

## Sexual Violence Policy and Procedures

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| <b>Responsibility</b> | Sexual Violence Prevention Committee                           | <b>Review Period</b>         | 4 years          |
| <b>Approving Body</b> | Board of Governors<br>President's Council<br>Senate            | <b>Initial Approval Date</b> | January 27, 2018 |
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## Policy

### Introduction

Canadian Mennonite University (CMU) is a learning community rooted in the Anabaptist faith tradition. In view of the University's mandate and collective conviction that all people are created in the image of God, it is critical that each member of the community, student, staff, faculty, and guests on campus, treat all others with dignity, honour, and respect. The University considers Sexual Violence to be a violation of a person's rights, dignity, trust, and integrity; of the CMU Community Guidelines; of the Human Rights Code of Manitoba; of the Criminal Code of Canada; and of God's work of reconciliation in the world.

CMU is committed to fostering a safe, healthy, and welcome environment for all community members. This commitment includes building and sustaining a culture where Sexual Violence and its impact are understood, survivors are supported, and those who commit incidents of Sexual Violence are held accountable. CMU is committed to justice, reconciliation, and healing in all situations of harm, pain, and conflict.

### Definitions

All capitalized words are defined in Appendix B: Glossary of Terms.

### Scope

This policy and related procedures apply to all members of the University Community.

This policy applies to any incidents of Sexual Violence that relate to the University, including any of the following situations:

- At any CMU campus, on its grounds, or in its buildings, including Outtatown Discipleship School (Outtatown) sites and the Menno Simons College (MSC) location;
- Using CMU electronic equipment or systems, such as email, telephone, or IT resources.
- On CMU business or programs, including work and study assignments off-campus, athletic, choir, or other CMU group events, work-related or study-related social functions, travel, conferences, and training. This policy may also apply to incidents of Sexual Violence that involve members of the University Community, but that do not occur on campus or on official CMU business.
- This policy also applies to the use of social media when the University Community is affected.

In the event that a member of the University Community is affected by Sexual Violence in a situation that occurs outside of the University's learning or working environment, the resources and supports provided under this policy will be made available.

The pursuit of criminal, civil, or other legal actions or remedies is available to all members of the University Community irrespective of any action taken under this policy.

### **Policy Development**

This policy was developed in consultation with CMU students, staff, faculty, and outside resources. Students, faculty, and staff were consulted through online surveys, focus groups, and open forum meetings.

The Sexual Violence Prevention Committee is responsible for maintaining and updating this policy. The committee will review this policy annually. A comprehensive review, which includes student involvement and consultation, will be undertaken at every four years. Changes to policy statements will require board approval. Changes to procedures may be enacted by the Sexual Violence Prevention Committee as it deems appropriate in order to ensure the effectiveness of this policy and the safety of the University Community.

### **Principles and Commitments**

The following principles and commitments guide the implementation of this policy:

- CMU is committed to being a safe and hospitable learning community. Paramount to its success as a learning community is a commitment by all members of the University Community to care for the rights, dignity, and integrity of all other members. All members of the University Community are expected to treat all other members with both generous hospitality and mutual respect.
- Sexual Violence will not be tolerated. Individuals found in violation of the law or that breach this or related policies or community guidelines will be held accountable for their actions.
- Retaliation or threat of retaliation against anyone pursuing his or her rights under this policy, or against anyone who participating in proceedings under this policy, is not permissible. Any retaliation or threat of retaliation will be grounds for a Report under this policy. It is a breach of this policy to engage in any act of retaliation against a Complainant, a Respondent, any witness, or anyone else pursuing a right or remedy or participating in a proceeding pursuant to this policy and/or the Sexual Violence Policy and Procedures.
- The University is committed to ensuring the safety of those who have been affected by Sexual Violence, and will offer support and resources in such a circumstance. The University is committed to providing Accommodations to support the needs of individuals affected by Sexual Violence. The University encourages individuals who have been affected by Sexual Violence to seek support (see Appendix A).
- Options for Accommodations within the Outtatown program may be limited due to significant travel, community living, and service arrangements.
- An individual's experience of Sexual Violence may be affected by factors including, but not limited to age, ancestry, racialization, ethnicity, religion, sexual orientation, socio-economic status, ability, gender identity, and gender expression. The individual's identity is a key consideration in assessing Accommodation requests. Further, the University's initiatives aimed at raising awareness and addressing Sexual Violence will be designed with the diversity of the University Community in mind.
- The University understands that Sexual Violence can have a serious impact on an individual's physical and psychological wellbeing. Individuals who disclose or report Sexual Violence will be treated with compassion, dignity, and respect. The University recognizes a Survivor's right not to initiate or participate in any process or investigation conducted by the University.

