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# **WHEAT Institute Sexual Violence Policy and Response Protocol**

Last Revised: June 2023

Next Review Date: September 2026

Applicability: This policy and protocol applies to all students, practicum site placements, instructors, faculty, staff, and administrators of the Winnipeg Holistic Expressive Arts Therapy (WHEAT) Institute.

Issued By: WHEAT Director

Responsibility Of: WHEAT Administration



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## Statement from WHEAT Administration

WHEAT Institute values respect for all individuals, civility, diversity, dignity, equality, and freedom. WHEAT is committed to maintaining a healthy and safe learning, living, social, recreational, and working environment. We are committed to maintaining a campus free of discrimination and harassment and strive to foster an atmosphere of healthy attitudes and behaviours towards sexuality, sex, and gender roles. WHEAT will not tolerate behaviour that contributes to a hostile and inequitable environment. We take seriously our commitment to supporting those who experience sexual violence, and we work diligently on campus and with community partners on programs, policies, and resources to ensure that our campus remains free from sexual violence.

The Policy and Protocol provides procedures and resources to support individuals and groups who may be directly or indirectly involved in working with persons who have experienced sexual violence.

We urge all members of the WHEAT community to review the Policy and Protocol to learn about options and resources available to those who require support or who wish to support others. Please help to ensure that WHEAT remains a safe and positive space where members of the WHEAT community feel able to work, learn, and express themselves in a safe environment that upholds human equality.

Darci Adam

Founding Director

Lindsay Ashmore

Art and Expressive Arts Therapies Director & Indigenous Community Outreach

Stephanie Scott

Registrar, Outreach, and Practicum Coordinator

## 1. Purpose and Intent of the Policy

All members of the WHEAT community have a right to a work and study in an environment that is free from any form of sexual violence, assault, or harassment. This document sets out our policy and response protocol to sexual violence and ensures that those who experience sexual violence are believed and their rights respected, that WHEAT has a process of investigation that protects the rights of individuals and holds individuals who have committed an act of sexual violence accountable.

WHEAT's policy and response protocol review process took place in late 2022. We sought feedback from the broader student population by conducting an online questionnaire. Responses were collected by WHEAT administration and reviewed with core faculty members. Following this group consultation, final adjustments were made and reviewed by program directors. Further amendments were made in the spring of 2023 following the review process of the Manitoba government.

## 2. Policy Statement

Sexual assault, violence, and harassment are unacceptable and will not be tolerated. We are committed to challenging and preventing sexual violence and creating a safe space for anyone in our WHEAT community who has experienced sexual violence. WHEAT is expected to be a safe and positive space where members of the WHEAT community feel able to work, learn, and express themselves in an environment free from sexual violence.

All reported incidents of sexual violence will be investigated to the best of the administration's ability and in a manner that ensures due process. It is this policy's intention to make individuals feel comfortable about making a report in good faith about sexual violence that they have experienced or witnessed.

We recognize that sexual violence can occur between individuals regardless of sexual orientation, gender, and gender identity or relationship status as articulated in the Manitoba *Sexual Violence Awareness and Prevention Act*. We also recognize that individuals who have experienced sexual violence may experience emotional, academic, or other difficulties.

### **We are committed to:**

- Assisting those who have experienced sexual violence by providing choices, including detailed information and support, such as provision of and/or referral to appropriate, culturally sensitive counselling and medical care, information about legal options, and appropriate academic and other accommodation;
- Ensuring that those who disclose that they have been sexually assaulted are believed, and

that their right to dignity and respect is protected throughout the process of disclosure, investigation and institutional response;

- Addressing harmful attitudes and behaviours (e.g., adhering to myths of sexual violence) that reinforce that the person who experienced sexual violence is somehow to blame for what happened;
- Treating individuals who disclose sexual violence with compassion recognizing that they are the final decision-makers about their own best interests;
- Ensuring that on-campus (internal) investigation procedures are available in the case of sexual violence, even when the individual chooses not to make a report to the police;
- Engaging in appropriate procedures for investigation and adjudication of a complaint which are in accordance with WHEAT policies, standards and applicable collective agreements, and that ensure fairness and due process;
- Ensuring coordination and communication among the administration who are most likely to be involved in the response to sexual violence on campus;
- Providing information to the WHEAT community about our sexual violence policies and protocols through our Blog and FAQ on our website. This policy will be presented to all students as part of their Orientation session at the beginning of their program and to all faculty members as they are on-boarded with WHEAT;
- Providing a mandatory Sexual Violence Training Workshop annually in the fall (September) for all WHEAT students, faculty, and administration. Students and staff will be made aware of the many different ways sexual violence can occur, including social media and other digital means with clear understanding of all prevention techniques, and what to do if another student discloses an incident of sexual violence to them;
- Tracking the attendance of students, faculty, and administration in all mandatory Sexual Violence Training Workshops;
- Offering additional professional development opportunities focused on sexual violence awareness and response to student disclosures to all faculty and administration;
- Providing appropriate, culturally sensitive resources to the WHEAT community about responding to the disclosure of sexual violence;
- Public reporting on the key takeaways from our Sexual Violence Training Workshop through our Blog and FAQ on our website. This will include a link to our policy and a list of available support services;
- Contributing to the creation of a campus atmosphere in which sexual violence is not tolerated; and
- Monitoring and updating our policies and protocols to ensure that they remain effective and in line with other existing policies and best practices.

### **3. Reporting and Responding to Sexual Violence**

Members of the WHEAT community should immediately report sexual violence incidents they witness or have knowledge of, or where they have reason to believe that sexual violence has occurred or may occur. Members who have experienced sexual violence are encouraged to come forward to report as soon as they are able to do so.

Persons in a position of authority, including persons directing the activities of others, shall take immediate action to respond to or to prevent sexual violence from occurring.

