

SEXUAL HARASSMENT/ ASSAULT

Sexual Harassment

Sexual harassment is a form of sex discrimination, which is illegal under the Ontario Human Rights Code. The university views sexual harassment as a form of misconduct, which undermines the integrity of academic and employment relationships. Accordingly, the university maintains mechanisms for reporting and investigating instances of alleged or apparent incidents.

Sexual harassment may be described as unwelcome sexual advances, requests for sexual favors and other physical, expressive behavior of a sexual nature where:

- Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment or education;
- Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting an individual; or
- Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance, or academic environment.

Sexual harassment threatens the relationship between teacher and student or supervisor and subordinates. Through such measures as grades, wage increases, recommendations for further study or employment, promotion, or tenure, a teacher or supervisor exercises a decisive influence on a student's or employee's success and career both at the university and beyond. Such harassment, however, is not confined to the relationships described previously, but may include relationships between co-workers and students at any level of the university.

An employee or student has the right to raise the issue of sexual harassment without fear of reprisal. Management at all levels is responsible for taking corrective action to prevent such harassment in the workplace. All reports of alleged sexual harassment will be investigated by one of the university sexual harassment officers as dictated by the specific circumstance. Investigation will be conducted in as confidential a manner as possible. Any individual filing a complaint will be advised of the results of the investigation and any action taken.

In cases where a student is alleged to have sexually harassed another NU student, a report should be filed with the office of the dean of student affairs (716.286.8566) or the assistant dean of student affairs (716.286.8566). Students found to be responsible for committing offenses of sexual harassment may be issued warnings, educational and community service projects, disciplinary probation, suspension or expulsion from the university. Counseling and support is available through the counseling services or campus ministry offices.

In cases where a university employee is either the victim of sexual harassment or the accused, a report should be filed with the director of human resources (716.286.8690) for investigation.

Any employee who engages in sexual harassment will be subject to such corrective action and/or penalty as deemed warranted by the university. Such action may include discipline or discharge.

Sexual Assault

Pursuant to the Ontario Human Rights Code, the university:

- Acknowledges and adheres to the applicable provisional legislation which governs sexual assault, from aggravated sexual abuse to rape in the first degree.
- Encourages survivors to report cases of sexual assault to the civil authorities. If the accused is found guilty, he/she faces the applicable penalties.
- Can adjudicate the case through the university judicial system, wherein the accountable party would face sanctions ranging from loss of privileges to university expulsion. Expulsion remains on the student's permanent academic record.
- Maintains mental health resources during the academic year. Campus ministers also are available for support and assistance.

The university is committed to updating and informing the campus community with respect to sexual assault cases and preventative measures. The following avenues are used to disseminate this information:

- offices of the vice president for student affairs
- the dean of student affairs