

# Terminology Related to Gender-Based Violence

Loyola University Chicago

9/1/2023 Version

This glossary, developed by the [Culture of Respect](#) Campus Leadership Team at LUC defines terms commonly used when talking about gender-based violence, sexual harassment, and Title IX.

Loyola University Chicago uses specific language throughout our process. Definitions with an **asterisk (\*)** come directly from the university's *Comprehensive Policy and Procedures for Addressing Discrimination, Sexual Misconduct, and Retaliation*. Definitions with a **cross (†)** are required by federal, state, or municipal law.

If you have further questions about these terms, please contact the Office for Equity & Compliance (OEC). Please note this glossary is intended as an educational resource, and the Comprehensive Policy remains LUC's controlling document for addressing discrimination, sexual misconduct, and retaliation.

## Regulatory Definitions

The terms listed below are regulatory definitions relevant to gender-based violence.

### Campus SaVE Act

Campus Sexual Violence Elimination Act; an amendment to the Clery Act that requires higher education institutions to report crime statistics involving sexual assault, domestic violence, dating violence and stalking; provide for standards in institutional student conduct proceedings; and provide campus community wide prevention educational programming.

### Clery Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act; Federal law that requires colleges and universities that participate in federal student financial aid programs, to disclose information about certain crime statistics on and around their campuses.

### Title IX

A federal civil rights law in the United States of America, passed as part (Title IX) of the Education Amendments of 1972 that prohibits sex-based discrimination in any school or other education program that receives federal money.

*"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance."*

### Title IX Sexual Harassment\* †

The term "Title IX sexual harassment" means conduct on the basis of sex (including sexual orientation or gender identity) that satisfies one or more of the following:

- Quid Pro Quo Sexual Harassment
- Hostile Environment Sexual Harassment
- Other forms of Title IX sexual harassment include sexual assault, dating violence, domestic violence, and stalking, as defined by applicable laws.

### VAWA

The Violence Against Women Act, a federal law meant to end violence against women by improving the criminal justice response to violence against women and enhancing services to and resources for victims.

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## Prohibited Conduct at Loyola

The terms listed below are definitions of prohibited conduct at Loyola. These definitions come directly from the university's Comprehensive Policy.

### **Discrimination \***

The adverse or preferential treatment of another wholly or partially because of a person's actual or perceived membership in a protected class. Discrimination may also include non-discriminatory policies, rules, or practices that have a disproportionate negative impact on members of a protected class.

### **Discriminatory Harassment \***

Unwelcome and objectively offensive conduct that abuses, threatens, mocks, intimidates, bullies, diminishes, hazes, or disparages another person or persons, or that inflicts or attempts to inflict bodily harm or severe emotional harm upon another person or persons, because of one's actual or perceived membership in a protected class, and that may contribute to a hostile education, work, or living environment.

### **Hostile Environment Sexual Harassment \***

A hostile environment is created when sexual harassment is severe or persistent or pervasive such that it unreasonably interferes with, denies, or limits an individual's or group's ability to participate in or benefit from the University's educational, employment, residential, or social program.

### **Intimate Partner and/or Domestic Violence \* †**

Any act of violence or threatened act of violence against someone in a past or present intimate, familial, or household relationship, excluding violence that occurs between roommates. IP/DV may include, but is not limited to, physical violence, emotional abuse, economic abuse, property damage, and other forms of sexual violence. IP/DV may consist of one act of misconduct or an ongoing pattern of behavior.

### **Non-Consensual Sexual Contact \***

Any intentional sexual touching, however slight, with any body part or object by a person upon another person that is without consent and/or by force. Sexual touching includes intentional contact with the breasts, groin, buttocks, or genitals; or touching another with any of these body parts; or making someone touch another or themselves with or on any of these body parts; or any other bodily contact made in a sexual manner. *See also: Consent, Force.*

### **Non-Consensual Sexual Penetration \***

Any sexual penetration or attempted penetration, however slight, with any body part or object, by a person upon another person that is without consent and/or by force. Sexual penetration includes vaginal or anal penetration or oral copulation (genital to mouth contact) no matter how slight the penetration. *See also: Consent, Force.*

### **Retaliation Based on Protected Activity \***

Any adverse action taken against a person because of their participation in a protected activity, as defined further in the Comprehensive Policy.

