



## Policy

Policy Name	<b><i>Gender Based and Sexual Violence Prevention and Response Policy</i></b>		
Policy #	HS 3.0	Category	Health and Safety
Policy Owner	Chair, Governance Committee	Effective Date	December 7, 2022
Policy Lead	Vice President, Students and Campus Life	Review Date	December 7, 2027
Approved by	Board of Governors	Approval Date	December 6, 2022

### 1.0 Policy Statement

NAIT is committed to challenging and preventing Gender Based and Sexual Violence and creating a safe and positive space where members of the community are able to work, learn, and express themselves in an environment free from Gender Based and Sexual Violence. Gender Based and Sexual Violence are unacceptable and will not be tolerated. This document articulates NAIT's policy and response to Gender Based and Sexual Violence; ensuring those who have experienced Gender Based and Sexual Violence are believed, their rights are respected, and NAIT has a process of investigation that protects the rights of all involved, including Respondents, once a Complaint has been filed.

NAIT's intention is to provide a safe avenue of disclosure for those who wish to make a report about Gender Based and Sexual Violence they have experienced or witnessed in NAIT Learning, Working, and Social Environments.

### 2.0 Scope

- 2.1 As Gender Based and Sexual Violence carry impacts in all elements of an individual's life, this policy applies to all members of the NAIT Community when it comes to challenging attitudes and norms related to Gender Based and Sexual Violence and accessing support for impacts of Gender Based and Sexual Violence.
- 2.2 This policy and related procedures provide information on how NAIT will respond to Complaints of Gender Based and Sexual Violence that occur when on NAIT property, in NAIT Learning, Working, or Social Environments, while representing NAIT, or in other situations with an identifiable and substantial connection to NAIT, whether in-person or online.
- 2.3 NAIT recognizes that occurrences of Gender Based and Sexual Violence are unique circumstances which require a unique set of principles and policy statements. This policy complements and works in conjunction with other NAIT policies, such as Student Rights and Responsibilities, Code of Ethics and Conduct, and Respectful Workplace. It is not intended to interfere with or override any other NAIT policy, collective agreement, or prevailing law.

### 3.0 Definitions

Term	Definition
Academic and Workplace Accommodations	In this policy, academic and workplace accommodations is an umbrella term for accommodations to learning or working environments, tasks, or procedures in relation to one's experience of Gender Based or Sexual Violence.
Accommodation	An accommodation is a change to a rule, approach, or environment to meet the needs of an individual and allow them to engage in a process. Typically, accommodations are provided in relation to protected grounds identified under human rights legislation, but in cases of Gender Based and Sexual Violence accommodation may be in relation to the impact of violence and trauma.
Complainant	The person who brings forward information that a violation of this Policy may have occurred OR who was primarily impacted by the violation.
Complaint	A formal allegation of a policy violation submitted to NAIT by a Complainant seeking recourse in accordance with NAIT policy and/or procedure.
Consent	A voluntary agreement to engage in a behaviour or activity. This is an active, direct, voluntary, unimpaired, ongoing, reversible, and conscious choice and agreement between individuals engaging in the behaviour or activity. Consent cannot be obtained through the abuse of a position of power, trust, or authority.
Disclosure	When an individual shares information about a personal experience of Gender Based or Sexual Violence to someone who did not previously know.
Employee	Executives and management, faculty, and staff/employees that are paid a salary or wage by the institute whether they work full time, part time, or casually on a contractual basis.
Gender Based and Sexual Violence	Any violence, physical or psychological, that is committed, threatened, or attempted against another individual without the individual's Consent by targeting an individual because of their sex, gender identity, gender expression, or sexual orientation. Gender Based and Sexual Violence is an umbrella term that includes Gender Based Violence, Sexual Harassment, and Sexual Assault, and can include a single incident or a pattern of behaviour.
Gender Based Violence	Any violence, physical or psychological, that is committed, threatened, or attempted against another individual without the individual's Consent by targeting gender, gender identity, or gender expression, including but not limited to sexist, homophobic, and/or transphobic comments, jokes, and images.
Harm-Reduction	A recognition that the processes used to address Gender Based and Sexual Violence can cause additional harm in themselves and a set of practices that, wherever possible, seek to limit and reduce the negative consequences of Gender Based and Sexual Violence and related processes on the involved parties.
NAIT Community	NAIT students, employees, volunteers, visitors, contractors, tenants, and members of the Board of Governors, when on NAIT property, in NAIT Learning, Working, or Social Environments, or while representing NAIT, whether in-person or online.

