**Sexual Misconduct** is what’s known as an ‘umbrella term’ which means that it encompasses a wide range of behaviors and actions. We use the term ‘Sexual Misconduct’ not to minimize what has happened to someone but to make sure that we are inclusive of all the behaviors that someone can experience.

A common misconception surrounding this topic is that for something to be considered ‘serious,’ or an ‘actual rape/sexual assault’ is that it has to be sexual intercourse performed with physical force. The common scenario that people think of is the ‘stranger danger’ wherein a perpetrator surprises their victim in a very clearly violent and overtly predatory way. While that can and does happen, what is more commonly seen among college students are scenarios where the people involved know (and often trust) each other. Alcohol and/or drugs are often involved. Sometimes the concerning behavior is seen by friends as a ‘normal part of hook up culture.’ There are a lot of misconceptions in our society that can make it difficult for a recipient of unwanted contact (or a friend trying to help someone decide what to do) to figure out what exactly happened and what they should do.

The truth is that *any sexual act performed without effective consent is a serious violation, is sexual misconduct and is a violation of SLU’s policy.* Sexual Misconduct is an inclusive term and can be any of the following things:

- Sexual Harassment
- Sexual Assault
- Rape
- Sexual Exploitation
- Stalking (when gender based)
- Sexual Violence
- Dating, Domestic, or Relationship Violence
- Any sexual contact and/or act that is performed by force (implied or direct)
- Any sexual contact and/or act that is performed without effective consent
Defining the Terms Surrounding Sexual Misconduct

More details are available on many of these terms within SLU’s Sexual Misconduct Policy; some of the language contained in this section is excerpted from SLU’s policies.

What is Sexual Harassment?
Sexual Harassment is unwelcome, unsolicited, and offensive conduct that is severe or pervasive. This means that sexual harassment could be performed with words, non-verbal conduct, and/or with actions. Sometimes a single instance of harassment is severe enough to constitute sexual harassment, such as in the case of a sexual assault or rape. Sometimes it is a repeated behavior over a period of time – an example of this might be someone who continually makes graphic sexual jokes or innuendoes in the classroom or workplace.

What is Sexual Assault?
Sexual Assault refers to engaging in any form of sexual contact with another person (or persons) without their clear, knowing, and voluntary consent. This could include rape, but it does not have to include penetration to be considered sexual assault. This could be any form of non-consensual sexual activity. Sexual Assault might also be referred to as non-consensual sexual contact. If you’re starting to think that sexual harassment, sexual assault, and non-consensual sexual contact are all very related then you are correct. Sometimes people use the terms ‘sexual assault,’ ‘sexual harassment’, or ‘non-consensual sexual contact’ interchangeably – don’t let that confuse you. If it happened without consent, it’s not OK!

What is Rape?
This is a term that most people are familiar with. However, one of the common misconceptions around rape is that it can only be perpetrated by a man upon a female, i.e. penis into vagina sexual contact. However, any gender identity (or sexual orientation) can be a perpetrator or recipient of unwanted sexual intercourse.

What is Sexual Exploitation?
This is a term that people don’t hear very often but it’s an important concept to understand. Sexual Exploitation occurs when someone takes non-consensual or sexually abusive advantage of another or benefits from
that exploitation. This term includes things that may not necessarily fall neatly under another definition. Some examples include:
- Someone who takes videos or photos of another without their consent during sexual activity
- Invasion of sexual privacy (voyeurism)
- Prostituting someone
- Exposure of one’s genitals or trying to get someone else to expose themselves
- Knowingly transmitting an STI to another person
- Letting someone watch a sexual encounter where one of the parties is unaware or did not consent to that taking place

What is Stalking?
This is another term that often evokes images of a stranger becoming obsessed with someone (often depicted as a male becoming obsessed with a particular female) and following their every move with the intent to intimidate and threaten the recipient of the unwanted contact. That can and does happen, and it is a clear violation of campus policy (as well as possibly the law). However, sometimes stalking is tough for the victim to define when it involves someone that a student knows and perhaps used to be close to in some way. The basic definition of stalking is when any person purposely and repeatedly (Two or more times) engages in an unwanted course of conduct that would cause a reasonable person to fear for their or others’ safety or if that course of conduct causes the person to suffer substantial emotional distress. Stalking can take a very physical form in the shape of a person following someone or showing up in the same places, but it can also be cyber-stalking or take place online through social media, email, etc.

What is dating violence?
How is that different from relationship or domestic violence?
Sometimes this can be a tough concept because relationships have many different nuances – what one person calls ‘dating’ another person might call ‘hooking up.’ Violence within a dating relationship is prohibited by SLU’s Sexual Misconduct policy. ‘Dating’ refers to people who have been in or are in a romantic or intimate relationship with each other. Some students may refer to this as someone who they regularly ‘hook up’ with or a ‘friend with benefits.’ When someone commits an act of violence within the context of that relationship, it is considered dating or relationship violence. When determining if something is considered ‘dating’ or a ‘relationship’ the length of time, frequency, and nature of peoples’
interaction is evaluated. Sometimes people also use the term ‘intimate partner’ violence if they are unsure of the defined relationship of the people involved other than just knowing that they have had sexual relations at some point. These are all very closely related terms that some use interchangeably. What separates domestic violence from these other terms is whether or not the people involved share a home together, however the cycles and types of abuse often look very similar. For more information on signs of abusive relationships, please visit the ‘quick facts’ and ‘links’ sections of this site.

