One-Pager: AMS Sexual Violence Policy (I-17)

1. Purpose & Goals
   a. AMS has zero tolerance for Sexual Violence (SV).
   b. This policy will provide procedures for investigations of SV.
   c. AMS is responsible for maintaining a safe environment (without concerns of SV).
   d. AMS prohibits SV and is committed to providing education and holding community members to these standards.

2. Applicability & Exclusions
   a. I-17 applies to all Active AMS Members and AMS Staff, and non-AMS members.
      i. AMS Staff: Any individual who is an employee, volunteer, appointee, or contractor of the AMS.
      ii. If someone is an AMS Active Member but works for the AMS, they are considered an AMS Staff.

3. Definitions
   a. Provides definitions relevant to the policy.

4. Principles
   a. Expands on the Purpose & Goals section.
      i. Again includes zero tolerance for SV.
      ii. Committed to providing intersectional education and support.
      iii. Recognizes and promotes a non-discriminatory intersectional education approach.

5. Limitations & Authorization
   a. Limitations outlines the scope of this policy under administrative law.
      i. *Limitations for AMS Members:* Decisions and outcomes must be done in accordance with AMS Code and Bylaws, AMS membership cannot be impacted, and discipline cannot prevent AMS Members from accessing AMS Services.
      ii. *Limitations for AMS Staff:* Decisions and outcomes must be done in accordance with collective agreements/terms of employment.
      iii. *Limitations for Non-AMS Members:* Non-AMS Members can engage with this policy if the Respondent is AMS Member/staff.
      iv. *Limitations for information sharing:* All information the AMS collects under this policy will be treated as confidential. Information will not be disclosed in unless necessary for the investigation or required by law.
   
   b. Authorization outlines the bodies/individuals who have power to enact parts of this policy.
      i. The appropriate body for investigation/adjudication will depend on whether the perpetrator is an AMS member or Staff.
      ii. Cases can be dealt with under I-18 (the AMS respectful community and workplace policy) if all individuals agree.
      iii. Retaliation is prohibited.
      iv. Corrective actions will be decided by either the Operations Committee, the Managing Director, the President, or AMS Council.
      v. Any individual in an ongoing investigation can request the Investigator make accommodations for their safety/comfort.

2019 Version of I-17
6. **Procedures – Disclosure**
   a. Any individual who chooses to Disclose may do so without initiating an Investigation.
   b. Any individual may access the AMS Sexual Assault Support Centre to receive free and confidential crisis and short-term emotional support.

7. **Procedures - Reporting:** *If the Respondent is an AMS Member*
   a. The Report is made to the Ombudsperson or the Human Resources Manager.

8. **Procedures - Investigations:** *If the Respondent is an AMS Member*
   a. To initiate an Investigation, the Complainant must provide Consent.
   b. Ombudsperson will be assigned as the Investigator (unless there’s a COI).
   c. The Ombudsperson will inform the Respondent that a Report has been filed.
   d. The Investigator must conduct their Investigation in a neutral and impartial manner and may request information they deem relevant and appropriate.
      i. The Complainant and Respondent may provide submissions they deem relevant to the Investigator.
   e. Investigations to be completed within 45 days of receipt of Report.
   f. The Investigator will prepare an Investigation report. They must ensure the confidentiality and privacy of all individuals involved and their identities.
   g. The Investigator will provide a copy of the Investigation report to the Complainant and Respondent seven (7) days before the meeting of the Operations Committee.

9. **Procedures - Decisions & Outcomes:** *If the Respondent is an AMS Member*
   a. The Operations Committee will review the Investigation report along with a recommended course of action by the Investigator.
   b. The Operations Committee will decide on a balance of probabilities whether Sexual Violence has occurred or not based on the Investigation report.
      i. If the Operations Committee decides that Sexual Violence has occurred, they may decide to move forward with corrective action.
      ii. If the Operations Committee decides that Sexual Violence has not occurred, they must ensure that resources and support are to be provided to the Complainant and Respondent.

10. **Procedures - Review of Decision:** *If the Respondent is an AMS Member*
    a. The party seeking a review must submit any new evidence along with a brief statement to the Ombudsperson.
    b. This report will be forwarded to the Operations Committee. They will decide if the new evidence has changed the circumstances of the original case and warrants a change in the original decision.
11. **Procedures - Reporting: If the Respondent is AMS Staff**
   a. The Report is made to the Ombudsperson or the Human Resources Manager.

12. **Procedures - Investigations: If the Respondent is AMS Staff**
   a. To initiate an Investigation, the Complainant must provide Consent.
   b. Human Resources Manager will be assigned as the Investigator (unless there’s a COI).
   c. The Human Resources Manager will inform the Respondent that a Report has been filed.
   d. The Investigator must conduct their Investigation in a neutral and impartial manner and may request information they deem relevant and appropriate.
      i. The Complainant and Respondent may provide submissions they deem relevant to the Investigator.
   e. Investigations to be completed within 45 days of receipt of Report.
   f. The Investigator will prepare an Investigation report. They must ensure the confidentiality and privacy of all individuals involved.
   g. The Investigator will provide a copy of the Investigation report to the Complainant and Respondent seven (7) days before presenting the report to the Managing Director.

13. **Procedures - Decisions & Outcomes: If the Respondent is AMS Staff**
   a. The Managing Director will review the Investigation report along with a recommended course of action by the Investigator.
   b. The Managing Director will decide on a balance of probabilities whether Sexual Violence has occurred or not based on the Investigation report.
      i. If the Managing Director decides that Sexual Violence has occurred, they may decide to move forward with corrective action.
      ii. If the Managing Director decides that Sexual Violence has not occurred, they must ensure that resources and support are to be provided to the Complainant and Respondent.