

Sexual Assault and Sexual Violence Policy

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Policy Statement

Horizon College & Seminary (HCS) is committed to upholding the integrity of our mission by maintaining and promoting a safe and healthy educational, living and working environment for our students, faculty, staff, residents, governors, and visitors. We value respect for all individuals and condemn all forms of sexual violence. HCS takes seriously our commitment to supporting those who experience sexual violence and encourages students, faculty, and staff to regularly review policies, protocols and services designed to promote a safe and healthy environment.

Scope

This policy applies to all members of the HCS community including faculty, staff, governors, students, residents, and contractors, suppliers of services, visitors and individuals directly connected to any HCS initiatives.

Purpose

The purpose of this policy is to:

- Ensure those who disclose any experience of sexual violence are believed, their rights respected and compassionate support provided.
- Provide clear response protocol and process of investigation.

Definitions

References to the Criminal Code of Canada are noted by the applicable section.

Disclosure: When a survivor of sexual assault/violence shares with an employee of HCS and is supported in addressing their needs, safety concerns, and in accessing resources. The survivor may, or may not, choose to formally report the incident.

Reporting: When a survivor of sexual assault/violence activates HCS's formal policies and process for internal investigation and/or legal procedures.

Sexual Assault: Sexual assault is prohibited by section 271. It is any unwanted sexual act done by one person to another and is characterised by a broad range of behaviours which make a person feel uncomfortable, distressed, frightened or threatened. Any sexual activity without consent is sexual assault.

Sexual violence: A broad term that describes any violence, physical or psychological, carried out through sexual means or by targeting sexuality.

Sexual Harassment: any inappropriate or unwanted physical or verbal conduct, comment, display, action or gesture by a person that adversely affects the psychological or physical wellbeing and, that the person knows or ought reasonably to know would cause another person to be humiliated or intimidated.

Sexual harassment may include, but is not limited to:

- Unwelcome sexual advances or attention
- Implied or expressed benefits or rewards for sexual favour, or threats if denied
- Verbal, non-verbal or physical conduct of a sexual nature
- Indecent exposure or voyeurism
- Unwelcome or vexatious comments about one's sexuality, appearance, bodily presentation, gender or gender expression
- Display of pornographic or suggestive calendars, signs, posters and/or photographs
- Non-consensual posting of pictures, aggressive comments or stereotypes and slurs on social media, including but not limited to: email, Facebook, Twitter or Instagram

Consent: the voluntary and explicit agreement to engage in the sexual activity in question. This means there must be an understandable exchange of affirmative words which indicate a willingness to participate in mutually agreed upon sexual activity. Consent must always be informed, freely given and active. It is the responsibility of the initiator of sexual activity to obtain clear and affirmative responses at all stages of sexual engagement.

It is imperative the following is understood:

- Consent can never be assumed or implied
- Silence or the absence of 'no' can never be interpreted as consent
- A person in a state of diminished judgement cannot give consent
- A person is unable to give consent if they are asleep, unconscious, incapacitated by alcohol or drugs, or otherwise unable to communicate
- A person who is threatened or coerced is not giving consent
- A person is incapable of giving consent to a person in a position of trust, power or authority
- Consent can never be assumed from previous consent to similar activities
- Consent cannot be given on behalf of another person

Coercion: In the context of sexual violence, coercion is unreasonable and persistent pressure for sexual activity. Coercion is the use of emotional manipulation, blackmail, threats to family or friends, or the promise of rewards or special treatment to persuade someone to do something they do not wish to do such as being sexual or performing particular sexual acts.

Stalking: A form of criminal harassment prohibited by section 264. It involves behaviours that occur on more than one occasion and which collectively instill fear in the targeted survivor or

threaten their safety or mental health. Stalking may also include threats of harm to the target's family and/or friends.

