

# GLOSSARY



This is a comprehensive document of terms. Many definitions also include learning points.

## ACRONYMS

<b>AG</b>	Attorney General	<b>LGBTQI+</b>	Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex
<b>ASCA</b>	Association for Student Conduct Administration	<b>MOU</b>	Memorandum of Understanding
<b>ASR</b>	Annual Security Report	<b>NCHERM</b>	National Center for Higher Education Risk Management
<b>ATIXA</b>	Association of Title IX Administrators	<b>NCO</b>	No Contact Order
<b>BJS</b>	Bureau of Justice Statistics	<b>OAESV</b>	Ohio Alliance to End Sexual Violence
<b>CCR</b>	Community Coordinated Response	<b>OCR</b>	Office for Civil Rights
<b>CFR</b>	Code of Federal Regulations	<b>ODHE</b>	Ohio Department of Higher Education
<b>CPO</b>	Civil Protection Order	<b>ODVN</b>	Ohio Domestic Violence Network
<b>CPS</b>	Child Protective Services	<b>ORC</b>	Ohio Revised Code
<b>CSA</b>	Campus Security Authority	<b>OVW</b>	Office on Violence Against Women
<b>DCL</b>	Dear Colleague Letter	<b>RE</b>	Responsible Employee
<b>DOJ</b>	Department of Justice	<b>SA</b>	Sexual Assault
<b>DV</b>	Domestic Violence	<b>SANE</b>	Sexual Assault Nurse Examiner
<b>FERPA</b>	Family Educational Rights and Privacy Act	<b>SART</b>	Sexual Assault Response Team
<b>IPV</b>	Intimate Partner Violence	<b>TA</b>	Technical Assistance
<b>IPSV</b>	Intimate Partner Sexual Violence	<b>TPO</b>	Temporary Protection Order
<b>LE</b>	Law Enforcement	<b>VAWA</b>	Violence Against Women Act
<b>LEP</b>	Limited English Proficiency		

## TERMINOLOGY

To ensure consistent definitions across Ohio campuses, the authors of this Toolkit compiled definitions from numerous sources, including state and federal laws, and national gender-based violence resources, and the Ohio reports, *Changing Campus Culture: Preventing and Responding to Sexual Violence* and *A Safer Campus: A Guidebook on Prevention and Response to Sexual & Intimate Partner Violence & Stalking for Ohio Campuses* (2nd Edition).

<b>Accommodation</b>	Another term for “interim measures.”
<b>Acquaintance Rape</b>	Unwanted, coerced and/or forced sexual penetration that occurs between people known to each other. This relationship may be a dating relationship, a blind date, or “hook up.” The parties may know one another well or be acquainted only briefly. The issue in legal or campus proceedings is not identifying the perpetrator; but rather identifying how force or coercion was manifested.
<b>Adjudication</b>	The process by which a determination is made as to whether or not a campus policy was violated.
<b>Advisor of Choice</b>	The complainant and respondent should be given the option to have an “advisor of choice” accompany them and be present in meetings, proceedings, and grievance hearings related to the investigation and adjudication. Campuses should maintain a list of potential advisors that the complainant and respondent can choose from. Any individual on this list must be familiar with the campus’s conduct and disciplinary process. Note that the same person should not serve as an advisor of choice to both parties, and that both parties may choose an individual outside of the list. Finally, an advisor of choice cannot serve as witness or trier of fact in that particular case.
<b>Advocate</b>	A person who provides support, options, resources, and referrals for survivors. Advocates have training and expertise in sexual and domestic violence. An advocate’s primary roles include helping survivors navigate complex systems and make autonomous and safe decisions. For purposes of this Toolkit, advocates are professionals who work in community-based rape crisis or domestic violence programs, or campus-based programs dedicated to addressing sexual assault and domestic violence.
<b>Aggregate Data</b>	Refers to numerical or non-numerical information that is (1) collected from multiple sources and/or on multiple measures, variables, or individuals and (2) compiled into data summaries or reports, typically for the purposes of public reporting or statistical analysis—i.e., examining trends, making comparisons, or revealing information and insights that would not be observable when data elements are viewed in isolation. Aggregate data does not contain identifiable information.
<b>Alcohol/Drug Facilitated Sexual Assault</b>	A sexual assault in which the perpetrator uses alcohol or other drugs to subdue the complainant. An array of substance are used for this purpose, however, common examples include Rohypnol, GHB and Ketamine, which are reported by Ohio medical professionals to rarely appear in toxicology screens. Note that alcohol remains the most common substance perpetrators use to subdue victims during the commission of sexual assault.
<b>Annual Security Report</b>	By October 1st of each year, campuses must publish and distribute their Annual Security Report (ASR) to current students and employees. Campuses must also produce its ASR to others, including prospective students, upon request. The Clery Act requires the ASR to disclose crime statistics for the prior three years, policy statements on safety and security measures, campus crime prevention program descriptions, and protocols for the response to gender-based violence. Complainant’s personally identifiable information should not be released, except as required by law or court order. See Clery Act for a list of crimes that must be reported.
<b>Batterer</b>	A batterer is someone who uses physical, emotional, psychological, sexual, or economic abuse and other tactics in order to maintain power and control over their intimate partner. Campuses refer to this person as the respondent.
<b>Batterer Intervention Program</b>	A program designed to hold people who use violence against their intimate partners accountable for their behavior. BIPs do not use anger management programming techniques. Instead, BIPS are grounded in an understanding of the dynamics of intimate partner violence.

