

Preamble to the Policy

1. We believe that men and women are equal before God and as Children of God deserve fair and equitable treatment, free from any harassment and discrimination.
2. Sexual harassment in any situation is reprehensible and in clear violation of Scripture.
3. The community environment at Emmanuel Bible College (Emmanuel) must be one in which staff and students and visitors can pursue their work and studies without coercion, intimidation, or exploitation. All members of the Emmanuel community share the responsibility for bringing about and maintaining an environment that is free of sexual harassment.
4. All members of the Emmanuel community agree to abide by the Emmanuel Community Commitment, which the following statements are agreed upon:
 - a. 5: I will refrain from practices that are Biblically condemned. In light of our understanding of Scripture, prohibited activities include: ... all forms of abuse of others, and the infringement of the rights of others.
 - b. 6: While Scripture does not teach specifics regarding all social practices, I will uphold the following practices for the betterment of the Emmanuel community: (a) I will not engage in ... sexual harassment ... (b) Sexual harassment includes explicit behaviour including touch, but also harassment that occur through the use of pornography, discrimination, and verbal comments. **N.B. In some cases, sexual harassment progresses to criminal harassment, or even sexual assault* (see additional definitions following sexual harassment).*
 - c. I choose to follow our Emmanuel Lifestyle Commitment with a pure heart and a willing spirit. (Emmanuel Community Commitment)

Definition

Sexual harassment is defined as follows:

1. Making submission to an unsolicited sexual advance or solicitation, expressly or by implication, a term or condition of a person's right to employment, academic success, or to abide in residence, or advancement in employment.
2. Using or threatening to make use of rejection of an unsolicited sexual advance or solicitation as a basis for employment, academic success, living in residence, or other decisions affecting the person or the person's advancement or progress; and/or
3. Engaging in a course of vexatious comments or conduct that is known or ought reasonably to be known to be unwelcome, which occurs on Emmanuel premises or in the pursuance of Emmanuel activities or business, that due to it's sexual nature, content, or innuendo is made in a manner which the initiator knows or ought to reasonably know is unwelcome or creates for that person an intimidating, hostile, offensive, or otherwise uncomfortable working, learning, or

living environment, and which exceeds the bounds of freedom of expression or academic freedom as these are understood in Emmanuel's policies and accepted practices. This policy applies to all staff, faculty and students, whether on campus or off, during official Emmanuel business or personal time.

Examples of sexual harassment may include, but are not limited to:

- 1 Someone says or does something to you of a sexual nature that you do not welcome
- 2 Your boss, landlord, instructor or other authority figure uses their position of power to sexually harass you
- 3 A person suggests that if you become sexually involved with him or her, he or she will give you a better grade, or some other type of incentive
- 4 A person who has authority of power denies you something important, punishes or threatens you for refusing a sexual request, or for complaining about inappropriate sexual behaviour or comments
- 5 Working in an environment which is "poisoned" – that which has become a place where sexual comments or unwelcome touch or gestures have become commonplace.
- 6 Even though you said "no," another student continues to ask you out and follow you around.
- 7 You continually receive X-rated e-mail messages, and now you are reluctant to log on to your account.

A Sexual Assault has occurred if:

Somebody touches you in a sexual way *on purpose*, directly or indirectly, *without your consent*.

Consent – until 1992, "consent was defined in terms of the woman's responsibility to get across her lack of consent to the man in a way that convinced him." He could claim that he had an honest belief that she consented. In 1992, a new bill was passed, which defines consent as the voluntary agreement of the complainant (survivor) to engage in the sexual activity in question.

Criminal harassment is defined as follows:

Sometimes called "stalking" - is any form of harassment which causes the person being harassed to have a reasonable fear for their safety.

Under the Criminal Code of Canada, the following behaviours are defined as harassment:

1. Repeatedly following from place to place another person or anyone known to that other person;
2. Repeatedly communicating, directly or indirectly, with another person or anyone known to them;
3. Besetting or watching the dwelling-house, or place where another person, or

anyone known to that person, resides, works, carries on business, or happens to be; or

4. Engaging in threatening conduct directed at another person or any member of their family

Where someone knowingly or recklessly harasses another person and causes that person reasonably to fear for their safety or the safety of anyone known to them, the conduct constitutes a criminal offence, and is punishable by a range of sanctions up to and including imprisonment.

What are examples of criminal harassment?

Criminal harassment is usually committed by someone whom you know; often it is someone whom you have been close to. It frequently occurs during a relationship breakup or divorce. It often goes unreported because the person at whom it is directed hopes that it will die down or that s/he can deal with it alone.

Sometimes romantic behaviour which at first seems acceptable changes, or starts to feel inappropriate, strange, or unacceptable. If someone repeatedly contacts you, follows you, lies in wait for you, will not take "no" for an answer, and behaves in ways that you find unsettling, you should seek assistance. The unwanted behaviour may escalate; it may become threatening or frightening.

The following are examples of harassment that can escalate into criminal behaviour. You should seek assistance in a situation of this kind:

Unwanted gifts

You receive a weekly present - flowers and other gifts - from a student in your class. This person has asked you out on dates. You have indicated that you are not interested and do not want any more gifts; however, your colleague continues to send presents. You are feeling uncomfortable and are concerned about the gift bearer's intentions.

Repeated contact (phone calls, messages, emails, letters)

You are being inundated with e-mails from an ex-partner that have left you feeling unsettled and confused. The messages are sometimes friendly, and ask if you can work things out; at other times they are hostile and insulting. Some of your friends and family have also started getting voice mail from the same individual attempting to contact you through them.

