

# Sexual Misconduct Prohibited Behaviors Survey

These behaviors are commonly prohibited under sexual misconduct policies and the law. Please review each entry. Place an X in the box related to a behavior if you have participated in this behavior at your campus, if you have witnessed this behavior by others at your campus, or if you have heard about this behavior happening at your campus. Strive to be as honest as possible in your responses.

- Sexual Innuendo: Sexual innuendo is the subtle or indirect implication of sexual interest, or communication suggesting something sexual. Behaviors consistent with sexual innuendo include:
  - Use of nicknames with a sexual connotation or use of any nickname when it is unwanted by the person to which it is assigned
  - Comments about another person's appearance, face, hair, mouth, or body
  - Comments that infer that another person has a sexual nature
- Unnecessary Physical Contact: Unnecessary physical contact is any form of touch that is uninvited. Behaviors consistent with unnecessary physical contact include:
  - An unasked for hand on the shoulder, forearm, or small of the back
  - An unasked for neck massage
  - Leaning over another person and making needless body contact
  - Touching another's hair or clothing without their permission
  - Rubbing the body against another in passing
  - Patting or stroking another person without their consent
  - Leaning or bracing against a massage client while he or she is on the massage table
- Sexually suggestive looks, sounds, or gestures including:
  - Winking
  - Throwing kisses
  - Making kissing sounds
  - Making kissing motions
  - Whistling
  - Making sounds that suggest sexual intercourse
  - Making sexual gestures with the hands or through body movements
- Using one's physical presence to prevent another from moving easily out of an enclosed space or through a door.
- Unwanted text messages (with or without sexual content).
- Unwanted email messages (with or without sexual content).

- Unwanted phone calls or phone messages (with or without sexual content).
- Showing up at another's home or workplace without an invitation.
- Sharing magazines, websites, or videos that include sexual content.
- Telling jokes about sex or gender-specific traits.
- Sexual slurs, name calling, or derogatory language directed at another person's sexuality, gender, gender identify, sexual orientation, or gender expression.
- Insults or threats based on sex, gender, gender identification, sexual orientation, or gender expression.
- Written graffiti or the display or distribution of sexually explicit drawings, pictures, video, or written materials.
- Sexual talk including:
  - Sharing one's own sex life publicly
  - Asking another about their sexual fantasies, preferences, or history
  - Turning school discussions to sexual topics
  - Spreading gossip about another's sex life, sexual orientation, or perceived sexual nature
  - General sexual banter in school settings
- Improper Romantic Relationships: All relationships where an imbalance of power is present are prohibited because they may influence a subordinate's employment or academic standing. Therefore, romantic relationships between any employee and any student are prohibited. All supervisory staff and all faculty should avoid engaging in romantic relationships with individuals over whom they exercise or have the potential to exercise power.
- Touching oneself in a sexual manner or performing masturbation in front of another who does not consent.
- Exposing one's body unnecessarily to another. It is never appropriate to expose one's breasts, genitals, anus, or buttocks to another. It is not appropriate to expose another's breasts, genitals, or anus through poor draping. The buttocks of the client may be exposed for the purposes of therapeutic massage with the consent of both client and practitioner. However, the gluteal cleft may not be exposed at any time.
- Placing pressure on someone else to perform sexual favors such as pressure to perform oral sex, pressure to touch the other, or pressure to allow or participate in kissing.
- Use of a position of power or authority to threaten or punish, either directly or by implication, for refusing to tolerate harassment, for refusing to submit to sexual activity, for reporting sexual misconduct, or for the promise of rewards in return for sexual favors.
- Acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex stereotyping.
- Recording images (e.g., video, photograph), audio, or otherwise of another person's sexual activity, intimate body parts, or the person in a state of undress.

- Even if a person consented to sexual activity, consent must also be given to any photographing or recording of sexual activity. In addition, even if a person consented to photographing or recording of sexual activity, consent must also be given for any distribution of that material.
- Viewing another person's sexual activity, intimate body parts, or the person in a state of undress in a place where that person would have a reasonable expectation of privacy.
- Stalking: Any course of conduct (two or more acts) directed at a specific person that would cause a reasonable person to suffer emotional distress or to fear for their safety or the safety of another. Stalking behaviors include unwanted communication, following, monitoring, observing, surveilling, threatening, or interfering with a person's property.
- Cyberstalking: Any course of conduct (two or more acts) directed at a specific person utilizing electronic media such as the Internet, social networks, blogs, texts, or other similar forms of contact used to pursue, harass, or make unwelcome contact with the targeted person.
- Unsolicited sexual touching without the consent of the other person including:
  - Touching a woman's breasts without consent.
  - Touching a man or woman's buttocks without consent.
  - Touching a man or woman's genitals without consent.
  - Forcibly hugging, kissing, or holding someone down.
- Rape: Consistent with state and federal laws, rape means penetration of the vagina, anus, or mouth of another person, with or without force, by a sex organ, other body part, or foreign object, without the consent of the victim.
- Retaliation: Consistent with state and federal laws, this policy prohibits retaliation against a person for reporting discrimination and harassment, filing a complaint of discrimination or harassment, or participating in the investigation or adjudication of such a complaint. Retaliation is also prohibited against persons who assist others in bringing a complaint of discrimination or harassment by offering advice and moral support or by giving testimony or documentary evidence in response to a complaint. Retaliation includes but is not limited to:
  - Acts or words that constitute intimidation, threats, or coercion intended to pressure any individual to participate, not participate, or provide false or misleading information during any proceeding under this policy.
  - Retaliation may include abuse or violence, other forms of harassment, and/or making false statements about another person in print or verbally with intent to harm their reputation.
- False Accusations of Sexual Misconduct: A claim would not be deemed intentionally false merely because there is insufficient evidence to prove a violation of this policy or because it is deemed to be without merit. An intentionally false claim is one made with knowledge beforehand that it is false and with malicious intent toward another person.