<b>Best Practices</b>	A standard, technique or methodology that has been proven valid and reliable through research and replication. A commitment to use best practices is a commitment to use all knowledge and technology at one's disposal to ensure success.
<b>Campus</b>	An umbrella term for any post-secondary school, including "college," "institution of higher education," or "university." This term interchangeably refers to public and private, two-year and four-year institutions. The term "campus" may encompass the broader community surrounding the institution. Campus is the term that is used throughout the Toolkit to include all of the meanings above.
<b>Campus Climate</b>	The current attitudes, behaviors and standards of faculty, staff, administrators and students concerning the level of respect for individual needs, abilities and potential. However, it is not just the experience of individuals and groups on a campus; it is also the quality and extent of the interaction between those various groups and individuals that determines a healthy campus climate.
<b>Campus Response</b>	Actions a campus takes after a gender-based violence adjudication concludes. Examples include the imposition of sanctions, continuation or imposition of remedies for the survivor, targeted or campus-wide educational response, and enforcement of additional security or other such measures.
<b>Campus Security Authority</b>	<p>A person identified as a Campus Security Authority (CSA) is required to report any allegation made in good faith of the occurrence of a Clery crime to an office/individual designated by the campus. CSAs play an important role in ensuring the campus is in compliance with the collection and reporting of statistics as required by Clery. CSAs do not make a judgment about or investigate what happened. They only collect the facts. Survivors have the option of reporting crimes to a CSA without being identified. This means the campus will keep a record that a crime occurred but will not publish any identifying information. CSAs also inform survivors of their options, including confidential reporting options, and offer referrals to resources (e.g., campus assistance programs or counseling service, if appropriate). CSAs are defined by job function and not by title. The U.S. Department of Education defined CSA's as "officials with significant responsibility for student and campus activities." The law defines "significant responsibility" broadly and includes, but is not limited to:</p> <ul style="list-style-type: none"> <li>• Campus police/security.</li> <li>• Individuals with campus security responsibility. These are individuals who have responsibility for campus security, but do not constitute a campus police or security department. For example, an individual responsible for monitoring entrance onto the campus' property is a CSA. Additional examples include parking enforcement, event security, and bicycle patrol staff.</li> <li>• Individuals designated by the campus. These are individuals or organizations specified in a campus' statement of campus security policy as one to which students and employees should report criminal offenses. Examples include the Chancellor's Office, Ombudsman Office and Office of Student Life.</li> <li>• Officials with significant responsibility for student and campus activities. These may be, but are not limited to, student housing, student discipline, and campus judicial proceedings. Examples include the Deans of Students, Student Housing Officials, Title IX Coordinator, student judicial affairs officials, officials who oversee a student center, officials who oversee student extracurricular activities, Director of Athletics, team coaches, and faculty advisors to student groups.</li> </ul> <p>CSA Reporting Exemption: licensed professional mental health counselors and pastoral counselors do not have to report as a CSA if receiving information about a Clery crime when working within the scope of their license or religious assignment.</p>
<b>Campus Sexual Violence Elimination Act</b>	While the Campus Sexual Violence Elimination (Campus SaVE) Act never passed in its introduced state, portions were included and passed in the Violence Against Women Act Reauthorization Act of 2013. This had the effect of amending the Clery Act. These amendments were designed to complement Title IX and help bolster the response and prevention of gender-based violence. Specifically, it broadened the reporting and response of sexual violence to include incidents of domestic violence, dating violence and stalking. It also mandates a prevention education component and creates heightened transparency, accountability, education, and collaboration for campuses to these incidents.

