

COLLEGE POLICY

POLICY: Sexual Assault and Sexual Violence Policy and Protocol

APPROVED BY EXECUTIVE: October 6, 2021

SUPERSEDES POLICY: December 19, 2019

PURPOSE

All members of the Sault College community have a right to work and study in an environment that is free from any form of sexual violence. This Policy and its related Protocol sets out the way in which we address sexual violence and ensures that those affected by sexual violence are appropriately accommodated and ensures that the College has a process to respond to complaints that protects the rights of individuals and holds individual members of the College community who have committed an act of sexual violence accountable.

SCOPE

This policy applies to all members of the College community including: all employees, governors, students, contractors, suppliers of services, individuals who are directly connected to any College initiatives, volunteers, and visitors.

PROCEDURE

1. Definitions

Sexual Assault and Sexual Violence

Sexual assault: A criminal offence under the Criminal Code of Canada. Sexual assault is any type of unwanted sexual act done by one person to another that violates the sexual integrity of the victim and involves a range of behaviours from any unwanted touching to penetration.

Sexual assault is characterized by a broad range of behaviours that involve the use of force, threats, or control towards a person, which makes that person feel uncomfortable, distressed, frightened, threatened, or that is carried out in circumstances in which the person has not freely agreed, consented to, or is incapable of consenting to.

Sexual violence: Any sexual act or act targeting a person's sexuality, gender identity or gender expression, whether the act is physical or psychological in nature, that is committed,

threatened or attempted against a person without the person's consent, and includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism, and sexual exploitation.

Consent: The voluntary and explicit agreement to engage in the sexual activity in question. It is the act of willingly agreeing to engage in specific sexual behaviour, and requires that a person is able to freely choose between two options: yes and no. This means that there must be an understandable exchange of affirmative words, which indicates a willingness to participate in mutually agreed upon sexual activity. It is also imperative that everyone understands the following:

- Silence or non-communication must never be interpreted as consent and a person in a state of diminished judgment cannot consent.
- A person is incapable of giving consent if they are asleep, unconscious, or otherwise unable to communicate.
- A person who has been threatened or coerced (i.e., is not agreeing voluntarily) into engaging in the sexual activity is not consenting to it.
- A person who is drugged is unable to consent.
- A person may be unable to give consent when under the influence of alcohol and/or drugs.
- A person may be unable to give consent if they have a mental disability preventing them from fully understanding the sexual acts.
- The fact that consent was given in the past to a sexual or dating relationship does not mean that consent is deemed to exist for all future sexual activity.
- A person can withdraw consent at any time during the course of a sexual encounter.
- Where there is a power imbalance, a person may be incapable of giving consent to a person in a position of trust, power, or authority, such as a faculty member initiating a relationship with a student who they teach, an administrator in a relationship with anyone who reports to that position.
- Consent cannot be given on behalf of another person.

It is the responsibility of the initiator of sexual activity to ensure clear and affirmative responses are communicated at all stages of sexual engagement. It is also the initiator's responsibility to know if the person they are engaging with sexually is a minor.

Note: For information purposes only, the Criminal Code defines "consent" as follows:

Consent: The voluntary agreement to engage in the sexual activity in question. No consent is obtained, where

- a) The agreement is expressed by the words or conduct of a person other than the complainant;
- b) The complainant is incapable of consenting to the activity;

- c) The accused induces the complainant to engage in the activity by abusing a position of trust, power or authority;
- d) The complainant expresses, by words or conduct, a lack of agreement to engage in the activity;
or
- e) The complainant, having consented to engage in sexual activity, expresses, by words or conduct, a lack of agreement to continue to engage in the activity.

Other Relevant Terms

Acquaintance sexual assault: Sexual contact that is forced, manipulated, or coerced by a partner, friend, or acquaintance.

Age of consent for sexual activity: The age at which a person can legally consent to sexual activity. In Canada, children under 12 can never legally consent to sexual acts. Sixteen is the legal age of consent for sexual acts. There are variations on the age of consent for adolescents who are close in age between the ages of 12 and 16. Twelve- and 13-year-olds can consent to have sex with other youth who are less than 2 years older than themselves. Youth who are 14 and 15 years old may consent to sexual involvement that is mutual with a person who is less than 5 years older. Youths 16 and 17 years old may legally consent to sexual acts with someone who is not in a position of trust or authority.

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.

Sexual harassment: is a type of harassment that is sexual in nature. Sexual harassment includes a range of actions from mild transgressions to sexual abuse or assault. Sexual Harassment can also be an unwelcome promise of reward in exchange for sexual favours.

Indecent exposure: is the deliberate exposure in public or in view of the general public by a person of a portion or portions of their body in circumstances where the exposure is contrary to standards of appropriate behavior. The term indecent exposure is a legal expression. Social and community attitudes to the exposing of various body parts and laws covering what is referred to as indecent exposure vary significantly in different countries. It ranges from outright prohibition to prohibition of exposure of certain body parts, such as the genital area, buttocks, or breasts.