- As this policy requires the University to impose discipline or sanctions against a Respondent, the University will uphold the principles of Natural Justice. These principles are based in law and require the University to be fair in its process. In simplified terms, this means:
  - Providing notice to the Respondent,
  - Providing the Respondent opportunity to respond,
  - Making a decision based on evidence,
  - Communicating the decision with reasons,
  - Allowing an appeal,
  - Avoiding undue delay, and
  - Avoiding bias in decision-making.

These principles are sometimes in tension with Trauma-Informed principles, and the University will be attentive to the needs of Survivors in providing fairness to Respondents.

- The University will raise awareness of Sexual Violence issues and will implement prevention strategies. In addition, University employees providing resources and support services will be trained to respond to and address Sexual Violence in a Trauma-Informed way. The University is committed to ensuring that investigations are conducted by those trained to respond to Sexual Violence, and in a Trauma-Informed manner that reduces re-victimization.
- The University strives to use restorative justice practices in dealing with complaints, but due to the complexity and nature of Sexual Violence, these practices may not be appropriate for all circumstances. No Complainant or Respondent will be forced to participate in any restorative justice process.
- The University is committed to making this policy and related procedures accessible and available to all members of the University Community. This policy will be publicly available on the CMU website. The University is also committed to maintaining an FAQ page on the website that highlights important resources, supports, and procedures in an easily-readable format. This policy will also be available in accessible formats.
- CMU will address all complaints of Sexual Violence in a timely manner.

### **Sexual Violence Prevention Committee**

The Sexual Violence Prevention Committee is responsible for overseeing and implementing all education, awareness, and training regarding Sexual Violence. In pursuing its work, the Sexual Violence Prevention Committee is committed to:

- Providing all members of the University Community education about the impact of Sexual Violence and how it breaks the essential trust needed in the learning community.
- Addressing and confronting myths about Sexual Violence that blame and stigmatize Survivors, and perpetuate a culture in which this violence is normalized.
- Being rooted in the knowledge that Sexual Violence impacts everyone but does not impact everyone equally. Those who experience Sexual Violence more frequently include women (particularly those who are Aboriginal, racialized, or with disabilities), children, and members of the LBTTQ+ community.
- Train all staff and faculty members regarding the availability of both on-campus and off-campus resources for survivors of Sexual Violence.
- Taking responsibility for this policy as noted above in the Policy Development section.

### Sexual Violence Prevention Committee Members

- Dean of Student Life, Co-chair
- Director of Human Resources, Co-chair
- Community Council Faculty Member
- Director of Outtatown Discipleship School
- One Support Staff member
- Two CMU students (appointed by Student Council)

### **Education, Awareness, Training, and Prevention**

CMU is committed to providing a safe learning and working environment to all members of the University Community. Education, awareness, and training are essential components to creating a campus where Sexual Violence is prevented. The Sexual Violence Prevention Committee is tasked with the following initiatives:

#### Education and Awareness for Students

- Educate students about Consent.
- Raise awareness about Sexual Violence during Orientation in September.
- Be proactive in using email, social media, and other IT resources to connect with students.
- Bring in professionals to speak on the topic.
- Provide educational workshops and seminars throughout the year.
- Work with sports teams, residence students, commuter students, and international students to provide a holistic understanding of the impact of Sexual Violence.
- Train student leaders on how to recognize Sexual Violence, received a disclosure, and to understand the scope of the policy.

#### Training for Faculty, Staff, and Volunteers

- Provide Trauma-Informed education about how to receive a Disclosure of Sexual Violence in a way that prioritizes safety, trust, choice, collaboration and empowerment.
- Provide professional development regarding Sexual Violence to those individuals who will receive Reports and Complaints.

CMU will also undertake a “crime prevention through environmental design” audit, with the participation of trained law enforcement.