### **Quid Pro Quo Sexual Harassment \***

Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, by a person having power or authority over another, when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic status or participation in other University programs or activities, or when submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions adversely affecting the individual.

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## **Sexual Exploitation \***

Refers to behavior wherein a person takes non-consensual or harmful sexual advantage of another and the behavior does not otherwise fall within the definitions of non-consensual sexual penetration, non-consensual sexual contact, or sexual harassment.

## **Sexual Harassment \***

Unwelcome and objectively offensive, sexual, verbal, written, online, and/or physical conduct.

## **Stalking \***

An unwanted course of conduct (two or more acts) directed at a specific person that would cause a reasonable person to feel fear for their safety or the safety of others or to suffer substantial emotional distress. Though stalking is usually considered a gender-based offense, stalking is prohibited even when the affected party was targeted because of membership in a protected class or was targeted for some other reason.

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## Definitions Relevant to OEC and Advocacy Processes

The terms listed below are definitions relevant to OEC and advocacy processes at LUC.

### **Administrative Resolution \***

A general term used to describe the various processes by which the University resolves a substantiated complaint under the Equitable Resolution Procedures (after a finding of responsibility has been made following investigation and/or admission). Administrative resolution processes may be governed by the [Community Standards](#), [Faculty Handbook](#), collective bargaining agreements, and/or [Employee Staff Handbook](#), depending on the applicable classification of the respondent.

### **Alternative Resolution Options \***

Non-disciplinary processes such as conflict resolution (mediation, restorative justice), directed discussions, or other negotiated resolution, and constitute one set of procedural options that may be available for the resolution of some complaints.

### **Disclosure**

The act of informing another person that you have experienced sexual or relationship violence. Note: Disclosures made to Responsible Campus Partners may result in an official report to the University. Disclosures made to those who are not designated as Responsible Campus Partners (e.g. confidential advocates, friends, off-campus resources, social media) do not necessarily generate an official report to the University, though any person is able to file a report at their discretion. *See also: Report, Complaint, Responsible Campus Partner.*

### **Equitable Resolution Procedures (“ERP”) \***

The steps by which the University resolves complaints of alleged misconduct under the Comprehensive Policy, excluding allegations that meet the specific definitional and jurisdictional requirements of Title IX sexual harassment.

### **Finding \***

A determination made at the conclusion of an investigation (ERP) or hearing (Grievance Process) as to whether or not the alleged violation has been substantiated under a preponderance of the evidence standard.

### **Forensic Evidence Collection Kit**

The process of collecting physical evidence from a survivor’s body and belongings to assist with a criminal investigation of sexual violence. Note: This is sometimes referred to as a “rape kit” and is available for up to seven days following a sexual assault. Kits can be completed in any Illinois hospital emergency room and are not necessary to receive medical care or advocacy services but can be completed in conjunction with those services.

### **Complaint \***

A physical or electronic document submitted in writing by a complainant or by the EDEC, alleging one or more violations of the Comprehensive Policy by a respondent, and requesting that the University intervene and investigate and/or adjudicate the matter under either the ERP or the Grievance Process for Title IX Sexual Harassment (or alternative resolution options, if applicable).

### **Grievance Process for Title IX Sexual Harassment (“Grievance Process”) \***

The set of procedures used by the University to address alleged misconduct that meets the definitional and jurisdictional requirements of Title IX sexual harassment, as required under applicable Title IX regulations (34 CFR 106.45). The Grievance Process is explained in Article 3 of the Comprehensive Policy.

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## **Heightened Risk Factors \***

A term used to describe elements that, if suggested in a report of alleged misconduct, may warrant the University initiating a complaint irrespective of the wishes and/or participation of the affected party. Heightened risk factors may include, without limitation, indications of predation, threatened or actual violence, weapons, minors, a pattern of alleged misconduct, and/or a potential threat to the safety of the University community.

