

What Constitutes Sexual and Relationship Misconduct?

Sexual Misconduct includes sexual exploitation, sexual harassment, non-consensual sex act, non-consensual sexual touching, and knowingly transmitting STDs (all of which are defined below):

Sexual Exploitation: Sexual exploitation happens when a student takes non-consensual sexual advantage of another for the purpose of arousing or satisfying their own sexual desires or those of a third party.

Examples of sexual exploitation include, but are not limited to, prostituting another student, non-consensual video or audio-taping of sexual activity, sharing sexually explicit digital media without consent, going beyond the boundaries of consent (such as letting your friends surreptitiously watch you having consensual sex), and engaging in peeping tommery.

Sexual Harassment: Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and/or other unwelcome verbal or written comments or physical acts toward another because of the other person's sex.

Examples of sexually harassing behavior may include various types of unwelcome behavior, such as unwelcome: touching; sexually explicit offensive jokes; sexually degrading graphic verbal or written comments or questions of a sexual nature; sexual innuendo; sexual threats; obscene gestures; inappropriate humor and jokes about gender specific traits or sexual orientation; sexual propositions; sexually suggestive or insulting sounds and actions, including, whistling, leering, and obscene gestures.

Hostile Educational/Work Environment and Tangible Educational/Job Benefits (associated with Sexual Harassment): When Sexual harassment-

- 1) is made, either explicitly or implicitly, a term or condition of instruction, employment or participation in college activities; or
- 2) is used as a basis for evaluation in making academic or employment decisions affecting an individual; or
- 3) is sufficiently severe or pervasive as to create a hostile educational or work environment and thereby alter the terms or conditions of an individual's educational or work environment-

the harassment may be sanctioned under this policy and the Simpson Code of Conduct. Sexual harassment that does not involve tangible educational/job benefits or create a hostile educational/work environment may be addressed administratively through an informal process.

Non-consensual Sex Act: A "sex act" (defined below) where "effective consent" (defined below) is not given by one of the participants.

Non-consensual Sexual Touching: Non-consensual “sexual touching” (defined below) where “effective consent” (defined below) is not given.

Knowing Transmission of STD: Knowingly transmitting an STD (including HIV) to another student is a violation of this policy.

Relationship Misconduct includes Dating Violence, Domestic Violence and Stalking, each of which is defined below:

Dating Violence is violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such a relationship will be gauged by its length, type, and frequency of interaction.

Domestic Violence: An assault (which is defined in §708.2A of the Iowa Code as an intentional or unauthorized act that is intended to cause pain to another or in result in physical contact that is insulting or offensive, coupled with the apparent ability to do the act or to place the victim in fear of any such act, or the intentional and authorized pointing of a firearm or display of a dangerous weapon in a threatening manner) when the assault is between:

- Family or household members who resided together at the time of the assault;
- Family or household members living together at the time of the assault;
- Separated spouses or persons divorced from each other and not residing together at the time of the assault.
- Persons who are parent of the same minor child, regardless of whether they have been married or have lived together at any time.
- Persons who have been family or household members residing together within the past year and not residing together at the time of the assault; or
- Persons who are in an intimate relationship or have been in an intimate relationship and have had contact within the past year of the assault.

Stalking: A person commits stalking when all of the following occur:

- a. The person purposefully engages in a course of conduct (e.g. repeatedly maintaining a visual or physical proximity to a person without legitimate purpose or repeatedly conveying oral or written threat, threats implied by conduct, or a combination thereof) directed at or toward a specific person) that would cause a reasonable person to fear bodily injury to, or the death of, that specific person or a member of the specific person’s immediate family (spouse, parent, child, sibling, or any other person who regularly resides in the household of a specific person, or who within the prior six months regularly resided in the household of a specific person); and
- b. The person has knowledge or should have knowledge that the specific person will be placed in reasonable fear of bodily injury to, or the death of, that specific person or a member of the specific person’s immediate family by the course of conduct; and

c. The person's course of conduct induces fear in the specific person of bodily injury to, or the death of, the specific person or a member of the specific person's immediate family.

Other activities that Violate Simpson's Sexual and Relationship Misconduct Policy include:

Possession, Use, Distribution and/or Administration of Date Rape Drugs:

Possession, use, distribution and/or administration of date rape drugs of any of these substances, including Rohypnol, Ketamine, GHB, Burundanga, etc. is prohibited, as is administering one of these drugs to another student for the purpose of inducing incapacity.

Attempts to Commit/Aiding in the Commission of Sexual and/or Relationship Misconduct: Attempts to commit sexual or relationship misconduct and aiding in the commission of sexual or relationship misconduct as an accomplice are also prohibited under this policy.

Retaliation: Intimidating, threatening, coercing or taking any other action that has an adverse impact on an individual's grades, class selection or any other matter pertaining to a student's status because that person has sought guidance, filed a complaint or participated in an investigation under this policy.

Alcohol/Drug Amnesty Policy:

It is a priority of Simpson College that members of the College community get the support they need. Victims who have been subjected to and witnesses to sexual and/or relationship misconduct after consuming alcohol or drugs who come forward to file a formal or informal report will not be punished under the College alcohol or drug policies for this instance.