

# The Mount's Policy Against Sexual Assault

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A guide



[msvu.ca/sexualassault](https://msvu.ca/sexualassault)

**This quick reference guide highlights the key components of Mount Saint Vincent University's Policy Against Sexual Assault.**

## **Policy Against Sexual Assault**

The Mount is committed to sexual violence prevention and providing a trauma-informed, survivor-centered response.

As a Mount student, you have the right to a campus environment that is free from sexualized violence, including sexual assault.

**Sexual assault is:** any sexual activity without consent, including kissing, fondling, touching, oral sex contact, condom stealthing, or anal, vaginal or other forms of contact or penetration, without consent.

Sexual assault may be committed by a person of any gender against a person of any gender, regardless of sexual orientation, gender identity or expression, or relationship status.

## **Consent**

**Consent is:** a voluntary, willing, knowing, and coherent agreement to engage in specific sexual activity. Consent must be ongoing and relate to each sexual activity in an encounter. Consent may be withdrawn at any time.

**There is no consent where:**

- A person expresses, by words or conduct, a lack of agreement to engage or continue to engage in a sexual activity;
- A person is asleep or unconscious at the time of the sexual activity;
- A person is incapable of consenting to sexual activity, including due to the influence of alcohol, drugs, or other substances;
- The person initiating the sexual activity occupies a position of trust or authority;
- Any apparent consent is obtained through force, coercion, threat, or fraud.

# Disclosing a Sexual Assault

If you are a victim/survivor of a sexual assault, we encourage you to speak to a specially trained member of the Mount community, such as a member of our Counselling Services, Health Office or Residence Life teams.

Disclosures and Reports of sexual assault are separate actions that you may choose to take. A disclosure (telling someone about your experience) does not trigger an investigation and it will usually not be reported unless you make that decision.

See section 20 of our policy for a full understanding of the scope of our privacy and confidentiality.

You are entitled to receive supports and resources, which may include:

- Safety planning and protective measures;
- Counselling;
- Medical services;
- Academic/classroom, living and/or workplace accommodations;
- Information on filing a Report under this Policy or external to the Mount.

**Our primary concern following a disclosure is your safety, security and well-being. You have the right to determine how much information you disclose, when you disclose it, and who you disclose it to.**

# Reporting a Sexual Assault

A Report is a formal complaint of sexual assault to the University for the purposes of initiating an investigation, which could result in disciplinary action against the respondent. Throughout an investigation, and regardless of the outcome, you will continue to be supported by the University.

A Report may be made in writing via email or letter, or through an in-person meeting with the Associate Vice-President, Student Experience (AVPSE) or the Harassment & Discrimination Advisor. You are welcome to bring a support person to this meeting.

The AVPSE or Harassment & Discrimination Advisor will determine:

- If the reported conduct satisfies the definition of sexual assault in this Policy;
- That the respondent is a member of the Mount community; and
- That the reported conduct would best be dealt with under this policy.

The Mount recognizes that you may require time to make decisions. There is no deadline. You are encouraged to make a Report when you feel comfortable doing so.

Within five (5) business days of receiving a Report, the AVPSE will provide written notice to the respondent(s) that an investigation will be initiated. It will include a summary of the allegations and a copy of the Policy Against Sexual Assault.



The AVPSE may impose interim measures where they have reasonable cause to believe there is risk to the safety, security or well-being of the complainant or any other member of the Mount community.



Upon receiving a Report of sexual assault, the AVPSE will appoint an investigator, who may be internal or external, to investigate the Report.



The investigator will independently conduct all interviews, including with the complainant, respondent and any other individuals they consider likely to have information relevant to the Report.



Within forty-five (45) business days of being appointed, the investigator shall submit to the AVPSE a confidential report setting out their factual findings and their opinion as to whether the Report constitutes a breach of this policy.



Within ten (10) business days of receiving the investigation report, the AVPSE will notify both parties of the outcome, including any sanction or remedial action.



