

**PREVENTING AND RESPONDING TO SEXUAL ASSAULT, SEXUAL VIOLENCE, AND
GENDER-BASED VIOLENCE**

Section:	Health, Safety and Environment (HS)
Subject:	Health, Safety and Environment
Legislation:	<i>Criminal Code, R.S.C.1985, c.C-46; Occupational Health and Safety Act (RSA 2000 c0-2)</i> and related legislation.
Effective:	September 13, 2023
Revision:	

APPROVED:

Chair, on Behalf of SAIT's Board of Governors

POLICY

The policy of the Board of Governors is that SAIT neither accepts nor tolerates sexual assault, sexual violence or gender-based violence in its workplace or learning environments.

DEFINITIONS

Complainant

A member of the SAIT community or a visitor to SAIT who reports having been subjected to an act of sexual assault, sexual violence, or gender-based violence by a member of the SAIT community.

Consent

The voluntary and explicit agreement to engage in the sexual activity in question. Consent is freely given, without coercion, and can be revoked at any time. For further information about consent, see the [Sexual and Gender-Based Violence webpage](#) on [sait.ca](#).

Disclosure

The act of informing a member of the SAIT community about an incident of sexual assault, sexual violence, or gender-based violence for the purpose of seeking support. A disclosure does not initiate an investigation unless the survivor makes a report to the appropriate office at SAIT or SAIT is required to launch an investigation.

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Field trip	A SAIT-approved learning activity for an individual or group that occurs off-campus, within Canada. See procedure AC.2.13.1 Field Trips for further information.
Gender-based violence (GBV)	Violence specifically directed at someone because of their biological sex or gender identity. It can occur publicly or privately. It includes verbal, physical, sexual, and psychological abuse, as well as threats, coercion, and deprivation of resources.
Report	The act of informing a designated office at SAIT about an incident of sexual assault, sexual violence or gender-based violence for the purpose of initiating an investigation.
Respondent	A member of the SAIT community alleged to have committed an act of sexual assault, sexual violence, or gender-based violence.
SAIT campus	SAIT's main campus and all satellite campuses, including virtual/digital campuses.
SAIT community	All persons employed on SAIT's payroll (whether paid by annual salary or hourly wage), members of SAIT's Board of Governors, SAIT Student Association employees, students, contractors, consultants, agents, and volunteers.
SAIT-sponsored function	An event which SAIT has organized and which benefits SAIT. It is not open to the public: attendance is limited to members of the SAIT community and their invited guests. This includes but is not limited to student functions, student club meetings and employee functions.
SAIT-supported initiative	Events and activities that contribute to institutional positioning or other SAIT strategic priorities. These initiatives are identified by the president and CEO or Executive Management Council, or if at the division or school/department level, by the relevant vice president or dean/director.

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Sexual assault

Any type of unwanted sexual act done by one person to another that violates the sexual integrity of the survivor and involves a range of behaviours from unwanted touching to penetration.

Sexual violence

Any violence, physical or psychological, carried out through sexual means or by targeting sexuality. Sexual violence may be characterized by a broad range of behaviours that involve the use of force, threats, threats to a third party, or control towards a person, which makes that person feel uncomfortable, distressed, frightened, threatened, or that is carried out in circumstances in which that person has not freely agreed, consented to or is incapable of consenting to. Examples of sexual violence include but are not limited to stalking, indecent exposure, voyeurism, distribution of sexually explicit photographs or recordings, online activities and stealthing (i.e. removing a condom without the consent of a sexual partner) This definition applies to either a single incident or a pattern of behaviour.

Study-abroad activity

A SAIT-approved activity for an individual or group and which occurs outside Canada. This includes but is not limited to field schools, program-specific study tours, subject-specific study tours, service learning programs, conferences, student competitions, semester exchanges, organized sports competitions, workplace experiential learning placements, other extracurricular activities and student research projects. See procedure [AC.2.13.2 Study Abroad](#) for further information.

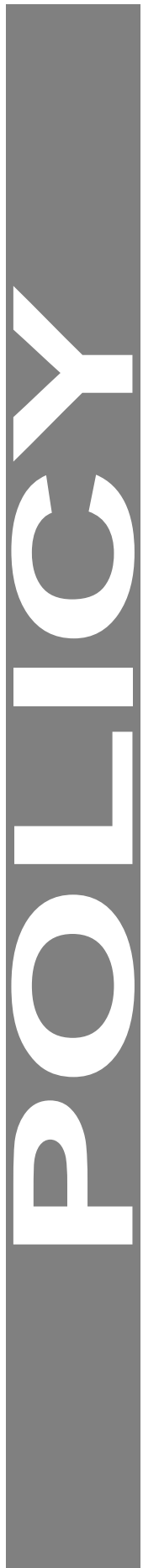
Survivor

A member of the SAIT community who has been subjected to an act of sexual assault, sexual violence, or gender-based violence. While 'survivor' is used in this policy and procedure, 'a person who experienced sexual violence' is another term that can be used.

Work-integrated learning

Activities that integrate academic learning in a SAIT program or course with practical applications in a real-world setting. See procedure [AC.2.20.1 Work-Integrated Learning](#) for further information.

