Appendix C – Examples of Prohibited Conduct

I. Forms of Sexual Harassment and Prohibited Conduct

In some cases, Sexual Harassment or other Prohibited Conduct is obvious and may involve an overt action, a threat, or reprisal. In other instances, Sexual Harassment can be subtle and indirect, with a coercive aspect that is unstated. Sexual Harassment and other forms of Prohibited Conduct will be evaluated on a case-by-case basis and can take many forms:

- Sexual Harassment can occur between equals (e.g., student to student, professional staff to professional staff, faculty member to faculty member, visitor/contracted employee to professional staff) or between persons of differing power status (e.g. supervisor to subordinate, faculty member to student, coach to student-athlete). Although sexual harassment often occurs in the context of an exploitation of power by the individual with the greater power, a person who appears to have less power in a relationship can also commit Sexual Harassment (e.g., student harassing faculty member).
- Sexual Harassment can be committed by or against an individual or may be a result of the collective actions by or toward an organization or group.
- Sexual Harassment can be committed by an acquaintance, a stranger, or someone with whom the Complainant has a personal, intimate, or sexual relationship.
- Sexual Harassment can occur by or against an individual of any sex, gender identity, gender expression or sexual orientation.

Examples of behavior that might be considered Sexual Harassment include, but are not limited to:

- Unwanted or inappropriate sexual innuendo, propositions, sexual attention, or suggestive comments; humor and jokes about sex or gender-specific traits; sexual slurs or derogatory language directed at another person’s sexuality or gender; insults and threats based on sex or gender; and other verbal, written, or electronic communications of a sexual nature that an individual communicates is unwanted and unwelcome;
- Non-academic display or circulation of electronic or written materials or pictures degrading to an individual(s) or gender group (it is expected that instructors will
offer appropriate warning and accommodation regarding the introduction of explicit and triggering materials used);

- Inappropriate or unwelcome physical contact or suggestive body language, such as touching, patting, pinching, hugging, kissing, or intentionally brushing against an individual’s body;
- Undue and unwanted attention, such as repeated inappropriate flirting, inappropriate or repetitive compliments about clothing or physical attributes, staring, or making sexually oriented gestures;
- Pressuring or physically coercing an individual to become involved in sexual activity or punishing a refusal to respond or comply with sexual advances;
- Using a position of power or authority to threaten or punish, either directly or by implication, for refusing to tolerate harassment or submit to sexual activity, or for reporting harassment;
- Making a promise of reward in return for sexual favors;
- Sexually assaulting an individual;
- Abusive, disruptive, or harassing behavior, verbal or physical, which endangers another's mental or physical health, including but not limited to threats, acts of violence, or assault based on gender and/or in the context of intimate partner violence; and
- Engaging in demeaning verbal and other expressive behavior of a sexual or gendered nature in instructional settings.

Examples of Sexual Exploitation can include, but are not limited to, the following behaviors:

- Electronically recording, photographing, or transmitting intimate or sexual utterances, sounds, or images via any medium, without the knowledge and consent of all parties involved.
- Non-consensual streaming of images, photography, video, or audio recording of sexual activity or nudity, or publication or sharing of such without the knowledge and consent of all parties involved.
- Spying on others who are in intimate or sexual situations (i.e. voyeurism).
- Disrobing of another without their consent.
- Knowingly exposing another individual to a sexually transmitted disease or virus without their knowledge.
- Inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.
- Distributing intimate or sexual information about another person without that person’s consent.