Where WHEAT becomes aware of incidents of sexual violence by a member of the WHEAT community or against a member of the WHEAT community, which occur on or off WHEAT property and that pose a risk to the safety of members of the WHEAT community, WHEAT shall take all reasonable steps to ensure the safety of the WHEAT community.

#### **4. Complaint Process and Investigations**

A complaint of sexual assault or any other kind of sexual violence can be filed under this Policy by any member of the WHEAT community.

WHEAT will seek to achieve procedural fairness in dealing with all complaints. As such, no sanction and/or disciplinary action will be taken against a person or group without their knowledge where there is an alleged breach of this Policy. Respondents will be given reasonable notice, with full detail of the allegations and provided with an opportunity to answer the allegations made against them.

##### **Right to Withdraw a Complaint**

A complainant has the right to withdraw a complaint at any stage of the process. However, WHEAT may continue to act on the issue identified in the complaint to comply with its obligation under this Policy and/or its legal obligations.

##### **Protection from Reprisals, Retaliation or Threats**

It is contrary to this Policy for anyone to retaliate, engage in reprisals or threaten to retaliate against a complainant or other individual for:

- having pursued rights under this Policy or the Manitoba *Sexual Violence Awareness and Prevention Act*;
- having participated or co-operated in an investigation under this Policy or the Manitoba *Sexual Violence Awareness and Prevention Act*; or
- having been associated with someone who has pursued rights under this Policy or the Manitoba *Sexual Violence Awareness and Prevention Act*.

Anyone engaged in such conduct may be subject to sanctions and/or discipline.

##### **Making False Statements**

It is a violation of this policy for anyone to knowingly make a false complaint of sexual violence or sexual harassment or to provide false information about a complaint. Individuals who violate this policy are subject to disciplinary and/or corrective action, up to and including termination of employment or expulsion.

## 5. Confidentiality

Confidentiality is particularly important to those who have disclosed sexual violence. The confidentiality of all persons involved in a report of sexual violence must be strictly observed, and WHEAT does its best to respect the confidentiality of all persons, including the complainant, respondent, and witnesses.

However, confidentiality cannot be assured in the following circumstances:

- an individual is at imminent risk of self-harm;
- an individual is at imminent risk of harming another; and/or
- there are reasonable grounds to believe that others in the WHEAT or wider community may be at risk of harm.

In such circumstances, information would only be shared with necessary services to prevent harm, and the name of the survivor would not be released to the public.

Where WHEAT becomes aware of an allegation of sexual violence by a member of the WHEAT community against another member of the WHEAT community, WHEAT has an obligation to investigate the allegation and ensure that the matter is dealt with in compliance with WHEAT policies as well as the law. WHEAT administration will be informed of the reported incident on a need-to-know and confidential basis, but not necessarily of the identities of the people involved.

## 6. If You Have Experienced Sexual Violence

If you have experienced sexual violence, please call WHEAT Administration at: 431-887-2787 and we will assist you by providing the resources and support you need.

It is often difficult to disclose and report incidents of sexual violence. It is entirely up to you if you choose to report the incident; however, we strongly encourage you to do so. Several other resources are available to you, including:

- WHEAT Art and Expressive Arts Therapy Program Director, [info@wheatinstitute.com](mailto:info@wheatinstitute.com)
- WHEAT Sharing Circle/Affinity Groups (see further details in Appendix D)
- Clinic Sexual Assault Crisis Line at toll free: 1-888-292-7565 or 204-786-8686 TTY: 204-784-4097

Anyone who has experienced sexual violence has the right to:

- be treated with dignity and respect,
- be believed,
- be informed about on-- and off--campus services and resources,
- decide whether or not to access available services and to choose those services they feel will be most beneficial,
- decide whether to report to WHEAT and/or local police,
- have an investigation with the institution's full cooperation,
- have a safety plan, and
- have reasonable and necessary actions taken to prevent further unwanted contact with the alleged perpetrator(s).

### **If You Would like to File a Formal Complaint**

WHEAT Administration can also assist you with filing an Incident Report Form (see Appendix C). If the alleged perpetrator is another member of the WHEAT community, you may file an incident report under this Policy.

Individuals who have experienced sexual violence may also wish to press charges under the *Criminal Code*. WHEAT Administration can also assist you with contacting the local Police.



## **7. What to Do if You Witnessed Sexual Violence**

If you witness sexual violence, please call WHEAT Administration at: 431-887-2787 and we will assist you by providing all the resources and necessary support.

Several other resources are available to you, including:

- WHEAT Art and Expressive Arts Therapies Program Director, [info@wheatinstitute.com](mailto:info@wheatinstitute.com)
- WHEAT Sharing Circle/Affinity Groups (see further details in Appendix D)
- Clinic Sexual Assault Crisis Line at toll free: 1-888-292-7565 or 204-786-8686 TTY: 204-784-4097

If a member of faculty or staff of WHEAT becomes aware of an allegation of sexual violence against another member of the WHEAT community, the faculty or staff is required to report the alleged incident to the WHEAT Director immediately.

## **8. What to Do if Someone Discloses Allegations of Sexual Violence**

A person may choose to confide in someone about an act of sexual violence, such as a student, instructor, supervisor, or staff. An individual who has experienced sexual violence may also disclose to staff or faculty members when seeking support and/or academic accommodation. A supportive response involves:

- listening without judgement and accepting the disclosure as true;
- communicating that sexual violence is never the responsibility of the survivor
- helping the individual identify and/or access available on- or off-campus services, including emergency medical care and counselling;
- respecting the individual's right to choose the services they feel are most appropriate and to decide whether to report to the police and/or WHEAT Administration at 431-887-2787;
- recognizing that disclosing can be traumatic and an individual's ability to recall the events may be limited;
- respecting the individual's choices as to what and how much they disclose about their experience; and
- making every effort to respect confidentiality and anonymity.

