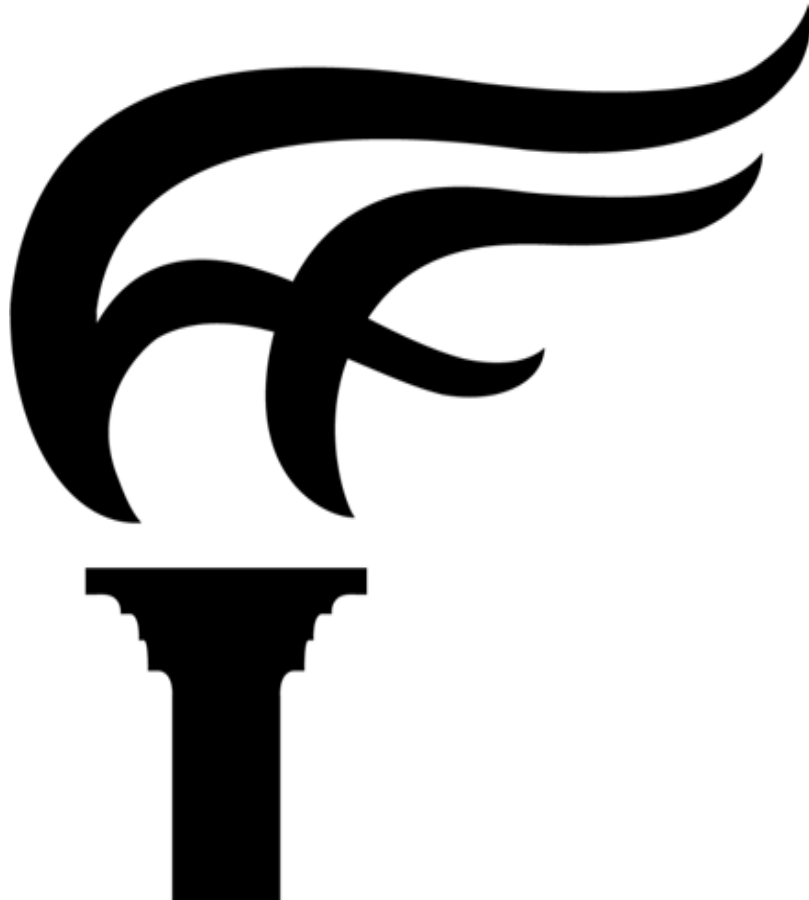


MOUNT ALLISON UNIVERSITY



Policies and Procedures With Respect to Sexual Harassment and Sexual Assault

Approved by the Board of Regents on October 21, 1994.

Reformatted by the Sexual Harassment Advisor (no substantive changes) on September 21, 1999

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Approved by the Board of Regents on October 21, 1994. Reformatted September 21, 1999.

1. GENERAL

1.1 OBJECTIVE

This document is intended to assist in the development and maintenance of a safe and healthy environment at Mount Allison University, free of sexual harassment; and to provide a mechanism by which complaints of sexual harassment can be responded to quickly and effectively.

1.2 APPLICATION

This document applies to all members of the University community whether the incident or incidents complained of took place on or off campus.

1.3 NO RETALIATION

It is an offense under this policy to retaliate against a person who makes a complaint of sexual harassment. See 7.2 below.

1.4 FRIVOLOUS AND VEXATIOUS COMPLAINTS

It is an offense under this policy to make frivolous or vexatious complaints of sexual harassment. See 7.3 below.

1.5 TIME LIMIT

Unless there are extenuating circumstances, a complaint of sexual harassment will not be dealt with unless the complaint is made within one year of the incident or incidents which are the basis of the complaint.

2. DEFINITIONS - SEXUAL HARASSMENT AND SEXUAL ASSAULT

2.1 SEXUAL HARASSMENT

Sexual harassment is defined as either:

- vexatious conduct of a sexual nature that is directed at a member of the University community and is known or reasonably ought to be known to be unwelcome by that member; OR
- conduct which is known or reasonably ought to be known to be offensive to members of the University community because of their sex or sexual orientation and which creates an environment which impairs the full and equal participation in the affairs of the University community of persons of the same sex or sexual orientation.