## **Medical Amnesty/Good Samaritan \***

The Good Samaritan and Medical Amnesty Protocol offers protections against some disciplinary action for certain students who come forward to report or otherwise assist with crises involving sexual misconduct and other specific circumstances. More information about the Good Samaritan and Medical Amnesty Protocol can be found in the Community Standards.

## **No Contact Directive \***

Mutually applicable restrictions preventing contact of any kind between two or more parties. A No Contact Directive (“NCD”) is non-disciplinary in nature and does not suggest any presumption of responsibility for a specific violation.

## **Preliminary Review \***

An initial review of a report conducted by the University (a) to assess the potential applicability of the Comprehensive Policy or other University policies to the reported incident; (b) to ensure that any affected party receives timely and accurate information about their rights and options; (c) to determine how to most appropriately and efficiently respond to a reported incident, and (d) to assess the potential need for responsive intervention(s).

## **Preponderance of the Evidence \***

The evidentiary standard used at Loyola to determine whether a respondent is responsible for violating the Comprehensive Policy. This standard requires that the totality of the evidence, considered impartially, must indicate that it is more likely than not that the Comprehensive Policy was violated.

## **Pregnancy or Related Conditions \***

A term that includes pregnancy, childbirth, termination of pregnancy, lactation, medical conditions related to any of the above (such as gestational diabetes), and recovery from any of the above.

## **Protected Classes \***

Categories of individuals who share an identity such that they qualify for protections against discrimination under the law (and under the Comprehensive Policy). Protected classes at Loyola include race, color, religion, sex, age, sexual orientation, gender identity or expression, national or ethnic origin, ancestry, disability, marital status, parental status, military/veteran status, and any other characteristic protected by applicable law.

## **Report \***

A disclosure or other communication to the Office for Equity & Compliance or to another University official with the authority to institute corrective measures on behalf of the University that directly notifies the University of an allegation of prohibited conduct under the Comprehensive Policy. A report may be made by any individual (including third parties) or may be anonymous and is distinct from a complaint.

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## **Responsible Campus Partner Reporting Obligation \***

With very limited exceptions, all Loyola faculty and staff employees must report any known, disclosed, alleged, or otherwise reported (formally or informally) incidents of sexual misconduct within 24 hours of becoming aware of the incident that satisfy any of the following criteria:

- Sexual misconduct **against any individual who is currently a minor** by any individual
- Sexual misconduct **against any individual who is or was a student at the time of the incident**
- Sexual misconduct **by any individual who is or was a student or employee (faculty or staff) at the time of the incident**

Students (including student workers and graduate assistants) are excluded from the responsible campus partner reporting obligation at all times and regardless of whether the student is acting in an employment or student capacity. For description of limited exceptions to the responsible campus partner reporting obligation, see Comprehensive Policy Article 1, subsection IX(A)(2).

## **Responsive Intervention \***

An action undertaken by the University in response to a report or complaint that is intended to ensure or improve the safety and inclusivity of the University community. Responsive interventions range from referring a matter to be addressed by a supervisor to issuing an emergency removal directive, and are undertaken with balanced consideration for the needs of the individual parties, the broader University community, and the University as an institution.

## **Restorative Justice**

A tool, rooted in indigenous practices of communal restitution, for repairing harm in a community. Restorative justice focuses on a specific conflict/relationship. *See also: Transformative Justice.*

## **Safety Planning**

A personalized plan intended to identify strategies to mitigate harm, especially following an instance of sexual or relationship violence. A safety plan could include collecting belongings, identifying a support system, setting up emergency housing/funding, establishing a plan for emergency situations, etc. An advocate can work with an individual to create a personalized plan. *See also: Advocate.*

## **Sanctions \***

Individual consequences assigned to a respondent after a finding of responsibility under either the ERP or the Grievance Process, as applicable.