### **Consent**

Consent is an informed, knowing, and voluntary decision to engage in mutually acceptable sexual activity. Consent is active, not passive or silent. It is the responsibility of the person who wants to engage in the sexual activity to make sure that he/she has Consent from any other person(s) involved. Consent is required regardless of the parties’ relationship status or sexual history together. Consent can be revoked at any time, and cannot be assumed from previous Consent to similar activities. Consent means that there must be an understandable exchange of actions or words that indicates a willingness to participate in mutually-agreed sexual activity.

Please note the following additional guidance:

- Consent cannot be given by someone who is incapacitated by alcohol or drugs, or who is unable to make a rational decision as a result of being under the influence of alcohol or drugs.
- 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 into engaging in the sexual activity is not consenting to the activity.
- A person may be unable to give Consent if they have a mental disability that prevents 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 exists for all future sexual activity.
- A person can withdraw Consent at any time during the course of a sexual or intimate encounter.
- A person may not be able to give Consent when there is a significant power differential within the relationship, such as a person who has a relationship of trust or authority over the person. Persons who may be in positions of trust or authority include professors, administrators, staff, and others.
- A person is unable to give Consent if they are below the legal age under the Canadian Criminal Code.

### **Limits of Confidentiality**

Ensuring confidentiality is a key principle in creating an environment and culture where Survivors feel safe to disclose and seek support and accommodation. The University is committed to ensuring such an environment and culture exists. CMU is also committed to the confidentiality of any person accused of Sexual Violence. They will be treated with respect and fairness throughout any process or complaint.

There are, however, limits to the confidentiality that can be assured under certain circumstances, such as, but not limited to:

- An individual is judged to be at imminent risk, or risk of self-harm, or harming another;
- Members of the University Community or anyone else may be at risk of harm;
- Reporting or action is required by law;
- Evidence of Sexual Violence is available in the public realm (e.g. video shared publicly on social media).

### **Information, Tracking, and Retention of Records**

CMU will maintain information on the number of Reports and Complaints received, as well as documentation of any actions taken in response to recommendations arising out of Complaint processes. The Dean of Student Life is responsible for maintaining records of student-to-student incidents. The Director of Human Resources is responsible for maintaining records regarding incidents where staff, faculty, or any others are involved. All records will be anonymized and kept confidential.

CMU reports to the public regarding the education, awareness, training, and prevention initiatives undertaken. No details of any Disclosure, Report, or Complaint will be reported publicly.

Any requests for information regarding the Universities activities under this policy can be made in writing to the Dean of Student Life or Director of Human Resources.

**Resources**

CMU is committed to providing resources to Survivors of Sexual Violence. CMU is willing to provide resources even if a Survivor chooses not to file a Report or make an official Complaint. Information regarding resources can be found in Appendix A.

## Procedures for Disclosures, Reports, or Complaints of Sexual Violence

### Courses of Action

The following three options are available courses of action when addressing incidents of Sexual Violence.

Disclosure: A Disclosure is the action of a Survivor of Sexual Violence of informing another person about an incident of Sexual Violence.

Report: A Report is a formal process for requesting an Accommodation that also creates an official record of an incident of Sexual Violence. A Report may be filed by the person who has experienced Sexual Violence, by a third party, or confidentially with a designated staff, faculty member, or through the CMU website.

Complaint: A Complaint is a formal procedure for pursuing disciplinary action or sanctions against a person accused of Sexual Violence (a Respondent). Complaints may be filed only by the individual who has experienced the incident of Sexual Violence.

A more detailed description of each of these courses of action is included below.

CMU respects the choice of the individual has experienced Sexual Violence to pursue whichever path they feel is most appropriate. Individuals will not be forced to file a Report or Complaint. CMU may initiate an investigation or action when it reasonably believes there is a risk to the safety of an individual, or of harm to another individual.

Procedures for addressing incidents of Sexual Violence within the Outtatown context will follow the basic outline of the procedures below but due to its unique programming some details will differ in the following respects:

- Disclosures of Sexual Violence can be given to any Site Leader or Program Manager.
- Reports can be filed with a Site Leader, but an Accommodation may only be given by a Program Manager.
- Complaints can be made with the assistance of a Site Leader, but they must be filed with the Director of Outtatown.

Resources are available to an individual if they Disclose, Report, or file a Complaint. Please see Appendix A.

### Disclosures

A Disclosure is the action of a Survivor of Sexual Violence of informing another person about an incident of Sexual Violence.