2. DEFINITIONS - SEXUAL HARASSMENT AND SEXUAL ASSAULT (CONT'D)

Any decision under this policy about whether conduct creates an environment which impairs the full and equal participation in the affairs of the University community of persons of the same sex or sexual orientation must take into account that *Mount Allison is a community that respects diversity, respects the responsible exercise of academic freedom and respects freedom of thought and expression.*

Conduct which amounts to sexual harassment may be physical or verbal in nature. It may involve one incident, or it may involve a series of incidents when a single incident would not be sexual harassment.

Sexual harassment may be committed by a male against a female, by a female against a male, or by a person against another person of the same sex.

The prohibition against sexual harassment is not intended in any way to limit the freedom of individuals to decide for themselves the nature of their consensual relationships and social interactions. However, the existence of a consensual relationship does not mean that there might never be a case of sexual harassment by one of the parties to such a relationship against the other. Neither does it mean that the conduct of the parties to such a relationship might never amount to the sexual harassment of a third party as when, for example, the consensual conduct of two persons may be sufficiently offensive to a third party to fall within the above definition of sexual harassment.

Examples of conduct which may amount to sexual harassment include, among other things:

- remarks or gestures with sexual connotations
- inappropriate sexual advances
- sexually offensive material
- unwelcome questions or comments about a person's sex life or sexual orientation
- assaults
- unwelcome flirtations
- solicitation of sexual activity by promise of reward or threat of punishment

2.2 SEXUAL ASSAULT

Sexual assault is a form of sexual harassment and is covered by this policy (and by the attached *Policy on Sexual Assault*). However, there is no requirement that a person who has been sexually assaulted use the procedures available to him or her under this policy. The Sexual Harassment Advisor can in confidence outline the various options available to a person who believes he or she has been sexually assaulted.

2.3 ADMINISTRATIVE OFFICER WITH AUTHORITY

The administrative officer with authority is:

- a) in a case where an **employee's** conduct may amount to sexual harassment, the University Librarian, the Associate Dean, or the director, manager or senior administrator to whom the employee reports;
- b) in a case where a **student's** conduct may amount to sexual harassment, the Vice-President (Academic) or delegate (usually the Dean of Students); or
- c) in a case when the conduct of one of the persons mentioned in 2.1(a) is alleged to amount to sexual harassment, when for any reason the administrative officer who would normally handle the case is replaced for that case, or when the case is not covered by 2.1(a) or (b), a person appointed by the President to deal with an allegation of sexual harassment.

2.4 COMPLAINANT

A complainant is a person who makes a written complaint under part 6.0 below that he or she has been sexually harassed.

NOTE that a person who believes he or she has been sexually harassed is encouraged to discuss the matter in confidence with the Sexual Harassment Advisor and can do so before making a formal written complaint.

2.5 MEDIATOR

A mediator is a person, usually with expertise in counselling, mediation or social work, who is appointed by the Sexual harassment Advisor to work with a complainant and a respondent to assist them in an attempt to settle informally a complaint of sexual harassment.

2.6 RESPONDENT

A respondent is a person against whom a formal written complaint of sexual harassment has been made as provided in part 6.0 below.

2.7 SEXUAL HARASSMENT ADVISOR

It is the job description of the sexual harassment advisor to: promote awareness, understanding and sensitivity to this policy and related issues; to receive inquiries; investigate complaints; and provide advice and assistance to staff and students as outlined more fully in 5.0 below.

3. POLICY STATEMENTS

3.1 SEXUAL HARASSMENT WILL NOT BE TOLERATED

Sexual harassment will not be tolerated in the Mount Allison community, whether the sexual harassment is committed by members of the community or by visitors to the community.

3.2 CORRECTIVE ACTION WILL BE TAKEN

Where there is reason to believe there has been an incident of sexual harassment, an investigation will be conducted whether there has been a complaint or not. When such an investigation finds that there has been an incident of sexual harassment, the University will take corrective action.

3.3 THE RIGHT OF ACCESS TO OTHER REMEDIES WILL BE RESPECTED

The University respects the right of all persons affected by this policy to seek remedies such as grievances, human rights complaints and criminal charges whether the remedies provided by this policy are sought or not.

3.4 PRIVACY WILL BE RESPECTED

The privacy of complainants and respondents will be respected.