## **Supportive Measures \***

Non-disciplinary and non-punitive individualized services or supports designed to restore or preserve equal access to the University's education programs or activities without unreasonably burdening other parties, including measures designed to protect the safety of all parties or the University's educational environment, or deter prohibited conduct.

## **The Line**

Loyola's confidential hotline for resources and support related to sexual and relationship violence. The Line is staffed by highly trained, confidential advocates who can provide emotional support and information about safety planning, LUC supportive measures and reporting processes, medical care, mental health care, legal options, and more. The Line is open M-F 8:30am-5:00pm year-round and 24 hours on the weekends when school is in session. *See also: Advocate.*

## **Transformative Justice**

An adaptation of restorative justice that emerged in the late 1990s that seeks to address the social inequities and environmental factors that allowed harm to take place. *See also: Restorative Justice.*

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## People and Roles

The terms listed below refer to people and roles relevant to gender-based violence.

### **Active Bystander**

A person who interrupts a potentially harmful situation, including but not limited to sexual and relationship violence. Note: It is important to respect the agency of the person who has experienced the harm and it is not always appropriate to intervene on their behalf, especially in cases of dating or domestic violence. Take the lead of the person experiencing the harm and consider reaching out to an advocate for additional support and resources.

### **Affected Party \***

A member of the University community (student, faculty employee, or staff employee) who reports having experienced (or has been reported by another to have experienced) prohibited conduct under the Comprehensive Policy.

### **Ally**

A person with the desire and skills to provide emotional support and tangible aid to survivors of violence.

### **Complainant \***

An affected party who has chosen to file a complaint against a respondent or otherwise chosen to participate in an investigation via the Equitable Resolution Procedures or the Grievance Process.

### **Comprehensive Policy Administrator (“CPA”) \***

An employee of the University with a professional role in the administration of the policies and procedures of the Comprehensive Policy.

### **Confidential Advocate**

Highly trained, confidential university employees who are designated as “confidential advisors” through the University. Advocates are available through the Wellness Center to provide support to survivors and co-survivors of violence and provide accurate information on available options on- and off-campus. Advocacy services are free of charge. Note: An advocate is a confidential resource, meaning that disclosures of violence are not reported to the university, law enforcement, or other entities. Exceptions include when it is disclosed that a minor is at risk for abuse or neglect or when there is an immediate, life-threatening risk to the survivor or someone else. *See also: The Line.*

### **Co-Survivor**

A person who is secondarily affected by sexual or relationship violence (e.g. a survivor’s friend, partner, family member, etc.). Note: Co-survivors of violence may seek support from a confidential advocate by calling The Line. *See also: Vicarious Trauma, Compassion Fatigue.*

### **Equitable Resolution Procedures (“ERP”) Advisor \***

For students only, a person who may accompany a student or recognized student organization who is an affected party, complainant, or respondent during any meeting or proceeding related to a report or ERP complaint. Advisors are strictly optional, and the choice of whether or not to utilize an advisor is up to each party. An advisor may be any person of the party’s choosing, including an attorney. Any student party may request assistance from the OEC in identifying an available advisor (this is not available to parties who are faculty or staff employees). However, the University cannot ensure or guarantee the quality or availability of any University-provided advisor.

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## **Grievance Process Advisor \***

A person who may accompany an individual who is an affected party, complainant, or respondent during any meeting or proceeding related to a report or Grievance Process complaint. Advisors are strictly optional, with the exception of being required to present the advisee's proposed questions during a hearing, and the choice of whether or not to utilize an advisor throughout the rest of the Grievance Process is up to each party. An advisor may be any person of the party's choosing, including an attorney or union representative for employees who are members of a union, as described in the applicable collective bargaining agreement. Any complainant or respondent may request assistance from the OEC in identifying an available advisor, and an advisor will be provided who is aligned with the party's interests. However, the University cannot ensure or guarantee the quality of any University-provided advisor.

## **Perpetrator**

A person who has caused harm, in the context of sexual and relationship violence. *See also: Sexual and Relationship Violence.*

## **Reporter \***

An individual who informs the University of an alleged incident and/or violation of the Comprehensive Policy. The reporter may be the same as the affected party (the person who experienced the alleged misconduct) or may be a third party.