A Disclosure is when a person who has experienced Sexual Violence tells someone about their experience. All CMU employees are willing to receive a Disclosure and have received training about how to do so appropriately. A Survivor who discloses any Sexual Violence will be treated with respect and care. The Survivor will be given information regarding both on-campus and off-campus support and resources (see Appendix A). The Survivor will also be informed of their options regarding incidents of Sexual Violence under this policy and be allowed to decide how to proceed. The Survivor may view these options at any time, and make a decision about how to proceed when they feel ready. The Survivor will not be pressured into filing a Report or Complaint. Disclosing Sexual Violence does not constitute filing a Report or Complaint.

Any Disclosure to a staff, faculty member, or student leader is required to be subsequently disclosed to the Dean of Student Life if it is between students, or the Director of Human Resources for incidents involving employees or

volunteers. An official record of the Disclosure will be created and kept confidential, but no action will be taken by the University regarding the Disclosure unless there is reasonable belief that there is a risk to the safety of the University Community.

CMU will respect the confidentiality of these Disclosures if the Survivor decides they would not like to make a Report or file a Complaint. (See section on Confidentiality)

## **Reports**

A Report is a formal process for requesting an Accommodation that also creates an official record of an incident of Sexual Violence.

A Report of Sexual Violence may be filed with the Residence Director, Coordinator of Commuter Student Programs, Coordinator of International Student Programs, or one of two designated faculty members. Reports can also be made 24/7 through the online resource, as made available by the University.

Any individual filing a Report may bring a support person of their choosing to any meeting or proceeding relating to the report. This person may be from inside or outside the University Community.

Reports can be made by the person who has experienced Sexual Violence, witnesses, or by those who have become aware of an incident. The University's ability to respond to anonymous reports, however, may be limited depending on the information available.

The written Report may be recorded by a support person, as long as the individual making the Report agrees that the statement accurately overviews their Report. The written Report must be signed by the individual making the report.

If a faculty member, staff member, or a student leader becomes aware of an allegation of Sexual Violence against another member of the University Community, that person is required to disclose the incident in the same manner as described above. The disclosure is to the Dean of Student Life if it is between students, or the Director of Human Resources for incidents involving employees or volunteers. As above, an official record of the Disclosure will be created and kept confidential, but no action will be taken by the University regarding the Disclosure unless there is reasonable belief that there is a risk to the safety of the University Community.

Any individual who makes a Report will be given information on supports, services, accommodations, and the procedures available under this policy. In order to receive an Accommodation, a Report must be filed.

The University will maintain confidential records of all Reports made under this policy.

## **Complaints**

A Complaint is a formal procedure for pursuing disciplinary action or sanctions against a person accused of Sexual Violence (a Respondent).

At any meeting or proceeding related to the decision-making process of a Complaint, individuals may bring a support person (who may be internal or external to the University), and/or be accompanied by a legal representative.

All Complaints must be set out in writing and include the name and contact information of the person making the Complaint. The written complaint may be recorded by a support person, as long as the Complainant agrees that the

statement accurately overviews their complaint. The written complaint must be signed by the complainant. The University will not accept an anonymous Complaint under this policy.

A Complaint initiates a formal process under this policy. A Complaint may prompt an internal or external investigation and may result in a range of possible accountability measures and sanctions such as restrictions of services, behavioral contracts, suspension, or expulsion. The process for initiating a Complaint is set out below.

Any member of the University Community may file a Complaint. The Residence Director, Coordinator of Commuter Programs, Coordinator of International Student Programs, or either of the two designated faculty members can help file a Complaint.

These three options are not mutually exclusive. A Survivor may choose any or none of the above options. Access to support and resources is not dependent on filing a Report or making a Complaint. All resources and supports are available whether or not an individual chooses any of the above options.

### **Alternative Methods for Resolving an Incident of Sexual Violence**

There may be incidents of Sexual Violence that could be resolved by other methods than filing a Report or Complaint. These alternative methods are not dependent on filing a Report or Complaint, but may be discussed when an individual Discloses or files a Report. Examples of alternative methods are:

- A private conversation with the Respondent;
- A conversation with the Respondent with a support person;
- A support person speaking to the Respondent on behalf of the Complaint;
- Writing a letter or email;
- Mediation;
- Restorative justice process.

If these methods do not resolve the incident, the Complainant may subsequently make an official Complaint. Making a Complaint is not dependent on first attempting an alternative method.