<p><b>Civil Protection Order</b></p>	<p>A legal order issued by a court at the request of the survivor (petitioner) against the perpetrator of the threat/violence (respondent). A civil protection order (CPO) can order the respondent to refrain from violent or threatening acts or harassment against; contact or communication with; or physical proximity to the survivor. A CPO is a tool that can facilitate safety for some survivors. Violations may have civil and criminal penalties. In Ohio, there are different types of CPO's available depending upon the relationship between the parties, the type of act, and other factors. Here is a quick overview:</p> <ul style="list-style-type: none"> <li>• Domestic Violence Civil Protection Order – may be obtained in the domestic relations court where victim lives, where abuser lives or has a business, or where incident(s) occurred. Reason needed: causing or trying to cause injury or placing someone in fear of imminent serious harm. Person causing the injury or fear must be a family or household members including: spouses/ former spouses, parent, child, foster parent, people who have kids in common, or intimate partners who lived together in the last 5 years. If obtained, CPO is valid for up to 5 years and can be renewed.</li> <li>• Stalking Protection Order - may be obtained in the common pleas court where victim lives (if family or household member, can be filed as CPO see above). Reason needed: engaging in a pattern of conduct (two or more events, closely related in time) that causes distress or makes victim believe the stalker will cause harm. No relationship with stalker is required. If obtained, CPO is valid for up to 5 years and can be renewed.</li> <li>• Sexually Oriented Offense Protection Order - may be obtained in the general division of the common pleas court where survivor lives. Reason needed: any person who was a victim of a sexually oriented offense or unwanted sexual contact. If obtained, it is valid for up to 5 years and can be renewed.</li> <li>• Juvenile Protection Order – may be obtained in juvenile court where victim lives. Reason needed: same as other CPOs but respondent is under the age of 18.</li> </ul> <p>Some other states call CPO's restraining orders. In Ohio, restraining orders are issued in most divorce cases as standard procedure pertaining to property and children. They are not enforceable by law enforcement and have nothing to do with dangerous situations.</p>
<p><b>Clery Act</b></p>	<p>The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery) is a federal statute codified at 20 U.S.C. § 1092(f), with implementing regulations at 34 C.F.R. 668.46. Clery requires all campuses that participate in federal financial aid programs to keep and disclose information about crimes on and near their respective campuses. Compliance is monitored by the U.S. Department of Education, which can impose civil penalties against campuses for infractions and can suspend campuses from participating in federal student financial aid programs.</p> <p>Clery requires campuses to disclose statistics for crimes based on: where the crimes occurred; to whom the crimes were reported; the types of crimes reported; and the year in which the crimes were reported. Clery crimes include:</p> <ul style="list-style-type: none"> <li>• Criminal homicide (murder and non-negligent manslaughter)</li> <li>• Negligent manslaughter</li> <li>• Sex offenses (rape, fondling, incest, and statutory rape)</li> <li>• Robbery</li> <li>• Aggravated assault</li> <li>• Burglary</li> <li>• Motor vehicle theft</li> <li>• Domestic Violence</li> <li>• Dating Violence</li> <li>• Stalking</li> <li>• Arson</li> </ul> <p>Additionally campuses are required to report:</p> <ol style="list-style-type: none"> <li>1. Persons referred for campus disciplinary action for liquor law violations, drug-related violations, and weapons possession;</li> <li>2. Hate crimes by category of prejudice, including race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, and disability.</li> <li>3. Statistics on four additional crime categories if the crime committed is classified as a hate crime: <ul style="list-style-type: none"> <li>• Larceny/Theft</li> <li>• Simple Assault</li> <li>• Intimidation</li> <li>• Destruction of Property/Vandalism</li> </ul> </li> </ol>