Voyeurism: is the sexual interest in or practice of spying on people engaged in intimate behaviors, such as undressing, sexual activity, or other actions usually considered to be of a private nature.

Sexual exploitation: Sexual exploitation is the sexual abuse of vulnerable persons through the exchange of sex or sexual acts for drugs, food, shelter, protection, other basics of life, and/or money. Sexual exploitation includes involving vulnerable persons in creating pornography and sexually explicit websites.

Gender related violence: is the term used to denote harm inflicted upon individuals and groups that is connected to normative understandings of their gender. This connection can be in the form of cultural understandings of gender roles, both institutional and structural forces that endorse violence based on gender and societal influences that shape violent events along gender lines. While the term is often used synonymously with ‘violence against women’, gendered violence can and does occur for people of all genders including men, women, and gender diverse individuals.

Drug-facilitated sexual assault: The use of alcohol and/or drugs (prescription or non-prescription) by a perpetrator to control, overpower or subdue a victim for purposes of sexual assault.

Stalking: A form of criminal harassment prohibited by the Criminal Code of Canada. It involves behaviours that occur on more than one occasion, and which collectively instill fear in the victim or threaten the victim/target’s safety or mental health. Stalking can also include threats of harm to the target’s friends and/or family. These behaviours include, but are not limited to

Non-consensual communications: (face to face, phone, email, social media); threatening or obscene gestures; surveillance; sending unsolicited gifts; “creeping” via social media/cyber-stalking; and uttering threats.

Survivor: Some who have experienced sexual violence may choose to identify as a survivor. Individuals might be more familiar with the term “victim”. We use the term survivor throughout this policy where relevant because some who have experienced sexual assault believe they have overcome the violent experience and do not wish to identify with the victimization. It is the prerogative of the person who has experienced these circumstances to determine how they wish to identify.

2. POLICY STATEMENT

Sexual assault and sexual violence are unacceptable and will not be tolerated. We are committed to challenging and preventing sexual violence and creating a safer space for anyone in our College community who has been affected by sexual violence. The College is expected to be a safer and positive space where members of the College community feel able to work, learn and express themselves in an environment free from sexual violence.

Reported incidents of sexual violence will be investigated to the best of the administration’s ability and in a manner that ensures due process for members of the College community. It is

this policy's intention to make individuals feel comfortable about making a report in good faith about sexual violence that they have experienced or witnessed.

We recognize that sexual violence can occur between individuals regardless of sexual orientation, gender, and gender identity or relationship status as articulated in the Ontario Human Rights Code. We also recognize that individuals who have experienced sexual violence may experience emotional, academic, or other difficulties.

We are committed to:

- 2.1 Assisting those who have been affected by sexual violence by providing choices, including detailed information and support, such as provision of and/or referral to counselling and medical care, information about legal options, and appropriate academic and other accommodation;
- 2.2 Ensuring that the right to dignity and respect of those who have been sexually assaulted is protected throughout the process of disclosure, investigation and institutional response;
- 2.3 Addressing harmful attitudes and behaviours (e.g., adhering to myths of sexual violence) that reinforce that the person who experienced sexual violence is somehow to blame for what happened;
- 2.4 Ensuring survivors acting in good faith, who disclose or report sexual violence, are not subject to actions for violations of the institution's policies related to drug and alcohol use at the time the alleged sexual violence took place;
- 2.5 Ensuring that during the College's investigative and support provision process, those who have been sexually assaulted are not be asked irrelevant questions by College staff or investigators (ex. Relating to past sexual history or sexual expression);
- 2.6 Treating individuals who disclose sexual violence with compassion recognizing that they are the final decision-makers about their own best interests;
- 2.7 Involving individuals requiring safety and support plans in the safety planning process. Ensuring that on-campus (internal) investigation procedures are available in the case of sexual violence, even when the individual chooses not to make a report to the police;
- 2.8 Engaging in appropriate procedures for investigation and adjudication of a complaint which are in accordance with College policies, standards and applicable collective agreements, and that ensure fairness and due process;
- 2.9 Ensuring coordination and communication among the various departments who are most likely to be involved in the response to sexual violence on campus;

- 2.10 Engaging in public education and prevention activities;
- 2.11 Providing information to the College community about our sexual violence policies and protocols;
- 2.12 Providing appropriate education and training to the College community about responding to the disclosure of sexual violence;
- 2.13 Contributing to the creation of a campus atmosphere in which sexual violence is not tolerated; and
- 2.14 Monitoring and updating our policies and protocols to ensure that they remain effective and in line with other existing policies and best practices.