If the person who has experienced the Sexual Violence is an employee, the Director of Human Resources is able to help determine what an appropriate alternative method might be.

A person can determine what type of process they would like to engage in, but should be aware that the University may pursue a Complaint without the Survivor's participation (see Limits of Confidentiality).

### **Roles and Responsibilities for Complaint Proceedings**

#### Respectful Campus Committee (RCC)

The Respectful Campus Committee receives and oversees all student-to-student issues of non-academic misconduct, including Sexual Violence Complaints.

It works to ensure that all individuals involved in a particular Complaint will be directed to appropriate health, counselling, and spiritual resources.

The RCC is made up of the Chair of Community Council and two other CMU faculty or staff members, one of which is a Student Life member. The RCC is brought together when a Complaint is filed.

If the Complaint is between students on the Outtatown program, then the Director of Outtatown serves as the chair of the RCC. Two additional CMU staff or faculty members would in this case also serve on the RCC.

#### Respectful Workplace Committee (RWC)

The Respectful Workplace Committee receives and oversees any Sexual Violence Complaints in which an employee or anyone with an official role with the University is involved.

It works to ensure that all individuals involved in a particular Complaint will be directed to appropriate workplace, health, counselling, and spiritual resources.

The RWC is made up of the Director of Human Resources and two other CMU faculty or staff members, one of which will be a Student Life member if the Complaint involves students. The RWC is brought together when a Complaint is filed.

#### **Retaliation**

CMU will not tolerate any threats or other forms of intimidation or retaliation against anyone who is involved in a Complaint that has been brought before the RCC or RWC. Any threats or other forms of intimidation may be subject to disciplinary action.

#### **Process for Initiating a Complaint**

- If a Report has already been filed regarding this incident of Sexual Violence by an individual who is not pursuing a Complaint, then that written Report may be used as the official Complaint. If not, a Complaint must contain the following information to the best of the Complainant's ability:
  - Context and details of the incident;
  - Date and time of the incident;
  - All parties involved in the incident;
  - What has occurred since the incident; and
  - Any other pertinent information.
- The Complaint should be filed with the RCC (student-to-student incidents) or the RWC (involving an employee). The Complaint is considered opened when the written Complaint is given by the Complainant to either the chair of the RCC, the chair of the RWC, the Residence Director, Coordinator of Commuter Student Programs, Coordinator of International Student Programs, or a designated faculty member.
- Upon the receipt of the written Complaint, the RCC/RWC will:
  - Provide a copy of the Sexual Violence Policy to the Complainant.
  - Advise the Respondent of the Complaint against them, and provide them with a copy of the written Complaint and a copy of the Sexual Violence Policy.
  - Advise the Complainant and the Respondent that they have the right to have legal counsel present or a support person of choice at any stage of the process when required or entitled to be present.
  - Advise the Respondent of the Respondent's right to file a written response to the Complaint.
- The Complainant may, at any time after a Complaint has been filed, make a request in writing to the RCC/RWC for a temporary Accommodation until the process comes to an end. This sort of Accommodation may entail, but is not limited to, (1) limiting contact between the Complainant and Respondent or (2) taking other appropriate temporary measures. The RCC/RWC will make every reasonable effort to grant the

Accommodation, but any Accommodation that would place restrictions on the Respondent will require the agreement of the Dean of Student Life or relevant Vice President unless the Respondent agrees.

### **Conversation with Complainant**

The RCC/RWC will have a conversation with the Complainant to overview the details of the Complaint, clarify any questions, discern what resolution the Complainant is seeking. The RCC/RWC will not pressure the Complainant into choosing any process the Complainant does not want to engage in. The RCC/RWC will keep a record of these meetings, which will be filed at the conclusion of the Complaint.

### **Conversation with Respondent**

The RCC/RWC will have a conversation with the Respondent to document the Respondent's perspective and understanding of the Complaint, clarify any questions, and discuss the process. The RCC/RWC will keep a record of these meetings, which will be filed at the conclusion of the Complaint.

### **Jurisdiction for Complaints**

Any Complaint between students is under the supervision of the Respectful Campus Committee, who reports to the Dean of Student Life.

Any Complaint that involves an employee is under the supervision of the Respectful Workplace Committee in consultation with the Director of Human Resources, and reports to the relevant Vice President.

