

Sexual Violence Policy

- **Related Documents:** Discrimination and Harassment Prevention Policy, Student Code of Non-Academic Conduct, Workplace Violence Prevention and Response Program
- **Approval Dates:** July 2016
- **Approved by:** Board of Directors
- **Jurisdiction:** President & Vice President, Board of Directors, Academic (via Instructors, Employees, Students and Members)
- **Review Date:** Spring 2017, then every 4 years
- **Revised:** July 2023 (Rev 2)

I. Purpose

- The Purpose of this policy is to make clear Windsor Flying Club's commitment to addressing sexual violence in its community through survivor support, awareness, education, training and prevention programs, and the appropriate handling of reports/complaints of incidents of sexual violence.

II. Introduction

- Sexual Violence is a serious problem in our society. Acts of sexual violence have a significant impact on survivors, their friends and family members, and on those who work closely with survivors as supporters, advocates and educators. Sexual violence is a complex issue that needs attention and intervention throughout our society and within our institutions, especially given the prevalence of sexual assault on college and university campuses. It is the most underreported criminal activity and we know through many sources that the number of disclosed or reported incidents on campuses do not reflect the true number of assaults faced by members of our community. This policy is intended to outline commitments to raise awareness and educate about sexual violence, to prevent sexual violence, to reduce the risk of sexual violence incidents, to promote a consent culture, and to respond to the needs of survivors in our community for support and empowerment.

III. Scope or Application and Scope

- This policy applies to all members of the Windsor Flying Club community.

IV. Definitions

- **Sexual Violence:** Any violence, physical or psychological, carried out through sexual means or by targeting sexuality. This includes, but is not limited to sexual assault, sexual harassment, stalking, indecent exposure, voyeurism, degrading sexual imagery, distribution of sexual images or video of a community member without their consent, and cyber harassment or cyber stalking of a sexual nature.
- **Sexual Assault:** Any involuntary sexual act in which a person is coerced or physically forced to engage against their will, or any non-consensual sexual touching of a person.
- **Sexual Harassment:** A course of unwanted remarks, behaviours, or communications of a sexually oriented nature and/or a course of unwanted remarks, behaviours or communications based on gender – where the person responsible for the remarks, behaviours or communications knows or ought reasonably to know that these are unwelcome. Sexual harassment may consist of unwanted attention of a sexually oriented nature such as personal questions about one's sex life, persistent requests for a "date", or unwelcome remarks about someone's hair, body shape, etc. Sexual harassment may also consist of unwelcome remarks based on gender which are not of a sexual nature but which are demeaning such as derogatory gender based jokes or comments.
- **Consent:** An active, direct, voluntary, unimpaired and conscious choice and agreement between adults to engage in physical contact or sexual activity.
- **Rape Culture:** A culture in which dominant ideas, social practices, media images, and societal institutions implicitly or explicitly condone sexual assault by normalizing or trivializing sexual violence and by blaming survivors for their own abuse.

- **Survivor:** An individual who has experienced sexual violence.
- **First Responder:** The person to whom the survivor initially disclosed. This could be a friend, staff member or faculty member. They may be significantly affected by the disclosure of sexual violence and may also be in need of support.
- **Person Accused:** A person who has been accused of committing sexual violence.
- **Sexual Violence Survivor Advocate:** A volunteer support person who has received extensive training in working with survivors of sexual violence who will be able to provide individual support and referral to other resources.
- **Disclosure:** When someone discloses to a Windsor Flying Club official that they have experienced sexual violence.
- **Report/Complaint:** A formal report or complaint of an incident of sexual violence for the purposes of initiating some form of investigation or adjudication on or off campus.

V. Policy

1. Sexual Violence and Identity

Windsor Flying Club is an extremely diverse community and every effort to address issues of sexual violence needs to be grounded in an understanding that each person's experience will be affected by many factors such as their sex, ancestry, race, ethnicity, language, ability, faith, age, socioeconomic status, sexual orientation, and gender identity. We must acknowledge that some acts of sexual violence are also acts of sexism, racism, ableism, homophobia, or transphobia.

2. Awareness, Prevention, Education and Training

The Windsor Flying Club will work with on and off campus partners including, but not limited to, Students, Members, Instructors, Employees, Board of Directors, Security and Emergency Services to develop an education strategy that includes training sessions, workshops, print and online resources, programs and events on a breadth of topics related to sexual violence on campus – topics such as rape culture, consent culture, sexual assault awareness, how to seek support, resources for survivors, advice and resources for first responders, etc. The audience for these efforts would include staff, faculty, students and visitors to Windsor Flying Club. A particular emphasis will be placed on educating new members of the Windsor Flying Club community about this issue through student, staff and faculty orientation activities.

Faculties and departments are encouraged to include education related to rape culture and sexual violence in course materials and program curriculum where appropriate.

3. Parameters of Consent

The Windsor Flying Club through the efforts of the Board of Directors and its partners will work to promote a consent culture on campus including promotion of the following principles related to consent:

- Consent is active, not passive or silent
- It is the responsibility of the person who wants to engage in physical contact or sexual activity to make sure that they have consent from the other person(s) involved.
- Consent to one sexual act does not constitute or imply consent to a different sexual act.
- Consent is required regardless of the parties' relationship status or sexual history together.
- Consent cannot be given by a person who is incapacitated by alcohol or drugs or who is unconscious or otherwise lacks the capacity to give consent.
- If a survivor's judgement is impaired, consent is not valid.