Stalking behaviours may include:

- Non-consensual communication including face-to-face, texting, phone, email or social media
- Threatening or obscene gestures
- Surveillance and/or pursuit
- Sending unsolicited gifts (romantic, bizarre, sinister or sexualized)
- 'Creeping' via social media or cyber-stalking
- Uttering threats

Key Objectives

Horizon College and Seminary is committed to:

- Assisting those who have experienced or are impacted by sexual assault, by providing information and support including referral to counselling or medical care, legal options and appropriate academic or other accommodation;
- Ensuring those who disclose sexual assault are believed, and that their right to dignity and respect is protected throughout the process of disclosure, investigation and institutional response;
- Empowering those who disclose sexual assault by respecting their autonomy to choose from available supports and reporting options, selecting all, some, or none of them;
- Ensuring that internal investigation processes are fair, effective, communicated and accessible;
- Ensuring the coordination and communication of all departments and employees most likely to be involved in the response to sexual violence on campus;
- Building a safe and healthy environment that does not tolerate sexual violence through education and prevention at all levels;
- Regularly reviewing and updating our policies and protocols to ensure they remain effective;
- Valuing and acknowledging the importance of confession in our faith, but ensuring that a confession of sexual assault or violence will not lessen the impact of this policy.

Reporting and Responding to Sexual Violence

Any HCS members who witness, have knowledge of, or have reason to believe sexual violence has or may occur, should report it immediately. Those who have experienced sexual violence are encouraged to disclose or report as soon as they are able to do so.

Those in positions of authority should act immediately to respond to or prevent sexual violence from occurring.

Where HCS becomes aware of an incidence of sexual violence involving a member of HCS, they shall take all reasonable steps to ensure the safety of the HCS community.

HCS Support

Upon awareness or disclosure of sexual assault or violence, a HCS employee will be designated to provide personalized support to the individual(s) in a prompt and compassionate manner, whether they wish to report or not. This support will include:

- Assistance in obtaining counselling and medical care;
- Information on reporting options and support through the process;
- Advocating for academic or other accommodation requests;
- Ensuring sensitive and timely communication with the disclosing individual, and family members if desired, as to the status of the process or investigation.

Complaint and Investigation Process

Any member of the HCS community can file a complaint of sexual violence under this policy.

With the desire to maintain procedural fairness in dealing with complaints, anyone accused of violating this policy will be informed of the full allegation against them and provided opportunity to respond to the allegations. No disciplinary action will be taken against a person related to a violation of this policy without their knowledge.

A complainant has the right to withdraw a complaint at any stage in the process however HCS may choose to continue to investigate the issue raised they considers it a safety risk to the HCS community.

If a person, in good faith, discloses or reports a sexual violence complaint that is not supported by evidence gathered in the course of the investigation, the complaint will be dismissed with no record placed in either parties file.

Disclosures or complaints found to be frivolous, vexatious or in bad faith and purposely intended to annoy, embarrass or harm the accused, may result in discipline or sanctions against the complainant.

Confidentiality

The confidentiality of all persons involved in a disclosure or report of sexual violence must be protected by HCS employees except in the following circumstances:

- An individual is at imminent risk of self-harm;
- An individual is at imminent risk of harming another; and/or
- There are reasonable grounds to believe that others in the HCS or wider community may be at risk of harm.

In such circumstances, information would only be shared with necessary services to prevent harm, and the name of the survivor would not be released to the public.

If the survivor seeks accommodation, staff will protect the confidentiality of all those involved.

If an investigation is carried out, the names of those involved will not be released except as required to conduct the investigation and to comply with HCS's legal obligations. At the completion of the investigation, the name of an adult determined to be in violation of the sexual assault policy may be released by the school as part of any disciplinary outcome.

