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<b>Name:</b>	<b>Sexual Assault Policy and Procedures</b>
Policy Number:	6-2003
Origin:	Student Services / Human Resources
Approved:	February 2008
Issuing Authority:	Executive Management Group (EMG)
Responsibility:	Senior Director of Student Services, Senior Director of Human Resources
Effective Date:	August 28, 2015
Revision Date(s):	Apr. 1, 2008, Jan. 13, 2015, Aug. 28, 2015,
Supersedes:	Sexual Assault Policy (1994)
Related Policies:	Violence in the Workplace: Prevention and Response, Policy on the Prevention and Resolution of Harassment and Discrimination, Student Discipline Code

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## 1. Purpose

Saint Mary's University is committed to promoting a safe educational and working environment for its students, faculty, staff and visitors. Sexual assault will not be tolerated. The University will work to eliminate sexual assault through the dissemination of educational material and / or training programs to students, faculty and staff. The University will provide support to victims / survivors and refer to resources in the community. The University encourages students, faculty and staff to review policies, programs and services within the university community designed to promote a safe educational and working environment. Saint Mary's University encourages students, faculty and staff to take full advantage of the supportive resources and options offered through the Sexual Assault Nurse Examiner's Program (S.A.N.E.).

## 2. Definitions

- 2.1. Sexual Assault: is an offence under the Criminal Code of Canada. It is illegal. Sexual assault is any unwanted act of a sexual nature imposed by one person upon another and includes such activities as kissing, fondling, oral or anal sex, intercourse, or other forms of penetration, without consent. Sexual assault can occur between strangers but it can also occur in a dating relationship or between spouses.
- 2.2. Consent: is the voluntary agreement to engage in the sexual activity in question. There is no consent where the person is asleep or is under the influence of alcohol or drugs and is "passed out", or is incoherent, staggering, or not aware of his/her environment.

### **3. Scope**

This policy applies to all members of the University community in all locations and / or situations, including University residence, where activity is directly related to university business. The policy applies to visitors or guests to the University.

### **4. Commitments**

The University's commits to the following in response to sexual assault:

- To provide appropriate assistance and support to members of the University community who are impacted by sexual assault.
- To take reasonable steps to mitigate the safety risk to members of the University community. University officials are authorized to take action, when deemed necessary, to mitigate safety risk to the University community.
- To work in collaboration with all University departments and invoke all relevant and existing policies to effectively manage cases involving sexual assault.
- The University may contact the police, while respecting that victims / survivors have the right not to cooperate with the police and to protect their anonymity.

### **5. Procedures For Responding To Sexual Assault**

- For situations requiring immediate emergency assistance call Campus Security at 902-420-5000 and / or 911
- For situations requiring immediate medical attention call 911
- For situations requiring support for victims / survivors call the Sexual Assault Case Manager at 902-471-8129 and / or S.A.N.E. (Sexual Assault Nurse Examiner) directly at 902-425-0122

5.1. The Sexual Assault Response Team comes together in the event of a sexual assault and will coordinate the response to the sexual assault. The team is normally comprised of the:

- Senior Director of Student Services (Co-Chair)
- Registered Nurse Manager and Educator (Sexual Assault Case Manager)
- Senior Director of Human Resources (Co-Chair)
- Conflict Resolution Advisor
- HR Officer (OH&S)
- Manager of Security
- Director of Housing and Conference Services
- or any of their designates

### **6. Case Management**

The Sexual Assault Case Manager, when contacted, will:

- Provide and / or coordinate case management for the file
- Act as lead on the sexual assault case offering support to relevant departments.
- Provide and / or coordinate support and education to the University community as required around issues related to the victim / survivor, alleged perpetrator, sexual assault policy/procedures and general information on sexual assault
- Work with relevant departments to address related internal issues for both the victim / survivor and alleged perpetrator (e.g.; class changes, work assignments)
- Work with relevant departments to provide education to the University campus as a whole on sexual assault policy / procedures and sexual assault especially with high-risk groups (e.g.;first year students)

- Provide and / or coordinate education on external resources and individual rights to victims / survivors and alleged perpetrators
- Maintain relevant records for the University pertaining to cases of sexual assault.
- Where appropriate, provide relevant departments with updates regarding court dates, and decisions
- Provide and / or coordinate information and / or training related to new issues arising in the field of sexual assault to individuals / departments involved in responding to sexual assaults
- Consult and collaborate with individuals and groups both on and off campus who provide alcohol education, bystander training, sexual violence and sexual harassment education

## **7. Support Services / Resources**

The following are some examples of internal and external supportive services for students, faculty and staff involved in cases of sexual assault. Victims / survivors of sexual assault can decide whether or not to access available services and to choose the services they feel will be most beneficial to them:

- S.A.N.E. (Sexual Assault Nurse Examiners Program) 902-425-0122  
[avalonsane@eastlink.ca](mailto:avalonsane@eastlink.ca)
- Saint Mary's Sexual Assault Case Manager 902-471-8129
- Emergency 911
- Saint Mary's University Security 902-420-5000
- Halifax Regional Police 902-490-5020 (non-emergencies) [www.halifax.ca/Police](http://www.halifax.ca/Police)
- Avalon Centre 902-422-4240 [www.avaloncentre.ca](http://www.avaloncentre.ca)
- Saint Mary's University Student Health Services 902-496-8778 or after hours contact Registered Nurse Manager and Educator at 902-471-8129
- Students can contact the University's Counselling Services at 902-420-5615 for confidential counselling. [www.smu.ca/counselling](http://www.smu.ca/counselling)
- Students can contact Shepell FGI at 1-855-649-8641 for confidential external advice
- Staff can contact the University's Employee Assistance Program at 1-800-268-5211 for confidential external advice
- Faculty and Professional Librarians can contact their Employee Assistance Program at 1-800-387-4765 for confidential external advice.
- Saint Mary's University Conflict Resolution Office 902-420-5113
- Saint Mary's University Occupational Health and Safety Office 902-420-5658
- Halifax Regional Municipality Helpline 902-421-1188
- Mental Health Mobile Crisis Intervention 902-429-8167 (1pm –1am daily)
- Nova Scotia Public Prosecution Service 902-424-8734
- Nova Scotia Victim Services 902-424-8785
- Nova Scotia Rainbow Action Project 902-444-7887 <http://www.nsrp.ca/>

## **8. Consequences / Outcomes of Sexual Assault**

Respondents to complaints of sexual assault may be subject to the following outcomes and / or consequences including but not limited to:

- Written warning or letter of reprimand
- Change of job or class assignment.
- Ban from being in same classroom as victim / survivor or class supervision by Campus Security
- Direction of "no contact" with the victim / survivor
- A campus wide or selected ban from campus related activities

- Issuance of notices under the Nova Scotia Protection of Property Act restricting individuals from entering on campus and /or other relevant legal actions
- Restriction of student participation in non-academic programs
- Restrictions / relocation and / or removal from Residence
- Suspension, probation, expulsion or termination in conjunction with existing disciplinary procedures and / or collective agreements

## **9. Policy Review**

This Policy will be reviewed periodically and changes to the Policy shall be subject to the approval of the Executive Management Group.