

St. Thomas University recognizes its obligation to provide and maintain an environment that fosters the growth and development of the intellect, character, and self-esteem of all those with whom it comes in contact. It is assumed that all people of good faith will subscribe to such aims and will guide their own behaviour in ways that will permit these ends to be achieved. The freedom that is an integral part of the University environment carries with it the concomitant duty and responsibility to behave in a manner that respects the rights and autonomy of others.

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**Consent:** the voluntary agreement to engage in sexual activity. To qualify as “consent”, an individual must actively, willingly, and continuously give agreement to all sexual activity. Simply stated, sexual activity without consent is sexual assault. Consent is never assumed or implied; it is not silence or the absence of “no”. Consent cannot be given by a person who is impaired by alcohol or drugs, or is unconscious. Consent can never be obtained through threats or coercion, and it can be revoked at any time. Consent cannot be obtained if the perpetrator has a position of trust, power, or authority.

**Disclosure:** For the purposes of this document, a disclosure involves a student choosing to tell anyone about their experience of sexual violence (different from complaint).

**Rape Culture:** an environment in which sexual violence against women is normalized and excused in the media and popular culture. Rape culture is perpetuated through such things as the use of misogynistic language, the objectification of women's bodies, and the glamorization of sexual violence, thereby creating a society that disregards women's rights and safety. Rape culture includes jokes, TV, music, advertising, legal jargon, laws, words, and imagery that make violence against women and sexual coercion seem so normal that people believe that rape is inevitable. It promotes victim blaming through prevention efforts of ‘don't get raped’ vs. ‘don't rape.’

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networking sites, on message boards, in chat rooms, through text messages, through email, etc.

**Student:** for the purposes of this Policy, means an individual who is registered in a course or course of study at St. Thomas University or who was so registered at the time an incident of sexual violence is alleged to have occurred.

**Trauma Informed:** realizes the widespread impacts of trauma; recognizes the signs and symptoms of trauma; responds by fully integrating knowledge about trauma into policies, procedures, and practices; and seeks to actively avoid re-traumatization.

## 6. C o n f i d e n t i a l i t y

"Confidentiality" means to refrain from disclosing personal information to others. Every effort will be made to respect the wishes of persons experiencing sexual violence and to protect the privacy and anonymity of any person who discloses an incident of sexual violence. Prior to disclosure of information reported relating to incidents of sexual violence, the expressed consent of the individual who made the report of sexual violence will be required, except in circumstances where limits to confidentiality, as set out below, are applicable.

Limits to Confidentiality: The following circumstances may require the University, represented by the Vice-President (Academic and Research) or his/her designate, to take immediate ac-

- to have an on-campus investigation with the University's full cooperation;
- to have a plan to protect their safety; and
- to have reasonable and necessary actions taken to prevent further unwanted contact with the accused.

## RESPONDING TO SEXUAL VIOLENCE

### 8. Campus Sexual Assault Support Advocate (CSASA)

The Campus Sexual Assault Support Advocate is a trained expert staff member of the Fredericton Sexual Assault Centre, who works on campus. They are the recommended first point of contact on campus for all disclosures or for those seeking support. The CSASA is both a trained sexual violence counsellor and an advocate who can provide students with information about their options, and where appropriate, guide them through whatever processes or support they choose. In crisis situations, a referral, if desired by the student who experienced Sexual Violence, can be made to the Fredericton Sexual Assault Centre (FSAC). Their members will be able to accompany the student to the hospital for medical care and/or to the police to make a report.

- Campus Sexual Assault Support Advocate: 506-453-4530 or csasa@bellaliant.com
- Fredericton Sexual Assault Centre crisis line: 506-454-0437 (Give this referral to the student)

- helping the individual who has experienced sexual violence to identify and access available on- or off-campus services, including emergency medical care;
- respecting the right of the individual who has experienced sexual violence to choose the services they feel are most appropriate and for them to independently decide whether to report to police or campus authorities;
- respecting the individual's choice as to what and how much to disclose about their experience; and
- making every effort to respect confidentiality and anonymity.

### 11. Formal Reporting, Confidentiality, and Informal Measures

A student who has experienced sexual violence may choose to file a formal complaint, report about the incident, or seek informal measures to assist in their personal or academic life. When choosing any of the following procedures, the CSASA will be able to provide support and guidance throughout the processes. The various options available include:

- Reporting to Police: Sexual Assault is a criminal offence, and students are free to report incidents to the Fredericton Police or RCMP. The CSASA can assist students in filing police reports, and guide them through that process.

- Filing a complaint at STU:

For complaints against students, the University's formal process is the Policy on Student Non-Academic Misconduct.

Procedures for complaints against faculty or staff are found in the Harassment and Discrimination Policy. The Director of Human Resources can be contacted for further information.

- Informal Measures: students who have experienced sexual violence may prefer not to pursue formal complaint processes, but still seek accommodations on campus. These measures aim to support the person who has experienced sexual violence and not to investigate or determine guilt of a respondent. Working with the CSASA, various informal measures may include moving residence rooms or to a different building, switching course sections, deferring exams, or other academic accommodations.
- If the student believes that the alleged perpetrator is not a member of the STU community, students may still file a report with the University, which can lead to a trespass order for the alleged perpetrator in order to ensure campus is a safe environment.
- Civil action (lawsuit) external to the University: students may pursue a civil action against an alleged perpetrator. The CSASA can advise on this option, but a student choosing this option should also consult with legal counsel.

### 12. Policy Review

This *Policy on Sexual Violence* is consistent with current best practices across Canada. To maintain the policy's currency and relevance, the content will be re-visited and updated every three years or when relevant social, resource, or legal changes otherwise warrant any updates.

For more information, contact the Director of Student Services and Residence Life at 506-453-7202, visit at GMH 312 or e-mail at [director.studentlife@stu.ca](mailto:director.studentlife@stu.ca)

### 13. Acknowledgements

We wish to acknowledge and express our gratitude to the Fredericton Sexual Assault Centre (FSAC), whose efforts have significantly influenced the development and content of our policies and procedures. In 2013, FSAC initiated the *E digSe alVi le ce Ca* project, funded by Status of Women Canada. The project advisory committee included stakeholders from FSAC, St. Thomas University, and the University of New Brunswick Fredericton. A key achievement of this project involved the development of the booklet, *E digSe alVi le ce Ca : A lki i le e i ga fe ca c i i Fede ic*, New Brunswick (2014). The material within this toolkit was foundational to the development of this policy.

### 14. References

#### 1: SAFETY

**Step 1:** Contact UNB Security (452-4830) or police (911) if immediate personal security is uncertain, or to seek trespass or no-contact order.

**Step 2:** Seek medical care if health may be of concern. Go to the Emergency Room at the Chalmers Hospital. Campus Security can provide transport to and from the hospital (452-4830).

**Step 3:** A volunteer from the Fredericton Sexual Assault Centre (454-0437) will be available at the hospital for advocacy and support.

**Step 4:** A Sexual Assault Evidence Collection Kit can be done at the hospital. Police will be notified only if/when the survivor decides they want their evidence used in a police report and investigation. This evidence will be housed at the hospital for 6 months while the survivor considers their options. People with vaginas can have evidence collected for up to 14 days after an assault occurs and individuals with penises have up to 5 days.