3. Reporting and Responding to Sexual Violence

- 3.1. Members of the College community should immediately report sexual violence incidents they witness or have knowledge of, or where they have reason to believe that sexual violence has occurred or may occur. Members who have experienced sexual violence or have been affected by sexual violence are encouraged to come forward to report as soon as they are able to do so. College employees and contractors have additional reporting responsibilities described in section 3 and 4 of the Sexual Assault and Sexual Violence Protocol.
- 3.2. Persons in a position of authority, including persons directing the activities of others, shall take immediate action to respond to or to prevent sexual violence from occurring.
- 3.3. Where the College becomes aware of incidents of sexual violence by a member of the College community or against a member of the College community, which occur on or off College property and that pose a risk to the safety of members of the College community, the College shall take all reasonable steps to ensure the safety of the College community.

4. Complaint Process and Investigations

A complaint of sexual assault or any other kind of sexual violence can be filed under this policy by any member of the College community.

4.1. Right to Withdraw a Complaint

A complainant has the right to withdraw a complaint at any stage of the process. However, the College may continue to act on the issue identified in the complaint in order to comply with its obligation under this policy and/or its legal obligations.

4.2. Protection from Reprisals, Retaliation or Threats

It is contrary to this policy for anyone to retaliate, engage in reprisals or threaten to retaliate against a complainant or other individual for:

- Having pursued rights under this policy or the Ontario Human Rights Code;
- Having participated or co-operated in an investigation under this policy or the Ontario Human Rights Code; or
- Having been associated with someone who has pursued rights under this policy or the Ontario Human Rights Code.

The College takes reasonable steps to protect persons from reprisals, retaliation and threats. This may entail, for example, advising individuals in writing of their duty to refrain from committing a reprisal and sanctioning individuals for a breach of this duty. The College may also address the potential for reprisals by providing an accommodation appropriate in the circumstances.

4.3. Unsubstantiated or Vexatious Complaints

If a person, in good faith, discloses or files a sexual violence complaint that is not supported by evidence gathered during an investigation, that complaint will be dismissed.

Disclosures or complaints that are found following investigation to be frivolous, vexatious or bad faith complaints, that is, made to purposely annoy, embarrass or harm the respondent, may result in sanctions and/or discipline against the complainant.

5. Confidentiality

Confidentiality is particularly important to those who have disclosed sexual violence. The confidentiality of all persons involved in a report of sexual violence must be strictly observed, and the College does its best to respect the confidentiality of all persons, including the complainant, respondent, and witnesses by restricting routine access to information to individuals with a need for such access and by providing education and training to those who are regularly involved in the administration of reports and complaints.

However, confidentiality cannot be assured 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 College 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.

Where the College becomes aware of an allegation of sexual violence by a member of the College community against another member of the College community, the College may also have an obligation to take steps to ensure that the matter is dealt with in order to comply with the College's legal obligation and/or its policies to investigate such allegations. In such cases, certain College administrators will be informed about the reported incident on a "need to know" and confidential basis, but not necessarily of the identities of the persons involved.

SEXUAL ASSAULT AND SEXUAL VIOLENCE PROTOCOL

1. If you have experienced or have been affected by Sexual Violence

If you have experienced or have been affected by sexual violence and require support and accommodation, please call Security (705-759-2554, extension 2712), the Health Centre (during office hours) at 705-759-2554, extension 2720 Or the Student Support Centre (during office hours) at 705-759-2554, extension 2703. If you want to speak to someone directly, please go to the Health Centre in A0170 or the Student Support Centre E1101, during office hours (8:30 to 4:30 weekdays).

It is often difficult to disclose and report incidents of sexual violence. It is entirely up to you if you choose to report the incident; however, we strongly encourage you to do so. A number of other resources are available to you, including:

- Sault Area Hospital Emergency Department
<http://www.sah.on.ca/programs-services/emergency-services>
- Sexual Assault Care Centre
<http://www.sah.on.ca/programs-services/sexual-assaultdomestic-violence>
- Women in Crisis <http://www.womenincrisis.ca/en/>

You may also choose to call the police (911).

- Anyone who has experienced sexual violence has the right to:
- Be treated with dignity and respect;
- Be informed about on- and off-campus services and resources;
- Decide whether or not to access available services and to choose those services they feel will be most beneficial;
- Decide whether to report to campus security and/or local police;
- Have an on-campus investigation with the institution's full cooperation;
- Have a safety plan; and
- Have reasonable and necessary actions taken to prevent further unwanted contact with the alleged perpetrator(s).

2. If You Would like to File a Formal Complaint

A Student Services counsellor can assist you with filing a complaint. If the alleged perpetrator is another member of the College 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. A Student Services counsellor and/or the Manager, Health, Safety & Security, or the Director, Student Services, can also assist you with contacting the local Police.