3.5 THE RIGHT TO BE HEARD WILL BE RESPECTED

An individual will be given the opportunity to reply to any complaint made against him or her under this policy before any decision adverse to the individual's interest is reached on the complaint.

4. RIGHTS OF COMPLAINANTS AND RESPONDENTS

4.1 RIGHTS OF COMPLAINANTS

A complainant has the right:

- a) to have his or her complaint handled pursuant to this policy;
- b) to be accompanied by another member of the University community of his or her own choosing during any proceedings related to his or her complaint;
- c) to have his or her complaint and any references to the complainant excluded from any personal file unless the complaint was frivolous or vexatious;
- d) to be kept informed of the status of any proceedings under this policy; and
- e) to receive the results of the investigation in writing.

4.2 RIGHTS OF RESPONDENTS

A respondent has the right:

- a) to receive a copy of a complaint without undue delay;
- b) to reply to any complaint made against him or her under this policy before any decision adverse to the respondent's interest is reached on the complaint;
- c) to be accompanied by another member of the University community of his or her own choosing during any proceedings related to the complaint;
- d) to have the complaint, and any references to the complaint, excluded from any personal file unless he or she is found to have committed an offence under this policy*;
- e) to be kept informed of the status of any proceedings under this policy; and
- f) to receive the results of the investigation in writing.

*** NOTE** In the case of a student, normally there is only one personal file and that is located in the Registrar's Office and contains the student's academic record. That file would only have information placed in it concerning a matter dealt with under this policy if the student were suspended or expelled from the University.

5. RESPONSIBILITIES

5.1 ADMINISTRATIVE OFFICER WITH AUTHORITY

Whenever he or she has reason to believe there has been an incident of sexual harassment, it is the responsibility of the administrative officer with authority to *inform the Sexual Harassment Advisor of the incident* and whenever it is feasible to do so to *discuss the matter with the Sexual Harassment Advisor before acting*.

Unless the case is in the hands of a mediator or has been settled by a mediator to the satisfaction of the administrative officer with authority, and whether a complaint has been made or not, *it is the responsibility of the administrative officer with authority*:

- to investigate any case where he or she has reasonable grounds to believe sexual harassment may have taken place,
- to take appropriate corrective action where the investigation reveals that sexual harassment did take place,
- to inform complainants and respondents in writing of the results of an investigation and
- to keep in a separate case file a written record of each case including such steps taken to deal with each case.

If a complainant and a respondent share the same work space, academic space or University residence space, or if one reports to the other, it is the responsibility of the administrative officer with authority to remove the complainant and respondent from one another in appropriate cases while the complaint is being processed. In order to encourage complaints from those who believe they have been sexually harassed, and not as an indication that a decision has been made on the merits of any complaint, normally it will be the respondent and not the complainant who will be moved. One factor which will be taken into account by the administrative officer with authority in these cases is that any decision to remove the complainant and the respondent from one another may cause the existence of the complaint to become known to those who would otherwise not know about it.

5.2 COMPLAINANTS

Complainants are expected to cooperate with all those responsible for dealing with the investigation of their complaints.

5.3 RESPONDENTS

Respondents are expected to cooperate with all those responsible for dealing with the investigation of sexual harassment complaints.

5.4 DEPARTMENT HEADS

It is the responsibility of every department head to post a copy of this policy on a bulletin board in his or her department.

5. RESPONSIBILITIES (CONT'D)

5.5 MEDIATORS

It is the responsibility of mediators appointed under Part 6 of this policy:

- to work with complainants and respondents in an attempt to settle complaints,
- to keep in a separate case file a written record of each complaint including the steps taken in an effort to settle each complaint, and
- to keep confidential all information contained in case files except as provided in this document.

5.6 MEMBERS OF THE UNIVERSITY COMMUNITY

In an academic community, as in any community, people who believe they have been unjustly treated are encouraged to make their disapproval known to the persons responsible for the treatment which they believe to be unjust. Therefore, people who believe they have been sexually harassed are encouraged, where it is appropriate to do so and in a reasonable way, to make their disapproval known to the persons responsible for the conduct which they believe to be harassment.

Where they have reason to believe the incident constituted sexual harassment, staff who supervise employees are responsible for reporting an incident involving those they supervise to the appropriate administrative officer with authority.

