

Policy #:

1006

depending on factors which include safety, the nature of the allegations and whether there is sufficient information available to proceed. The University reserves the right to resume processing a suspended complaint if the respondent's relationship with the University resumes at a future date and to enforce any restrictions on access to and the use of its resources and property.

Policy

Sexualized violence is a serious issue and affects individuals of all gender identities and expressions; sexualities; ages, abilities, and economic status; racial, cultural, and religious backgrounds. The University is committed to maintaining a safe working, learning, and living environment for all Community members. The purpose of this policy is to:

1. Reduce and prevent sexualized violence by cultivating a consent culture that prioritizes consent, respect, awareness and support through policy, training, and education.
2. Prohibit all forms of sexualized and gender-based violence.
3. Receive disclosures and respond to sexualized violence with procedures that are
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- e) All staff and faculty involved in provision of sexualized violence services, supports, resources, and accommodations will receive ongoing training and education in areas including, but not limited to colonialism and systemic oppression; bias, anti-oppressive practices, and anti-racism; local language and culture; and health and healing practices.

1.3 Community of Care

- a) As a result of historical and continued colonialism in Canada, Indigenous people face higher rates of all forms of violence, especially Indigenous women, girls, two-spirit, and non-binary people. The University is dedicated to providing Indigenous community members with access to culturally safe supports, resources, and accommodations.
- b) The University strives to be a trauma-informed, survivor-centered community in which we work collaboratively to connect survivors to resources and support. We strive to enhance access, empower survivors to make decisions that are right for them, and create a compassionate environment in which survivors can exercise agency over their short and long-term needs.
- c) All community members, including contract employees, visitors, volunteers and guests, will have access to sexualized violence prevention training to promote a community of care as well as safe working, learning, and living environments
- d) All employees, residence leadership, and students are strongly encouraged to take sexualized violence prevention training.
- e) All Employees are encouraged to complete workplace harassment education training.
- f) The University recognizes that all efforts to respond to and prevent sexualized violence must be grounded in intersectionality, the understanding that individual experiences of sexualized violence are shaped by multiple and intersecting factors. These factors include but are not limited to community, race, sex, gender, ancestry, ethnicity, language, ability, faith, age, socioeconomic status, sexuality, and gender identity/expression.

Part Two: Disclosures and Complaints

2.1 Rights and Responsibilities of Involved Parties

Anyone who makes a disclosure or a complaint has the following rights:

- a) to have their confidentiality and privacy protected subject to disclosure required by law or to maintain a safe campus;
- b) to be treated with dignity and respect;
- c) to be informed about on- and off-campus services and resources and decide whether to access those services;
- d) to be informed about the procedures in place to address sexualized violence and reporting options;
- e) to make an informed decision regarding whether to report the incident to campus authorities and/or local police;
- f) to have necessary actions taken to prevent unwanted contact with the respondent;
- g) to receive a summary of the investigation results, investigation decision(s), reasons for the investigation decision(s) and any applicable sanctions;
- h) to request an appeal subject to the criteria that allows for an appeal.

2.5 Response and Investigation without a Survivor Complainant

Part Three: Principles Governing the Response and Investigative Process

This policy and its associated procedures integrate trauma-informed practices, harm reduction, and procedural fairness for all parties. This approach fosters an enhanced environment for all parties which accounts for safety, meaningful participation, and human rights.

Therefore, the designated University official may exercise discretion in authorizing support, resources, accommodations, outcomes and/or sanctions on behalf of the University, including in such cases where the decision may contravene existing policies, processes and/or regulations. In such instances, where not otherwise required by law, the Sexualized Violence Policy will be considered to have taken precedence.

Where the confidentiality of those involved in a complaint is a fundamental tenet of the University's practices, the designated University official will exercise good judgment and reasonableness in carrying out their duties and will treat information related to a complaint confidentially, as will any other University official or individual involved in the complaint process.

3.1 Procedural Fairness

The University has a duty to provide fair processes by which disclosures and reports are made, investigations are conducted, and decisions are made and communicated. Procedural fairness applies to all parties. Procedural fairness includes the right to a timely and fair process, an unbiased decision-maker, and the right to make submissions and provide responses or counterarguments for all parties.

3.2 Timeline of the Process

The University recognizes that this may be a difficult process and will work to provide reasonable timelines without compromising procedural fairness and ensure that all parties are informed of expected timelines throughout the process. Further information about timelines is available in the Sexualized Violence Procedures.

3.3 Transparency of the Process

- a) Parties will be advised of their rights and responsibilities related to the process.
- b) Parties will be advised of what to expect from the process.
- c) Parties will be kept informed about the process and outcome.
- d) Parties will receive updates on the progress of their case, including any delays.

3.4 Support for Parties Involved in the Process

All parties are entitled to be accompanied by a support person. If no support person is available, the University may provide one. All parties, including third parties who may have witnessed or know of incidents of sexualized violence or gender-based violencees to all

be respected and maintained. Standards of confidentiality not only protect the rights of those involved in a sexual violence disclosure but are also key to preserving the integrity of any investigation that is undertaken.

- 3.5.2 Those involved in the complaints process, including complainants, respondents, and witnesses, must keep the details of any case confidential. This does not limit complainants, respondents, or witnesses from sharing details with their circle of support which can include their medical provider, counsellor, social worker, and

relevant training. Education and training will be reviewed and updated accordingly on an ongoing basis to ensure relevance.

Part Four: Maintenance of Statistics and Reporting

4.1 Policy Review

This policy will be reviewed at least every three years,

4.2 Records and Data Collection

The University will securely maintain complete records. These records will be kept for at least 10 years following the complaint. They shall include:

1. The number of disclosures & complaints
2. The nature of the disclosures & complaints (what they involve)
3. Demographic information (gender, age, if available)
4. The number of anonymous and third-party/bystander disclosures and/or complaints
5. Location of incident(s) if known (on/off

Protected Reporting Activity: reporting activity including a Disclosure of Sexualized Violence or filing a Sexualized Violence Complaint that all community members may engage in without fear of Retaliation.

Repeat Perpetrator Identification (RPI): a feature of the REES (Respect Educate Empower Survivors) reporting platform that helps to identify a person that has perpetrated Sexualized Violence against multiple people. A Survivor can provide specific identifying information about the perpetrator and if there is a match of identifying information provided by two Survivors, the designated campus contact will be informed.

Residence Leadership: a person in a position of authority, whether paid or not. In the context of

individuals and maintaining their dignity throughout any process, procedure, support, or accommodation they may participate in.

University: the "University" means Mount Allison University.

Volunteer: Any person who has or has had a work relationship with the university where they are not or have not been monetarily compensated as an employee for that work.