Please note that you are not required to file a formal complaint to obtain supports, services or appropriate accommodation from the College.

3. What to Do if You Witnessed Sexual Violence

If you witness sexual violence, please call Campus Security (705-759-2554, extension 2712) and we will assist you. You may also call the Police at 911. If you wish to speak to someone directly, you may call the Health Centre (705-759-2554, extension 2720) or the Student Support Centre (705-759-2554, extension 2703). On campus locations are A0170 and E1101 during office hours (8:30 to 4:30 weekdays).

A number of other resources are available to you, including:

- Sault Area Hospital Sexual Assault Care Centre: 705-759-5143 for counseling for sexual assault or abuse
- Sault Area Hospital Emergency Department: 705-759-3434 for emergency care professionals

You can use the link below to go directly to these resources:

- www.sah.on.ca/programs-services/sexual-assaultdomestic-violence

Faculty, staff, other employees and contractors have a duty to immediately report all incidents and suspected incidents of sexual violence. Students are strongly encouraged to report incidents of sexual violence, but do not need to report incidents of sexual violence to obtain supports, services or accommodation from the College. All members of the College community who have witnessed sexual violence have a duty to cooperate with a College investigation.

4. What to Do if Someone Discloses Allegations of Sexual Violence

A person may choose to confide in someone about an act of sexual violence, such as a student, instructor, teaching assistant, coach, or staff from housing, health, counselling or security. An individual who has been affected by sexual violence may also disclose to staff or faculty members when seeking support and/or academic accommodation. A supportive response involves:

- Listening without judgement;

- Communicating that sexual violence is never the responsibility of the survivor;
- Helping the individual identify and/or access available on- or off-campus services, including emergency medical care and counselling;
- Respecting the individual's right to choose the services they feel are most appropriate and to decide whether to report to the police and/or the Manager, Health, Safety & Security (705-759-2554, extension 2637), or the Director, Student Services (705-759-2554, extension 2307), or the Director, Human Resources (705-759-2554, extension 2694);
- Recognizing that disclosing can be traumatic and an individual's ability to recall the events may be limited;
- Respecting the individual's choices as to what and how much they disclose about their experience; and
- Making every effort to respect confidentiality and anonymity.

If disclosure is made to faculty or staff by a student seeking support or academic accommodation, the faculty or staff should refer the student to the Student Support Centre (E1101) to access a counsellor, and work with the counsellor to ensure that the student receives all necessary academic and other accommodations.

As indicated above, if faculty or staff of the College becomes aware of an allegation of sexual violence against another member of the College community, the faculty or staff is required to report the alleged incident to the Manager, Health, Safety & Security, or the Director, Student Services, or the Director, Human Resources, immediately.

5. Communicating with Individuals who have Been Affected By Sexual Violence

Sensitive and timely communication with individuals who have been affected by sexual violence and their family members (when an individual consents to this communication) is a central part of the College's first response to sexual violence. To facilitate communication the College will:

- Ensure that designated employees in the Counselling office for students and any other college community member, who are knowledgeable about sexual violence, are responsible for advocacy on campus on behalf of employees, students or any other member of the College community who have been affected by sexual violence;
- Ensure designated employees respond in a prompt, compassionate, and personalized fashion; and
- Ensure that the person who has been affected by sexual violence and the respondent are provided with reasonable updates about the status of the College's investigation of the incident when such investigations are undertaken.

6. Roles and Responsibilities of the College Community

While everyone on campus has a role to play in responding to incidents of sexual violence, some campus members will have specific responsibilities which might include:

On-campus health supports to provide psychological and emotional support, assist with safety planning and make referrals to other services, including medical services;

- Faculty, staff and administrators to facilitate academic accommodations and other needs of those who have been affected by or who have experienced sexual violence, e.g., extensions on assignments, continuing studies from home, and dropping courses;
- Residence staff to facilitate safer living arrangements to the best of our abilities;
- Student operated sexual violence services to provide peer supports;
- Human Resources to assist with any incidents relating to employees; and
- Security to assist with investigations and gathering evidence, to implement measures to reduce sexual violence on campus, and to collaborate with local police where appropriate.

7. How Will the College Respond to a Report of Sexual Violence?

Where a complaint of sexual violence has been reported to the College, the College will exercise care to protect and respect the rights of both the complainant and the respondent. The College understands that individuals who have experienced or been affected by sexual violence may wish to control whether and how their experience will be dealt with by the police and/or the College. In most circumstances, the person will retain this control. A person who has experienced or been affected by sexual violence may choose not to request an investigation and has the right not to participate in an investigation the College chose to proceed with.

In certain circumstances, however, the College 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 the College believes that the safety of other members of the College community is at risk. The confidentiality and anonymity of the person(s) affected will be prioritized in these circumstances.

A report of sexual violence may also be referred to the police, or to other community resources at the complainant's request, where the persons involved are not members of the College community or otherwise where appropriate.

