

- [Definitions](#)
- [Policies](#)
- [Resources](#)
- [News](#)
- [Contact Us](#)

#### Definitions:

Sexual Misconduct is the overarching term used by the university to identify the conduct that includes sexual harassment by individuals or organizations that is prohibited by Title IX. For all individuals who are part of the ETSU community, sexually harassing conduct that is sufficiently severe, pervasive, and objectively offensive as to substantially disrupt or undermine a person's ability to participate in or to receive the benefits, services, or opportunities of the university is prohibited when such conduct substantially interferes with an individual's educational performance, or equal access to the college's resources and opportunities; or such conduct creates an intimidating, hostile, or abusive educational environment. The university recognizes that anyone can be a complainant or respondent regardless of sex, gender, or gender identification.

Following are definitions based on university Student Disciplinary Policies, Part 2 Disciplinary Offenses:

**(v)Sexual Battery or Rape.** Committing any act of sexual battery or rape as defined by state law; May include any sexual act or penetration which is accompanied by threat, coercion, use of restraint or force, or any sexual act where the respondent knows, or should have known, that the victim was unable or incapable of giving consent.

**(w)Sexual Misconduct.** An offense including acts of sexual assault, domestic violence, dating violence and/or stalking as defined in East Tennessee State University's Student Sexual Misconduct Policy. All matters involving allegations of sexual misconduct will be governed by the procedures set forth in East Tennessee State University's Student Sexual Misconduct Policy.

#### Additional Definitions:

Advisor  
 Complainant  
 Complicity  
 Consent  
 Consensual Relationships  
 Cyber-stalking  
 Dating Violence  
 Domestic Violence  
 Harassment  
 Impact Statement  
 Incapacitation  
 Non-Consensual Sexual Contact  
 Parties  
 Respondent  
 Retaliation  
 Sexual Assault  
 Sexual Coercion  
 Sexual Exploitation  
 Sexual Harassment

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when one of the following criteria is met: submission to such conduct is made either explicitly or implicitly as a term or condition of the individual's employment or of the individual's status in a program, course, or activity; submission to or rejection of such conduct by an individual is used as a basis for employment decisions, a

criterion for evaluation, or a basis for academic or other decisions affecting such individual; such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or educational experience, or creating an intimidating, hostile, or offensive work or educational environment. Whether the alleged conduct constitutes sexual harassment depends upon the record as a whole and the totality of the circumstances, such as the nature of sexual advances in the context within which the alleged incident occurs. Verbal expressions or written material that is relevant and appropriately related to course subject matter or curriculum may not be considered harassment. Sexual harassment and racial harassment have been held to constitute forms of discrimination prohibited by Title VI, Title VII of the Civil Rights Act of 1964, as amended, and Title IX of the Educational Amendments of 1972. The University may be held liable pursuant to Title VI or Title VII and/or lose federal funds pursuant to Title IX for failure to properly investigate and remedy claims of sexual or racial harassment.

Stalking  
 Student  
 Title IX  
 Title IX Coordinator  
 Witness

ETSU Violence Free  
 PO Box 70300  
 Johnson City, TN 37614

---

East Tennessee State University  
 PO Box 70300 | Johnson City, TN 37614  
 423-439-1000 | [info@etsu.edu](mailto:info@etsu.edu)



Left Nav



More Links

East Tennessee State University © 2018 All Rights Reserved | [Privacy Policy](#)

- 
- 
- 
- 
- 
- 
- 