

**SEXUAL VIOLENCE****Category:** Health and Safety**Effective:** March 2018**Purpose**

Anglophone School District West is committed to providing safe learning environments and this policy is created so that:

1. Participants in the school system have a clear understanding of what sexual violence is: Sexual violence is any sexual act used against a person in order to abuse, harm or manipulate them. It can include but is not limited to: sexual assault, sexual harassment, child sexual abuse, sexism, forced marriage, denial of right to use contraception, denial of reproductive rights, forced abortion, genital mutilation, forced prostitution or human trafficking. Sexual violence is an act of oppression.
2. Both district and school leaders are supported in raising awareness as well as building capacity around the importance of addressing the complexities that are involved in ensuring that school environments are proactively and reactively safe from sexual violence.
3. Students affected by sexual violence are supported, empowered, and protected in school environments.

Application

This policy applies to:

- a. All students within the school community.
- b. All incidents of sexual violence, regardless of location, that impact a student in the school learning environment.

This policy does not supersede the law or legal obligations as outlined in the New Brunswick Family Services Act (Child Abuse Protocols) and Woman Abuse Protocols.

Principles

1. School staff and students have the right to be in environments that actively promote and prioritize safety from sexual violence.
2. School staff and students have the right to be in environments that are dedicated to creating communities that are socially just and equitable.
3. Education has a role to play in recognizing and addressing systems of oppression that allow for sexual violence.
4. Standards of Response need to be trauma informed, evidence based, and survivor centered. (*Appendix H: Public School Student Survivor's Bill of Rights*)

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5. The school system is respectful of diversity and its impact on students' experience of oppression and victimization.
6. The school system has a responsibility of procedural fairness and due process for all students.
7. The school system values collaboration in terms of prevention, planning and integrated response.

Standards of Prevention

1. Schools and district will promote and support staff participation in professional learning related to sexual violence (within the school/district setting or in the community). Schools will identify expertise in this area and work collaboratively with partner agencies. (*See References and Resources*)
2. School procedures and protocols will promote and reflect the principles of safe and respectful environments that are free from sexual violence. School Dress Codes cannot contain commentary, nor be enforced in a way, that could be interpreted as promoting rape culture. (*Appendix E: School Dress Code Bibliography*)
3. Schools will proactively promote a healthy and positive culture through awareness and prevention activities, inclusive programs and resources. Examples include: school clubs, special events, assemblies, feminist groups, White Ribbon, Safe Spaces, Gay Straight Alliance, Making Waves, Social Justice groups.
4. Where needed, schools will endeavour to include prevention strategies regarding sexual violence in the school Positive Learning and Working Environment Plan (PLWEP).
5. Schools are encouraged to integrate concepts around anti-oppression and sexual violence prevention in to curriculum, where possible.

Standards of Response to Incidents of Sexual Assault or Harassment

1. School leaders will ensure that staff is aware and equipped with the knowledge necessary to provide a compassionate and reassuring response. This includes:
 - a. "Start by believing", which means listening without judgement or suspicion, because of the importance of reassurance and validation of survivors.
 - b. Communicating that sexual violence is never the responsibility of the survivor.
 - c. Making every effort to respect confidentiality.

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2. Procedures for responding to disclosure will reflect a survivor centered approach. (*Appendix A: Sexual Assault Response Protocol; Appendix B: Sexual Assault Response Protocol Flowchart; Appendix C: Sexual Assault Response Protocol Checklist; Appendix F: Helpers Information; Appendix G: Secondary Wounding Information; Appendix H: Public School Student Survivor's Bill of Rights*)
3. School leaders will ensure that staff is aware of the Sexual Assault Response Protocol and how to activate it. (*Appendix A: Sexual Assault Response Protocol; Appendix B: Sexual Assault Response Protocol Flowchart; Appendix C: Sexual Assault Response Protocol Checklist*)
4. In incidents of disclosure, schools must activate the Response Protocol. (*Appendix A: Sexual Assault Response Protocol; Appendix B: Sexual Assault Response Protocol Flowchart; Appendix C: Sexual Assault Response Protocol Checklist*)
5. School personnel will follow provincial Policy 703 *Positive Learning and Work Environment* and immediately ensure the principles of safety for survivors. Intervention plans will address security concerns, consequences for the offender, interventions that are focused on teaching and restorative practices.