These are examples of behaviour you should report immediately:

Threats

You and two of your classmates are receiving threatening e-mails from a former partner of one of you. You no longer feel safe either on campus or at home. You are also concerned that the individual knows where your classes are, and will approach you.

Following, Watching

You are being harassed by a former student. The student is approaching other members of the community, asking questions about you and trying to gain personal information about you, has joined your fitness club, and has been seen near your home.

Contacting your family, friends, professors, colleagues, students

Your ex-partner is outraged by the fact that you are not returning any phone calls. Now your ex is repeatedly calling your family, telling them very personal things about your relationship, and implying that if they don't help the two of you to reunite they will be "at risk".

Procedures for Complaints

The following procedure for complaint is not only intended to address specific complaints brought forward, but also to foster healing where possible. As a Christian community, Emmanuel seeks to go beyond the procedures available by the legal system of justice to restoration and reconciliation, as made possible through Christ and biblical teaching.

While Emmanuel promotes, where appropriate, a biblical resolution of problems associated with harassment, it considers all such behaviour to be a serious offence worthy of formal investigation, and subject to a range of disciplinary measures including dismissal or expulsion.

The following procedures are provided to all members to facilitate making of complaints and to govern inquiry into all cases where harassment is alleged, either by the victim/target or by a witness. However, it is recognized that a complainant may not be willing to pursue or feel capable of pursuing the first stage (personal confrontation), in which case she or he shall be entitled to begin the process at the second stage (informal consultation). The process can be terminated at any point prior to the conclusion defined herein, if the complainant withdraws the complaint, and if the supervisor of the process is satisfied that acceptable closure has been achieved.

The commencement of this process does not, at any time, refuse the complainant access to resolution channels offered through the Ontario Human Rights Commission (OHRC) or other authorities such as police if the complainant has experienced a form of criminal harassment or sexual assault.

Personal Confrontation

If someone says something or does something to you that you feel is harassment and do not feel comfortable with, Scripture lays out a process for confronting the person who does you wrong:

1. Confront the Person who does wrong:
 - a. Do not be afraid to say “no” when the action is happening
 - b. Confront the accused and let them know that the comments / actions were inappropriate and unappreciated.
 - c. If unwilling to confront the accused face to face, write a letter, which includes: a description of the action / comment that took place for which you were made to feel belittled and offended, your feelings regarding that action / comment, and a request for the person to cease all actions / comments towards you in the future.
2. Go to a third party with the issue:
 - d. If you feel your confrontation did not work or do not feel comfortable in confronting the accused, see a person in authority: if the accused is a student, your RA, the Dean of Student Life; if the accused is a member of the faculty or staff, the Dean of Students, Academic Dean, Human Resources Director, or President.
 - e. The purpose of this consultation is:
 - i. To talk through the incident with an impartial third party
 - ii. To discuss the incident to clarify the intent of the action / previous behaviour patterns
 - iii. To clarify the complainants rights and responsibilities
 - iv. To discuss options available for proceeding
 1. Confront the accused
 2. Have third party mediate discussion between complainant and accused
 3. Have third party confront the accused on behalf of the complainant
 4. Lodge a formal written complaint
3. Go to the community with the issue:
 - f. Once a formal written complaint has been issued, if the accused is a student, the matter will go to the Student Conduct Committee. If the accused is a member of staff, the matter will go to the Board of Governors.

Contact Information:

President – Dr. Mark Boughan ext. 226

Academic Dean – Dr. Stephen Roy ext. 228

Dean of Student Life – Marjorie Hopkins ext. 236

Director of Human Resources – Bonnie Fraser ext. 226

Counselor –519-894-8900 ext. (male) 519-894-8900 ext. 282 (female)

Where to go for immediate help

If you believe that you are in immediate danger, or in case of an emergency, contact:

Waterloo Regional Police

Emergencies – 911

Other calls – 519-653-7700

Distress Line – 519-745-1166

Sexual Assault Treatment Centre – 519-749-6994

Website: www.sacc.to

Processing a Complaint

Note that all complaints that involve or name a member of the staff or faculty will automatically involve the Director of Human Resources. All complaints that involve a student will automatically involve the Dean of Student Life.

If you feel that you have been the victim of any form of harassment or assault, you are encouraged to meet with the Dean of Student Life. Staff members are encouraged to meet with their supervisor, or the Director of Human Resources. This meeting will serve as the initial investigation. The goal is to find coping strategies, and ways to confront the offending individual so that the behaviour will stop. If the Dean of Student or the Director of Human Resources feels there is sufficient evidence, they will seek to proceed with a formal investigation.

Formal Investigation

The formal investigation generally takes the form of interviews, and/or written accounts of what has taken place. These will be kept in a file, and confidentiality will be maintained.

Once this investigation has occurred, the Dean of Student Life, or the Director of Human Resources will make a decision as to whether or not the situation calls for a formal disciplinary action.

Disciplinary Action

For a detailed outline of the disciplinary process please see page 18 of the Student Handbook.

As a point of process, any accusations made of Sexual Harassment, Criminal Harassment, or Sexual Assault will proceed directly to a meeting with the Dean of Student Life, who may in turn decide to call a meeting of the Student Conduct Committee. A permanent record of the Committee's decision is placed in the student's record.

Confidentiality

Emmanuel recognizes the importance of reputation and dignity for each person. For this reason, during the process of complaint, investigation or disciplinary action, those responsible for the situation will do the utmost in their power to keep the issue confidential. Only those who need to know what is happening will be kept informed. This is to protect the victims, as well as the accused. Our goal as a community is to be a safe place for all people to study, work and live.