## **Respondent \***

An individual who has allegedly engaged in prohibited conduct that could constitute a violation of the Comprehensive Policy. For the purposes of reports and ERP complaints only (i.e., not applicable to Grievance Process complaints), a respondent may also be an organization, such as a recognized student organization or a department of the University.

## **Student \***

Any person in attendance (in person or online) at Loyola, including its Arrupe College. Students include undergraduate, graduate, doctoral, and non-degree-seeking persons.

## **Survivor**

A person who has experienced sexual or relationship violence. *See also: Victim, Affected Party, Complainant.* Note: Survivor is generally the preferred term over victim, though individual preferences vary. A survivor may be referred to as a victim within the criminal legal system.

## **Victim**

A person who has experienced sexual or relationship violence. *See also: Survivor, Affected Party, Complainant.* Note: Survivor is generally the preferred term over victim, though individual preferences vary. A survivor may be referred to as a victim within the criminal legal system.

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## Other Important Terms

The terms listed below are additional definitions relevant to gender-based violence.

### **Awareness-Building**

Attempting to raise consciousness and knowledge of a particular issue, including sexual and relationship violence. While awareness is an important component of violence prevention and response, it should not be conflated with primary prevention. Examples include social media campaigns on the prevalence of sexual assault, information about “date rape drugs,” survivor speak-out events. See also: Primary Prevention, Risk Reduction.

### **Community Coalition on Gender-Based Violence**

A group of faculty, staff, students, and community partners who collaborate to improve Loyola’s prevention and response efforts in relation to sexual and relationship violence.

### **Compassion Fatigue**

The physical and emotional exhaustion and withdrawal sometimes experienced by those who care for others over an extended time period. See also: *Vicarious Trauma*.

### **Confidential**

Information disclosed by a student, verbally or in writing, will be maintained in a confidential manner to the extent allowable by law and will not be disclosed to anyone outside the office to which it is reported without the student’s consent. The primary confidential resource at Loyola for students survivors/co-survivors of sexual or relationship violence is advocacy services available through The Line or in-person/virtually with the confidential advocates in the Wellness Center. In addition, the following categories of employee are also exempt from the reporting obligations of responsible campus partners in certain situations, only when the employee is acting in the professional capacity indicated, and subject to the limitations below:

- Licensed professional counselors and staff
- Health service providers and staff

- Catholic priests (only when offering the Sacrament of Reconciliation/“confession”) and other pastoral counselors

See also: *Private, Responsible Campus Partner, Confidential Advocate, and Consent*.

### **Consent \***

Freely given, mutually understandable permission to engage in a specific sexual activity. For Loyola’s full definition of consent, see the Comprehensive Policy.

### **Coercion \***

The use of pressure, intimidation, or threats to gain sexual access. Coercive behavior differs from seductive or sexually inviting behavior or the negotiation of boundaries/desires. When a person communicates that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction.

### **Force \***

The use or threat of physical violence and/or imposing on someone physically to gain sexual access.

### **Gender-Based Violence**

An umbrella term for sexual assault, dating violence, domestic violence, stalking, sexual harassment, and sexual exploitation. All forms of sexual and relationship violence are rooted in a desire for power and control. A person of any gender can experience or perpetrate gender-based violence. “Gender” is included in the term because gender is one risk factor for experiencing and/or perpetrating violence. Note: A person may experience harm from an incident that does not rise to the level of sexual misconduct as defined by Loyola policy or state/federal law. These individuals are still eligible for advocacy services and deserve support and resources. See also: *Sexual and Relationship Violence, Sexual Misconduct*.

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## **Incapacitation \***

A state in which an individual cannot fully understand or comprehend the nature or context of their decisions and/or actions. An incapacitated person cannot, by definition, consent to sexual activity because they cannot understand or appreciate the “who, what, when, where, why, or how” of the sexual activity in question.