### **Interim Measures**

The RCC/RWC may choose to impose interim measures on the Respondent in order to ensure the safety of the University Community. Interim measures may be imposed as a result of a Report or a Complaint, and are to be as minimally restrictive as possible. The Complainant will be made aware of any Interim Measures imposed by the RCC/RWC.

Interim measures may include:

- A requirement not to have contact with specified individuals;
- Limited access to specified areas at specified times;
- Limited access to specified areas at all times;
- Change in University residence;
- Change in class schedule;
- Monitoring or supervision;
- Change in work responsibilities; or
- Any other condition, restriction or requirement that is appropriate and proportionate to the situation.

### **Complaint Process**

The RCC/RWC will work with the Complainant to determine the most appropriate course of action to address the Complaint. The Complaint process will be guided at all times by Trauma-Informed principles.

If an investigation is determined to be necessary, the following guidance will apply:

- An appropriate investigator will be appointed or engaged by the University.

- Investigators will be neutral and have appropriate experience and skills.
- The investigation will occur as promptly as possible.
- The investigator will receive a copy of the Complaint, the response of the Respondent, and any other relevant information.
- The investigator will provide all involved parties with an opportunity to provide information regarding the Complaint.
- At the completion of the investigation, the investigator will provide the RCC/RWC a written report setting out:
  - Summaries of the statements of the Complainant, Respondent and material witnesses; and
  - The investigator's findings of facts (documentation of events and incidents).

The RCC/RWC will prepare a report of its findings. The report will include:

- The complete investigative report; and
- A recommendation with respect to discipline or sanctions against the Respondent.

The RCC/RWC will submit this report to the Dean of Student Life (for student-to-student Complaints) or relevant Vice President (for any Complaint involving an employee).

The Dean of Student Life or relevant Vice President (in consultation with the Director of Human Resources) will determine what, if any, discipline or sanctions should be imposed, and will prepare a written report that will include any sanctions imposed, the reasons for the decision, and the investigators report. This report will be provided to both the Complainant and the Respondent.

The University will not impose any restrictions or limitations on any subsequent use or distribution of the information contained in the report provided to the Complainant and Respondent.

In any decision to impose discipline or sanctions, the Dean of Student Life or relevant Vice President will consider the nature of the Complaint, the safety of the University Community, whether there has been an acceptance of responsibility, and the effect on the Complainant.

Sanctions may include:

- Requiring the Respondent to engage in education or counselling;
- A written reprimand against the Respondent;
- Restriction or denial of University services or privileges, employment, including prohibition of, or limitations on specific access to or use of University services and premises;
- A behavioral contract – A set of specific behavioral expectations, terms and conditions that are developed with and signed by the Respondent. The contract will clearly outline the expectations being placed on the Respondent, and that any breach of the contract may result in more serious sanctions;
- Suspension of the Respondent from studies or on-campus housing;
- Expulsion of the Respondent;
- Termination of employment; or
- Any other action that the Dean of Student Life or relevant Vice President deems appropriate in the circumstances.

**Appeals**

Respondents have the right to appeal any decision arising out of a Complaint process.

Appeals by Respondents that are students may be directed to the President, and must be received by the President within 30 days of receiving the decision of the Dean of Student Life. The decision of the President is considered final.

Appeals by Respondents that are employees may file a workplace grievance in writing within 30 days of receiving the decision of the relevant Vice President. Please consult the Employee Handbook for the procedures regarding a workplace grievance.

## Appendix A – Resources

Any person who has experienced Sexual Violence is encouraged to Disclose the incident to a trusted person, and to do so as soon as possible after the incident.

### Contact Information for CMU Resources

- Marilyn Peters Kliewer, Dean of Student Life, mkliewer@cmu.ca
- Dianna Robson, Director of Human Resources, drobson@cmu.ca
- Charlie Peronto, Residence Director, cperonto@cmu.ca
- Sandra Loeppky, Coordinator of International Student & Accessibility Programs, sloeppky@cmu.ca
- Danielle Morton, Spiritual Life Facilitator & Coordinator of Commuter Programs, dmorton@cmu.ca
- Cam Priebe, Director of Outtatown Discipleship School, cpriebe@cmu.ca
- Two designated faculty members, as appointed by the Senate Nominating Committee
- On-campus counselling service – book through Receptionist (north): 204-487-3300
- On-campus emergency contact number: 204-292-3331

### Additional Resources

An individual may also report instances of Sexual Violence to a local crisis center such as Klinik or to legal authorities.