<p><b>Clery Geography</b></p>	<p>Campuses must disclose all Clery crimes for statistical purposes that occur on any of four specified areas or pieces of geography. The definitions for these geographic categories are Clery Act-specific and are the same for every institution, regardless of its physical size or configuration. The four categories are:</p> <p><b>On-campus:</b> “any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including student halls; and property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes (such as a food or other retail vendor).”</p> <p><b>On-campus Student Housing:</b> “any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up campus.”</p> <p><b>Non-campus Building or Property:</b> “any building or property owned or controlled by a student organization recognized by the institution; and any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution’s educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution.”</p> <p><b>Public Property:</b> “all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution’s educational purposes.”</p> <p>“Reasonably contiguous” refers to a building or property owned or controlled by an institution that is in a location that the institution or students consider to be, and treat as, an integral part of the main or core campus; and is covered by the same security policies as the larger campus.</p> <p>“Directly support, or relate to, the institution’s educational purposes” relates to the function of the building or property.</p>
<p><b>Climate Survey</b></p>	<p>Typically a quantitative data collection instrument, a climate survey helps campuses assess the prevailing attitudes, standards, or environmental conditions of a group, period, or place. The White House Task Force to Protect Students from Sexual Assault led the charge in supporting the establishment of a common vision, shared language, and best practices for what “climate survey” means when it comes to changing campus culture to promote effective response and prevention of sexual violence. In January 2015, as part of the White House Task Force, BJS published a report presenting the results of a nine-school pilot test conducted to develop a campus climate survey that collects school-level data on sexual victimization of undergraduate students. This tool is free and available for all campuses to administer.</p>
<p><b>Collaboration</b></p>	<p>The process in which individuals and/or organizations share resources and responsibilities jointly to plan, implement, and evaluate programs to achieve common goals. With an emphasis on fundamentally altering traditional agency relationships, a true collaboration requires individual agencies to commit considerable amounts of resources on behalf of individual agencies. The relationship includes a commitment to mutual goals, a jointly developed structure and shared responsibility, mutual authority and accountability for success, and sharing of resources and rewards. Such relationships require comprehensive planning and well-defined communication channels operating on many levels.</p>
<p><b>College</b></p>	<p>Another term for “campus.”</p>
<p><b>Co-Located Positions</b></p>	<p>When staff from one agency is placed at another or has access to regular office hours at the other location (e.g. community-based advocate working at campus health center). Co-located positions help create a seamless delivery of services and reduce the confusion and lack of coordination that individuals frequently experience with systems. For example, an advocate from a community-based rape crisis center holds office hours on campus so that students can speak directly to that advocate without having to leave campus.</p>
<p><b>Compassionately Interrupt</b></p>	<p>A compassionate interruption occurs when a student discloses gender-based violence to an individual who has any type of reporting duty, and that individual stops the disclosure in order to explain their limits on confidentiality, what must be reported, and to whom. The goal is not to shut down the conversation, but instead to pause or interrupt the disclosure. During this pause, information is provided to the survivor so that he/she can make a determination of whether to continue to disclose based on what that person wants and needs to happen for their own well-being. Whenever possible, it is encouraged that a conversation about confidentiality happens prior to a disclosure.</p>