Prevention and Education

All those associated with the HCS community are expected to contribute to the prevention of, intervention in and effective response to, sexual violence and assault. Everyone plays a role in building a safe and healthy environment by:

- Ensuring the policy is clearly accessible to students, residents and employees electronically on the website, in hard copy on the student bulletin board and in the Student and Administrative Handbooks;
- Informing new students during orientation as well as student leadership, making them aware of the policy and where to find it;
- Including the policy in the employee onboarding process and annually in staff development;
- Modelling healthy and respectful behaviour in our personal and professional relationships;
- Addressing the root causes of sexual violence and promoting healthy relationship development in the classroom, chapel and residence;
- Speaking out against behaviour that discourages disclosure and/or reporting of sexual violence, including racism, sexism, perpetuation of rape myths, blaming of the survivor and joking about gender inequality;
- Developing the skills necessary to be an effective and supportive ally to survivors of sexual violence;

- Intervening in situations that could lead to sexual violence; and
- Interrupting sexual violence or contacting the police.

Sexual Assault and Sexual Violence Protocol

If You Have Experienced Sexual Violence

If you have experienced any form of sexual violence, please call 306-374-6655 extension 230 or 227 (during office hours) and we will assist you in accessing the resources and support you need. If you wish to speak with someone directly, please see either the Dean of Students or Associate Dean of Students in the Student Life office. For emergencies outside office hours, please call the Dean of Students at 306-978-6682 (home) or 306-227-4964 (cell).

It is difficult to talk about sexual violence when you have experienced it. It is entirely your decision to report the incident; however, we strongly encourage you to do so. It is important for you to feel in control of what happens to you moving forward so you can make the decision that is best for you. We can help to support you, provide information about your options and whether you want to report the incident. When you disclose the incident to Student Life, a staff member will be designated to you. They will provide personalized support in a prompt and compassionate manner by:

- Ensuring your safety and help with counselling and/or medical care;
- Acting as an advocate on your behalf in making requests for accommodations;
- Ensuring sensitive and timely communication with you, and your family members if desired, as to the status of the process or investigation.

In addition to the support with Student Life, the following resources are available to you:

- 9-1-1 for emergencies
- Saskatoon Sexual Assault & Information Centre: 306-244-2224 (24-hour crisis line) <https://ssaic.ca/emergency/>
- Saskatoon Police: 306-975-8300 <http://saskatoonpolice.ca/scca/>

If you have experienced sexual violence, you have the right to:

- Be believed and treated with dignity, respect and compassion;
- Be informed about on- and off-campus (community) services and resources;
- Decide whether or not to access available services and to choose those services you feel will be most beneficial;
- Decide whether to report the incident to the police;
- Have an on-campus investigation with the institution's full cooperation;
- Formulate a safety plan;
- Have reasonable and necessary actions or accommodations taken to prevent further unwanted contact with the alleged perpetrator(s);

- Know that what you disclose will be kept confidential and only shared with those who will provide your support, consider requested accommodations or investigate the incident.

If You Would Like to Report a Complaint

The Student Life Office (306-374-6655 ext. 230 [male] or ext. 227 [female]) can assist you with filing a complaint. If the accused perpetrator is a member of the HCS community, you may file a complaint under this policy.

Individuals who have experienced sexual violence may also wish to press charges under the *Criminal Code of Canada*. The Student Life Office can also assist you with calling the local police.

What to Do if You Witnessed Sexual Violence

If you have witnessed any form of sexual violence, please call 306-374-6655 extension 230 or 227 and we will assist you in accessing the resources and support you need. If you wish to speak with someone directly, please see either the Dean of Students or Associate Dean of Students in the Student Life office.

In addition to the support with Student Life, the following resources are available to you:

- Saskatoon Sexual Assault & Information Centre: 306-244-2224 (24-hour crisis line) <https://ssaic.ca/emergency/>
- Saskatoon Police Survivor Services: 306-975-8400 <http://saskatoonpolice.ca/survivor/>

If an employee of HCS becomes aware of an allegation of sexual violence against another member of the HCS community, they are required to report the alleged incident to Student Life (306-374-6655 ext. 230 or ext. 227), or if it involves one or more employees, the President (306-374-6655 ext. 223) immediately.

