



Ontario Confederation of University Faculty Associations
Union des Associations des Professeurs des Universités de l'Ontario

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Postsecondary Education Division
Postsecondary Accountability Branch
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Comments sent via email:

OCUFA Response to the O. Reg. 131/16 consultation

The Ontario Confederation of University Faculty Associations (OCUFA) represents over 17,000 professors and academic librarians at 30 faculty associations and at every university in Ontario. OCUFA represents full-time tenure-stream faculty, and at many universities also represents contract faculty members who work either on a limited-term contract or on a per-course basis. OCUFA is responding to the Ministry of Colleges and Universities' proposal that the following two requirements be added to the regulation, that if approved, would be reflected in public college and university sexual violence policies:

- A complainant acting in good faith, who discloses or reports sexual violence, would not be subject to actions for violations of the institution's policies related to drug and alcohol use at the time the alleged sexual violence took place.
- During the institution's investigative process, students who share their experience of sexual violence through disclosing, accessing support, and/or reporting to the institution, would not be asked irrelevant questions by the institution's staff or investigators. Examples of such irrelevant questions would include those relating to past sexual history or sexual expression.

The notice for consultation says that the impacts of the proposed amendments are expected to “strengthen the sexual violence policies of publicly-assisted colleges and universities and provide increased protection to those impacted by sexual violence in postsecondary education institutions.”

Ontario faculty believe that this consultation is an important step towards combatting sexual harassment, sexual violence, and the rape culture and misogyny that underpin them at Ontario's institutions. We are, however, concerned that the proposed amendments only focus on the reporting of sexual violence instead of focusing on prevention, which is vital in addressing the rampant rates of sexual violence on Ontario's campuses.

Ontario's university faculty were troubled to learn the results of the Ontario Government's *Student Voices on Sexual Violence* survey released last year. It is deeply disturbing that over 63 percent of university students surveyed disclosed an experience of sexual harassment and that sexual violence remains so pervasive on campus.

The results of this survey demonstrate the severity of the problem on university and college campuses and the need for substantial resources to effectively address these issues. We are concerned by the impact of years of chronic underfunding of postsecondary institutions on universities' ability to address sexual violence effectively and proactively on campus. While short-term investments and attention to this issue by the government are a step in the right direction, they will do little to make up for the hundreds of millions of dollars pulled out of the university system by the government. To address sexual violence on campuses, the Ontario government needs to commit to strong, stable, and long-term funding for postsecondary institutions in the province.

Faculty urge the government to demonstrate a commitment to postsecondary education and the vital support services universities provide by increasing investments in Ontario's universities in the coming budget.

Furthermore, faculty in Ontario acknowledge that it is campus students' unions and campus media who have been leaders in pointing out the shortcomings in university, college, and government policies and procedures on sexual violence and sexual harassment on campus. They have been at the forefront of the work to create better sexual violence prevention policies and practices on campus.

Faculty strongly believe that the government should stop undermining the ability of students' unions to support and advocate on behalf of their members by ending the pursuit of undemocratic measures such as the *Student Choice Initiative*. Students' unions have been instrumental in raising awareness about sexual violence on campus and calling for action on the issue, and the government needs to support, not hinder, their advocacy on this issue.

OCUFA believes that having clear campus policies to address sexual violence on campus is necessary. Furthermore, faculty believe that policies alone are not enough to address the rampant sexual violence present on Ontario's campuses.

The Ontario government must focus on prevention and support not just on reporting. This is especially true as it is widely acknowledged that incidents of sexual harassment and sexual violence on campus are underreported. There are many possible factors that contribute to this underreporting on university campuses. Victims or survivors may not report incidents due to fear of reprisal, apprehension about the reaction of others, peer pressure not to report, previous experiences of discrimination, lack of awareness about available supports and services, and concerns about the effectiveness of the

reporting process. For this reason, it is important that the government and university administrations engage in proactive measures to address sexual violence on campus, in collaboration with campus stakeholders including students, faculty and staff.

It is important to note that faculty members who have experienced sexual harassment or sexual violence in the workplace – whether in the classroom or elsewhere on campus – have reported that the supports and processes they accessed were inadequate in terms of leading to appropriate recourse and accommodation.

Further, Ontario faculty recognize that these challenges may be experienced disproportionately by faculty from equity-seeking groups and those teaching in particular fields, such as gender studies, women’s studies, and sexuality studies.

Ontario faculty call on the Ontario government to move beyond these amendments and the reporting of sexual violence to focus on prevention and additional support for survivors navigating the various systems to report on campus. In addition, and perhaps more importantly, OCUFA also believes that to effectively address sexual violence on campuses, the Ontario government needs to focus on the prevention of sexual violence and harassment on campus through large-scale educational campaigns that are planned and implemented in coordination with campus stakeholders including students, faculty, and staff.

Ontario faculty and academic librarians continue to be committed to fostering and maintaining a strong consent culture on campus, and to partnering with students, staff, university administrators, and the provincial government to create safer campuses.

Sincerely,



Rahul Sapra

President of OCUFA