If disclosure is made to faculty or staff by a student seeking support or academic accommodation, the faculty or staff should refer the student to the WHEAT Director, and work with the WHEAT Director to



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ensure that the student receives all necessary academic and other accommodations.

As indicated above, if faculty or staff of WHEAT becomes aware of an allegation of sexual violence against another member of the WHEAT community, the faculty or staff is required to report the alleged incident to the WHEAT Director immediately.

## **9. Communicating with Individuals who have Experienced Sexual Violence**

Sensitive and timely communication with individuals who have experienced sexual violence and their family members (when an individual consents to this communication) is a central part of WHEAT's first response to sexual violence. To facilitate communication WHEAT will:

- Ensure that designated faculty or staff members, who are knowledgeable about sexual violence, are responsible for advocacy on campus on behalf of faculty, staff, students or any other member of the WHEAT community who have experienced sexual violence;
- Ensure designated faculty and staff respond in a prompt, compassionate, and personalized fashion;
- Ensure that the person who has experienced sexual violence is offered support through internal services with WHEAT and recommendations to appropriate external services (see Appendix D); and
- Ensure that the person who has experienced sexual violence and the respondent are provided with reasonable updates about the status of WHEAT's investigation of the incident when such investigations are undertaken.

## **10. Roles and Responsibilities of the WHEAT Community**

While everyone on campus has a role to play in responding to incidents of sexual violence, some campus members will have specific responsibilities which might include:

- Providing psychological and emotional support, assisting with safety planning, and making referrals to other services, including medical services. There are WHEAT faculty members, trained Art and Expressive Arts Therapists, with experience addressing trauma and sexual abuse, and with cultural sensitivity to Indigenous populations, newcomers and refugees, members of the 2SLGBTQIA+ community, and individuals with neurodivergence or learning disabilities;
- Faculty, staff, and administrators to facilitate academic accommodations and other academic needs of those who have experienced sexual violence, e.g., extensions on assignments, continuing studies from home, and dropping courses;
- Administration to assist with any incidents relating to faculty or staff; and
- Administration to assist with investigations and gathering evidence, to implement measures to reduce sexual violence on campus, and to collaborate with local police where appropriate.



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## **11. How Will WHEAT Respond to a Report of Sexual Violence?**

Where a complaint of sexual violence has been reported to WHEAT, WHEAT will exercise care to protect and respect the rights of both the complainant and the respondent. WHEAT understands that individuals who have experienced sexual violence may wish to control whether and how their experience will be dealt with by the police and/or WHEAT. In most circumstances, the person will retain this control. However, in certain circumstances, WHEAT may be required to initiate an internal investigation and/or inform the police of the need for a criminal investigation, even without the person's consent, if WHEAT believes that the safety of other members of the WHEAT community is at risk. The confidentiality and anonymity of the person(s) affected will be prioritized in these circumstances.

A report of sexual violence may also be referred to the police, or to other community resources at the complainant's request, where the persons involved are not members of the WHEAT community or in circumstances where the College is unable to initiate an internal investigation under this Policy.

### **Where the Respondent is a Student**

Sexual violence is a violation of WHEAT's Sexual Violence Policy and Response Protocol. It is considered a serious offence and will be addressed in a manner which is consistent with other serious offences. Please read this full policy for more details on each disciplinary process.

### **Where the Respondent is a Faculty or Staff Member**

Sexual violence is a violation of WHEAT's Sexual Violence Policy and Response Protocol. Allegations against faculty or staff will be addressed in accordance with the procedures set out in this Policy, and in any applicable collective agreement, and/or other WHEAT policies. If the complaint is sustained following an investigation, WHEAT will decide on the appropriate disciplinary actions consistent with any applicable collective agreement and/or policies regarding discipline.

### **Where the Respondent is a Practicum Site Member**

Practicum Sites will be protected by this policy as well as be subject to complaints if they engage in prohibited conduct. Where a complaint against the respondent is substantiated, WHEAT will take appropriate action.

All practicum site relationships entered into by WHEAT will be governed by a standard contract compliance clause stating that contractors must comply with this Policy and the Manitoba Sexual Violence Awareness and Prevention Act, including co-operating in investigations. Breach of the clause may result in penalties, cancellation, or other sanctions.

### **Where the Respondent is not a Student or Faculty or Staff**

Contractors, suppliers, volunteers, or visitors who attend on campus will be protected by this policy as well as be subject to complaints if they engage in prohibited conduct. Where a complaint against the respondent is substantiated, WHEAT will take appropriate action.

All contractual relationships entered into by WHEAT will be governed by a standard contract compliance clause stating that contractors must comply with this Policy and the Manitoba *Sexual Violence Awareness and Prevention Act*, including co-operating in investigations. Breach of the clause may result in penalties, cancellation, or other sanctions.

### **Multiple Proceedings**

Where criminal and/or civil proceedings are commenced in respect of the allegations of sexual violence, WHEAT shall conduct its own independent investigation into such allegations, and will make its own determination in accordance with its policies and procedures. Where there is an ongoing criminal investigation, WHEAT will cooperate with the local police.

## **12. Incident / Disclosure Options Available**

You may choose any option, or combination thereof, at any point in time.

1. **No report** – the victim/survivor discloses sexual violence to seek emotional support, medical support, or advocacy but not to report to police.
2. **Police report** – the victim/survivor makes a police statement, which would generally be followed by a criminal investigation. Victims/survivors can call the police or go to their nearest police station. There are support services available for individuals who decide to report to police.
3. **Medical assistance/forensic medical exam** – the victim/survivor attends a hospital or medical centre for medical attention to address possible physical injury, pregnancy and/or sexually transmitted infections; forensic exam to collect any forensic samples while the victim/survivor decides whether or not to report to police.
4. **Formal complaint/disclosure to post-secondary institution** – report to an institution’s administration, precipitating a student misconduct process if the perpetrator is a student or a staff or faculty member.
5. **Civil claim** – victims/survivors may also launch a civil suit against the alleged perpetrator for damages suffered (this would not be the responsibility of the institution).

