

SFCC Charter

Preamble

This document was written in order to encapsulate and support the values and principles that the founders of Students for Consent Culture Canada (SFCC) committed to when deciding to engage in this work at a national level. SFCC was founded in the Fall of 2018 by a group of student anti-sexual violence activists and advocates who had previously organized together under the name 'OurTurn National.' SFCC is an organization dedicated to supporting anti-sexual violence advocacy and activism on campuses across Canada by serving as a hub of resources, tools, and institutional memory for students to engage with.

SFCC acknowledges that its work across Kanata (also known as Canada) takes place largely on the unceded territory of many Indigenous communities. Sexual violence is a symptom of the larger colonial system that "Canada" is based off of and continues to perpetuate. We cannot speak of consent on campuses without also acknowledging, unpacking, and addressing the ongoing non-consensual relationship Canada has with Indigenous communities. SFCC commits to taking an intersectional approach when invited to do work across these territories. Please refer to SFCC's Anti-Oppression policy for a further outlining of its anti-colonial commitment.

Section 1: Definitions

1.1 Interpretation The following terms are defined for the purpose of this Constitution:

- a) **Board of Directors:** designates the internal body of Students for Consent Culture Canada which is composed of the Executive and Directors and defined in Section 9 of the Bylaws;
- b) **Chair or Co-Chairs:** designates the person or persons who have been elected to lead the organization, provide support to all members, and act as spokesperson(s) of the organization;
- c) **Consent:** means the voluntary agreement to engage an activity in question and refers to both sexual and non-sexual forms of

consent. In other words and without limiting the foregoing, consent:

- i) Is never assumed or implied;
- ii) Cannot be obtained by silence or the absence of 'no';
- iii) Cannot be obtained if one is impaired by drugs or alcohol, is unconscious, is under the legal age of consent, or is mentally or physically incapacitated by other means;
- iv) Cannot be obtained through threats or coercion;
- v) Cannot be obtained if the perpetrator is in a position of trust, power, or authority;
- vi) Cannot be obtained only in advance, and must be obtained at the time that the act occurs;
- vii) Cannot be obtained by means of fraud, extortion, or blackmail;
- viii) Can be revoked at any time;
- ix) Must be given for every act, every time; and
- x) Must be obtained by the person(s) engaging in the act and never by another third party.

- d) **Director:** designates a member of SFCC's Board of Directors;
- e) **Gender-Based Violence:** refers to a broad understanding of gender-based violence. Gender-based violence is often understood to consist mainly of sexual assault or abuse and sexual harassment, mainly by men against women. While this is one major dimension of gendered violence, we do not see it as simply an act of violence between two binary sexes. Instead we include gender and sexual identities within broader systems of hierarchy, power, and discrimination. We recognise that GBV intersects with other forms of violence and oppression in ways that can impact its meanings and effects on victims and survivors. These include racism, homophobia, transphobia, ableism, classism, and poverty;
- f) **Intersectionality:** The concept of intersectionality, first introduced by Kimberlé Crenshaw, is important to understand how different systems of power and oppression work together to mediate an individual's lived experiences. These systems include racism, classism, cis-sexism, homophobia, ableism and xenophobia, among others. They are interconnected and cannot be examined in isolation. Similarly, different aspects of an individual's identity interact to influence their navigation, opportunities and experiences.

An intersectional approach takes into account the historical, social, and political context and recognizes the unique experience of the individual based on the intersection of all relevant grounds. It also recognizes that no identity is inherently oppressed, but instead oppression is imposed through systematic and systemic mechanisms of the state and society;

- g) **Sexual Violence:** any sexual act or act targeting an individual's sexuality, gender identity or gender expression, whether the act is physical, emotional, social or psychological in nature that is committed, threatened or attempted against an individual without that individual's consent. Examples of sexual violence are sexual assault, sexual harassment, stalking, indecent exposure, voyeurism, distribution of a sexually explicit photograph or recording, and stealthing;
- h) **Survivor:** for the purposes of this document, a person who has experienced an act or acts of sexual violence as it has been defined above. We want to acknowledge that everyone labels their experiences of sexual violence, abuse, assault, and trauma differently. The term survivor is used throughout this document to identify those who have experienced violence or abuse but that people may - and have every right to - choose to identify themselves or their experiences differently. We wish to underline that any and all language someone may or may not choose to use when naming or labeling their experience is valid, important and their choice;
- i) **Victim:** While some folks may chose to identify with survivor-first language, our justice system, institutions and society continue to victimize people who have experienced sexual violence. Thereby, some people are not given the privilege of surviving, or of claiming "survivorhood", victimization is an ongoing process and we recognize the strength in identifying as a victim.