Accountability

1. District and school leaders will emphasize and communicate clear expectations about this policy on an annual basis.

References and Resources**References for Policy:**

- Eliminating Sexual Violence on Campus: A Toolkit to Implementing a Safer Campus Community in Fredericton, NB, FSAC guide 2015
- New Brunswick Education Act E-1.12 (1997)
- Ontario Ministry of Education: Policy/Program Memorandum No. 144: Bullying Prevention and Intervention
- Developing a Response to Sexual Violence: A Resource Guide for Ontario's Colleges and Universities (2013)
- Sexual Violence Prevention in New Brunswick: Current Trends & Future Initiatives. Fredericton Sexual Assault Crisis Centre, 2011
- New Brunswick LGBTQ Inclusive Education resource (2014)
- New Brunswick, Ministry of Education and Early Childhood: Policy 703: Positive Learning and Work Environment (revised 2013)
- New Brunswick, Woman Abuse Protocols
- New Brunswick, Child Abuse Protocols
- New Brunswick Family Services Act

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- After Sexual Assault: A Guide for Survivors (FSAC)
- NB Personal Development and Career Planning document for grade 10
- www.Startbybelieving.org
- <http://www.cyanb.ca/en/research/the-strategy-for-the-prevention-of-harm-to-children-and-youth>

Current Support Agencies/Resources:

- White Ribbon Fredericton
- Fredericton Sexual Assault Center (FSAC)
- Sexual Assault Nurse Examiners (SANE)
- Sexual Health Nurse Practitioners (Community Health Centers)
- Fredericton Sexual Assault Response Team (FSART)
- New Brunswick Department of Social Development
- Fredericton police force and RCMP
- AIDS New Brunswick

Definitions

Consent: To agree freely; a voluntary agreement. The law requires that a person take reasonable steps to find out whether the other person is consenting and is old enough to consent to sexual activity.

Disclosure: Any time someone reveals or shares an incident of violence. A disclosure can be given in different forms, not limited to but including written or verbal form, or through a third party.

Discrimination: A behaviour that singles out an individual or group in an unfavorable manner. Discrimination is based on prejudiced feelings and attitudes and leads to differential and unfavorable treatment of persons based on physical and biological difference, as well as other factors such as age, religion, class, race, etc. Discrimination may also be the exclusion of access to organizations, institutions, employment, education, accommodation and services. An important element in discrimination is the club's / activity's imbalance of power, whether it is social, economic or political.

Feminism: The belief that all people, both women and men, are equal and that they should be valued equally and have equal rights.

Feminist perspective: The sociological approach that uses gender to explain inequalities that exist between men and women.

Gender: A social combination of identity, expression, and social elements related to masculinity and femininity. Includes gender identity (self-identification), gender expression (self-expression), social gender (social expectations), gender roles (socialized actions), and gender attribution (social perception).

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Gender bias: Behaviour that shows favouritism toward one gender over the other.

Gender role: The behaviors, attitudes, values, beliefs etc. that a cultural group considers appropriate for males and females on the basis of their biological sex.

Gender socialization: The learned messages and practices concerning the nature of being female or male in a specific group or society.

Heterosexism: The assumption that all people are heterosexual and that heterosexuality is superior and more desirable than homosexuality.

Heteronormative: A cultural/social bias, often implicit, that assumes all people are straight and so privileges heterosexuality and ignores or underrepresents same-gender relationships.

Hierarchy: A system in which members of an organization or society are ranked according to relative status or authority.

Homophobia: Fear and/or hatred of homosexuality, often exhibited by name-calling, bullying, exclusion, prejudice, discrimination, or acts of violence – anyone who is LGBTQ (or assumed to be) can be a target of homophobia.

Intersectionality: A lens of analysis of social relations and structures within a given society. The concept of intersectionality recognizes how each person simultaneously exists within multiple and overlapping identity categories (including but not limited to: gender, race, ethnicity, class, gender identity, gender expression, sexual orientation, ability, body size, citizenship, religion, creed). Social institutions and relations privilege and marginalize these identities differently and create differentiated access to resources.

LGBTQ: An acronym for “Lesbian, Gay, Bisexual, Transgender, Transsexual, Two Spirit, Queer and Questioning” people.

Misogyny: The hatred of women.

Norms: Established rules of behaviour or standards of conduct.

Oppression: Systemic discrimination where one group is valued and given more privileges than another group. If we look at its root word “press” presses are used to flatten or reduce. Something is pressed when it is caught between forces or barriers that they restrain, restrict, or prevent the thing’s motion or mobility. The experience of oppressed people is that the living of one’s life is confined and shaped by forces and barriers. It is the experience of being caged in.

Patriarchy: A hierarchical system of social organization in which men control cultural, political, and economic structures.

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Prejudice: A pre-judgment of individuals and groups based on unfair and unfounded assumptions. Prejudice means to “pre-judge”. It is making judgments about individuals or groups and casting them in an inferior or negative position, based on assumptions and little or no verifiable evidence. Prejudice is irrational. Prejudiced attitudes though based on misinformation, have become a way to justify the mistreatment of individuals and groups because the attitudes are legitimized by society.