Where they have reason to believe the incident constituted sexual harassment, staff who supervise employees are responsible for reporting an incident involving those they supervise to the appropriate administrative officer with authority.

Where they have reason to believe the incident constituted sexual harassment, professors, residence dons, security officers, coaches and others who deal with students as part of their duties to the University are responsible for reporting an incident involving their students to the Deal of Students who in turn will report it to the Vice-President Academic.

All members of the University community are responsible for:

- discouraging other members of the University community from engaging in conduct which constitutes sexual harassment;
- encouraging those who are sexually harassed to deal with the sexual harassment personally in appropriate cases after seeking the advice of the Sexual Harassment Advisor;
- encouraging those who are sexually harassed to make a complaint under the policy if that is necessary to deal with the sexual harassment; and
- coming forward as witnesses in any case where they know first hand of sexual harassment.

5. RESPONSIBILITIES

5.7 SEXUAL HARASSMENT ADVISOR

The Sexual Harassment Advisor shall:

- a) promote among members of the University community an awareness and understanding of and a sensitivity to the issue of sexual harassment and in particular conduct an education session each year for incoming students;
- b) receive inquiries and complaints relating to sexual harassment;
- c) advise, orally and in writing, those who allege they have been sexually harassed of counselling resources available to them on or off campus, and assist them in finding counselling;
- d) advise, orally and in writing, those who allege they have been sexually harassed of options available to them for dealing with their complaints, including in appropriate cases the options of direct communication with the person whose behaviour is objectionable, mediation, discipline, grievance, human rights complaint, civil action, or criminal action;
- e) advise, orally and in writing, those who allege they have been sexually harassed of the possibility that their residence, academic and work environments may be altered while their complaints are handled;
- f) offer, orally and in writing, to assist any member of the University community to report to the police any allegation of sexual harassment which may amount to a criminal offence, and require written confirmation if such person does not want the matter reported to the police;
- g) inform respondents and complainants, orally and in writing, that while the mediator will not release any information given to him or her in confidence, some external authorities such as courts of law might have the authority to require the release of that information;
- h) provide advice and assistance concerning the application of this document to complainants and to respondents;
- i) advise administrative officers with authority in the investigation of complaints of sexual harassment; and
- j) keep complainants and respondents informed regularly and in writing of the status of any proceedings under this policy.

5. RESPONSIBILITIES

5.8 THOSE WHO BELIEVE THEY HAVE BEEN SEXUALLY HARASSED

Where it is appropriate to do so, those who believe they have been sexually harassed should make their disapproval known to the persons responsible for the conduct about which they object. Sometimes, such action will end the objectionable conduct. Sometimes, an expression of disapproval is necessary before conduct is known to be unwelcome or offensive.

Those who believe they have been sexually harassed should seek assistance from their supervisors, the Dean of Students, or the Sexual Harassment Advisor.

5.9 THE UNIVERSITY JUDICIAL COMMITTEE AND THOSE HANDLING APPEALS

It is the responsibility of those handling appeals under this document, and of the University Judicial Committee when handling a case of assault or a case under this document, to keep in a separate case file a written record of each case including the decisions made, and to keep confidential all information contained in these case files except as provided in this document.

6. PROCEDURES FOR HANDLING COMPLAINTS

6.1 GENERAL STATEMENTS AND LIMITATIONS

Exceptions The following procedures *do not apply* if:

- an administrative officer with authority is investigating an incident or sexual harassment in the absence of a complaint;
- the person responsible for the possible sexual harassment is not a member of the University community; or
- the person sexually harassed is not a member of the University community.

In such cases, *an investigation will be conducted* and corrective action taken where it is appropriate to do so and by whatever means are appropriate in the circumstances.

No Double Jeopardy

Normally, the University will not discipline a member of the University community twice for the same incident or incidents. Therefore, if a complaint is made under this policy in respect of an incident or incidents for which the respondent has already been disciplined, appropriate action under 6.3.4 normally would not include further discipline.

Limitations on Investigations

If an administrative officer with authority is in the process of investigating a possible incident of sexual harassment when a formal written complaint is made under this policy, normally the administrative officer with authority will take no further action until one party decides not to consent to the appointment of a mediator or until the mediation process is completed.

