

**3344-2-03 Policy Against Discrimination**





massage around the neck or shoulders; attempted or actual kissing, grabbing or fondling; touching or rubbing one's body in a sexually manner where it can be observed by another person; exposing the underwear or

- (iv) Recording or photographing private sexual activity and/or a person's intimate parts without affirmative consent;
  - (v) Disseminating or posting images of private sexual activity and/or a person's intimate parts without affirmative consent;
  - (vi) Prostituting another person; or
  - (vii) Exposing another person to a sexually transmitted infection or virus without the other's knowledge.
- (c) Relationship violence is violence or the threat of violence by a person towards another based on sex or gender where the individuals are or were in a social relationship of a romantic or intimate nature. Relationship violence may include sexual, financial, emotional, psychological or other coercion or abuse directed at a current or former intimate partner, whether or not accompanied by physical violence.
- (d) Domestic abuse means violence or the threat of violence by a person towards another based on sex or gender where the individuals are current or former spouses, persons who have had a child together, or persons who cohabit or have cohabited as a spouses or intimate partners. Domestic abuse may include physical, sexual, financial, emotional, psychological or other coercion or abuse directed at a current or former spouse or person similarly situated to a spouse, whether or not accompanied by physical violence.
- (e) Stalking means a course of conduct directed at a specific individual that would cause a reasonable person, if aware of the conduct, under similar circumstances to fear for her, his or others' safety, or to suffer substantial emotional distress. A course of conduct includes two or more acts, including but not limited to, those in which the alleged perpetrator directly, indirectly, or through third parties, by any action, method, device or means, follows, monitors, observes, surveils, threatens or communicates to or about the person towards which such conduct is directed or interferes with that person's property.

(3) Definitions

- (a) Affirmative consent is: informed (knowing), voluntary (freely given) and active (not passive), meaning that, through the demonstration of clear words or actions, a person has indicated permission to engage in mutually agreed-upon sexual activity. Affirmative consent to one form of sexual activity does not, by itself, constitute affirmative consent to another form of sexual activity. Silence, without more, is not affirmative consent. Affirmative consent may be withdrawn at any time by communicating, through clear words or actions, a decision to cease the sexual activity. Once affirmative consent is withdrawn, the sexual activity must cease immediately. Affirmative consent is absent where:

- (i)

- (c) Sexual intercourse is sexual penetration, however slight, with any body part or object, by any individual upon another.
- (d)





about such matters on a limited, "need to know" basis, in accordance