<b>Competence</b>	Acquisition of knowledge, skills, and experience necessary for the development and implementation of services to different groups served.
<b>Complainant</b>	Any person who reports or alleges that the campus's code of conduct has been violated.
<b>Confidentiality</b>	Pertains to the treatment of information that an individual has disclosed in a relationship of trust with the expectation that it will not be divulged in ways inconsistent with the understanding of the original disclosure without the individual's permission. It is the process of ensuring that information is accessible only to those authorized to have access. During the informed consent process, if applicable, individuals must be informed of the precautions that will be taken to protect the confidentiality of the information and be informed of the parties who will or may have access. This allows individuals to decide whether to release information given the available protections and the possibility of release of private information. Confidentiality is not the same as privilege.
<b>Confidential Source</b>	An individual who is specially trained to perform a survivor-centered, trauma-informed response and is available to complainants on campus to answer questions, provide information, and help navigate the options available both on campus and in the community. It is recommended that all campuses designate individuals as confidential sources. Confidential sources are only required to report aggregate data. Therefore, "responsible employees" should not be selected as confidential sources.
<b>Consent</b>	Words or overt acts indicating freely given agreement to the sexual contact or conduct at issue by a competent person. Consent cannot be given by a person who is substantially impaired by any drug, intoxicant, or mental or physical condition. Consent cannot be compelled by force, threat of force, coercion, or deception. Consent may be withdrawn at any time, and agreement to any given act during a sexual experience does not imply consent to others. Prior sexual activity does not constitute consent per se for the sexual contact or conduct at issue. Note that, though the ORC does not define "consent," the definition included here is a best practice definition recommended for Ohio campuses in A Safer Campus Guidebook.
<b>Corrective Action</b>	Sanction imposed on guests, visitors, vendors, and other persons who are alleged to have engaged in gender-based violence. See "sanction."
<b>Corrective Rape</b>	A hate crime in which one or more people may be targeted because of their perceived sexual orientation or gender identity. During this type of rape, the perpetrator may make comments indicating that the victim(s) should be heterosexual or seeking to enforce conformity with gender stereotypes.
<b>Counselor</b>	An individual who practices counseling. Under Ohio law, counseling means rendering or offering to render to individuals, groups, organizations, or the general public a counseling service involving the application of clinical counseling principles, methods, or procedures to assist individuals in achieving more effective personal, social, educational, or career development and adjustment, including the diagnosis and treatment of mental and emotional disorders. See O.R.C. § 4757.01
<b>Crime Log</b>	A campus police or security department is required to maintain a public log of all crimes reported directly to them or those of which they are otherwise made aware. The log must have the most recent 60 days' worth of information. Each entry in the log must contain the nature, date, time and general location of the crime and, if known, the disposition of the complaint. Logged information more than 60 days old must be made available within two business days. Crime logs must be kept for seven years.
<b>Crisis Line/Hotline</b>	A dedicated telephone line staffed by people with expertise in gender-based violence who are available for emergency counseling, information, and referral. Hotlines receive calls from survivors, persons seeking advice about how to assist an acquaintance, friend, or relative, and professionals seeking referrals for survivors of gender-based violence.
<b>Culture</b>	The shared experiences that develop and evolve according to changing social and political landscapes. Culture includes race, ethnicity, gender, sexual orientation, class, immigration, location, time, and other axes of identification understood within the historical context of oppression. Culture is not static – it is fluid. Norms and values may also differ for individuals within the same group.