6.2 OPTIONS FOR DEALING WITH ALLEGATIONS OF SEXUAL HARASSMENT

A member of the University community who feels that another person's conduct constitutes sexual harassment has many options for dealing with the matter including the following:

- ▶
- ▶ a **direct approach** to the other person with or without procedural suggestions from the Sexual Harassment Advisor;
- ▶ **mediation** under this policy;
- ▶ after mediation has been offered pursuant to this policy, and has been refused by either party, or has been unsuccessful, an **investigation** by the Administrative Officer with Authority;
- ▶ a charge brought directly before the University Judicial Committee when it is believed that a student's conduct constitutes sexual harassment;
- ▶ a grievance when an employee who is covered by a collective agreement believes he or she has been harassed;
- ▶ a human rights complaint;
- ▶ a civil action; or
- ▶ a complaint to the police.

Those who feel they have been sexually harassed are encouraged to discuss the matter in confidence with the Sexual Harassment Advisor and can do so before making any written statement on the matter.

6.3 PROCEDURES FOLLOWING A WRITTEN COMPLAINT UNDER THIS POLICY

Before the steps in 6.3 are taken, the person who alleges s/he has been sexually harassed by another member of the University community shall submit his or her complaint in writing to the Sexual Harassment Advisor.

- 6.3.1 The Sexual Harassment Advisor shall without undue delay give a copy of the complaint to the respondent, to the administrative officer with authority and, when both the complainant and the respondent are students, to the Dean of Students.
- 6.3.2 The possibility of mediation will be presented to both the complainant and the respondent. If both the complainant and the respondent consent to mediation, a mediator will be appointed. If both the complainant and the respondent are students, the mediator shall be chosen jointly by the respondent and the complainant from a list of mediators selected jointly by the Sexual Harassment Advisor and the Dean of Students. In other cases the Sexual Harassment Advisor shall appoint a mediator acceptable to both parties.
- 6.3.3 If either party does not wish to have the matter mediated, or if the mediation process does not settle the matter to the satisfaction of the parties and of the administrative officer with authority, the administrative officer with authority shall carry out an investigation.
- 6.3.4 At the conclusion of the investigation, the administrative officer with authority shall either dismiss the complaint or take appropriate action. If a determination of sexual harassment is made, in the case of an employee, appropriate action would normally include a discipline of the respondent. In the case of a student, appropriate action would normally include a determination that there is sufficient evidence to merit a charge before the Judicial Committee.

Time Limit

Normally, these procedures are to be completed within two months of the written complaint having been given to the Sexual Harassment Advisor.

Mitigating Any Harm Suffered by the Complainant

If it is determined by the administrative officer with authority or by the University Judicial Committee, as the case may be, that sexual harassment took place, the President shall decide on any measures for remedying or mitigating any harm suffered by the complainant as a result of the harassment.

7. OFFENCES

7.1 SEXUAL HARASSMENT

It is an offence under this policy for a member of the University community to sexually harass another member of the University community.

7.2 RETALIATION

It is an offence under this policy for a member of the University community to retaliate or to threaten retaliation against an individual who files a complaint of sexual harassment or who cooperates in the investigation of a complaint of sexual harassment.

7.3 FRIVOLOUS OR VEXATIOUS COMPLAINTS

It is an offense under this policy for a member of the University community to make a complaint of sexual harassment which is frivolous or vexatious.

8. PENALTIES

Penalties for offences under this policy include but are not limited to:

- mandatory apologies;
- reprimands;
- limitations on access to campus;
- mandatory counselling;
- suspensions;
- demotions;
- transfers;
- expulsion from the University; and
- termination of employment

Determination of a penalty depends upon the circumstances of the offence(s).

9. APPEALS

Any decision that a complaint made under this policy should be dismissed or that a person is guilty of an offence under this policy, and any discipline imposed for an offence under this policy, may be appealed by either the respondent or the complainant, as the case may be, to the appropriate appeals committee or, if there is no appeals committee, to the President, who may delegate the handling of the appeal to an individual or committee as the President may deem appropriate. However, in cases where discipline is imposed on an employee covered by a collective agreement, the matter will not be appealed except by grievance under the collective agreement.

