

RVSM Definitions You Should Know

Consent: The voluntary, willful, and unambiguous agreement to engage in a specific sexual activity during a sexual encounter.

Course of Conduct: Two or more acts directed at a person or persons.

Dating Violence: An act of violence committed by a person who is or has been in a social relationship of a romantic, sexual, or intimate nature with the victim that does not fall within the definition of “domestic violence.” For the purposes of this definition:

- Whether the relationship is of a romantic, sexual, or intimate nature is determined by a variety of factors, including the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- A relationship of a romantic, sexual or intimate nature is characterized by ongoing or past physical and/or emotional intimacy between the parties.

Domestic Violence: An act of violence committed by any of the following individuals:

- A current or former spouse or intimate partner of the victim
- A person with whom the victim shares a child in common
- A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner
- A resident or former resident of the victim’s household

Gender Discrimination and Harassment: Title IX of the Educational Amendments of 1972 prohibits gender discrimination at institutions of higher education. The University prohibits gender discrimination in any of its programs or activities. Sexual harassment, including sexual assault and other kinds of sexual violence, is a form of gender discrimination. MSU’s Policy and its related procedures apply to complaints alleging all forms of gender discrimination (including sexual harassment, sexual assault, and sexual violence) against employees, students, and third parties. For the purposes of this policy, references to sexual misconduct include all forms of sex discrimination, including sexual and gender-based harassment, assault, and violence.

Incapacitation: A state where an individual cannot make an informed and rational decision to consent to engage in sexual activity because the individual lacks conscious knowledge of the nature of the act (e.g., to understand the “who, what, where, when, why or how” of the sexual interaction) and/or is physically or mentally helpless. An individual is also considered incapacitated, and therefore unable to give consent, when asleep, unconscious, or otherwise unaware that sexual activity is occurring.

Interim Measures: Interim measures are those services, accommodations, and other assistance the University puts in place after receiving notice of alleged relationship violence, stalking, or sexual misconduct but before any final outcomes (investigatory, disciplinary, or remedial) have been determined.

Persistent: Repeatedly engaging in conduct.

Pervasive: Having a widespread presence in or impact on an environment.

Rape: Is a form of sexual assault that includes:

- Non-consensual penetration, no matter how slight, of the victim's genital opening, anus, or mouth with any body part of object;
- Non-consensual use of the sex organ of the victim to penetrate, no matter how slight, the genital opening, anus, or mouth, of another person.

Relationship Violence: Relationship violence is a broad term that encompasses domestic violence, dating violence, and stalking.

Retaliation: An act or attempted act taken because of a person's participation in a protected activity that would discourage a reasonable person from engaging in protected activity. Protected activity includes a person's good faith (1) opposition to prohibited conduct, (2) report of prohibited conduct to the University; and, (3) participation (or reasonable expectation of participation) in any manner in an investigated, proceeding, hearing, or Interim Measure under this Policy. Retaliation requires an adverse action or adverse treatment against an individual by an individual because of the individual's participation in the investigation.

Sexual Assault: Sexually penetrating or attempting to sexually penetrate or have sexual contact with another individual by force or threat of force; without consent; or where the victim is incapacitated.

Sexual Contact: Intentional contact of a sexual nature with the body parts of another, causing another to touch one's intimate parts, or disrobing or exposure of another without permission. This can include contact of a sexual nature with intimate body parts such as the breasts, genitals, buttocks, groin, mouth; however, sexual contact can occur with any part of the body that is touched in a sexual manner.

Sexual Exploitation: When an individual takes or attempts to take non-consensual or abusive sexual advantage of another for one's own advantage or benefit, or to benefit or advantage anyone other than the one being exploited.

Sexual Harassment: Unwelcome sexual advances, unwelcome requests for sexual favors, or other unwelcome behavior of a sexual nature that is severe, persistent, or pervasive.

Sexual Misconduct: A broad term that encompasses sexual harassment, sexual violence, and sexual exploitation.

Sexual Violence: A physical sexual act perpetrated without consent. A number of different acts can fall within the definition of sexual violence, including rape, sexual assault, and sexual contact.

Severe: Of a great degree, significantly more than minimal.

Stalking: Engaging in a course of conduct that is directed at a specific person or persons that would cause a reasonable person to feel fear for themselves or for the safety of others, or to suffer substantial emotional distress.

Third Party: A third party is an individual who is not a member of the University community (faculty, staff, or student). Examples of third parties include visitors, guests, alumni, and students from other institutions.

For the full RVSM Policy go to:

https://www.hr.msu.edu/policies-procedures/university-wide/RVSM_policy.html