

## Non-Discrimination Statement

Loyola University Maryland does not discriminate and prohibits discrimination on the basis of race (including traits associated with race such as hair texture, afro hairstyles, and protective hairstyles), color, national (including shared ancestry or ethnic characteristics), sex, age, religion, disability, marital status, sexual orientation, gender identity, genetic information, military status, or any other legally protected classification covered by federal or state law in the administration of any of its educational programs and activities or with respect to admission or employment. The designated compliance officer to ensure compliance with Title IX of the Education Amendments of 1972, as amended (Title IX), the Americans with Disabilities Act of 1990, as amended (ADA), and Section 504 of the Rehabilitation Act of 1973 as amended (Section 504), is David Tiscione, Director of Title IX and Bias Compliance (105 Jenkins Hall, 410-617-5171, [dmiscione@loyola.edu](mailto:dmiscione@loyola.edu)). Inquiries about the application of Title IX, ADA, or Section 504 may be made to David Tiscione, the Office for Civil Rights (“OCR”), or both. Inquiries about discrimination related to any other protected class aside from sex or disability may be made to Rodney Parker, Chief Equity and Inclusion Officer (Humanities 224, 410-617-2201, [rparker1@loyola.edu](mailto:rparker1@loyola.edu)), OCR, or both.

The Loyola University Maryland nondiscrimination policy and grievance procedures and information regarding how to report information or make a complaint about conduct that may constitute discrimination can be found in the following places:

- Title IX related conduct (Sexual and Gender-Based Misconduct) – [Loyola University Maryland Title IX and Bias Compliance Website](#)
- Discrimination on protected classifications (non-sex-based) – [Loyola University Maryland Title IX and Bias Compliance Website](#) for students and [Human Resources Website](#) for employees

Loyola University Maryland is authorized under Federal Law to enroll non-immigrant, alien students.

## 6. Sexual and Gender-Based Misconduct Policy

The Sexual and Gender-Based Misconduct Policy prohibits discrimination on the basis of sex, in accordance with Title IX, Maryland state law, and in accordance with the University’s values and standards of conduct. This policy prohibits sexual harassment, domestic violence, dating violence, stalking and sexual assault and other forms of sexual misconduct of students, employees, or program participants of Loyola University Maryland by anyone on University property, at University-sponsored activities, or when it affects a

substantial University interest, which may include incidents that happen off campus or abroad. For more information about how to report incidents of sexual and gender-based misconduct and the process for addressing such incidents, please view [Loyola University Maryland Sexual and Gender-Based Misconduct Policy](#) on the [Office of Title IX and Bias Compliance website](#).

## Definition Updates

### *21. Sexual and Gender-based Misconduct*

These definitions are governed by the University Sexual and Gender-based Misconduct Policy, which includes the University definition of consent and violence among other terms.

#### *21a. Sexual Harassment*

Conduct on the basis of sex which may include such behavior as unwelcome sexual advances, requests, and other verbal, written, or electronic communications or physical conduct of a sexual nature when (1) an employee of the University conditions<sup>1</sup> the provision of an aid, benefit, or service of the University on an individual's participation in the unwelcome sexual conduct; or (2) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity.

#### *21b. Sexual Assault*

Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the complainant. This definition includes any gender of the complainant or respondent.

#### *21c. Non-consensual Sexual Contact*

The intentional touching of the clothed or unclothed body parts without the consent of the Complainant for the purpose of sexual degradation, sexual gratification, or sexual humiliation<sup>2</sup> or the Respondent forcing the touching by the Complainant of the Respondent's clothed or unclothed body parts, without consent of the Complainant for the purpose of sexual degradation, sexual gratification, or sexual humiliation.

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<sup>1</sup> Explicitly or implicitly

<sup>2</sup> Contact with private body parts is considered to be done for the purpose of sexual degradation, sexual gratification, or sexual humiliation unless: (1) the contact can be proven inadvertent; (2) the contact is for a legitimate medical (or other privileged) purpose and thus is conduct for which consent should have been sought and obtained by the provider; (3) the contact involves a Respondent who is pre-sexual, based on maturity/age (thus their intent is not sexual); (4) the contact involves a Respondent who cannot developmentally understand sexual contact or that their contact is sexual; or (5) The contact is something like butt-slapping on a team and is both minimal and unlikely to have sexual motivation or purpose, as shown by the context of the act(s).

#### *21d. Incest*

Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Maryland law.