An **Incident Report Form** is available through WHEAT Administration and can be found in Appendix C.

## **13. Other Resources and Supports Available to You**

Please see Appendix D.



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## APPENDIX A

### Definitions

The following definitions do not supersede those of the Criminal Code of Canada. In cases where remedy is sought through the court system, definitions provided by the Criminal Code will take precedent. The definitions in this policy document were taken from Appendix A of the 2017 *“Changing the culture of acceptance: Recommendations to address sexual violence on university campuses”* report.

**Sexual Assault:** A criminal offence under the *Criminal Code* of Canada. Sexual assault is any type of unwanted sexual act done by one person to another that violates the sexual integrity of the victim and involves a range of behaviours from any unwanted touching to penetration. Sexual assault is characterized by a broad range of behaviours that involve the use of force, threats, or control towards a person, which makes that person feel uncomfortable, distressed, frightened, threatened, or that is carried out in circumstances in which the person has not freely agreed, consented to, or is incapable of consenting to.

**Sexual Violence:** Physical sexual acts without the consent of the other person or when the other person is unable to give consent. Sexual violence includes sexual assault, rape, domestic violence, dating violence and stalking.

**Sexual Harassment:** Any conduct, comment, gesture, or contact of a sexual nature that is likely to cause offence or humiliation to any employee; or that might, on reasonable grounds, be perceived by that employee as placing a condition of a sexual nature on employment or on any opportunity for training or promotion.

**Consent:** The voluntary and explicit agreement to engage in the sexual activity in question. It is the act of willingly agreeing to engage in specific sexual behaviour, and requires that a person can freely choose between two options: yes and no. This means that there must be an understandable exchange of affirmative words, which indicates a willingness to participate in mutually agreed upon sexual activity. It is also imperative that everyone understands the following:

- 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 (i.e. does not agree voluntarily) into engaging in the sexual activity is not consenting to it.
- A person who is drugged is unable to consent.
- A person is usually unable to give consent when under the influence of alcohol and/or drugs.



- A person may be unable to give consent if they have a mental disability preventing 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 is deemed to exist for all future sexual activity.
- A person can withdraw consent at any time during a sexual encounter.
- A person is incapable of giving consent to a person in a position of trust, power, or authority, such as, a faculty member initiating a relationship with a student who they teach, an administrator in a relationship with anyone who reports to that position.
- Consent cannot be given on behalf of another person.

It is the responsibility of the initiator of sexual activity to ensure clear and affirmative responses are communicated at all stages of sexual engagement. It is also the initiator's responsibility to know if the person they are engaging with sexually is a minor.

**Note:** For information purposes only, the *Criminal Code* defines "consent" as follows: the voluntary agreement to engage in the sexual activity in question. No consent is obtained, where:

- the agreement is expressed by the words or conduct of a person other than the complainant;
- the complainant is incapable of consenting to the activity;
- the accused induces the complainant to engage in the activity by abusing a position of trust, power or authority;
- the complainant expresses, by words or conduct, a lack of agreement to engage in the activity; or
- the complainant, having consented to engage in sexual activity, expresses, by words or conduct, a lack of agreement to continue to engage in the activity.

**Acquaintance sexual assault:** Sexual contact that is forced, manipulated, or coerced by a partner, friend or acquaintance.

**Age of consent for sexual activity:** The age at which a person can legally consent to sexual activity. In Canada, children under 12 can never legally consent to sexual acts. Sixteen is the legal age of consent for sexual acts. There are variations on the age of consent for adolescents who are close in age between the ages of 12 and 16. Twelve and 13 year-olds can consent to have sex with other youth who are less than 2 years older than themselves. Youth who are 14 and 15 years old may consent to sexual involvement that is mutual with a person who is less than 5 years older. Youths 16 and 17 years old may legally consent to sexual acts with someone who is not in a position of trust or authority.



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**Coercion:** In the context of sexual violence, coercion is unreasonable and persistent pressure for sexual activity. Coercion is the use of emotional manipulation, blackmail, threats to family or friends, or the promise of rewards or special treatment, to persuade someone to do something they do not wish to do, such as being sexual or performing particular sexual acts.

**Drug-facilitated sexual assault:** The use of alcohol and/or drugs (prescription or non-prescription) by a perpetrator to control, overpower or subdue a victim for purposes of sexual assault.

**Equality/Equity:** Equality is the process of providing everyone in society with equal resources. Equity involves ensuring that everyone has access to the resources, opportunities, power, and responsibility *they need* to reach their full potential as well as making changes so that unfair differences may be understood and addressed.

**Gender Expression:** Gender expression is the external appearance of one's gender identity, usually expressed through behavior, clothing, haircut or voice, and which may or may not conform to socially defined behaviors and characteristics typically associated with being masculine or feminine (although can be a blend of both or neither) and may not align with gender identity.

**Gender Identity:** Gender identity is one's innermost concept of self as male, female, a blend of both or neither – how individuals perceive themselves and what they call themselves. One's gender identity can be the same or different from their sex assigned at birth.

**Gender-based Violence:** Gender-based violence is any form of behaviour - including psychological, physical, and sexual behaviour - that is based on an individual's gender and is intended to control, humiliate, or harm the individual. This form of violence reflects an attitude or prejudice at the individual or institutional level that aims to subordinate an individual or group on the basis of sex and/or gender identity.

**Hyper-sexuality:** Hyper-sexuality is the preoccupation with sex in society. It includes the cultural and marketing messages that our value as individuals comes from our sex appeal and behaviour, the sexual objectification of people, the blurring of the lines between adult and child sexuality, the mainstreaming of pornography and the exploitation of sex and sexuality for marketing purposes. Hyper-sexualization is not the same thing as the normal process of sexual maturation and does not promote sexual health, or healthy relationships.

