



Approving University Official(s): Human Resources
Responsible Office: Human Resources
Effective date: July 19, 2022
Last review date: July 19, 2022
Next review date: 3 years

[HR- Student Discrimination and Harassment Policy]

Purpose

This Student Discrimination and Harassment Policy (“Policy”) identifies the ways Yorkville University and Toronto Film School, and their affiliates (collectively, “Yorkville”) promote a discrimination and harassment free environment.

Audience

This Policy applies to all Members of the Yorkville Community.

Definitions

Discrimination can be described as an action, conduct or behavior related to a prohibited ground that results in unequal treatment or interferes with a person’s right to equal treatment. Discrimination might be manifested by unequal treatment with respect to services, accommodations, contracts or employment. Discrimination may include a refusal to provide services; exclusion from employment; and/or a refusal to work with, teach, or study with someone, where such actions are related to a prohibited human rights ground.

Competing Human Rights refers to situations where one individual’s or group’s human/legal rights interfere with those of another individual or group. Such situations may also present themselves in the workplace or in the higher learning environment. These situations require a thoughtful analysis into how each side’s rights are being affected, and how to resolve the situation in

a way that minimally interferes with any set of rights while respecting both sets of rights as much as possible. Consultation with the Equity, Diversity, and Inclusion office in such cases is recommended.

Sexual Harassment

is defined as but not limited to engaging in a course of vexatious comment or conduct against an individual because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome or making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the individual and the person knows or ought reasonably to know that the solicitation or advance is unwelcome. Sexual harassment also includes a reprisal or a threat of reprisal for the rejection of a sexual solicitation or advance, where the reprisal is made or threatened by a person in a position to confer, grant or deny a benefit or advancement to the person. Sexual harassment may include, for example, degrading or demeaning jokes or innuendo; taunting; unwanted physical contact; display of offensive material; implied or expressed promises to reward or benefit someone in return for sexual favours; and implied or expressed threat to withhold a benefit or engage in reprisal against an individual if sexual favours are not given.

Harassment

is defined as, but not limited to, any unwanted physical or verbal conduct that offends or humiliates, including gender-based harassment. It can be a single incident or several incidents over time. It includes threats, intimidation, display of sexism, ableism, racism, anti-Black racism, anti-Indigenous sentiment, anti-Semitism, Islamophobia, homophobia, biphobia, transphobia and any other type of prejudice or hatred towards an identifiable group, unnecessary physical contact, suggestive remarks or gestures, offensive pictures, or jokes.

*The President may direct that definitions be amended from time to time to ensure consistency with public policy and community expectations and standards.

Policy Statement

Yorkville is committed to providing a learning environment that is free from discrimination and harassment. In keeping with its values and responsibilities as an education provider, Yorkville will treat complaints of discrimination or harassment as a

serious matter. Yorkville is committed to providing a learning environment that promotes respect, professionalism, and ethical behaviour.

Yorkville will not tolerate discrimination or harassment on the basis of differences in race, ancestry, place of origin, colour, ethnic origin, national origin (New Brunswick), citizenship, creed, sex (includes pregnancy and breastfeeding), sexual orientation, gender identity, gender expression, age, marital status, family status, disability, record of offenses in employment (Ontario), political belief (British Columbia), political belief/activity (New Brunswick) or social condition (New Brunswick), or any other prohibited grounds of discrimination as prescribed by law. Yorkville encourages the reporting of all incidents of discrimination or harassment, regardless of who the offender may be.

Yorkville creates an environment that promotes responsibility, respect, civility, and academic excellence in a safe learning and teaching environment. All persons in its learning, teaching, and working environments will endeavor to:

- respect differences in people, their ideas, and opinions;
- treat one another with dignity and respect at all times, and especially when there is disagreement;
- respect and treat others fairly, regardless of their age, ancestry, place of origin, citizenship, colour, creed/religion, sex (includes pregnancy and breastfeeding), disability, ethnic origin, family status, gender identity, gender expression, marital status, race, record of offences in relation to employment, and sexual orientation;
- respect the rights of others;
- show proper care and regard for Yorkville property and for the property of others;
- demonstrate honesty and integrity; and
- respect the needs of others to work and learn in an environment free from discrimination and harassment.

Students who feel they have suffered harassment or discrimination are encouraged to talk to a student services/program advisor who will ultimately send the matter to the relevant student conduct officer. Every attempt should be made to resolve matters through an informal resolution. The first step is to inform the individual that their behaviour is inappropriate (if it is safe to do so) and must stop immediately.

Individuals who witness discrimination or harassment directly, have received reports of discrimination or harassment incidents, or have reasonable grounds to suspect that discrimination or harassment is occurring, may initiate a complaint. Third party disclosures will only go forward (to the formal stage) with the complainant's consent.

Related Information

- Equity, Diversity, and Inclusion Policy
- Student Discrimination and Harassment Procedures

- Workplace Discrimination and Harassment Policy and Procedures
- Policy and Procedures on the Prevention of Sexual Violence
- Gender Inclusion Policy and Procedures
- Student Code of Conduct
- Academic Accommodations and Accessibility Policy and Procedures
- Accommodations for Religious Observance Policy and Procedures

Contacts

The following [individual(s)/office(s)] can address questions regarding this Policy:

Human Resources Department
Email: hr@yorkvilleu.ca

Revision Log

V1 February 21, 2021

Policy URL:

[This section is for the marketing office to complete if the policy is to be listed on the University Policy webpage. The URL to the policy (formatted in PDF) should be provided here.]