What is sexual violence? What about non-consensual sexual contact or non-consensual sexual intercourse?
These terms are all closely related. Sexual assault is an act of sexual violence. Sexual violence is any sexual act committed without freely given consent. This can take the form of non-consensual sexual contact (any sexual act that is performed without consent) and/or non-consensual sexual intercourse (any type of penetration performed without consent). The CDC (Centers for Disease Control) divide sexual violence up into these types of interactions (the following examples are taken from www.cdc.gov):

• Completed or attempted forced penetration of a victim
• Completed or attempted alcohol/drug-facilitated penetration of a victim
• Completed or attempted forced acts in which a victim is made to penetrate a perpetrator or someone else
• Completed or attempted alcohol/drug-facilitated acts in which a victim is made to penetrate a perpetrator or someone else
• Non-physically forced penetration which occurs after a person is pressured verbally or through intimidation or misuse of authority to consent or acquiesce
• Unwanted sexual contact
• Non-contact unwanted sexual experiences

What is Bystander Intervention?
Often when we talk about preventing sexual misconduct we use the phrase ‘bystander intervention.’ You can find more information about bystander intervention on this website under the ‘Prevention and Intervention’ section, but simply stated this is any action that a person takes to help combat a sexually abusive culture, environment, or situation. This could be something as simple as supporting an educational program, giving a friend some resource information, or asking someone if they are doing OK and being willing to listen and support them. Sometimes people
think that ‘bystander intervention’ means that you have to jump in between two people and fight someone off—this is not true. Often there are friends or acquaintances who witness behavior that is concerning but are unsure of what to do about it. Bystander intervention means that you become personally invested in helping make your campus and community safer. It also means that you reject ‘rape myths’ and take part in confronting gender stereotypes and sexism wherever you see it. It might mean voicing your objection to a sexist joke or a derogatory comment that objectifies any person. It might mean that you help take part in an awareness campaign on campus. Students who become active and involved (in whatever forms they choose) in awareness raising efforts can help make their community a safer and more inclusive environment!

What is a Rape Myth? What is Rape Culture?
The researcher and author Martha Burt published an article in 1980 that described a ‘rape myths’ as “prejudicial, stereotyped, or false beliefs about rape, rape victims, and rapists.” While that definition came about a number of years ago, people are still working to combat these persistent myths in our society. Examples of common rape myths (counter arguments are in parentheses) include:

- Rape is about uncontrollable lust and sexual attraction (False: Rape is about power, control, and violence…and can happen to any person, not just conventionally ‘attractive’ people)
- Rape can’t occur between a married couple (False: Being married is not a ‘blank check’ for consent)
- Some rape victims ‘ask for it’ or invite sexual assault by the way they dress, act, or drink (False: No one gives up their rights to their body by how they dress or if they drink alcohol or use drugs. Taking someone out to dinner does not mean the other person ‘owes them’ sexual acts in return.)
- Most rape victims lie for attention or exaggerate details to get someone in trouble (False: Research indicates that false reports of rape are in line with rates of false reporting for other crimes, estimates range between 2-8%, see studies performed by David Lisak for more information)

So, rape culture refers to the way our society can reinforce these harmful stereotypes and myths. Rape Culture refers to the ways in which our society tends to blame victims for their own assaults and excuses the behavior of the perpetrator. Often, statements and actions that enforce rape culture assume harmful things about different genders, such as assuming that men ‘can’t help themselves’ or that
women ‘mean yes when they say no.’ These types of notions are outdated, inaccurate, and only serve to harm all genders.

What is Title IX?
Title IX is a federal gender equity law. This law came about in the 1970s and directs institutions of higher education that receive federal funding to address matters of gender discrimination. Many people are familiar with Title IX from its impact on Athletics at the college level. However, Title IX covers many areas that impact all students including access to higher education, rights for pregnant/parenting students, vocational training, as well as sexual harassment. Title IX and guidance from the Office of Civil Rights (OCR – affiliated with the federal Department of Education and Department of Justice) informs and guides schools on sexual misconduct policy formation, sexual misconduct education/prevention, and sexual misconduct investigation, adjudication, and resolution. For more information on Title IX, consider checking out: http://www.titleix.info/

What is the difference between privacy and confidentiality?
Some people use the terms ‘private’ and ‘confidential’ interchangeably when they are talking about protecting someone’s identity or information. When it comes to matters of sexual misconduct and reporting something that happened, it’s important for the reporting party to understand the difference between a staff member who can keep what they tell them private vs. a staff member who can keep their information confidential.

Confidential means that the person you talk to is not obligated to share what you tell them with any other staff member. To report sexual misconduct on campus confidentially, please speak to a counselor at the University Counseling Center.

Faculty members, administrators, and other staff (including residence hall staff and campus ministers) are legally obligated to disclose matters of sexual misconduct to the University’s Title IX Coordinator. However, they will keep what you tell them private – which in this case means that they will never share your information with another student or with a staff member who does not have a legitimate ‘need to know.’ The information shared will be done in accordance with federal regulations and with staff who are assisting the reporting party in obtaining services or who are providing services. Your name will not be disclosed by the school to your parents (unless you give the school permission to do so), the media, other students, or staff who are not directly involved in providing services to you.