**Intersectionality/Intersecting Identities:** Intersectionality/Intersecting identities is an understanding that people and their experiences are shaped by their connection to different social locations (race, gender,

class, sexual orientation, ability, age, religion). Individuals who identify with multiple forms of marginalized social locations will be more negatively impacted by inequality in society. For example, Indigenous women experience gendered violence disproportionately in comparison to White women.

**LGBTQIA2S+:** An acronym used to represent individuals who identify as lesbian, gay, bisexual, transgender, queer, intersex, asexual, two-spirited (as well as questioning, pansexual or unsure). Sexual orientation exists on a continuum and therefore, there are other identities individuals may use which are not listed under this term.

**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 male Sexual Violence and by blaming survivors for their own abuse.

**Sexual Cyber-bullying:** Sexual Cyber-bullying is an electronic communication of a sexual nature, direct or indirect, that causes or is likely to cause harm to another individual's health or well-being where the person responsible for the communication maliciously intended to cause harm to another individual's health or well-being or was reckless with regard to the risk of harm to another individual's health or well-being.

**Stalking:** A form of criminal harassment prohibited by the *Criminal Code* of Canada. It involves behaviours that occur on more than one occasion, and which collectively instill fear in the victim or threaten the victim/target's safety or mental health. Stalking can also include threats of harm to the target's friends and/or family. These behaviours include but are not limited to non-consensual communications (face to face, phone, email, social media); threatening or obscene gestures; surveillance; sending unsolicited gifts; "creeping" via social media/cyber-stalking; and uttering threats.

**Survivor:** Some who have experienced sexual violence may choose to identify as a survivor. Individuals might be more familiar with the term "victim". We use the term survivor throughout this policy where relevant because some who have experienced sexual assault believe they have overcome the violent experience and do not wish to identify with the victimization. It is the prerogative of the person who has experienced these circumstances to determine how they wish to identify.

**Sexual Orientation:** Sexual orientation is an inherent or immutable enduring emotional, romantic, or sexual attraction or lack of attraction (asexual) to other people.

## APPENDIX B

### Use of the term “Rape” in the context of Sexual Violence

This policy refers to the offence of sexual assault to align with the current offence contained in the *Criminal Code*. The word “rape” is no longer used in criminal statutes in Canada. The term was replaced many years ago to acknowledge that sexual violence is not about sex but is about acts of psychological and physical violence. The term “sexual assault” provides a much broader definition and criminalizes unwanted behaviour such as touching and kissing as well as unwanted oral sex and vaginal and anal intercourse. Although the term no longer has a legal meaning in Canada, the term rape is still commonly used.

### DISPELLING THE MYTHS AND MISCONCEPTIONS ABOUT SEXUAL ASSAULT

Myth	Fact
It wasn't rape, so it wasn't sexual violence.	Sexual assault and sexual violence encompasses a broad range of unwanted sexual activity. Any unwanted sexual contact is considered to be sexual violence. A survivor can be severely affected by all forms of sexual violence, including unwanted fondling, rubbing, kissing, or other sexual acts. Many forms of sexual violence involve no physical contact, such as stalking or distributing intimate visual recordings. All of these acts are serious and can be damaging.
Sexual assault can't happen to me or anyone I know.	Sexual assault can and does happen to anyone. People of all socioeconomic and ethnic backgrounds are victims of sexual assault, but the vast majority of sexual assaults happen to women and girls. Young women, Aboriginal women and women with disabilities are at greater risk of experiencing sexual assault.
Sexual assault is most often committed by strangers.	Someone known to the victim, including acquaintances, dating partners, and common-law or married partners, commit approximately 75 per cent of sexual assaults.
Sexual assault is most likely to happen outside in dark, dangerous places.	The majority of sexual assaults happen in private spaces like a residence or private home.
If an individual doesn't report to the police, it wasn't sexual assault.	Just because a victim doesn't report the assault doesn't mean it didn't happen. Fewer than one in ten victims report the crime to the police.
It's not a big deal to have sex with someone while they are drunk, stoned or passed out.	If a person is unconscious or incapable of consenting due to the use of alcohol or drugs, they cannot legally give consent. Without consent, it is sexual assault.



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If the person chose to drink or use drugs, then it isn't	This is a prominent misconception about sexual assault.
<b>Myth</b>	<b>Fact</b>
considered sexual assault.	No one can consent while drunk or incapacitated.
<p>If the victim didn't scream or fight back, it probably wasn't sexual assault.</p> <p>If the victim does not fight back, the sexual assault is their fault.</p>	<p>When an individual is sexually assaulted they may become paralyzed with fear and be unable to fight back. The person may be fearful that if they struggle, the perpetrator will become more violent.</p>
If you didn't say no, it must be your fault.	<p>People who commit sexual assault/abuse are trying to gain power and control over their victim. They want to make it extremely difficult, if not impossible, for their victim to say no. A person does not need to actually say the word "no" to make it clear that they did not want to participate. The focus in consent is on hearing a "yes".</p>
If a woman isn't crying or visibly upset, it probably wasn't a serious sexual assault.	<p>Every woman responds to the trauma of sexual assault differently. She may cry or she may be calm. She may be silent or very angry. Her behaviour is not an indicator of her experience. It is important not to judge a woman by how she responds to the assault.</p>
If someone does not have obvious physical injuries, like cuts or bruises, they probably were not sexually assaulted.	<p>Lack of physical injury does not mean that a person wasn't sexually assaulted. An offender may use threats, weapons, or other coercive actions that do not leave physical marks. The person may have been unconscious or been otherwise incapacitated.</p>
If it really happened, the victim would be able to easily recount all the facts in the proper order.	<p>Shock, fear, embarrassment, and distress can all impair memory. Many survivors attempt to minimize or forget the details of the assault as a way of coping with trauma. Memory loss is common when alcohol and/or drugs are involved.</p>
Individuals lie and make up stories about being sexually assaulted; and most reports of sexual assault turn out to be false.	<p>According to Statistics Canada, fewer than one in 10 sexual assault victims report the crime to the police. Approximately 2% of sexual assault reports are false.</p> <p>The number of false reports for sexual assault is very low. Sexual assault carries such a stigma that many people prefer not to report.</p>