Section 2: Provisions of the Constitution

2.1 Interpretation. This text is written to be gender-neutral, and 'they' is used as a gender neutral singular.

2.2 No provisions of the regulatory texts should be interpreted in such a manner as to increase the responsibility of the directors beyond what is provided for by the Canada Not-For-Profit Corporations Act.

2.3 The Constitution prevails over any other regulations/policy in SFCC. In the event of contradictions between the Canada Not-For-Profit Corporations Act, and SFCC's governance documents, the Canada Not-for-Profits Corporations Act takes precedence

Section 3: Mission, Purpose, and Guiding Principles

3.1 SFCC seeks to support and unite post-secondary students across the country to end campus sexual violence. SFCC adopts an anti-oppressive, survivor-centric, and intersectional approach to all anti-sexual violence work. The organization seeks to support groups at the grassroots level through developing and providing resources for prevention, supporting programs and campaigns, and serving as a centralized hub of resources, tools, and institutional memory for students to engage with. SFCC also engages in advocacy at the provincial and federal level to create better policies, practices, and accountability measures to protect students. Our overall goal is to create cultures of consent on campuses across Canada.

3.2 SFCC adopts the following guiding principles:

- a. **Accessibility.** SFCC recognises the brilliance of our members and community members with disabilities and the impacts that cultures of productivity, perfectionism, and toxic organising expectations have on people with disabilities. SFCC further recognises our role in creating working and learning environments that empower people with disabilities and take action to make accommodations for including all peoples. Accessibility of Meeting Locations: SFCC will strive to ensure that all meeting locations both in person and online are accessible and comfortable to participants.
 - i. Wheelchair accessibility: All in-person meetings of SFCC will be held in a wheelchair accessible space.
 - ii. Lighting: SFCC will ensure that all in-person meetings are held in a room without fluorescent lighting if that is requested at least two weeks in advance by a member.
 - iii. Scent: SFCC will ensure that in-person meetings are held in a scent-free space

- iv. Washrooms: SFCC will indicate the location of the nearest gender-neutral washrooms for each in-person meeting and will strive to hold in-person meetings in locations with nearby gender-neutral washrooms.
- v. Childcare: SFCC will provide childcare to any delegate if requested at least two weeks in advance. This includes meetings in person and online.
- vi. Accessibility of Web Materials: SFCC will strive to implement components of web accessibility such as image descriptions in order to ensure that the widest variety of members can receive adequate information.
- vii. Online Accessibility when planning any event or meeting, participants will be asked if there are any accommodation needs to be met.
 - 1. See this document for information on accessibility needs for event

- b. **Anti-oppressive Environment.** SFCC will promote an anti-oppressive environment which creates a safer space for the Executives, Directors, volunteers, and partners. SFCC will formally adopt the following framework and use it as a guideline for creating an anti-oppressive environment:
 - i. Recognition that historical and ongoing processes of oppression disadvantage and harm certain groups of people;
 - ii. Take proactive steps to challenge and acknowledge the current and historical processes that affect the safety and well-being of these groups;
 - iii. Acknowledgement that certain groups of people knowingly or unconsciously benefit from these processes;
 - iv. SFCC will take proactive steps to challenge the actions, attitudes, and assumptions that result from these processes of oppression. This includes but is not limited to pursuing ongoing and evolving training and development opportunities and working to increase accountability mechanisms in the organization.
 - v. Recognition that many people doing anti-violence work carry their own experiences and trauma with them and that this affects how they organize.
 - 1. Take proactive steps to acknowledge and create a working environment that supports and is able to accommodate these folks for short or long periods of time
 - 2. Fostering a culture of consent in their spaces by having a practice of asking folks first before engaging in emotional conversations or physically touching them.
 - vi. Recognition that a commitment to anti-oppressive practices includes constant learning, re-learning, and unlearning
 - 1. Take proactive steps to ensure that the SFCC Team is constantly reflecting on, and re-evaluating their work and how to better their

practices, through formal and informal feedback channels, closed sessions, training, etc.

