

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.

A. Policy on Sexual Violence

- foster a safe community for all students;
- ensure that any student who has experienced sexual violence is supported in a fair

- to take reasonable steps to mitigate the safety risk to students within the University community;
- to provide appropriate assistance and support to students who are impacted by sexual violence;
- to provide procedural guidelines for responding to reports of sexual violence;
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engage in sexual activity. An individual must actively, willingly and continuously give consent 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.

Coercion: When someone uses manipulation tactics including threats, bribes, guilt, etc. to persuade another person to engage in sexual activity.

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).

Complaint: A formal report that is made to authorities, such as the Director of Student Services and Residence Life, police or UNB Campus Security (different from disclosure).

RIGHTS OF THOSE WHO HAVE EXPERIENCED SEXUAL VIOLENCE

People who disclose or report an experience of sexual violence have the following rights:

- to have confidentiality protected;
- to be treated with dignity and respect;
- to be informed about on- and off-campus services and resources;
- to be informed about the procedures in place to address sexual violence, and reporting options;
- to decide whether or not to access available services and to choose those services they believe will be most beneficial;
- to make an informed decision regarding whether to report the incident to campus authorities and/or local police;
- 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.

CONFIDENTIALITY

“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 any incident of sexual violence. Prior to disclosure of any 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 action in relation to a disclosure of Sexual Violence; including, but not limited to the

- there are reasonable grounds to believe that others in the University community may be at significant risk of harm based on the information provided.

The University has a responsibility to balance the wishes of the person who has disclosed an experience of sexual violence with the obligation to protect the wider university community.

SUPPORT

A student who has experienced sexual violence may choose to confide in any member of the community. Members of the campus community should be prepared to provide a compassionate and reassuring response. A supportive response involves:

- listening with acceptance and without judgment;
- communicating to an individual who has experienced sexual violence that they are not responsible for its occurrence;
- 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 to independently determine and 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.

For more information on how to respond to a sexual violence complaint, please see *Sexual Violence Response Protocol*. For details regarding the process of making a formal complaint, hearing procedures and potential sanctions, please see the *Policy on Non-Academic Misconduct Policy*.

CAMPUS SEXUAL ASSAULT RESPONSE TEAM (C-SART)

The C-SART team can help the individual access services and support on campus related to residence and academic help, reporting the incident of Sexual Violence, counselling and health services and more. In crisis situations, a referral, if desired by the student who experienced Sexual Violence, can be made to the Fredericton Sexual Assault Centre (FSAC). FSAC members will be able to accompany the student to the hospital for medical care, and/or to the police to make a report.

- FSAC crisis line: 506-454-0437 (Give this referral to the student)
- C-SART: accessed through UNB Counselling Services at 506-453-4820 (To be contacted as service referral during office hours.)

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.

RESPONSE FLOW CHART - SEXUAL ASSAULT WITHIN 72 HOURS



RESPONSE FLOW CHART - SEXUAL ASSUALT AFTER 72 HOURS