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GOVERNING PRINCIPLES

1. This policy applies to all members of the SAIT community while engaged in any activity related to their employment, contract, studies or association with SAIT. It applies to:
 - a) The workplace and learning environment, both on and off the SAIT campus (for example, home offices, SAIT-sponsored functions, SAIT-supported initiatives, business trips, conferences, social gatherings, online communications, and telephone calls).
 - b) SAIT-related educational activities, such as field trips or study abroad activities and work-integrated learning sites.
2. SAIT recognizes that sexual assault is a criminal offence and a workplace hazard in Canada. SAIT has responsibilities in preventing and responding to sexual assault, sexual violence and gender-based violence and recognizes the prevalence of this type of violence on post-secondary campuses. SAIT supports survivors of sexual assault, sexual violence, and gender-based violence and holds members of the SAIT community who commit such acts of violence accountable to protect the SAIT community's health and wellbeing and to ensure SAIT's orderly function.
3. SAIT recognizes an individual's inherent right to exercise full control over their own bodies and to engage only in consensual sexual activity. Whether a person has consented to engage in sexual activity is governed by this policy's definition of consent and the principles identified on the [Sexual and Gender-Based Violence webpage](#) on [sait.ca](#).
4. Survivors have the right to receive support from SAIT and to decide whether and to whom to disclose or to report an incident of sexual assault, sexual violence, or gender-based violence (although in some situations, SAIT may be required to launch an investigation and/or inform Calgary Police Services regardless of the survivor's consent). Survivors have the right to be treated with dignity and respect. Survivors are not to be blamed or judged for any drug/alcohol use around the time of the incident, or for their dress, conduct, emotional disposition, past sexual history or timing of their disclosure or report. Survivor rights are set out in greater detail in accompanying procedures [HS.1.6.1](#), [HS.1.6.2](#) and [HS.1.6.3](#).
5. Respondents have the right to be made aware of and to have the opportunity to respond to allegations against them, to have access to and support from SAIT's internal resources, and to be treated with dignity and respect. Respondent rights are set out in greater detail in accompanying procedures [HS.1.6.1](#), [HS.1.6.2](#) and [HS.1.6.3](#).

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6. A member of the SAIT community who is alleged to have committed an act of sexual assault, sexual violence, or gender-based violence may be subject to proceedings under the criminal justice system or civil proceedings in addition to any investigation or proceedings that SAIT undertakes. SAIT's investigative and adjudication processes and outcomes will remain separate to external proceedings under the civil or criminal justice system.
7. The confidentiality of all persons involved in a disclosure or report of sexual assault, sexual violence, or gender-based violence, including the survivor and/or complainant, the respondent and all witnesses will be strictly observed, subject to the requirements of the law and SAIT's investigative processes. However, confidentiality cannot be assured if an individual is at imminent risk of self-harm or at risk of harming others and/or if there are reasonable grounds to believe that others in the SAIT community may be at risk of harm. In such situations, information will only be shared as necessary to prevent harm.

PROCEDURE

1. SAIT shall take a variety of proactive measures to provide education, training and information about sexual assault, sexual violence, and gender-based violence and their impacts. Measures include, for instance, maintaining the Sexual Assault, Sexual Violence and Gender-Based Violence Prevention and Response Committee; providing appropriate resources and institutional support regarding education, awareness, and support; and providing mandatory training for employees who provide health and counselling services to students, who receive disclosures/reports, and/or who investigate reports. For further information, see accompanying procedure [HS.1.6.1](#).
2. A member of the SAIT community who has experienced sexual assault, sexual violence, or gender-based violence may choose to disclose or report the experience to another member of the SAIT community or to SAIT's Discrimination and Harassment hotline. An employee's obligations on receiving a disclosure or report are set out in accompanying procedures [HS.1.6.2](#) and [HS.1.6.3](#).
3. A report involving a student respondent will be investigated and managed by the Office of Community Conduct as per procedure [AC.3.4.4 Student Non-Academic Conduct](#). A report involving an employee respondent will be investigated and managed by the Employee Services Department as per procedure [HS.1.2.1 Prevention of Violence](#). For further details on investigative processes, see accompanying procedure [HS.1.6.3](#).
4. SAIT is committed to procedural fairness and will respond to disclosures and reports of sexual assault, sexual violence and gender-based violence in a timely manner.

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5. SAIT may identify and implement interim and/or permanent measures that are reasonably necessary to protect and support the survivor and the SAIT community, in compliance with SAIT's policies and procedures, SAIT collective agreements, and Alberta law. Measures include, for instance, alternate academic/workplace arrangements, voluntary measures to which the respondent has agreed, no-contact/no-communication bans between the survivor and respondent and supporting survivors who are pursuing peace bonds and restraining orders.
6. No one shall retaliate, engage in reprisals, or threaten to retaliate against an individual for making a disclosure or report in good faith under this policy or accompanying procedures [HS.1.6.2](#) and [HS.1.6.3](#), for having participated or cooperated in an investigation or having been associated with someone who has proceeded under this policy or accompanying procedures. Anyone engaged in such conduct will be subject to the sanctions set out in procedure [HR.4.4.1 Corrective Action Procedures](#) (in the case of an individual who is a member of the SAIT community other than a student) or the non-academic misconduct provisions of procedure [AC.3.4.4 Student Non-Academic Conduct](#) (in the case of a student).

DELEGATION OF AUTHORITY

1. SAIT's president and CEO may approve procedures that are consistent with and supplemental to this policy, including those that interpret or provide examples of expectations as described in this policy; establish additional expectations to supplement those described in this policy; establish processes for reporting, investigating, and determining allegations, and provide avenues of appeal.

POLICY / PROCEDURE REFERENCE

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| HS.1.6.1 | Sexual Assault, Sexual Violence, and Gender-Based Violence – Principles and Support procedure |
| HS.1.6.2 | Sexual Assault, Sexual Violence, and Gender-Based Violence – Disclosures procedure |
| HS.1.6.3 | Sexual Assault, Sexual Violence, and Gender-Based Violence – Reporting procedure |

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