2. Formally condemn harassment or discrimination based on, but not limited to: race, language, class, gender identity or presentation, sexual orientation, age, religion or ability.

c. Compensated Labour Practices: It is important to acknowledge that sexual violence advocacy and support work is often unpaid. Furthermore, this unpaid labour is often conducted by women and non-binary folks —many of whom carry intersecting marginalized identities — who already face economic disadvantages within Canadian society. When implementing new sexual violence-related programs on campus it is important that student unions specifically take steps to ensure that this work is fairly compensated. That is why SFCC has a commitment to work toward compensating folks and compensating them fairly, recognising that the organization itself suffers from chronic underfunding. The following are additional commitments that SFCC makes regarding fair and compensated labour practices:

- i. All non-elected workers hired by SFCC will have the right to join or form a union of their own choosing and bargain collectively;
- ii. SFCC will strive to the best of its abilities based on funding received to pay all workers employed by SFCC at least a living wage in their area, which will be adjusted to inflation using the Consumer Price Index; and
- iii. SFCC values hiring staff from a variety of different backgrounds.

d. Consensus-Based Decision Making: Consensus-based decision making (CBDM) is an invaluable tool within the movement to build cultures of consent and to practice collaborative discussion that respects both the group and the individual. It also reflects principles of traditional and ongoing systems of governance held by many Indigenous peoples. SFCC commits at all times to prioritizing reaching consensus within its decision making, including making sure that all members of the Board are fully trained in consensus-based decision making strategies and skills. Although this document and other governing documents of SFCC refer to a $\frac{2}{3}$ majority and basic majority decision-making thresholds, SFCC is to vote using these thresholds only when absolutely no consensus can be obtained. SFCC uses the definition of CBDM found [here](#).

e. Equity, Diversity, and Inclusion. As an organization working in and supporting anti-violence, SFCC recognises the imperative to center the voices who have been the most harmed and marginalised by colonial systems. We further recognise the role that white women have specifically played in perpetuating

these systems and the marginalisation of BIPOC, disabled, and LGBTQQIP2SAA peoples. We further recognize that gender-based inequalities threaten the safety, well-being, and human rights not only of women, but also of Two-Spirit people, gender non-conforming people, trans people of all genders (not only women), and people with non-binary gender identities. SFCC is committed to an inclusive vision of feminism that defends the right to be free from discrimination based on gender identity and gender expression. Rather than treating everyone the same, we will pursue and enact substantive equity that ensures that historically disadvantaged and intentionally marginalised peoples can actively participate in our organization. As such, we will:

- i. Treat each other with respect and dignity and conduct ourselves according to our principles and values as an organization. This means that we will create and maintain a safe environment that is free of acts of oppression and discrimination.
- ii. Identify systemic and other barriers to employment or program participation and take steps to rectify any discriminatory policies or practices.
- iii. Hire, engage and retain employees, Directors, Executives, and volunteers who reflect the diverse community that we serve.
- iv. Develop programs that respond to the needs of our membership, participants and the community.
- v. Provide on-going information, training and education for all Directors and Executive, as well as volunteers to help eliminate discrimination and promote inclusion.
- vi. Be conscious of and accommodate invisibilised disabilities such as chronic health conditions, serious illnesses, learning differences and mental health issues.
- vii. Ensure that when someone has a concern, that they have the right to speak up and share their concerns, knowing that SFCC wants to hear them and that there will be no repercussions.

- f. **Gender Sensitivity and Gender Inclusion:** SFCC seeks to adopt a gender sensitive and gender inclusive approach to responses to sexual violence on Canadian campuses.
 - i. A gender sensitive approach recognizes that sexual violence is part of a broader spectrum of gender-based violence and violence against women and girls. However, this is not to deny the experiences of male and non-binary survivors. That is why SFCC seeks to adopt a gender inclusive approach in conjunction with a gender sensitive approach.

- ii. A gender inclusive approach recognizes that individuals of any gender identity or sexual orientation may perpetrate and experience sexual violence. It recognizes the full continuum of gender identities and the reality of sexual violence experienced by individuals along the gender spectrum as a result of toxic masculinity and rape culture.

g. Indigenous Sovereignty. SFCC acknowledges that the land of so-called Canada (Kanata) is located on unceded and unsurrendered Indigenous territories. As such, the development of the cities and our universities where we work continue to be a part of settler colonialism. SFCC will seek to continuously work on Indigenous solidarity and anti-colonialism in concrete ways, acknowledging the important role neocolonialism plays in any conversation about sexual violence that takes place in so-called Canada. SFCC recognizes our responsibility to work for the full realization of the rights of Indigenous peoples. In the context of historic and ongoing colonial violence and injustice, we understand that fulfilling this responsibility requires a deep and continual commitment. We respectfully acknowledge that our work occurs across the settler state of Canada, whose sovereignty relies on the exploitation and ongoing settlement of stolen lands. We understand that many of us are uninvited guests to these territories. As an organization that includes many settlers, we take responsibility for learning and seeking long-term transformation in our relationships with Indigenous peoples and land.