<b>Cultural Competency</b>	The ability of practitioners to function effectively in the context of racial, ethnic, religious, cultural, sexual orientation, ability, and gender differences and respond to the unique strengths and concerns of individuals, groups, systems, and communities. Cultural competency is not something that is “achieved” but instead requires constant assessment by organizations and self-examination by individuals. Cultural competence is a developmental process that evolves over an extended period. Characteristics of cultural competence include understanding, appreciating, and respecting the cultural differences and similarities within, among and between diverse groups, respecting individuals and cultural differences, and implementing a trust-promoting method of inquiry.
<b>Cultural Diversity</b>	Differences in race, ethnicity, language, nationality, sexual orientation, religion, or gender identity among individuals within a community.
<b>Dating Violence</b>	Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. (i) The existence of such a relationship shall be determined based on the reporting party’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. (ii) For the purposes of this definition: (A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. (B) Dating violence does not include acts covered under the definition of domestic violence. (iii) For the purposes of complying with the requirements of this section and § 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
<b>Disability</b>	A person is considered to have a disability under the Americans with Disabilities Act (ADA) if he/she has a record of a physical or mental impairment which substantially limits one or more major life activities.
<b>Disciplinary Action</b>	See “sanction.”
<b>Disciplinary Hearing/Proceeding</b>	A campus-based process to hear and review evidence regarding an allegation of student misconduct. Those designated by the campus to be part of the proceeding will determine by a preponderance of evidence whether evidence exists to support the complaint and, if so, what sanction should be imposed. Title IX requires campuses to take immediate action to eliminate gender-based violence, prevent its recurrence, and address its effects. As part of that effort, campuses must provide an equitable complaint resolution process ensuring that these proceedings are prompt, impartial and fair. Disciplinary hearings are not trials and are not constrained by rules of procedure and evidence typically used in a court of law. A campus disciplinary system operates under a standard of fairness, which includes an opportunity for the student/group to be notified of the alleged incident and policy violations under consideration, as well as and an opportunity to be heard. Throughout a campus’s disciplinary proceeding, the complainant and the respondent must be afforded similar and timely access to any information that will be used at the hearing, including an equal opportunity to present relevant witnesses and other evidence, and the right to accompaniment by an advisor of choice.
<b>Disclosure</b>	When a survivor tells someone about their victimization in order to talk about their experience and find out options, including trauma-informed crisis services, medical assistance, and other safety measures.
<b>Domestic Violence</b>	Each state has its own definition for civil and criminal proceedings, but generally, domestic violence is a pattern of assaultive and coercive behaviors, including physical, sexual, and psychological attacks, as well as economic coercion, that adults or adolescents use against their intimate partners, where the perpetrator and victim are currently or have been previously dating, cohabiting, married, or divorced. The term is used for this behavior whether or not it meets the definition under criminal or civil statutes.  In Ohio, like many other states, domestic violence is defined more broadly to include family or household members (See O.R.C. § 2919.25).  However, for campus response protocols, domestic violence should be considered in the context of a current or previous relationship involving dating, cohabitation, marriage or divorce. Another term for IPV.

