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Kwantlen Student Association Sexualized Violence and Misconduct Policy

1.0 Preamble

Sexualized violence is anything that disrespects an individual's sexuality, sexual being and sexual activity. The act of sexual violence demeans the survivor and damages their ability to remain in touch with their own sexuality. It also hurts their ability to be intimate with others who may have gained their consent. Sexualized violence gives the abuser power, and this is a societal crisis that affects all genders and cultures around the world. Even though sexualized violence may include violence, it is not always violent. Many sexual assaults occur due to manipulation, coercion, lies, bribes and/or date rape drugs.

2.0 Definitions

Canadian Criminal Code: is a law that codifies most criminal offences and procedures in Canada.

Consent: The voluntary agreement of a person to engage in the sexual activity in question.¹ Consent is an enthusiastic, voluntarily given "yes" between two or more individuals to engage in sexual activity, and can be revoked at any time.²

Consent Culture: Consent culture is a culture in which asking for consent is normalized and condoned in popular culture. It is respecting the person's response even if it isn't the response you had hoped for. We will live in a consent culture when we no longer objectify people and we value them as human beings.³

Gender Neutral: Denoting a word or expression that cannot be taken to refer to a specific gender.

Patriarchy: The interlocking political systems that are the foundation of our state's politics.⁴

Kwantlen Polytechnic University: Is a public degree-granting polytechnic university in British Columbia with 5 campuses located in Richmond, Surrey, Cloverdale, Langley and KPU Civic Plaza.

Kwantlen Student Association: The Kwantlen Student Association (KSA) is a student lead non-profit organization. KSA supports its members during their time of study by ensuring adequate provision for their welfare, activities, political, and social needs. Through its democratic procedures, the KSA represents and reflects the concerns and priorities of its membership to the university and beyond, and strives to uphold the rights of each of its members.⁵

¹ Canadian Criminal Code Section 273.1

² Definition is a combination of UBC, University of Michigan, and Indiana University's resources.

³ <http://onlywithconsent.org/blog/consent-culture>

⁴ Hooks, Bell. *Understanding Patriarchy*: <http://imaginenoborders.org/pdf/zines/UnderstandingPatriarchy.pdf>

⁵ Kwantlen Student Association.



Safe Space: Is a place which people from marginalized groups can go to be free from the marginalization and stereotyping of mainstream society and those who use the space agree to act in such a way to allow anyone to fully express themselves, without fear or being made to feel uncomfortable, unwelcome, or unsafe on account of biological sex, race/ethnicity, sexual orientation, gender identity or expression, cultural background, religious affiliation, age or physical or mental ability.⁶

Sexualized Violence: Sexual violence is defined as a sexual act committed against someone without that person's freely given consent.⁷

Sexual Harassment: Engaging in a course of vexatious comments or conduct that is known or ought to be known to be unwelcome. Sexual harassment is often not about sexual desire or interest and it often involves hostility, rejection, and/or bullying of a sexual nature, and can be referred to as 'gender-based harassment.'⁸

Student: An individual who is studying at a school, college or university.⁹

Rape Culture: as a "complex set of beliefs that encourage male sexual aggression and supports violence against women. It is a society where violence is seen as sexy and sexuality as violent. In a rape culture, women perceive a continuum of threatened violence that ranges from sexual remarks to sexual touching to rape itself. A rape culture condones physical and emotional terrorism against women as the norm... In a rape culture both men and women assume that sexual violence is a fact of life, inevitable." She goes on to state that "rape culture includes jokes, TV, music, advertising, legal jargon, laws, words and imagery, that make violence against women, [LGBTQ+ folks], [men], and sexual coercion seem so normal that people believe that rape is inevitable. Rather than viewing the culture of rape as a problem to change, people in a rape culture think about the persistence of rape as 'just the way things are.'¹⁰"

3.0 Policy

Whereas sexual violence is any sexual act or attempt to obtain a sexual act by violence or coercion, unwanted sexual comments, advances, acts to traffic a person or acts directed against an individual's sexuality, regardless of the relationship the abuser has to the victim.

Whereas rape culture has become a definitive societal crisis that has not been appropriately addressed by media, government, and the educational system. In effect, these institutions reinforce and reproduce patriarchal power structures in society and therefore normalize sexualized violence perpetuated within rape culture.

Whereas individuals have the right to sexuality without violence. Most people conclude that sexualized violence is rape or sexualized assault. This narrowly defines the violence that many individuals face. Sexualized violence is any

⁶ safespacenetwork.tumblr.com/safespace

⁷ Centers for Disease Control and Prevention: CDC 24/7 saving lives, protecting people. "Injury Prevention Control: Division of Violence Prevention, Sexual Violence: Definitions."

⁸ Ontario Human Rights Commission. "Policy on Preventing Sexual or Gender-Based Harassment: Identifying Sexual Harassment."

⁹ Kwantlen Student Association. "Regulations of the Kwantlen Student Association: Article 4: Mission Statement of the Kwantlen Student Association."

¹⁰ Buchwald, Emilie. *Transforming a Rape Culture*.



sexual activity without consent, and any type of sexualized violence is a crime under the Canadian Criminal Code Section 271 subsection (a) & (b).¹¹

Sexualized Violence includes, but is not limited to:

- Rape,
- Sexualized Assault,
- Acquaintance assault,
- Date Rape,
- Drug facilitated sexual assault,
- Bribes, lies, threats, guilt trips,
- Sexual harassment,
- Manipulation,
- Labelling,
- Sexual exploitation of youth for money or survival needs,
- Child sexual abuse,
- Human trafficking
- Sharing sexual/pornographic images

4.0 Resolution

The KSA resolves to create a regular consent campaign that educates students, community members, staff and faculty on sexual violence, and how gaining consent from an individual is vital to having healthy sexual and non-sexual relationships; and

The KSA resolves to support any constructive effort KPU puts forward to create policies and regulations that target sexualized violence; and

The KSA resolves to support the implementation of an annual consent campaign to educate and raise awareness about sexualized violence, consent culture; and

The KSA resolves to support and empower groups, clubs and collectives across the 5 campuses that may wish to discuss or act against sexualized violence; and

The KSA resolves to address systemic changes to dismantle the patriarchy and rape culture in social or educational institutions.

¹¹ Canadian Criminal Code