What to Do if Someone Discloses Allegations of Sexual Violence

If someone confides in you about an act of sexual violence, provide a supportive response that includes:

- Listening compassionately without judgement, and accepting the disclosure as true;
- Emphasizing the survivor is not to blame for the violence;
- Acting to ensure the person's safety and helping them access any supports required such as medical care, counselling, Student Life support or the police;
- Respecting the person's autonomy in decision making by allowing them to choose the services they feel are most appropriate, and the extent of the details they choose to share;
- Being aware that experiences of sexual violence are traumatic and can impact how a person functions such as difficulty in recalling events or emotional expression;
- Making every effort to maintain confidentiality.

If disclosure is made to a HCS student or employee by a student seeking support or accommodations, they should refer the disclosing student to the Student Life Office (306-374-6655 ext. 230 or ext. 227), and work with Student Life to ensure they receive the necessary accommodations.

As referenced above, if an employee of HCS becomes aware of an allegation of sexual violence against another member of the HCS community, they are required to report the alleged incident to Student Life (306-374-6655 ext. 230 or ext. 227) or if it involves one or more employees, the President (306-374-6655 ext. 223) immediately.

Roles and Responsibilities of HCS

The Student Life Office will provide designated support to assist with:

- Making a safety plan and accessing referred resources, including medical services;
- Requesting academic and other accommodations;
- Facilitating safe living arrangements to the best of our abilities;
- Collaborating with police where appropriate;
- Communicating with the complainant and family member(s) as requested;

The President's Office will assist with any incidents involving employees, and be responsible to implement measures to reduce sexual violence on campus.

How Will HCS Respond to a Report of Sexual Violence

Where a complaint of sexual violence has been reported to HCS, the college will exercise care to protect and respect the rights of both the complainant and respondent. HCS understands that individuals who have experienced sexual violence may wish to control whether and how their experience will be dealt with by the police and/or HCS. In most circumstances, the person will retain this control however, in certain circumstances, HCS may be required to initiate an internal investigation and/or inform the police of the need for a criminal investigation, even without the person's consent, if HCS believes that the safety of other members of HCS is at risk. The confidentiality and anonymity of the person(s) affected will be prioritized in these circumstances.

A report of sexual violence may be referred to the police or to the Saskatoon Sexual Assault & Information Centre at the complainant's request, where the person involved is not a member of the HCS community or where HCS is unable to initiate an internal investigation under this policy.

- When the alleged perpetrator is a student
 - Sexual violence is a serious violation of *Horizon's Community Covenant* and will be dealt with through the *Philosophy of Discipline* process.
- When the alleged perpetrator is an employee

- Sexual violence is a violation of the *HCS Code of Conduct and Belief*. Allegations against employees will be addressed according to the procedures in the *Faculty and/or Administrative Handbooks*.
- When the alleged perpetrator is not a student or employee
 - Visitors, contractors or suppliers are subject to complaints if they engage in prohibited conduct. Where complaints are substantiated, HCS will take steps such as sanctions, cancellation of contracts or banning from campus.
- Multiple proceedings
 - Where criminal and/or civil proceedings are commenced in respect of the allegations of sexual violence, HCS shall conduct its own independent investigation into such allegations, and will make its own determination in accordance with its policies and procedures. Where there is an ongoing criminal investigation, HCS will cooperate with law enforcement.

Related policies and additional information

This policy contributes to compliance with:	<ul style="list-style-type: none"> • Criminal Code of Canada
Related Policies and Procedures	<ul style="list-style-type: none"> • HCS Abuse Policy • Horizon’s Community Covenant • Philosophy of Discipline (Student Handbook) • HCS Code of Conduct and Belief • Faculty Handbook • Administrative Handbook
Related Evidence and Best Practice	<ul style="list-style-type: none"> • Saskatoon Sexual Assault & Information Centre • Saskatoon Police Service Survivor Services
Additional Resources	<ul style="list-style-type: none"> • Sexual Misconduct and Sexual Assault Policy, Briercrest • Colleges Ontario Sexual Assault and Sexual Violence Policy and Protocol Template • Ending Violence BC, Campus Sexual Violence: Guidelines for a Comprehensive Response