10. CONFIDENTIALITY OF INFORMATION

The Sexual Harassment Advisor, administrative officers with authority, mediators, the University Judicial Committee, and those handling appeals will ensure that all information contained in case files is kept confidential except:

- a) when information must be released to the respondent to give him or her the opportunity to respond to a complaint;
- b) when the information must be released for the purposes of dealing with an alleged commission of an offence under this policy, although no information given to a mediator by a complainant or respondent in confidence will be used for any such purpose;
- c) when information is placed in a complainant's or respondent's personal file to support or record disciplinary action taken against him or her in respect of sexual harassment or, in the case of the respondent, to record details of a settlement where the respondent admits responsibility for sexual harassment, although it should be noted by students that this would happen to their academic files only if the disciplinary action taken against them were a suspension or dismissal from the University because of the commission of an offence under this policy, or
- d) when information must be released by requirement of law.

CASE FILES

All case files will be turned over to the Sexual Harassment Advisor when they are no longer required by administrative officers with authority, mediators, the University Judicial Committee or those handling appeals.

The Sexual Harassment Advisor *will not give access* to any of these files to any person except with the authority of the President or a Vice-President.

Case files will be destroyed five years after the most recent activity in relation to the file. However, records concerning the numbers and types of cases and the resolution of cases can be kept after five years provided these records do not contain personal identifiers.

Approved by the Board of Regents on October 21, 1994

Reformatted (no substantive changes) by the Sexual Harassment Advisor on September 21, 1999

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Approved by the Board of Regents on October 21, 1994. Reformatted September 21, 1999.

1. GENERAL

1.1 OBJECTIVE

This document is intended to assist in the development of a safe and healthy environment at Mount Allison University, free of sexual assault; and to provide guidance to members of the community so that incidents of assault are dealt with quickly, effectively and fairly.

1.2 APPLICATION

This document applies to all members of the University community who are alleged to have committed a sexual assault on University property, or off University property where, in the case of a student, the assault would be a violation of the Code of Discipline or, in the case of an employee, the assault would give the University cause to impose discipline.

2. DEFINITIONS

2.1 SEXUAL ASSAULT

Sexual assault means to engage in or to attempt to engage in sexually related activity with another person without that person's consent, whether or not force is used. Sexual assault includes touching another person in a manner which has sexual connotations.

2.2 SEXUAL HARASSMENT ADVISOR

The Sexual Harassment Advisor is the person appointed by the University to carry out responsibilities pursuant to this policy and the University's Policies and Procedures with Respect to Sexual Harassment.

3. GENERAL STATEMENTS

3.1 SEXUAL ASSAULT WILL NOT BE TOLERATED

Sexual assault will not be tolerated at Mount Allison University.

3.2 SEXUAL ASSAULT IS A CRIMINAL MATTER

Sexual assault is a criminal offense and the University will encourage any member of the community who alleges he or she has been sexually assaulted to make a complaint to the police.

3.3 SEXUAL ASSAULT IS A CIVIL MATTER

Sexual assault is a civil wrong, and the person who alleges he or she has been assaulted may be entitled to recover damages or other remedies through the courts.

3.4 SEXUAL ASSAULT IS A UNIVERSITY OFFENCE

Sexual assault is a University offence, and Mount Allison University may discipline a member of the community for a sexual assault covered by this policy whether the person assaulted makes a complaint or not.

Any member of the University community who alleges a student assaulted him or her may charge the student before the University Judicial Committee.

3.5 SEXUAL ASSAULT IS SEXUAL HARASSMENT

Sexual assault is a form of sexual harassment and the document entitled Policies and Procedures with Respect to Sexual Harassment applies to all instances of sexual assault covered by this document. Therefore, a member of the University community who has been sexually assaulted may make a complaint under the Policies and Procedures with Respect to Sexual Harassment.

3.6 SEXUAL ASSAULT IS SEXUAL DISCRIMINATION

Sexual assault is a form of sexual discrimination and in some cases a person who has been sexually assaulted will be able to make a complaint under the Human Rights Code.

3.7 SEX WITH A PERSON UNABLE TO CONSENT

It is a sexual assault to have sex with a person unable to consent for any reason *including being incapacitated because of the use of alcohol*.

4. EDUCATION

It is the responsibility of the Sexual Harassment Advisor to promote among members of the University community an awareness and understanding of and a sensitivity to the issue of sexual assault.