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Persons with disabilities don't get sexually assaulted.	Individuals with disabilities are at a high risk of experiencing sexual violence or assault. Those who live with activity limitations are over two times more likely to be victims of sexual assault than those who are able-bodied.
<b>Myth</b>	<b>Fact</b>
A spouse or significant other cannot sexually assault their partner.	Sexual assault can occur in a married or other intimate partner relationship. The truth is sexual assault occurs ANY TIME there is not consent for sexual activity of any kind. Being in a relationship does not exclude the possibility of, or justify, sexual assault. A person has the right to say "no" at ANY point.
People who are sexually assaulted "ask for it" by their provocative behaviour or dress.	This statement couldn't be more hurtful or wrong. Nobody deserves to be sexually assaulted. Someone has deliberately chosen to be violent toward someone else; to not get consent. Nobody asks to be assaulted. Ever. No mode of dress, no amount of alcohol or drugs ingested, no matter what the relationship is between the survivor and the perpetrator or what the survivor's occupation is, sexual assault is always wrong.
Sexual assault only happens to women	Not true. The majority of sexual assaults are committed against women by men, but people of all genders, from all backgrounds have been/can be assaulted.
Sexual abuse of males is rare.	According to Statistics Canada, six per cent of males 15 or over reported that they had experienced sexual victimization. Sexual assault/abuse occurs in every economic, ethnic, age and social group.
If you got aroused or got an erection or ejaculated, you must have enjoyed it.	It is normal for your body to react to physical stimulation. Just because you became physically aroused does not mean that you liked it or wanted it or consented in any way. If you experienced some physical pleasure, this does not take away the fact that sexual abuse happened or the effects or feelings of abuse.

## APPENDIX C

### Incident Report Form

To be retained by WHEAT Institute

#### **Informed Consent**

This cover sheet ensures you are made aware of the benefits and risks of the reporting process so that you make the best and most informed decision based on your own needs.

#### **Sexual Harassment/Assault Reporting Options**

WHEAT recognizes the sensitive nature of sexual harassment and that victims may require different actions by the school in its supportive role. We want to emphasize that should a member of our community feel they have been exposed to any form of harassment WHEAT is there to support them. WHEAT wishes to share the following options for reporting:

##### **1. Support without official complaint.**

If a member of the WHEAT community believes she/he has been sexually harassed, they may choose to not put forward a formal complaint but rather simply wish to have the school assist them through the emotional crisis. The victim/survivor here discloses sexual violence to seek emotional support, medical support, or advocacy, but not to report to police. If such action is chosen by the victim/survivor WHEAT will provide a compassionate supportive role. The role in this situation is primarily to be a listener and provide the student with what resources are available to them.

##### **2. Action where harassment has been by college community member.**

If a member of the WHEAT community believes she/he has been sexually harassed by a member of our WHEAT community, she/he may confront the harasser personally or in writing pointing out the unwelcome behaviour and requesting that it stop; or upon a complaint of alleged sexual harassment being made to WHEAT Administration, WHEAT will initiate an inquiry.

##### **3. Actions where harassment requires involvement of external bodies.**

Should the victim/survivor wish to lodge a complaint with the local police department or seek medical assistance WHEAT will provide a supportive role by providing contact information and assisting with the initial communication to that appropriate body.



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### **Incident Report Form**

The Incident Report Form should be filled out by you, in your own words. However, if you are unable, you may dictate answers to the staff member assisting you. They will write your answers exactly as stated and read the report back to you to ensure accuracy. They will not lead or coach while making your statement. Everything you disclose in the report is voluntary and you may stop at any time.

### **Confidentiality and Privacy**

#### **Purpose of Collecting Your Information:**

The information that you provide on the Incident Report Form is being collected on your behalf for the purpose of making a record of the incident and determining the next steps towards resolution.

This cover sheet and any other information collected is confidential and stored in a secure location accessible only to the designated staff. There are a few situations which limit the confidentiality outlined above. In the following serious situations, police must be contacted immediately, and information may be disclosed without your consent:

1. Where you or anyone else is in imminent danger from the alleged harasser/assaulter;
2. When a child (anyone under 19) needs protection due to risk of physical harm, sexual abuse, or sexual exploitation

I have read and understand the above:

**Signature of Complainant:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Designated WHEAT Member (Witness):** \_\_\_\_\_ **Date:** \_\_\_\_\_





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**INCIDENT INFORMATION**

In the following section, information about the incident will be gathered. To assist with this, questions will be asked regarding the alleged incident.

The questions are not intended as a judgement of you, nor how you behaved to survive the assault. You are free to skip any questions you do not wish to answer. Also feel free to continue your answer on the back of this sheet or another piece of paper. At the end of this section there will be space for you to add anything you feel is important that has not come out through these questions.

