Sexualized Violence Handbook

What do I do if I have experienced a Sexualized Violence?

Selkirk College | HEALTHY CAMPUS

Selkirk College's commitment to a responsive and supportive community for survivors of sexualized violence.

Sexualized violence is a serious crime and is never the fault of the survivor. Coming forward to share an experience or make a report is a difficult, personal, and complex process for survivors.

Selkirk College is committed to ensuring that survivors have access to the support, resources, and information they need to make the decisions that are right for them. Research also shows that the response to this first instance of disclosure has profound impacts on the wellbeing of a survivor and the subsequent decisions they make about reporting and seeking support.

What do I do if I need medical help?

Call 9-1-1 or drive or be driven to Kootenay Boundary Regional Hospital, Castlegar Hospital or Nelson Hospital.

How do I know if what happened to me constitutes a sexual assault or harassment?

Sexual Harassment refers to unwanted communications or actions that are sexual in nature, and are offensive, intimidating, or humiliating. It can take many forms, including verbal, written, or visual. Sexual harassment includes unwanted touching, offensive jokes, sexual requests, and verbal abuse. Sexual harassment is a type of sex discrimination, and falls under Human Rights Law.

Sexual Assault is any form of sexual contact that occurs without ongoing and freely given consent. Sexual assault includes any form of sexual contact where consent has not been given (e.g., non-

consensual touching that is sexual in nature, forced oral, vaginal or anal penetration). Sexual assault can be committed by an intimate partner, someone known to the survivor or a stranger.

What does consent mean?

- Active (ongoing) and voluntarily agreement to engage in sexual activity that is clearly communicated between two or more adults. Consent is required every time there is sexual activity, regardless of the parties' relationship, prior sexual history, or current activity.
- Consent can be withdrawn at any time, and consent must be confirmed at each phase of a sexual encounter.
- Consent is not silence, passivity, coerced acquiescence, body movements, non-verbal responses such as moans, laughter, or the appearance of physical arousal.
- Someone incapacitated through drugs, or alcohol, being asleep or unconscious, or because they are experiencing a traumatic response cannot give consent.
- Consent cannot be given where the perpetrator induces the victim to engage in sexual activity by abusing a position of trust, power, or authority.

Who do I talk to?

- Selkirk College Counsellors or the Welcome Centre
- Healthy Campus Coordinator, Katie Comrie: healthycampus@selkirk.ca
- Crisis Line (open after hours) +1 (888) 353-2273
- KU-UUS (Culturally Safe Support for Indigenous People) Crisis Line Society, 1 (800) 588-8717

A survivor may make a disclosure to anyone that they feel comfortable doing so. For students, often a friend or a trusted staff person is the first person that receives a disclosure.

For staff members, disclosure to Human Resources. They will ensure that the disclosed information is received in a professional and respectful manner and that all supports will be made available.

What is the difference between a disclosure and a report?

Disclosure and reporting of sexual assault are connected but are not synonymous. They are distinct experiences that often come with a unique set of circumstances, barriers, and responses. The goal of the college is to ensure that all survivors of sexual assault are connected to the necessary supports and accommodations to address the impacts of sexual assault. Disclosures are the entry point for Selkirk College to respond to sexual assault.

Once a student or staff person discloses an assault to a member of the college community, there is an opportunity for a coordinated response to support the survivor. Disclosing a sexual assault to a college staff or faculty member will not automatically result in a formal report being filed. A formal report will only be made if the survivor determines that is the step they would want to take.

The college will not require or compel a survivor to participate in any formal reporting or disciplinary processes.

What will happen if I change my mind after making a report?

Survivors may change their mind about how they would like to proceed at any point during a disclosure or report. Survivors are the experts in determining which steps and supports are the best for them.

What if the assault happened a long time ago?

There are no time limitations on when a sexual assault can be reported. Reporting a few months or even years after an assault occurred is not uncommon. Survivors are encouraged to report when they feel ready to do so. However, the college can only proceed with an investigative and disciplinary process if the alleged perpetrator is still a college student or employee.

If the alleged perpetrator graduates or leaves the college, the college no longer has jurisdiction over them. A criminal complaint could still be lodged, of course.

What will happen to the person who assaulted me?

If a report has been made and the investigation is complete the results of the investigation will be given to a decision maker. In many cases this person is the dean of the program in which the respondent (accused) is enrolled or is employed in. The decision maker may consider the following in determining appropriate actions.

i. The sanction or remedy sought by the survivor

ii. The requirements under any relevant collective agreement

iii. The nature and severity of the incident

iv. Any other relevant factors

Options may include:

- Letter of apology
- Mandated educational workshops or counselling
- No communication order between parties
- Letter of behavioral expectations
- Restrictions related to accessing buildings or parts of campus or certain activities
- Restorative Justice

Examples of additional remedies/sanctions applicable to student respondents

- Community service activities
- Removal from a course or section of a course
- Relocation in or eviction from college owned and/or operated housing
- Suspension from school for a defined period
- Expulsion from the college permanently

Additional sanctions/remedies applicable to employee respondents.

- Change in work assignment
- Suspension from work for a set time with or without pay
- Dismissal from employment

How will I be kept safe from the person who assaulted me or their friends?

Respondents will be advised that retaliation on their part or on the part of their friends and/or family will not be tolerated and will be dealt with under the relevant policies. Respondents will be held responsible to govern the behavior of their friends and family.

What if I can't go to class or complete my assignments?

Survivors do not need to make a formal report in order to access accommodations or support. The following is a list of some of the accommodations the College can provide to students who disclose that they have been assaulted:

- Safety planning
- Residence re-location
- Class schedule changes
- Academic accommodations
- Alternative work or activity scheduling

How will my information be kept confidential?

The college is committed to ensuring the confidentiality and privacy of both survivors and alleged perpetrators of sexual assault. However, there are exceptional circumstances where the college will be legally obliged to release information to maintain the safety of survivors and the campus community.

In cases of ongoing or immediate threats to health or safety, the college may need to report a case to the RCMP or other relevant law enforcement authorities, issue a campus safety alert, and/or launch an internal investigation. In such cases, general, non-identifying details about an incident may need to be released to the college community. In addition, the college is required to disclose information to child protection authorities where there is evidence of abuse or neglect of a minor by their parent. In these situations, the survivor who has come forward will be notified directly and the college will continue its commitment to providing support services and any safety planning the survivor may need.

What if I was engaged in illegal activities when I was assaulted? Will I be charged?

Making a report to Selkirk College will not result in a criminal investigation unless confidentially must be breached for any one of the possibilities listed under “How will my information be kept confidential?” (see above.)

Healthy Minds | Healthy Campuses is a cross-province Community of Practice managed and coordinated by the Canadian Mental Health Association BC Division on behalf of the BC Partners for Mental Health and Addictions Information. The lead partners for Healthy Minds | Healthy Campuses are the Canadian Mental Health Association BC Division and the Centre for Addictions Research of BC. The BC Partners are funded by BC Mental Health and Substance Use Services, an agency of the Provincial Health Services Authority. The Healthy Minds | Healthy Campuses' Changing the Culture of Substance Use project is funded by the BC Ministry of Health.

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