- g. Impaired judgement that leads an assailant to think or believe there was consent is not an excuse.

4. Survivor Support

- a. All members of the Windsor Flying Club community (staff, members and students) should expect to receive support through the appropriate office if they have experienced sexual violence. Community supports and services are attached to this policy.
- b. Survivors should be able to access support regardless of when, where or by whose hand they experienced an incident of sexual violence.
- c. The Office of Sexual Violence Education and Support will work with individual survivors in determining their support and/or workplace and academic accommodation needs and assist them in accessing these.
- d. Survivors need only to disclose their experience to seek support and will not be required or pressured to make a formal report or complaint. In some very rare cases the university may be required to take some action without the survivor's consent (see section 5 on confidentiality below). If this is necessary individuals affected would be fully informed and supported at every step of any process.
- e. Survivors have the right to determine what and how much they choose to disclose or report about their experience and to decide whether to report to police and/or Windsor Flying Club Staff and/or Investigators. Irrelevant questions relating to sexual expression or past sexual history cannot be asked of the Survivors.
- f. Survivors, that in good faith, report an incident of, or make a complaint about, sexual violence will not be subject to discipline or sanctions for violations of the WFC policies related to drug or alcohol abuse at the time the alleged sexual violence occurred.

5. Formal Reporting / Complaint Options for Survivors

Survivors of sexual violence have options for filing a formal report/complaint in response to an incident of sexual violence. Staff and advocates from the Windsor Flying Club can assist survivors in understanding each of these options and in ensuring that they have all the information that they need in order to make an appropriate decision on next steps. Detailed information about options and what to expect for all parties, survivors and persons accused, will be provided upon request. Some options will depend on the community status of the survivor and/or the person accused. All processes must follow principles of natural justice and must appropriately protect the rights of both the survivor and the person accused. Reporting options include but are not limited to:

- a. Criminal Option – reports/complaints can be made to the police in an effort to pursue criminal charges under the Criminal Code of Canada
- b. Non-Criminal On-campus option:
 - § Discrimination and Harassment Prevention Policy.
 - § Student Code of Non-Academic Conduct.
 - § Reports/Complaints can also be made to the management of the Windsor Flying Club.

6. Confidentiality

Ensuring confidentiality is a key principle in creating an environment and culture where survivors feel safe to disclose and seek support and accommodation. Windsor Flying Club is committed ensuring such an environment and culture exists. There are, however, limits to the confidentiality that can be assured under certain circumstances such as:

- a. An individual is judged to be at imminent risk of self-harm.
- b. An individual is judged to be at imminent risk of harming another.

- c. Reporting or action is required by law.
- d. Evidence of sexual violence is available in the public realm (e.g. video shared publicly on social media)

7. Maintenance of Statistics

Windsor Flying Club will maintain annual statistics on disclosed and reported incidents of sexual violence on campus for the purposes of community education and any legislated reporting that may be required. This data would not include any information that would identify any community member.

VI. Roles and Responsibilities

President and Vice President

- Maintain and communicate an ongoing commitment to seriously address the issue of sexual violence at Windsor Flying Club.

Board of Directors

- Work in close partnership with the President and Vice President on the interpretation and application of this policy.
- Ensure that appropriate supports are in place for survivors who are employees of the institution through HR benefits, programs and EAP.

Instructors and Employees

- Work in close partnership with the President and Vice President on the interpretation and application of this policy.
- Work with management to support workplace accommodations required in response to incidents of sexual violence at Windsor Flying Club.
- Cooperate to the extent possible with students or their advocates as they attempt to seek academic accommodation in the face of incidents of sexual violence and their aftermath.
- Through Security and Emergency Services provide appropriate services and supports such as safety planning, assisting survivors who chose to reporting to police, referral of community members with regards to investigations and application of sanctions where appropriate.
- Oversee the day to day implementation and operation of this policy.

Students

- Work in close partnership with the President, Vice President and Board of Directors on the interpretation and application of this policy.

All members of the Windsor Flying Club community

- Participate in education and training programs where appropriate especially those designed for “first responders”.
- Refer survivors to the appropriate services and support.

VII. Jurisdiction

This policy falls under the jurisdiction of President and Vice President, Board of Directors, Instructors, Employees, Students and Members.

VIII. Policy Review

After an initial review in Spring 2017, this policy will be reviewed every four years with extensive community consultation, including in particular students.

Supports and Services

Windsor Police Services

Emergencies: 911
Non-Emergency Line: 519-258-6111
www.police.windsor.on.ca
150 Goyeau Street
P.O. Box 60
Windsor, ON N9A 6J5

Sexual Assault Crisis Centre of Essex County

www.saccwindsor.net
(519) 253-3100
1-844-900-7222
1770 Langlois Ave.
Windsor, ON N8X 4M5

Sexual Assault/Domestic Violence Treatment Center

(519) 254-5577 Ext. 52234
(519) 255-2234
SATC@wrh.on.ca
Metropolitan Campus
4th Floor, 1995 Lens Ave.
Windsor, ON N8W 1L9

Hiatus House

(519) 252-7781
www.hiatushouse.com/services.html
250 Langlois Avenue
Windsor, ON N9A 1W2

Teen Health Centre

(519) 253-8481
wehc.org/
1585 Ouellette Ave.
Windsor, ON

Canadian Red Cross – Windsor/Essex Branch – Respected, Violence and Abuse Prevention

1-877-356-3226
respected-on@redcross.ca
3909 Grand Marais Rd E.
Windsor, ON N8W 1W9