**Individual Lodging the Complaint (Complainant):**

Name: \_\_\_\_\_

Status: Student \_\_\_\_\_ Staff \_\_\_\_\_ Other (please specify) \_\_\_\_\_

Phone Number: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

**Individual Engaging in Alleged Sexual Violence:**

Name: \_\_\_\_\_

Status: Student \_\_\_\_\_ Staff \_\_\_\_\_ Other (please specify) \_\_\_\_\_

Phone Number: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Relationship to Complainant: \_\_\_\_\_

Is this the first time you have reported this individual? Yes \_\_\_\_\_ No \_\_\_\_\_

If No, please specify when they were previously reported:



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**Date of Incident:** \_\_\_\_\_

**Time:** \_\_\_\_\_

**Location:** \_\_\_\_\_

**Description of Incident:**

**Please list any potential witnesses to the incident:**

Witness no. 1 Name: \_\_\_\_\_

Status: Student \_\_\_\_\_ Staff \_\_\_\_\_ Other (please specify) \_\_\_\_\_

Phone Number: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Relationship to Complainant: \_\_\_\_\_

Witness no. 2 Name: \_\_\_\_\_

Status: Student \_\_\_\_\_ Staff \_\_\_\_\_ Other (please specify) \_\_\_\_\_

Phone Number: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Relationship to Complainant: \_\_\_\_\_



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Did you need to seek medical attention after the incident? Yes \_\_\_\_\_ No \_\_\_\_\_

If Yes, please specify: \_\_\_\_\_

Have you made a report to the Winnipeg Police Service? Yes \_\_\_\_\_ No \_\_\_\_\_

If Yes, please provide the file reference number: \_\_\_\_\_

Have you contacted the individual allegedly responsible for this incident since it occurred? Yes \_\_\_\_\_ No \_\_\_\_\_

If Yes, what did you say and what was their response? \_\_\_\_\_

**Do you wish to take any further course of action? (Check all that apply)**

- Meet with the alleged harasser and a designated staff member.
- Have a designated staff member speak to the alleged harasser without you present.
- File this complaint for information purposes only with no further action to be taken.
- Seek counselling from one of the counselling resources provided in this policy.
- File a report with the Winnipeg Police or my local authorities.

**What outcome would you like to achieve by filing this complaint? How would you like to see WHEAT Institute respond?**

*Please note, should you wish for any action to be taken against the individual this complaint is lodged against, they will be given the opportunity to provide their interpretation of events prior to any action being taken. The details of this complaint will remain confidential.*

I have read and understand the above:

**Signature of Complainant:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Complaint Submitted to:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Signature of Recipient:** \_\_\_\_\_

## APPENDIX D

WHEAT Administration will support students in finding appropriate resources in their own geographical location following any complaint.

WHEAT can provide psychological and emotional support, assist with safety planning, and make referrals to other services, including medical services. There are WHEAT faculty members, trained Art and Expressive Arts Therapists, with experience addressing trauma and sexual abuse, and with cultural sensitivity to Indigenous populations, newcomers and refugees, members of the 2SLGBTQIA+ community, and individuals with neurodivergence or learning disabilities. Please contact 431-887-2787 or [info@wheatinstitute.com](mailto:info@wheatinstitute.com)

Monthly Sharing Circle/Affinity Group spaces will be offered to support students in intentional exploration and community building with others whose identities and positionalities most align/share resonance. Groups will be led by Grandmother Linda Manitowabi and WHEAT faculty members. Arts-based explorations will be offered as well as other restorative and circle process tools designed to support ongoing safety and container building, individual integration, and collective connection.

### National Resources

**Amelie Blanchard** is an Indigenous allied art therapist. She worked and continues to work from afar with the Heiltsuk peoples of Bella Bella, BC. Business is *Helix Art Therapy* and is based out of Nanaimo, BC.

**Jenn Seniuk** - Indigenous and feminist art therapist. Business is *Belly Eye Art Therapy* and is based out of Calgary, AB.

**Evie Dunville** - Indigenous art therapist. Business is *Evie Dunville Art Therapy* and is based out of Halifax, NS.

**Annie Hussain** - Muslim art therapist. Passion in areas of supporting mothers and/or parent child attachment. Business is *Annie Hussain Art Therapy* and operates out of the Blackbird Healing Collective in Calgary, AB.

[Indigenous Psychological Services](#) in Edmonton (also provides telehealth sessions)



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### [Indigenous and Inuit Hope for Wellness](#)

**If you are in Crisis, call First Nations and Inuit Hope for Wellness Help Line 1-855-242-3310 Toll free, 24/7 for Mental Health and Wellness.** This is a National toll-free number that provides immediate, culturally competent, telephone crisis intervention counselling support for First Nations and Inuit, 24 hours a day, seven days a week. Counsellors can also work with callers to identify follow-up services they can access. Counselling is available in English and French and, upon request, in Cree, Ojibway, and Inuktitut.

### [Trans Lifeline](#)

Provides trans peer support for the trans community.

Telephone: 877-330-6366

### [Ending Violence Association of Canada](#)

List of national and provincial sexual assault centres, crisis lines, and support services.

### [Canadian Association of Assault Centres](#)

Telephone: (604) 876-2622

[Somatic Experiencing Directory](#) to find a Somatic Experiencing therapist that works either in-person or virtually.

## Manitoba Resources

### Manitoba's "You Are Not Alone" website

[This Link](#) contains comprehensive information on responding to sexual violence and supporting survivors.

**If you believe you are in danger or in an emergency situation, call 911.**

If you have been sexually assaulted, call the [Klinik Sexual Assault Crisis Line](#) at toll free: **1-888-292-7565** or **204-786-8686** TTY: **204-784-4097** or contact your local police service or [RCMP](#) detachment.