- i. Land Acknowledgement: The Chair or Co-Chairs will read a territorial acknowledgement at the beginning of any workshop, presentation, or Board of Directors or General Meetings of SFCC. This acknowledgement will recognize the colonial past and present in relation to the work that SFCC engages in, including first and foremost conversations about sexual violence, which disproportionately affects Indigenous women and two-spirit individuals.

h. Intersectional Approach: It's crucial to recognize that individuals with intersecting marginalized social identities—that include but are not limited to women, trans and gender nonconforming people, queer people, Black peoples, Indigenous Peoples, racialised peoples, people with lower socioeconomic status, and people living with disabilities—are disproportionately impacted by sexual violence. This is evident in the following statistics: Indigenous women are 3x more likely than non-Indigenous women to experience sexual violence, women living with disabilities are 3x more likely to be forced into sexual activity using threats or force, and at least 1 in 5 transgender and non-binary students have experienced sexual assault. As part of the principle of intersectionality, SFCC

also recognizes the reality of many marginalized groups in their interactions with authorities. Specifically, it seeks to recognize that certain groups do not feel safe while interacting with police and security personnel, authority figures from their post-secondary institutions, and support staff due to systemic discrimination and mistreatment. It is important to understand and respect the choices of all survivors, particularly those from marginalized groups who may seek alternative means of recovery, support, and recourse, and that the tools needed for healing may look different. SFCC also recognizes the need for intersectional approaches to policy, and will actively continue to consult and work on how to better reflect intersectionality in our work, understanding that this is a continuing process of reflection and learning.

- i. **Solidarity:** SFCC recognizes that the principle of solidarity is at the heart of social change. It is constituted as a space for collaboration and sharing with other groups working with similar goals, allowing links of solidarity to develop within the larger student anti-violence community. This also means recognizing that sexual violence does not just impact the student community, and that in order to address the issue of sexual violence on campuses we must work with groups who are addressing sexual violence outside of campuses, student survivors' friends, families, and support systems, and those doing other anti-violence, anti-colonial and anti-precarity work, as all forms of violence are inextricably related to one another. We cannot commit to ending one form of violence without being prepared to end them all.
- j. **Survivor-centrism:** A survivor-centred approach requires all those who engage in sexual violence prevention and support programming to prioritize the rights, needs, and wishes of the survivor. SFCC adopts the definition of survivor-centric approach developed by the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women). UN Women defines a survivor-centered approach as a method that “seeks to empower the survivor by prioritizing [their] rights, needs, and wishes.” For the purposes of this Constitution, the term survivor-centrism recognizes that everyone, regardless of their gender or other identities, can experience sexual violence and choose to self-identify as a survivor.
- k. **Transparency:** SFCC recognizes the necessity for transparency, particularly as it relates to the sharing of information, as part of its goals of representation and democracy. SFCC favours the exchange of necessary information and is open to the criticism and needs of its members. Accessible information helps to maintain students' trust and participation in the organization's life. We will make official

documents public. We also will provide agendas and meeting minutes to community members when requested by members, as outlined in Section 4.e of the Bylaws.

Section 4: Administration

4.1 Governing Documents. The documents governing SFCC are:

- a. The Canada Not-for-Profit Act;
- b. Charter;
- c. Bylaws;
- d. Policy Manual.

4.2 In the case of conflict between the contents of SFCC's governing documents, the document listed higher shall prevail.

4.3 The governing documents under SFCC's control include:

- a. Constitution;
- b. Bylaws
- c. Policy Manual.

4.4 The purview of each document shall be as follows:

- a. Constitution: sets out in the most general terms the fundamental function of SFCC, as well as the fundamental principles, goals, and responsibilities of SFCC.
- b. Bylaws: sets out the requirements of SFCC under the Canada Not-for-Profit Act including the Board of Directors, membership, and organizational structure.
- c. Policy Manual: sets out the details of SFCC's day-to-day operations and functions, positions, and the mechanics thereof.