The College adheres to the following in investigating and making decisions about formal complaints. If an entitlement set out below conflicts with something set out in another College policy, the entitlement set out below shall prevail.

7.1. Where the Respondent is a Student

Sexual violence is a violation of the Student Code of Conduct. It is considered a serious offence and will be addressed in a manner which is consistent with other serious offences. Please see the Student Code of Conduct for more details on each disciplinary process.

Student Services is responsible for intake and Campus Security is responsible for investigation and decision-making. The College may also decide to use an external investigator when appropriate in the circumstances.

As set out in the Student Code of Conduct and Appeal Guidelines, appeals of student violations may be pursued based on imposed sanctions and are heard by Student Services or a committee made up of a designated Chair, one administrator, and one student representative.

7.2. Where the Respondent is an Employee

Sexual violence is a violation of the Campus Violence Policy. Allegations against employees will be addressed in accordance with the procedures set out in this policy, and in any applicable collective agreement, and/or other College policies.

Student Services and Human Resources are responsible for intake. When a potential violation by one or more employees is alleged, the responsible manager(s) will conduct an investigation and make decisions with the support of Human Resources. The College may also decide to use an external investigator when appropriate in the circumstances.

There is no formal appeal process for employee violations, though college employees who are members of a union may file a grievance as permitted by the applicable collective agreement.

7.3. Where the Respondent is not a Student or Employee

Contractors, suppliers, volunteers or visitors who attend on campus will be subject to complaints if they engage in prohibited conduct.

All contractual relationships entered into by the College will be governed by a standard contract compliance clause stating that contractors must comply with this policy and the Ontario Human Rights Code, including co-operating in investigations. Breach of the clause may result in penalties, cancellation, or other sanctions.

Student Services is responsible for intake. Investigation and decision-making may involve Campus Security, Student Services and Human Resources.

There is no formal appeal process for supplier, volunteer or visitor violations.

7.4. Multiple Proceedings

Where criminal and/or civil proceedings are commenced in respect of the allegations of sexual violence, the College 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, the College will cooperate with the local police.

The College may also decide to use an external investigator when appropriate in the circumstances.

7.5. Procedural Fairness

Except as otherwise stated in this Protocol, the College provides those whose rights, privileges or interests may be affected by a decision with notice of the decision to be made, disclosure of facts relevant to the decision and an opportunity to be heard. The College may decide how it meets these obligations in different circumstances and will do so with a view to providing a fair process, making a sound decision and preserving the dignity of survivors. The College has the right to withhold disclosure early on in this process to obtain a person's independent recollection of events.

7.6. Support and Representation

Complainants and respondents may attend meetings with a single (non-participating) support person. The College considers requests to attend meetings with additional support persons and with legal or other representation on a case-by-case basis, with a view to promoting a fair and expeditious process. The College may still question and expect direct answers from an individual who is represented.

7.7. Interim Measures

The rights and privileges of a respondent may be restricted by the College before it makes a final determination about the alleged misconduct. For example, a respondent may be moved from a complainant's residence, restricted from entering certain parts of campus and restricted from attending class.

Such “interim measures” will be imposed only as necessary to meet the needs of complainants and persons who report incidents of sexual violence or otherwise under the College’s Violence Threat and Risk Assessment Policy. The College will also take steps to minimize the impact of interim measures on respondents.

Interim measures are not punishment and do not represent a finding of misconduct. The College may impose interim measures immediately, without a hearing. Respondents may ask the College to review a decision to impose interim measures, but only to address the impact of the imposed measure and the preference for other alternatives.

7.8. Outcomes

The College will determine, based on its investigation, what happened and whether it constitutes sexual violence or another form of misconduct. If the College finds there has been misconduct, it will determine the appropriate penalty. Students may face discipline, up to and including expulsion. Employees may face discipline, up to and including discharge. Contractors, suppliers, volunteers and visitors may face penalties, cancellation of contracts and other sanctions. The College may also impose non-punitive measures including but not limited to those outlined in section 3.2 – Sanctions, in the Student Code of Conduct.

7.9. Written Decision

The College will inform the complainant and respondent of the results of its investigation in writing. The written decision summary will include a brief description of any corrective action that the College has taken or will take as a result of its investigation.