NAIT Learning Environment	The physical and virtual space where learning takes place including, but not limited, to classrooms, hallways, common areas, labs, digital learning resources such as Moodle, work-integrated learning locations, all social media platforms, and other spaces on campus.
NAIT Social Environment	The physical and virtual space where members of the NAIT Community gather and interact for social and/or recreational reasons. This includes but is not limited to on-campus common areas, recreational facilities, hallways, all social media platforms, and any form of gathering with an identifiable and substantial connection to NAIT.
NAIT Working Environment	The physical and virtual space where an Employee performs work duties and interacts with others which includes, but is not limited to offices, hallways, common areas, classrooms/labs/shops, digital communication platforms such as Microsoft Teams, work-integrated learning locations, all social media platforms, and other spaces on campus.
Natural Justice and Procedural Fairness	The principles that an investigation or adjudication should be unbiased and conducted in good faith and that all parties have a right to be heard.
Respondent	The person alleged to have violated this policy.
Sexual Assault	Any sexual contact without Consent, which can include but is not limited to oral contact, groping or fondling, vaginal or anal penetration, and oral to genitalia contact. The behaviour need not be intentional in order to be considered Sexual Assault.
Sexual Harassment	One or more unwanted or demeaning remarks, behaviours, or communications of a sexual nature and/or based on sex, gender identity, gender expression, or sexual orientation, where the individual responsible for the remarks, behaviours, or communications knows or ought reasonably to know that these are unwanted or demeaning. This can include but is not limited to requests or demands of a sexual nature, stalking, indecent exposure, voyeurism, touching of non-sexual body parts, creating, acquiring, or distributing sexual images or videos including images or videos of a NAIT Community member.
Sexual Violence	Umbrella term that includes Sexual Harassment and Sexual Assault
Student	For the purposes of this Policy, we consider the following people as students: <ul style="list-style-type: none"> <li>• Applicants to NAIT programs</li> <li>• Individuals currently enrolled in NAIT programs or courses</li> <li>• Individuals who have been enrolled in the past, but not currently active, and are making a Disclosure related to a previous experience in a NAIT Learning Environment or NAIT Social Environment</li> <li>• Alumni making a Disclosure related to a previous experience in a NAIT Learning Environment or NAIT Social Environment</li> </ul>

Survivor	There are many terms that may be used in relation to a person who has experienced Gender Based or Sexual Violence or is bringing forward a Complaint about Gender Based or Sexual Violence. Individuals might be familiar with the term “victim” or prefer the term “complainant” as a neutral term. Some who have experienced Gender Based or Sexual Violence may choose to identify as a survivor, as an indication of having overcome the experience rather than being victimized by it. NAIT uses the term Survivor throughout the related Policy and Procedures where it applies to those who have experienced Gender Based or Sexual Violence. It is the prerogative of the person who has experienced these circumstances to determine how they wish to identify. “Survivor” and “Complainant” means the same thing in the execution of this policy, but every effort is made to use the term “Survivor” in instances of Gender Based or Sexual violence. Use of the term “Survivor” does not indicate an assumption of guilt of an individual.
Trauma-Informed Practices	Trauma-Informed refers to acknowledging the harm that all parties involved in Gender Based or Sexual Violence may have endured and awareness that trauma impacts an individual’s emotional, cognitive, physical, and sexual well-being. Trauma-Informed Practices are approaches based in Harm-Reduction, avoiding re-traumatization, power consciousness, and providing dignity. This also includes providing support and training for those receiving Disclosures and involved in the Complaint process to reduce the impacts of trauma exposure.

