section on alternative resolutions;
- mandate that institutions have formal and alternative resolution processes;
- outline potential consequences and accountability measures for GBV on university campuses;
- include a section providing guidance for institutions to delineate the process of appealing a decision made by institutions regarding an experience of GBV;
- require institutions include in their sexual violence policy the right of both the respondent and complainant to appeal a decision; and
- mandate institutions include a requirement for sending written notifications to both the complainant and respondent on the outcome of the appeal in their sexual violence policy.

Access to Accommodations & Support

To ensure survivors can access the support they need, the provincial government should reinvest in provincial legal aid over the next three years, earmarking funding to support student access to legal services; provide increased and continuous funding for community-based sexual assault centres and rape crisis centres; follow through with their previous commitment of a one-time investment of \$1 million into Ontario's rape crisis centres; allocate grant funding that PSIs and student unions can apply for to create or expand sexual assault support centres and programming on campus;

and create grant funding available to PSIs to hire trauma counsellors or support persons that have training specific to supporting those who have experienced GBV.

Additionally, the Ministry of Health, in partnership with researchers focused on GBV prevention and response, should conduct a review of OHIP coverage to determine whether it meets survivors' medical needs and adequately supports them through their recovery and the MCU should require that decisions regarding OSAP academic probation and restrictions penalties be made using a trauma-informed lens.

Enhancing Research & Data Collection

The provincial government should establish a Gender-Based & Sexual Violence Knowledge Centre within the Ministry of Children, Community and Social Services to conduct and consolidate both quantitative and qualitative research related GBV. The Knowledge Centre should: be responsible for coordination, data and research, and knowledge mobilization with support from the provincial Office of Women's Issues; and include a post-secondary issues unit with duties to make recommendations to the MCU regarding the implementation of best practices based on ministerial and institutional data about GBV prevention at PSIs in the province. Additionally, the provincial government should create a "Gender-Based Violence Prevention Evaluation Grant" to be used to continuously inform best practices through evaluation of the effectiveness of GBV prevention programs at PSIs.

The provincial government, through the Knowledge Centre, should collaborate with the Council of Ontario Universities to improve the Student Voices on Sexual Violence Climate Survey for future implementation and amend section 17 of the Ministry of Training, Colleges and Universities Act to require that PSIs participate in a GBV campus climate survey that should:

- be administered by the Council of Ontario Universities every three years
- continue to address on- and off-campus experiences of GBV, disclosure and response, and safety; students' confidence in institutional leadership for addressing gender-based and sexual violence; and bystander attitudes and intervention;
- include students' knowledge of provincial law, services, and available gender-based and sexual violence prevention education as well as students' history of Adverse Childhood Experiences; and
- receive oversight by the Knowledge Centre to ensure principles of research ethics are embedded in survey design, especially protection of confidentiality.

The climate survey results should be retained in the Knowledge Centre and analyzed with guidance by the Knowledge Centre's post-secondary issues unit.

Education, Relationship Building and Collaboration to Address the Issue of MMIWG

The provincial government should renew commitments made in the 2017 Long Term Strategy to End Violence Against Indigenous Women with Indigenous leadership

and guidance and include additional commitments for personal and social education programs with guidance from Indigenous students. Additionally, the Ministry of Education should develop educational curriculum and programming in partnership with Indigenous peoples, especially Indigenous women, girls, Two Spirit, and LGBTQ+ individuals as per section 11.1 of the Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls.

Preventing and Responding to Human Trafficking

The provincial government should expand the criteria of the Campus Safety Grant to allow for education regarding human trafficking which would aid in dispelling misconceptions, encourage victims to seek support, and offer prevention tools. Additionally, the Ministry of the Attorney General should allocate resources for regional Victim Services departments to collaborate with local PSIs to train/make educational resources available for staff around identifying and flagging victims as well as building capacity for empathy in a way that is culturally-responsive, survivor-informed and includes Indigenous-specific components. It should also expand its Anti-Human Trafficking Strategy of 2020-2025 to include partnerships with regional Victim Services departments and PSIs within its "Raising Awareness of the Issue" focus to provide content for university syllabi integration; allocate funds for Victim Services departments responsible for reintegrating victims of human trafficking to collaborate with the Council of Ontario Universities and develop partnerships with universities to create pathways to post-secondary; and expand the Victim Quick Response Program + to include grants or bursaries for victims of human trafficking to pursue post-secondary education, specifically to cover the cost of housing.