#### *21e. Statutory Rape*

Sexual intercourse with a person who is under the statutory age of consent which is 16 years of age in the state of Maryland (which means the victim must be under 16); however, 14- and 15-year-olds may consent if the offender is less than four years older than the victim.

#### *21f. Dating Violence*

Violence<sup>3</sup> committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

#### *21g. Domestic Violence*

Violence<sup>8</sup> committed by a current or former spouse or intimate partner of the Complainant; by a person with whom the Complainant shares a child in common; by a person who is cohabitating with or has cohabitated with the Complainant as a spouse or intimate

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<sup>3</sup> Violence under dating violence and domestic violence includes but is not limited to the use or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over the Complainant, including verbal, psychological, economic, or technological abuse. Economic abuse means behavior that is coercive, deceptive, or unreasonably controls or restrains a person's ability to acquire, use, or maintain economic resources to which they are entitled, including using coercion, fraud, or manipulation to restrict a person's access to money, assets, credit, or financial information; unfairly use a person's personal economic resources, including money, assets, and credit, for one's own advantage; or exert undue influence over a person's financial and economic behavior or decisions, including forcing default on joint or other financial obligations, exploiting powers of attorney, guardianship, or conservatorship, or failing or neglecting to act in the best interests of a person to whom one has a fiduciary duty. Technological Abuse means an act or pattern of behavior that is intended to harm, threaten, intimidate, control, stalk, harass, impersonate, exploit, extort, or monitor, except as otherwise permitted by law, another person, that occurs using any form of technology, including but not limited to: internet enabled devices, online spaces and platforms, computers, mobile devices, cameras and imaging programs, apps, location tracking devices, or communication technologies, or any other emerging technologies. Additionally, legitimate use of violence for self-defense is not chargeable under the Policy because the purpose is safety, not harm. It may also be used as a defense if it is not clear at the time of charging whether the use of violence was for self-defense or not. Self-defense is only to be considered if it is prompted by physical violence or the threat thereof. Lastly, consensual use of violence, such as in kink relationships, would also not meet this definition, in most circumstances.

partner; by a person similarly situated to a spouse of the Complainant, or by any other person against an adult or youth Complainant protected from those acts by domestic or family violence laws of Maryland.

#### *21h. Stalking*

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress. A course of conduct means two or more acts, including, but not limited to, acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

#### *21i. Sexual Exploitation*

Taking non-consensual or abusive sexual advantage, that does not constitute sexual harassment, of another person for one's own advantage or benefit for the advantage or benefit of anyone other than the person being exploited. Examples include but are not limited to:

- Sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts, without the consent of the person being observed)
- Invasion of sexual privacy (e.g., doxxing)
- Electronically distributing (e.g., Airdropping, Snapchattng) nude or sexual photos or videos of another person without their consent
- Taking pictures, video, or audio recording of another person in a sexual act, or in any other sexually related activity when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity; or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person's consent), including the making or posting of non-consensual pornography
- Prostituting another person
- Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually transmitted disease (STD) or infection (STI), without informing the other person of the virus, disease, or infection
- Causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of

compromising that person's ability to give consent to sexual activity, or for the purpose of making that person vulnerable to non-consensual sexual activity

- Misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections (e.g., spoofing)
- Forcing a person to take an action against that person's will by threatening to show, post, or share information, video, audio, or an image that depicts the person's nudity or sexual activity
- Knowingly soliciting a minor for sexual activity
- Engaging in Sex trafficking
- Knowingly creating, possessing, or disseminating child sexual abuse images or recordings
- Creating or disseminating synthetic media, including images, videos, or audio representations of individuals doing or saying sexually related things that never happened, or placing identifiable real people in fictitious pornographic or nude situations without their consent (i.e., Deepfakes)

#### *21k. Student Quid Pro Quo Harassment*

Unwelcome sexual advances, requests for sexual favors, or other verbal, written, or physical conduct of a sexual nature when a student of the University conditions the provision of an aid, benefit, or service of the University on an individual's participation in the unwelcome sexual conduct.

#### *21l. Hostile Environment Harassment*

Conduct, which need not be severe or pervasive, that consists of unwelcome sexual advances, requests for sexual favors, or other conduct of a sexual nature when based on the totality of the circumstances, the conduct unreasonably creates a living, working, or learning environment that a reasonable person would perceive to be abusive or hostile.