5. COUNSELLING

It is the responsibility of the Sexual Harassment Advisor to advise members of the University community who allege they have been sexually assaulted by another member of the University community of counselling resources available to them on or off campus, and to assist them in finding counselling.

6. CHANGES IN THE ENVIRONMENT

It is the responsibility of the Sexual Harassment Advisor to advise members of the University community who allege they have been sexually assaulted by another member of the University community of the possibility that their living, academic and work environments may be altered while any complaint of sexual assault is being processed.

7. PROCEDURES FOR DEALING WITH COMPLAINTS

A person who alleges that he or she has been sexually assaulted may make a complaint with the police or other external authority whether or not the procedures available for dealing with the allegation within the University are used.

A person who alleges that he or she has been sexually assaulted may discuss the allegation in confidence with the Sexual Harassment Advisor.

A person who alleges that he or she has been sexually assaulted by a student may charge the student before the University Judicial Committee whether or not the matter has been discussed with the Sexual Harassment Advisor.

A person who alleges that he or she has been sexually assaulted by a member of the University community may make a written complaint under the Policies and Procedures with Respect to Sexual Harassment, and the complaint will be dealt with in accordance with that policy.

8. EMERGENCY PROCEDURES

In some cases of sexual assault, emergency procedures will have to be followed. This part offers guidance in the handling of such cases.

8.1 LOOK AFTER NEEDS OF THE PERSON WHO HAS BEEN ASSAULTED

In any such case of sexual assault, the first person to come in contact with the person who has been sexually assaulted should look after the needs of that person as a first priority.

8.2 OBTAIN MEDICAL ASSISTANCE & ENSURE PRIVACY

Those dealing with a person who has been sexually assaulted should take steps to limit as much as possible further trauma for that person by obtaining necessary medical attention as quickly as possible and by limiting the number of people who come into contact with him or her.

8.3 REPORT THE INCIDENT

As soon as he or she is able to do so, the first person to come into contact with the person who has been sexually assaulted should report the incident.

In the case of a student who has been sexually assaulted, the incident should be reported to the Dean of Students or to the Don of the residence involved who in turn will report the incident to the Dean. In other cases the incident should be reported to the Vice-President (Academic).

Once contacted, the Dean of Students or the Vice-President (Academic) will immediately assume responsibility for handling the situation, although they may assign someone else to deal directly with the person who has been sexually assaulted.

In most cases, the person dealing directly with the person who has been sexually assaulted should be the same sex as the person who has been sexually assaulted.

8.4 BE SUPPORTIVE

The person dealing directly with the person who has been sexually assaulted should be supportive, and should not pressure that person to take any particular steps.

8.5 BE HELPFUL

If requested to do so, the person dealing directly with the person who has been sexually assaulted should contact his or her family or friends or the police.

8.6 MAKE NOTES

Whether or not the police are called, all those involved should document their involvement, the names of witnesses, the date, the time, and all other circumstances.

8.7 NOTIFY THE SEXUAL HARASSMENT ADVISOR

The Sexual Harassment Advisor should be contacted by the Dean of Students or by the Vice-President (Academic). The responsibilities of the Sexual Harassment Advisor, as outlined in this document and in the document dealing with sexual harassment, may be met by the Sexual Harassment Advisor acting through the Vice-President (Academic), the Dean of Students or the person appointed to deal with the person who has been sexually assaulted.

9. DELAYS IN INTERNAL JUDICIAL PROCEDURES

If the hearing of a charge against a student before the University Judicial Committee is delayed for any reason because of conflict with the processing of a criminal charge, the University Judicial Committee can impose reasonable restrictions on the student in the interim.

10. CONFIDENTIALITY OF INFORMATION

Sexual assault is a form of sexual harassment. Therefore, the rules concerning the confidentiality of information set out in Part 10 of the University's Policies and Procedures with Respect to Sexual Harassment apply in cases of sexual assault.

11. PENALTIES

Sexual assault is a serious offense and the penalty for a sexual assault may be expulsion from the University or termination of employment.

Approved by the Board of Regents on October 21, 1994

Reformatted (no substantive changes) by the Sexual Harassment Advisor on September 21, 1999