Other Resources and Supports Available to You

- Student Services
- Human Resources
- Sault Area Hospital Emergency Department
<http://www.sah.on.ca/programs-services/emergency-services>
- Sexual Assault Care Centre
<http://www.sah.on.ca/programs-services/sexual-assaultdomestic-violence>
- Women in Crisis <http://www.womenincrisis.ca/en/>
- Additional on-campus and provincial supports can be found in Appendix II, III and IIII

Related Documents

- Academic Collective Agreement and Support Staff Collective Agreement Occupational Health and Safety Act
- Discrimination/Harassment Policy
- Student Code of Conduct and Appeal Guidelines Campus Violence Policy
- Conflict of Interest Policy

APPENDIX I

Use of the term “Rape” in the context of Sexual Violence

This policy refers to the offence of sexual assault to align with the current offence contained in the Criminal Code. The word “rape” is no longer used in criminal statutes in Canada. The term was replaced many years ago to acknowledge that sexual violence is not about sex but is about acts of psychological and physical violence. The term “sexual assault” provides a much broader definition and criminalizes unwanted behaviour such as touching and kissing as well as unwanted oral sex and vaginal and anal intercourse. Although the term no longer has a legal meaning in Canada, the term rape is still commonly used.

DISPELLING THE MYTHS AND MISCONCEPTIONS ABOUT SEXUAL ASSAULT

<i>Myth</i>	<i>Fact</i>
It wasn't rape, so it wasn't sexual violence.	Sexual assault and sexual violence encompasses a broad range of unwanted sexual activity. Any unwanted sexual contact is considered to be sexual violence. A survivor can be severely affected by all forms of sexual violence, including unwanted fondling, rubbing, kissing, or other sexual acts. Many forms of sexual violence involve no physical contact, such as stalking or distributing intimate visual recordings. All of these acts are serious and can be damaging.
Sexual assault can't happen to me or anyone I know.	Sexual assault can and does happen to anyone. People of all socioeconomic and ethnic backgrounds are victims of sexual assault, but the vast majority of sexual assaults happen to women and girls. Young women, Aboriginal women and women with disabilities are at greater risk of experiencing sexual assault.
Sexual assault is most often committed by strangers.	Someone known to the victim, including acquaintances, dating partners, and common-law or married partners, commit approximately 75 per cent of sexual assaults.

Sexual assault is not likely to happen outside in dark, dangerous places.	The majority of sexual assaults happen in private spaces like a residence or private home.
If an individual doesn't report to the police, it wasn't sexual assault.	Just because a victim doesn't report the assault doesn't mean it didn't happen. Fewer than one in ten victims report the crime to the police
It's not a big deal to have sex with someone while they are drunk, stoned or passed out.	If a person is unconscious or incapable of consenting due to the use of alcohol or drugs, they cannot legally give consent. Without consent, it is sexual assault.
If the person chose to drink or use drugs, then it isn't considered sexual assault.	This is a prominent misconception about sexual assault. No one can consent while drunk or incapacitated.
If the victim didn't scream or fight back, it probably wasn't sexual assault. If the victim does not fight back, the sexual assault is their fault.	When an individual is sexually assaulted, they may become paralyzed with fear and be unable to fightback. The person may be fearful that if they struggle, the perpetrator will become more violent.
If you didn't say no, it must be your fault.	People who commit sexual assault/abuse are trying to gain power and control over their victim. They want to make it extremely difficult, if not impossible, for their victim to say no. A person does not need to actually say the word "no" to make it clear that they did not want to participate. The focus in consent is on hearing a "yes".
If a person isn't crying or visibly upset, it probably wasn't a serious sexual assault.	Everyone responds to the trauma of sexual assault differently. They may cry or may be calm. They may be silent or very angry. The behaviour is not an indicator of the experience. It is important not to judge a person by how they respond to the assault.
If someone does not have obvious physical injuries,	Lack of physical injury does not mean that a person wasn't sexually assaulted. An offender may use threats,

like cuts or bruises, they probably were not sexually assaulted.	weapons, or other coercive actions that do not leave physical marks. The person may have been unconscious or been otherwise incapacitated.
Myth	Fact
If it really happened, the victim would be able to easily recount all the facts in the proper order.	Shock, fear, embarrassment and distress can impair memory. Many survivors attempt to minimize or forget the details of the assault as a way of coping with trauma. Memory loss is common when alcohol and or drugs are involved.
Individuals lie and make up stories about being sexually assaulted; and most reports of sexual assault turn out to be false.	According to Statistics Canada, fewer than one in 10 sexual assault victims report the crime to the police. Approximately 2% of sexual assault reports are false. The number of false reports for sexual assault is very low. Sexual assault carries such a stigma that may people prefer not to report.
Persons with disabilities don't get sexually assaulted.	Individuals with disabilities are at a high risk of experiencing sexual violence or assault. Those who live with activity limitations are over two times more likely to be victims of sexual assault than those who are able-bodied.
A spouse or significant other cannot sexually assault their partner.	Sexual assault can occur in a married or their intimate partner relationship. The truth is sexual assault occurs ANY TIME there is not consent for sexual activity of any kind. Being in a relationship does not exclude the possibility of, or justify, sexual assault. A person has the right to say "no" at ANY point.
People who are sexually assaulted "ask for it" by their provocative behaviour or dress.	This statement couldn't be more hurtful or wrong. Nobody deserves to be sexually assaulted. Someone has deliberately chosen to be violent toward someone else; to not get consent. Nobody asks to be assaulted. Ever. No mode of dress, no amount of alcohol or drugs ingested, no matter what the relationship is between the survivor and the perpetrator or