#### 4.0 Guiding Principles

- 4.1 We recognize that Gender Based and Sexual Violence can occur to and be committed by individuals regardless of race, religious or spiritual belief, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status, and sexual orientation.
  - 4.1.1 We also recognize that individuals hold multiple social identities and that the intersection of these identities, including those mentioned in 4.1, contribute to ways in which Gender Based and Sexual Violence will be experienced uniquely by each individual and that each case will need to be assessed for individual impacts and to remove barriers to support.
- 4.2 We recognize that Gender Based and Sexual Violence is rooted in systemic oppression, including colonialism, racism, sexism, homophobia, transphobia, and ableism. This systemic oppression manifests in a culture in which common attitudes, norms, and practices tolerate, normalize, trivialize, excuse, or outright condone Gender Based and Sexual Violence (one term for this is ‘rape culture’). As an institution that exists within this culture, NAIT takes seriously its responsibility to address systemic oppression and rape culture.
  - 4.2.1 We further recognize that Aboriginal women, girls, two-spirit, and LGBTQIA+ people are disproportionately subjected to Gender Based and Sexual Violence, as identified in the Truth and Reconciliation Commission and the National Inquiry into Missing and Murdered Indigenous Women and Girls, as an ongoing impact of colonialism and related forms of systemic oppression.
    - 4.2.1.1 We recognize that Aboriginal men are also disproportionately subjected to violence, including Gender Based and Sexual Violence, as a result of

colonialism and related forms of systemic oppression.

- 4.3 We recognize that individuals who have experienced Gender Based and Sexual Violence may experience emotional, academic, workplace, or other difficulties as a result.
- 4.4 NAIT is committed to creating and maintaining a healthy and safe Learning, Working, and Social Environment. Reported incidents of Gender Based and Sexual Violence will be taken seriously, and the institution will respond in alignment with NAIT's policies, procedures, and relevant collective agreements as applicable.
- 4.5 NAIT is committed to maintaining a campus free of discrimination, harassment, and violence and strives to foster an atmosphere of healthy, respectful attitudes and behaviours towards sexuality, sex, sexual orientation, gender, gender identity, and gender expression. Behaviours that contribute to a hostile and inequitable Learning, Working, and Social Environment are not accepted in the NAIT Community and will be addressed by the appropriate policy and/or procedure and practices.
- 4.6 NAIT is committed to providing support to those who experience Gender Based or Sexual Violence, as well as NAIT Community members involved in working with persons who have experienced Gender Based or Sexual Violence. We will support Survivors in their efforts to heal and, when possible, respond as they determine best for their well-being.
  - 4.6.1 NAIT will assist those who have experienced Gender Based or Sexual Violence by providing choices, including detailed information and support, the provision of or referral to counselling and medical care, information about reporting options, and appropriate Academic and Workplace Accommodations.
- 4.7 NAIT will respect the Survivor's right to privacy while evaluating the obligation to protect the safety and well-being of the broader NAIT Community. Wherever possible, confidentiality of Disclosures and reports will be respected. Those involved will be treated with fairness, compassion, and respect for their dignity, receiving full and prompt cooperation of campus Employees throughout the process of Disclosure, investigation, and institutional response.
- 4.8 NAIT will uphold the principles of Natural Justice and Procedural Fairness and provide an environment where the rights of all are respected, authorities act without bias, Survivors and Respondents are provided with a fair process, and proceedings are carried out in good faith.
  - 4.8.1 NAIT recognizes that trauma may be a factor for all parties involved in Gender Based and Sexual Violence and may impact memory, communication, and behaviour in ways that can interfere with fair processes if not addressed. NAIT commits to applying Trauma-Informed and other Harm-Reduction Practices in relation to Gender Based and Sexual Violence.
- 4.9 NAIT will work across our campuses, and with our community partners, on education, awareness, policies, procedures, and resources to ensure that our NAIT Learning, Working, and Social Environments foster the ability to work, learn, and express oneself in a positive and safe environment.
  - 4.9.1 Individuals identified through this Policy and related Procedures as being involved in supporting Disclosures and/or Complaints of Gender Based and Sexual Violence will receive regular training on understanding and responding to Gender Based and Sexual Violence, Trauma-Informed Practice, and ongoing updates to best practices.

## 5.0 Other Related Documents

Courage to Act: A Comprehensive Guide to Campus Gender-Based Violence Complaints

HR 6.0: Respectful Workplace Policy

HS 3.1: Gender Based and Sexual Violence Disclosures and Support Procedure

HS 3.2: Gender Based and Sexual Violence Complaints Procedure

LC 2. 0: Safe Disclosure Policy

SR 1.0: Student Rights and Responsibilities Policy

SR 1.01: Student Resolution Office Activation Procedure

### ***Document History***

<i>Date</i>	<i>Action/ Change</i>