Incapacitation may result from a person consuming a large amount of alcohol or other drugs, having a mental disability, being asleep or passed out, or being involuntarily physically restrained. *See also: Consent.*

## **Primary Prevention**

Attempting to prevent the perpetration of violence before it occurs. Note: This type of prevention focuses on the root causes of violence and places responsibility on the entire community to change social norms that contribute to harm. Examples include comprehensive education on healthy relationships and ongoing education on boundaries and building empathy. *See also: Risk Reduction, Secondary Prevention.*

## **Private**

Privacy means that information related to a report or complaint of violations of this policy will be shared with a limited circle of University employees who need to know in order to assist in the assessment, investigation, and resolution of the report or complaint.

## **Protective Factors for Perpetrating/Experiencing Violence**

Characteristics associated with a lower likelihood of negative outcomes or that reduce a risk factor’s impact. Protective factors for perpetrating sexual and relationship violence include family history where caregivers worked through conflicts peacefully, academic achievement, empathy and concern or how one’s actions affect others. Note: A person is always responsible for their own actions, regardless of the protective/risk factors they possess re: perpetrating violence. *See also: Risk Factor.*

## **Rape Culture**

A society or environment whose prevailing social attitudes normalize and/or trivialize sexual violence.

## **Risk Factors for Perpetrating/Experiencing Violence**

Characteristics associated with a higher likelihood of negative outcomes or that reduce a protective factor’s impact. Risk factors for perpetrating sexual and relationship violence include adherence to societal norms around women’s inferiority and sexual submissiveness, early exposure to sexually explicit media, and poverty/lack of institutional support. Note: A person is always responsible for their own actions, regardless of the protective/risk factors they possess re: perpetrating violence. *See also: Protective Factor.*

## **Risk Reduction**

Attempting to reduce or minimize the risk of experiencing sexual or relationship violence. Note: While there may be some strategies that reduce a person’s risk of experiencing violence, it is never a person’s responsibility to avoid being harmed – nor is it always possible. Promoting these behaviors may provide a false sense of security, may contribute to victim-blaming, and does not address the root causes of violence. Examples include self-defense classes, drug detection materials, and pepper spray. *See also: Victim Blaming, Primary Prevention, and Secondary Prevention.*

## **Sexual and Relationship Violence**

An umbrella term for sexual assault, dating violence, domestic violence, stalking, sexual harassment, and sexual exploitation. All forms of sexual and relationship violence are rooted in a desire for power and control. Note: A person may experience harm from an incident that does not rise to the level of sexual misconduct as defined by Loyola policy or state/federal law. These individuals are still eligible for advocacy services and deserve support and resources. *See also: Gender-Based Violence, Sexual Misconduct.*

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## **Stealthing**

The non-consensual act of removing a condom during sexual activity without the awareness or consent of the other person/people involved. *See also: Consent.*

## **Survivor-Centered**

Focusing on the needs and desires of the survivor and empowering them to make their own decisions about what comes next. *See also: Trauma-Informed.*

## **Trauma**

The physical and emotional response to experiencing one or more deeply disturbing or distressing events, especially when one feels their life is at risk. All forms of sexual and relationship violence can be traumatic experiences for a survivor, but every survivor responds differently. *See also: Vicarious Trauma.*

## **Trauma-Informed**

Practices that promote a culture of safety, empowerment, and healing, especially for people who have experienced sexual or relationship violence. Examples include asking for consent before touching someone, allowing for breaks during sensitive medical exams, and clearly explaining all options before allowing the person to decide what makes the most sense for them. *See also: Survivor-Centered.*

## **Vicarious Trauma**

The physical and emotional toll of experiencing trauma secondarily, often by social service providers or caregivers of folks who've experienced trauma directly. *See also: Compassion Fatigue, Trauma.*

## **Victim-Blaming**

Saying, implying, or treating a person who has experienced violence like it was a result of their own actions. Note: Sexual and relationship violence is never the responsibility or fault of the survivor. There is nothing a person could do (or not do) that would make them deserve to be harmed.