	what the survivor’s occupation is, sexual assault is always wrong.
Sexual assault only happens to women	Not true. The majority of sexual assaults are committed against women by men, but people of all genders, from all backgrounds have been/can be assaulted.
Myth	Fact
Sexual abuse of males is rare.	According to Statistics Canada, six per cent of males 15 or over reported that they had experienced sexual victimization. Sexual assault/abuse occurs in every economic, ethic, age and social group.
If you got aroused or got an erection or ejaculated, you must have enjoyed it.	It is normal for your body to react to physical stimulation. Just because you became physically aroused does not mean that you liked it or wanted it or consented in anyway. If you experienced some physical pleasure, this does not take away the fact that sexual abuse happened or the effects or feelings of abuse.

APPENDIX II

Sault College support services for students affected by sexual violence

Department	Type of Support	Phone	Location
Security	Reporting	705-759-2554 Ext.2712	M Wing Lobby
Health Centre	Student Reporting, investigations, health services	705-759-2554 Ext. 2720	Health Centre (A0170)
Student Support Centre	Student reporting, support services	705-75-2544 Ext. 2703	Student Support Centre
Human Resources	Employee reporting, investigations, employee assistance	705-759-2554 Ext. 2699	

APPENDIX III

Local supports in Sault Ste. Marie for those affected by sexual assault

Women in Crisis Algoma	705-759-1230	23 Oakland Avenue
Sault Area Hospital Sexual Assault Care Centre	705-759-5143	750 Great Northern Road
Sault Area Hospital Emergency Department	705-759-3434	750 Great Northern Road

APPENDIX III

Sexual Assault Centre (Ontario)

<i>Region in Ontario</i>	<i>Sexual Assault Centre</i>	<i>24-hr Crisis Line</i>
Algoma (Sault Ste. Marie)	Women In Crisis Algoma	1-877-759-1230
Belleville-Quinte	Sexual Assault Centre for Quinte & District	1-877-544-6424
Brant	Sexual Assault Centre of Brant	519-751-3471
Bruce County	Women's House Serving Bruce and Grey: Sexual Assault Services	1-866-578-5566
Chatham-Kent	Chatham-Kent Sexual Assault Crisis Centre	519-354-8688
Cornwall	Sexual Assault Support Services for Women, Cornwall	English:613-932-1603 French:613-932-1705
East Algoma (Elliot Lake)	Counselling Centre of East Algoma	1-800-721-0077
Guelph-Wellington	Guelph-Wellington Women in Crisis	519-836-5710 1-800-265-7233
Halton (Oakville)	Sexual Assault & Violence Intervention Services of Halton	905-875-1555
Hamilton	Sexual Assault Centre Hamilton & Area (SACHA)	905-525-4162
Kawartha (Peterborough & Area)	Kawartha Sexual Assault Centre	705-741-0260
Kenora	Kenora Sexual Assault Centre	807-468-7233 1800-565-6161
Kingston	Sexual Assault Centre Kingston	613-544-6424 1-877-544-6424
Waterloo	Sexual Assault Support Centre of Waterloo Region	519-741-8633
London-Middlesex	Sexual Assault Centre London	519-438-2272 1-877-529-2272
Muskoka	Athena's Sexual Assault Counselling & Advocacy Centre	705-737-2008 1-800-987-0799
Niagara	Niagara Region Sexual Assault Centre	905-682-4584
Nipissing	Amelia Rising Sexual Assault Centre of Nipissing	705-476-3355
Oshawa-Durham	Oshawa-Durham Rape Crisis Centre	905-668-9200
Ottawa SASC	Sexual Assault Support Centre of Ottawa	613-234-2266
Ottawa RCC	Ottawa Rape Crisis Centre	613-562-2333

Peel	Hope24/7: Sexual Assault Centre of Peel	1-800-810-0180
Renfrew	Women's Sexual Assault Centre of Renfrew County	1-800-663-3060 905-895-7313
Sarnia-Lambton	Sexual Assault Survivors' Centre Sarnia-Lambton	519-337-3320
Sudbury	Voices for Women Sudbury	
Thunder Bay	Thunder Bay Sexual Abuse & Sexual Assault Counselling & Crisis Centre	807-344-4502
Timmins	Timmins and Area Women in Crisis	1-877-268-8380
Toronto	Multicultural Women Against Rape/Toronto Rape Crisis Centre	416-597-8808
Windsor-Essex	Sexual Assault Crisis Centre of Essex County	519-253-9667
York	Women's Support Network of York Region	1-800-263-6734 905-895-7313