Privilege: a right, immunity, or benefit enjoyed only by a person or group of people beyond the advantages of most.

Rape: Unlawful sexual intercourse or any other sexual penetration of the vagina, anus or mouth of another person, with or without force, by a sex organ, other body part, or foreign object, without the consent of the survivor.

Rape Culture: Rape culture is the idea that rape or sexual assault is so pervasive and normalized due to societal attitudes about gender, sexuality, myths and stereotypes that exist about sexual violence. Behaviors commonly associated with rape culture include survivor blaming, sexual objectification, trivializing sexual assault, denial of the frequency of sexual assault, or refusing to acknowledge the harm of sexual violence. In a rape culture both men and women assume that sexual violence is an inevitable fact of life, and the focus is on not getting sexually assaulted as opposed to not sexually assaulting someone else. The things that we accept as inevitable are actually expressions of values and attitudes that can change.

Revictimization: Describes the experience of a survivor being victimized or traumatized after the original trauma. Examples of revictimization include psychological abuse that may occur in a survivor's interactions with authorities such as the courts, law enforcement personnel, or therapists. See also Secondary Wounding.

Secondary Wounding: Secondary wounding occurs when a response to a disclosure of sexual violence blames, shames, or in any way harms the survivor. Secondary wounding may increase the survivor's sense of self-blame, guilt, and shame.

Sex Identity (Sex): The physical, biological, chromosomal, genetic, and anatomical make up of a body, classified as male, female, intersex, other 2) The categorization of a person's physiological status based on physical characteristics; 3) Label of bodies based on a socio-cultural concepts of physiology (e.g. what is a male vs. what is female).

Sexism: The oppression of one sex, usually female, based on the assumed superiority of the other sex.

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Sexual Abuse: Sexual abuse, also referred to as molestation, is forcing undesired sexual behavior by one person upon another. When that force is immediate, of short duration, or infrequent, it is called sexual assault. The offender is referred to as a sexual abuser or molester. The term also covers any behavior by any adult towards a child to stimulate either the adult or child sexually. When the survivor is younger than the age of consent, it is referred to as sexual interference with a child or child sexual abuse.

Sexual Assault: Any unwanted sexual contact.

Sexual Harassment: Any unwelcome behaviour, action, or words which: are sexual in nature; are likely to offend or humiliate; relate to a person's sex, sexuality or body parts; the harasser knows or ought to know are inappropriate; are repeated after the person has been told to stop.

Sexual Orientation: A person's capacity for emotional and sexual attraction to another person based on their sex and/or gender.

Sexual Violence: Sexual violence is *any* sexual act used against a person in order to abuse, harm or manipulate them. It can include but is not limited to: sexual assault, sexual harassment, child sexual abuse, sexism, forced marriage, denial of right to use contraception, denial of reproductive rights, forced abortion, female genital mutilation, forced prostitution or human trafficking. Sexual violence is an act of oppression.

Sizism: The oppression and discrimination against people on the basis of body size. In our society, people with body types that are underweight or slight are valued and favoured over persons with body types that are overweight or obese.

Society: A large social grouping that shares the same geographical territory and is subject to the same political and dominant cultural expectations.

Stereotype: A generalized, unfair, fixed image of a group of people as a whole. (Women are bad drivers; people on social assistance are lazy, feminists are man-haters).

Survivor: A term used to describe an individual who has experience sexual violence. It is meant as an empowering word to honour the individual's strength in surviving the experience of violence. Not everyone is comfortable with a label of any kind and so care should be taken to reflect the language of the individual.

Transphobia: Fear and/or hatred of any perceived transgression of gender norms, often exhibited by name-calling, bullying, exclusion, prejudice, discrimination or acts of violence – anyone who is trans (or assumed to be) can be a target of transphobia.

Victim: A person harmed, injured, or killed as a result of a crime, accident, or other event or action.



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Violence: Physical force intended to hurt, damage, or kill someone; any communication or action to force or pressure someone to do something against their will, or to intimidate, humiliate, or otherwise incite fear in someone.

Appendices

- Appendix A: Sexual Assault Response Protocol
- Appendix B: Sexual Assault Response Protocol Flowchart
- Appendix C: Sexual Assault Response Protocol Checklist
- Appendix D: Age of Consent Chart
- Appendix E: School Dress Code Bibliography
- Appendix F: Helpers Information
- Appendix G: Secondary Wounding Information
- Appendix H: Public School Student Survivor's Bill of Rights