### Victim Services

- [Manitoba Justice - Child Victim Support Service](#)
- [Manitoba Justice - Compensation for Victims of Crime](#)
- [Manitoba Justice - Domestic Violence Support Service](#)
- [Manitoba Justice - Victim Rights Support Service](#)
- [Brandon Police Victim Services](#)
- [Pembina Valley Victim Services](#) (includes Altona, Morden, and Winkler)
- [Winnipeg Police Victim Services](#)

### Counselling Services

- [Klinik Sexual Assault Crisis Counselling](#)
- [Mount Carmel Clinic](#)
- [The Laurel Centre](#)
- [Women's Health Clinic](#)
- [Survivor's Hope Crisis Centre](#) (north-eastern Manitoba)
- [New Directions - Families Affected by Sexual Assault](#) (FASA)

### Law Enforcement

To report an emergency, call 911

To report a crime (ex: sexual assault), contact your local law enforcement:

- **Winnipeg Police Service - Sex Crimes Unit**

204-986-6222

To speak with a detective in confidence, call: 204-986-6245



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- [Royal Canadian Mounted Police Detachment Office](#)
- **Altona Police Service** (residents of Altona and Plum Coulee)  
24-hour line: 204-324-5353  
General inquiries: 204-324-5373
- **Brandon Police Service** (residents of Brandon)  
24-hour line: 204-729-2345
- **Dakota Ojibway Police Service**  
Birdtail Sioux Detachment: 204-568-4621  
Canupawakpa Detachment: 204-854-2953  
Roseau River Detachment: 204-427-3383  
Sandy Bay Detachment: 204-843-7700  
Waywayseecappo Detachment: 204-859-5070  
Long Plain Detachment: 204-252-4480
- [Sainte-Anne Police Service](#) (residents of the Town of Sainte-Anne)  
24-hour line: 204-422-8209
- **Winkler Police Service**  
Daytime phone (9:00 a.m. to 5:00 p.m. Monday to Friday): 204-325-0829  
After hours: 204-325-9990
- **Morden Police Service**  
Daytime phone (9:00 a.m. to 4:30 p.m. Monday to Friday): 204-822-6292  
After hours: 204-822-4900

### **Shelter / Emergency Residential Services**

For confidential information and help, call 1-877-977-0007 TTY: 1-888-987-2829. Click on the [brochure](#) (PDF 46 KB) for a list of services available in Manitoba for victims of domestic or family violence or visit [manitoba.ca/stoptheviolence](http://manitoba.ca/stoptheviolence)



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## Cultural Services

### [Ka Ni Kanichihk - Heart Medicine Lodge](#)

Ka Ni Kanichihk's Heart Medicine Lodge provides culturally based support and advocacy services for Indigenous women and those who identify as women who have experienced sexual assault and sexual violence. The program was launched in 2016 as part the [Winnipeg Safe City](#), partner in UN Women's Safe Cities and Safe Public Spaces Initiative.

Phone: 204-594-6500 ext. 107

Toll free: 1-888-953-5264

Text: 204-809-8587 Email: [heartmedicine@kanikanichihk.ca](mailto:heartmedicine@kanikanichihk.ca)

[Rainbow Resource Centre](#) provides free and accessible counselling services including same day/drop in counselling and short-term counselling to the 2SLGBTQIA+ community.

[Trans Lifeline](#) is a grassroots peer-support hotline and non-profit organization offering direct emotional and financial support to trans people in crisis; Trans Lifeline is for the trans community, by the trans community.

[NorWest Community Health](#) provides counselling, advocacy, and referrals for women who have experienced interpersonal violence through both [the Immigrant Women's Counselling program](#) and [A Women's Place](#) program. Translation services are available.

[The Laurel Centre](#) provides individual and group counselling to women who have experienced childhood and / or adolescent sexual abuse.

## Health Services

Please visit the [Manitoba Health website](#) for a list of public health services available in your area. The Health Sciences Centre Sexual Assault Program in Winnipeg is staffed with a team of **Sexual Assault Nurse Examiners (SANE)**, specifically trained in providing care to patients who have experienced a sexual assault. For more information about the Health Sciences Centre Sexual Assault Program go to <http://www.hsc.mb.ca/emergencyNurseExam.html>.





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## **Legal Services**

### **[Community Legal Education Association](#)**

301 - 441 Main St.

Winnipeg MB R3B 1B4

Phone (for legal questions): 204-943-2305

Toll free: 1-800-262-8800 (outside Winnipeg)

### **Sexual Harassment Hotline**

Email: [sexualharassmenthelp@communitylegal.mb.ca](mailto:sexualharassmenthelp@communitylegal.mb.ca)

### **[Legal Help Centre](#)**

Portage Place Shopping Centre

Unit 202, 393 Portage Avenue

Winnipeg, MB R3B 3H6

Phone: 204-258-3096

Email: [info@legalhelpcentre.ca](mailto:info@legalhelpcentre.ca)

Drop-in hours: Tuesdays and Thursdays from 1:00 - 4:30 p.m.



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## Crisis Services

- Sexual Assault Crisis Line (24/7) Toll  
Toll free: 1-888-292-7565  
Winnipeg: 204-786-8631  
TTY: 204-784-4097
- Klinic Crisis Line (24/7)  
Toll free: 1-888-322-3019  
Winnipeg: 204-786-8686  
TTY: 204-784-4097
- Survivor's Hope Crisis Centre Inc. (North-Eastern Manitoba)  
204-753-5353
- Manitoba Suicide Prevention & Support Line (24/7) Toll  
Toll free: 1-877-435-7170  
TTY: 204-784-4097
- Deaf Access Counselling (24/7)  
TTY: 204-784-4097
- Human Trafficking Hotline (24/7) 1-  
844-333-2211
- Domestic Violence Crisis Line (24/7)  
Toll free: 1-877-977-0007

Please note you can also visit [You Are Not Alone](#) for the most up to date list of services available in Manitoba.

### **Acknowledgements:**

Several resources contributed to the development of this document, including the sexual assault policies and procedures from several colleges and universities in Ontario, notably, Durham College, University of Guelph, and Lakehead University, as well as the METRAC discussion paper on sexual assault policies on campuses. The Ontario Women’s Directorate resource, “Developing a Response to Sexual Violence: A Resource Guide for Ontario’s Colleges and Universities” served as a reference and the “Dispelling Myths and Misconceptions About Sexual Assault” chart is based on it. In addition, the Manitoba Post-Secondary Sexual Violence Policy Guide provided the local service listing used in Appendix C. A special thanks to Klinik and the Manitoba government “You Are Not Alone” for sharing resources. And a final thank you to our WHEAT faculty and student population for their feedback.



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