- Klinik
  - Drop-in line: 204-784-4067
  - Sexual assault crisis line: 204-786-8631
  - Crisis line: 204-786-8686
- Winnipeg Police Service, non-emergency line: 204-986-6222
- Manitoba Human Rights Commission: 204-945-3007

## Appendix B – Glossary of Terms

**Accommodation:** is an arrangement for alternative living, working, or academic requirements.

**Community Guidelines:** are the expectations of action and ethos for students studying at CMU. A detailed overview of the Community Guidelines can be found in the CMU Student Handbook which may be found on the website. [www.cmu.ca/handbook](http://www.cmu.ca/handbook).

**Complaint:** is a formal procedure for pursuing disciplinary action or sanctions against a person accused of Sexual Violence (a Respondent). Complaints may be filed only by the individual who has experienced the incident of Sexual Violence.

**Complainant:** is a member of the University Community who has brought forward a Complaint.

**Consent:** is an informed, knowing, and voluntary decision to engage in mutually acceptable sexual activity.

**Disclosure:** is the action of a Survivor of Sexual Violence of informing another person about an incident of Sexual Violence. A Survivor who makes a Disclosure can receive support without making a Report or Complaint. Disclosures can be received by any member of the University Community.

**Natural Justice:** are principles in law that require any administrative body that arrives at decisions that affect the rights, privileges, or interests of a person to be fair in the process by which it makes those decisions. The duty to be fair (or procedural fairness) requires the University to allow the affected person to be heard. The rule against bias requires the University to avoid conflicts of interests and to separate prosecution from decision-making.

**Report:** is a formal process for requesting an Accommodation that also creates an official record of an incident of Sexual Violence. A Report may be filed by the person who has experienced Sexual Violence, by a third party, or confidentially with a designated staff, faculty member, or through the CMU website.

**Respondent:** is a person against whom an accusation of Sexual Violence is made, whether or not a formal proceeding has been commenced.

**Sexual Assault:** is defined as sexual activity or touching by any object or body part of another person without consent or by force. Not only is sexual assault prohibited at CMU, it is also an offence under section 265 of the Criminal Code of Canada.

**Sexual Harassment:** is a form of discrimination. It includes comments or conduct involving unwelcome sexual advances or other comments or conduct of a sexual nature when such conduct might reasonably be expected to cause insecurity, discomfort, offense, or humiliation to another person or group. Such conduct may be considered sexual harassment if one's status or treatment is dependent upon submission to such conduct. Any comments or conduct of a sexual nature that intentionally or unintentionally interferes with a person's work or education performance or creates an intimidating, offensive, or poisoned environment can also be considered sexual harassment. Sexual harassment can happen to anyone regardless of gender or sexual orientation and can be committed by persons of any gender or sexual orientation.

Some examples of sexual harassment are:

- Displays of pornographic or other sexual materials in the form of degrading pictures, graffiti, cartoons, or sayings;
- Repeated or persistent unwelcome flirtations, advances, or propositions;
- Acts of leering, staring, or making sexual gestures; or
- Sexual advances with actual or implied work or education-related consequences.

**Sexual Violence:** is a broad term used to describe unwelcome conduct of a sexual nature. The term Sexual Violence includes, but is not limited to, behaviors often described as Sexual Harassment, Sexual Assault, and the threat of Sexual Assault. It is a violation of the Student Community Guidelines to commit these acts or to attempt to commit them, as well as a violation of applicable federal and provincial laws. Sexual Violence can occur in any sex or gender configuration, regardless of sex and gender identity. Sexual Violence may vary in its severity and consists of a range of behaviours.

**Survivor:** is a person who has experienced an incident of Sexual Violence.

**Trauma-Informed:** is an awareness and sensitivity to the vulnerabilities or triggers of Survivors that places priority on the individual's safety, choice, and control.

**University:** is Canadian Mennonite University (CMU), including its employees, administrators, and authorized representatives, each while acting in accordance with their authorized responsibilities.

**University Community:** is anyone who studies, lives, or works on any CMU campus, including Menno Simmons College, or at an Outtatown site. The University Community includes students, staff, faculty, instructors, volunteers, sessional instructors, Outtatown Site Leaders, or anyone who is acting in a capacity defined by their relationship to the University.

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