

DEFINITIONS

Sexual Assault includes, but is not limited to, any sexual activity by a group or individual that takes place without the effective consent of the other individual(s) involved. Effective consent is shown by the exchange of mutually understandable words or actions between parties to a sexual interaction. To give effective consent, one must be of legal age (18). Consent must be informed and freely and actively given; silence in and of itself is not an indication of consent. To be effective, consent cannot be procured by use of physical force, compelling threats, intimidating behavior or coercion. Consent may be withdrawn at any time. Sexual activity with someone mentally or physically incapacitated (because of disability, alcohol/drug use, sleep, unconsciousness, blackout or bodily restraint) is a violation of this policy. Sexual activity includes, but is not limited to, intentional contact with breasts, buttocks, groin or genitals, or touching another person with any of these body parts, or making another person touch you or themselves with or on any of these body parts; intercourse, however slight, meaning vaginal penetration by a penis, object, tongue or finger, anal penetration by a penis, object, tongue or finger; and oral copulation (mouth to genital or genital to mouth contact).

Sexual Harassment is a sexual misconduct that includes unwelcome sexual advances, requests for sexual favors, and other verbal, written or physical conduct of a sexual nature when 1) submission is made explicitly or implicitly a term/condition of educational benefits, academic evaluations or access to/participation in other College activities or opportunities, 2) submission to or rejection of such conduct or communication is used as the basis for educational decisions affecting an individual, or 3) the behavior is sufficiently severe or pervasive to unreasonably interfere with the student's education or College activities, or creates an intimidating, hostile or objectively offensive educational environment. Sexually harassing behavior may include, but is not limited to, spreading sexual rumors, catcalls or whistles, making sexual gestures, exposing genitalia and/or touching oneself sexually in front of another, repeated and unwelcome sexual conversations, unwelcome and persistent flirting or teasing of a sexual nature, persistent efforts to develop a sexual relationship, pressure to engage in sexual behavior, other verbal or physical conduct that could be construed as sexually-based, or unwanted electronic capture (webcam, camera, video, etc.) of a sexual nature. These behaviors may be verbal, written or electronic in nature. Sexually exploitative behavior occurs when a student takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses. Sexual exploitation may include, but is not limited to, prostituting another student, non-consensual video/audio-taping or photography of sexual activity, unauthorized posting/distribution of materials involving the sexual activity of another person, going beyond the boundaries of consent (such as voyeurism/secretly watching others), or knowingly transmitting an STD or HIV to another student.

Domestic/Dating Violence is the willful intimidation, physical assault, battery, sexual assault and/or other abusive behavior perpetrated by a domestic partner or a dating partner against the other partner.

Stalking means engaging in conduct directed at a specific person that would cause a reasonable person to fear for his/her safety or the safety of others or suffer substantial emotional distress.