

Misconduct and Abuse Definitions

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The following terms are provided to help students understand whether certain behaviors or interactions with others may be deemed as misconduct and/or abuse. These terms are widely used by public and private universities throughout the U.S. to determine types of behavior that are not tolerated.

Behavioral misconduct: Any verbal, virtual, nonverbal, and/or physical acts which are improper, immoral, indecent, or unlawful.

Emotional misconduct: The consistent use of power and authority by someone in a position of trust or leadership to manipulate and dominate others. Emotional misconduct is achieved through various harmful behaviors, including but not limited to degrading, insulting, shaming, bullying, dismissing, threatening, intimidating, or humiliating.

Emotional abuse: This may include spiritual abuse, which refers to the manipulation and domination of individuals through religious means. Similar to emotional abuse, spiritual abuse involves consistent behaviors aimed at exerting control and exploiting a person.

Physical misconduct: Any offensive or harmful behavior that involves physical contact or actions that violate personal boundaries or safety. Physical misconduct may include, but is not limited to, acts that amount to or threaten physical assault; any form of non-consensual physical contact of one's person, their clothing, or personal artifacts; and/or acts that utilize physical presence to intimidate, threaten, coerce, put a person in apprehension of immediate physical harm, violate a person's boundaries, or violate a person's sense of safety.

Sexual misconduct: Any verbal, nonverbal and/or physical acts of an immoral, indecent, improper, or sexual nature that are 1) unwelcome or 2) performed without consent or 3) committed by one in a position of authority upon a subordinate or 4) committed by an adult upon someone under the age of 18 regardless of consent.

Examples include, but are not limited to, derogatory or indecent statements about a person's body; slurs, epithets, anecdotes, jokes, or innuendos of a sexual or intimate nature; verbal advances, propositions, or invitations of a sexual or intimate nature; suggestive or obscene gestures or communications; indecent exposure, unwanted attention such as leering or staring; "groping" or any unwanted touches of a sexual or intimate nature, adult sexual assault, and sexual abuse of a minor.

Sexual harassment: Any unwelcome sexual advances, requests for sexual favors, and unwelcome verbal or physical conduct of a sexual nature that interferes with the academic or work effectiveness of a person. It is often imposed upon a person in an unequal power relationship through the abuse of authority and may involve an implied reward or threat of deprivation.

Adult sexual assault: Any type of sexual contact of an adult (a person 18 years of age or older) where consent is not freely given or obtained, and is accomplished through force, intimidation, violence, coercion, manipulation, threat, deception, or abuse of authority. Any person who is mentally or physically incapacitated is not capable of providing consent.

Sexual abuse of a minor: Any sexual activity-- verbal, visual, virtual, or physical-- upon a minor (a person 17 years of age or younger). This also includes nude or sexually suggestive or explicit images/video of a minor that are produced, possessed, or distributed by any person. A minor is considered unable to give consent due to developmental immaturity and an inability to understand sexual behavior.

Without consent: Any situation where consent is not freely given or obtained, and is accomplished through force, intimidation, violence, manipulation, coercion, threat, deception, aggressive come-on, disregard for nonverbal cues of discomfort, or misuse of authority or power. A person cannot consent if they are unable to understand what is happening, helpless, asleep, or unconscious for any reason, including due to alcohol or other drugs.

Sources:

GRACE: Godly Response to Abuse in the Christian Environment.

White House Task Force to Protect Students from Sexual Assault, April 2014.

Oregon Department of Justice.