**At any time before a final decision is made, the complainant may request an informal resolution process.**

# Frequently Asked Questions

<p><b>What happens if I disclose?</b></p> <p><b>And who can I disclose to?</b></p>	<p>You can disclose to whomever you feel most comfortable with. We recommend speaking to Mount Counselling Services or the Mount Health Office.</p> <p>You will not be required or pressured to make a formal Report.</p>
<p><b>Will it be confidential if I talk to someone?</b></p>	<p>Disclosures of sexual assault are treated in a confidential manner. However, confidentiality is not absolute and there are times when information may have to be shared, such as if other members of the Mount community may be at risk of harm.</p> <p>See section 20 of our policy for a full understanding of privacy and confidentiality.</p>
<p><b>Do I have to share the name of the perpetrator if I just want to talk to someone?</b></p>	<p>Our main priority is providing you with ongoing support regardless of how you choose to proceed or how much information you decide to share.</p> <p>Most times, you will not be asked for specific information about the perpetrator.</p> <p>In exceptional circumstances, when we believe there may be further risk to you or the broader community, you may be asked for more information.</p>
<p><b>When is a sexual assault reported to police?</b></p>	<p>You may choose to report to the police at any time.</p> <p>We will not pressure you, nor discourage you from reporting a sexual assault to the police.</p> <p>Where the sexual assault has been reported to the police, the Mount may temporarily suspend the internal investigation pending the completion of the police interviews.</p>

**What kinds of support will be available to me?**

Whether you choose to make a report or not, you are entitled to receive support on campus such as safety planning, counselling, medical support, and potential accommodations to your living arrangements or academics.

**What if I'm not sure what happened was sexual assault?**

If you're unsure, we would recommend you speak with a professional, such as a member of the Mount Counselling Services or Health Office teams. Having a conversation with a friend or relative that you are comfortable with may help as well.

If you think it was sexual violence, consider speaking with a professional. More information about resources are on the back of this guide.

**What is the difference between sexual harassment and sexual assault?**

Sexual harassment is an incident or series of incidents of vexatious or disrespectful comments, or behaviours of a sexual nature that demean, belittle, humiliate, embarrass, degrade or attempt to exclude, which is known or ought reasonably to be known to be unwelcome or offensive.

Sexual harassment is prohibited by the Mount's Harassment and Discrimination Policy.

Sexual assault is any sexual activity without consent, including kissing, fondling, touching, oral sexual contact, stealthing, or anal, vaginal or other forms of penetration, without consent.

**It requires physical/sexual contact.**

Sexual assault is prohibited by the Mount's Policy Against Sexual Assault.

**What if I was intoxicated or under the influence of drugs at the time?**

Please know that if you report an incident of sexual assault, you will not face any disciplinary action related to your intoxication. Being intoxicated is not an invitation for sexual activity and you may not have had the capacity to consent. (See section 21 of our Policy Against Sexual Assault.)

# Resources

## Mount Counselling Services

(902) 457-6567

EMF 127G (Library, lower level)

## Mount Health Services

(902) 457-6354

Assisi Hall, 2nd floor

## Avalon Sexual Assault Centre/ Sexual Assault Nurse Examiner

(902) 425-0122

(24-hour response line)

## Legal Advice for Sexual Assault Survivors Program

Register by calling 211

## Supporting Survivors of Sexual Violence

A Nova Scotia Resource

### Breaking the Silence - Online Training Program

Ending sexual violence, and making this world a better place for those who have survived sexual violence, is a collective effort. This training is designed to help you learn more about sexual violence and how to support someone who has survived it. It is for service providers, friends, family members, neighbours, teachers, first responders, counsellors, and anyone who is acting as a support person, or is concerned about sexual violence.

**The full policy, as well as additional resources, can be found at:**

[msvu.ca/sexualassault](https://msvu.ca/sexualassault)

**The Harassment and Discrimination Policy can be found at:**

[msvu.ca/respect](https://msvu.ca/respect)