Pour le support francophone aux femmes victimes d'agression sexuelle: CALACS (Francophone Sexual Assault Centres) in Ontario

Centre Passerelle pour femmes: CALACS du Nord de l'Ontario

www.centrepasserelle.ca

C.P. 849 Timmins (Ontario) P4N 7G7

705 360-5657

Centre francophone d'aide et de lutte contre les agressions à caractère sexuel d'Ottawa

www.calacs.ca

40, rue Cobourg

Ottawa (Ontario) K1N 8Z6

613 789-8096

calacs@calacs.ca

Centre Novas : Centre francophone d'aide et de lutte contre les agressions à caractère sexuel de Prescott-Russell

www.centrenovas.ca

C.P. 410

Casselman (ON) K0A 1M0 613 764-5700

1 866 772-9922 poste 221

administration@centrenovas.ca

Carrefour des femmes du Sud-Ouest de l'Ontario: CALACS de la région du Sud-Ouest

www.carrefourfemmes.on.ca

Casier Postal 774, London (ON) N6A 4Y8 519 858-0954
1 888 858-0954
bienvenue@carrefourfemmes.on.ca

Centre Victoria pour femmes www.centrevictoria.ca
C.P. 308
Sudbury (ON) P3E 4P2 705 670-2517
info@centrevictoria.ca

Centr'Elles, centre des Femmes Francophones du Nord-Ouest de l'Ontario www.centrelles.com
P.O. Box 26058
Thunder Bay (Ontario) P7B 0B2 807 684-1955
1 888 415-4156
admin@centrelles.com

Oasis Centre des femmes www.oasisfemmes.org
465 Yonge Street PO Box 73022 Wood Street PO Toronto ON M4Y 2W5
Toronto
416 591-6565
services@oasisfemmes.org

Colibri - Centre des femmes francophones du comté de Simcoe www.centrecolibri.ca
80, rue Bradford, bureau 340 Barrie (ON) L4N 6S7
Barrie
705 797-2060
1 877 797-2050
admin@centrecolibri.ca

Centre de santé communautaire Hamilton/Niagara - Espace entre Elles
www.centredesantecommunautaire.com
1320 rue Barton Est Hamilton (Ontario) L8H 2W1 905 528-0163
1 866 437-7606
cschn@cschn.ca

Pour le support francophone aux femmes victimes d'agression sexuelle, se il vous plaît visitez (for French-language support to women victims of sexual assault, please also visit): Action ontarienne contre la violence faite aux femmes.

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A number of resources contributed to the development of this document, including the sexual assault policies and procedures from several colleges and universities in Ontario, notably, Durham College, University of Guelph and Lakehead University, as well as the METRAC

discussion paper on sexual assault policies on campuses. The Ontario Women’s Directorate resource, “Developing a Response to Sexual Violence: A Resource Guide for Ontario’s Colleges and Universities” served as a reference and the “Dispelling Myths and Misconceptions About Sexual Assault” chart is based on it. In addition, the Ontario Coalition of Rape Crisis Centres provided a list of sexual assault centres in Ontario and their hotline numbers.

Sault College Sexual Assault and Violence Policy Review Task Force

Policy Terms of Reference

PURPOSE:

This policy hereby establishes a college task force whose purpose is to address sexual violence on campus and to review at least once every three years, in accordance with Ontario Regulation 131/16.s.3 Sexual Violence at Colleges and Universities, the College’s policy on Sexual Violence.

COMPOSITION OF THE TASK FORCE:

The task force chaired by the Vice President Corporate and Student Services, strives to include representation from across the college to capture varying perspectives and will at a minimum include: the Director of Student Services, the Manager of Health, Safety and Security, the President of SCSU and one additional student representative.

SCOPE:

The scope of the task force is to:

- Consider input in the review of the Sexual Assault and Violence Policy;
- Make recommendations for appropriate changes to the Sexual Assault and Violence Policy; and
- focus on prevention and education within the college community.

All task force work must align with the college’s Sexual Assault and Violence policy.

POLICY REVIEW PROCESS:

1. During the review of the Sexual Assault and Violence Policy, a draft document is prepared by the Task Force.

2. Amendments to the policy based on all of the input are shared with the SCSU Executive for discussion and further input.
3. If the SCSU Executive identifies policy changes during the discussion, the Task force will review them and make amendments deemed appropriate.
4. Any such amendments will be provided to the SCSU Board of Directors for additional input and discussion.
5. The final draft policy will be reviewed and approved by the College Executive and then presented to the College Board of Governors for review and approval.

TASK FORCE INITIATIVES

In addition to the policy review work conducted by the Task Force, the Task Force will consider ways and means of addressing and preventing sexual violence on campus through prevention initiatives, education and supports for those affected by sexual violence.