<p><b>Due Process</b></p>	<p>Due process requires a fair procedure (procedural due process) and a fair outcome (substantive due process). The concept of “due process” is applicable to public and private institutions, either as a matter of constitutional law, contract law, or both. Campuses conduct complaint resolution processes under their internal policies, not criminal or civil trials. Due process requires careful listening to reach a fair outcome. The disciplinary process is educational in the sense that it starts with the imperative of seeing and responding to students as individuals.</p> <p>OCR has provided guidance on what it considers “due process” in Title IX hearings:</p> <ul style="list-style-type: none"> <li>• Procedures that ensure the rights of the complainant, while at the same time according due process to both parties involved... (2001 Guidance, p. 22).</li> <li>• The rights established under Title IX must be interpreted consistent with any federally guaranteed due process rights involved in a complaint proceeding. (2001 Guidance, p. 22).</li> <li>• [Institutions must] [a]dopt and publish grievance procedures providing for prompt and equitable resolution of student and employee sex discrimination complaints. (Letter, p. 6)</li> <li>• [T]he school’s inquiry must in all cases be prompt, thorough, and impartial. (Letter, p. 5).</li> <li>• [There must be] adequate, reliable, and impartial investigation of complaints, including the opportunity for both parties to present witnesses and other evidence. (Letter, p. 9).</li> <li>• [A] school’s investigation and hearing processes cannot be equitable unless they are impartial. Therefore, any real or perceived conflicts of interest between the fact-finder or decision-maker and the parties should be disclosed. (Letter, p. 12).</li> <li>• The Title IX coordinators should not have other job responsibilities that may create a conflict of interest. For example, serving as the Title IX coordinator and a disciplinary hearing board member or general counsel may create a conflict of interest. (Letter, p. 12).</li> <li>• The complainant and the alleged perpetrator must be afforded similar and timely access to any information that will be used at the hearing (Letter, p. 11).</li> <li>• Public and state-supported schools must provide due process to the alleged perpetrator. However, schools should ensure that steps taken to accord due process rights to the alleged perpetrator do not restrict or unnecessarily delay the Title IX protections for the complainant. (Letter, p. 12).</li> </ul>
<p><b>Emergency Notifications</b></p>	<p>These are notifications that are triggered by any significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees on the campus. This includes Clery crimes, crimes not reportable under Clery, and non-criminal incidents, such as an outbreak of a communicable illness, an impending weather emergency or a gas leak. Emergency notifications are for incidents occurring anywhere on campus. Notifications are to be issued without delay and upon confirmation of the emergency. Notifications can be tailored exclusively to the segment of the campus at risk. A notification does not have to be immediate if issuing it would compromise efforts to assist a victim, contain the emergency, respond to the emergency, or mitigate the emergency.</p>
<p><b>Family Educational Rights and Privacy Act</b></p>	<p>The law applies to all campuses that receive funds under an applicable program of the U.S. Department of Education. Codified at 20 U.S.C. §1232g, FERPA protects the privacy of student education records and gives parents certain rights with respect to their children’s education records until the rights transfer to a student when he or she reaches the age of 18 or attends a school beyond the high school level. Generally, schools must have written permission from the parent or eligible student in order to release any information from a student’s education record except under the conditions outlined in 34 CFR § 99.31.</p>
<p><b>Gender-Based Violence</b></p>	<p>An umbrella term that encompasses all forms of violence and harassment committed against an individual because of and/or based on their biological sex, gender identity and/or sexual orientation. This term includes sexual assault, rape, sexual harassment, all forms of intimate partner violence, and stalking.</p>
<p><b>Informed Consent</b></p>	<p>Informed consent is a phrase used to indicate that the process of obtaining consent from a person meets certain minimum, legal standards. The person consenting must have a clear appreciation and understanding of all the facts, implications, and future consequences of an action. Consent should be obtained in writing. The person giving consent must have the capacity to do so (not be under the influence of any coercion, legally able to consent based on age, absent of cognitive disabilities, etc.) The information provided to the person giving consent should be in a language they understand. Individuals should be advised whether their communications are confidential and whether the confidentiality of the statements is covered by a privilege. Understanding what will happen to the information provided and the extent to which it may be protected is an important component of informed consent. Informed consent is imperative for forensic exams and often for sharing any information related to the victim.</p>



<b>Institution of Higher Education</b>	Another term for “campus.”
<b>Interim Measures</b>	<p>Temporary actions taken by the campus to foster a safer and more stable environment during a period of ongoing exploration of options, investigation and/or adjudication, after an allegation of gender-based violence. Interim measures, sometimes called protective measures, may be requested by either of the parties or imposed by the campus on its own initiative. Under Title IX, when a complainant requests interim measures, a campus must assess and implement the request. Interim measures may be imposed regardless of whether formal disciplinary action is sought by the reporting party or the campus. Interim measures in and of themselves are not a resolution to a report of gender-based violence. Some interim measures include changing housing, addressing academic concerns, assisting with access to civil and criminal justice assistance, and providing financial aid guidance. Potential measures, which may be applied include:</p> <ul style="list-style-type: none"> <li>• Access to counseling services, both on and off campus.</li> <li>• Providing medical services.</li> <li>• Imposition of a campus no contact or trespass order.</li> <li>• Security assistance.</li> <li>• Transportation assistance.</li> <li>• Academic accommodations.</li> <li>• Providing academic support services, such as tutoring.</li> <li>• Change in work schedule or job assignment.</li> <li>• Residence modifications assistance.</li> <li>• Immigration assistance.</li> <li>• Limit an individual or organization’s access to certain campus facilities or activities pending resolution of the matter.</li> <li>• Voluntary leave of absence.</li> <li>• Interim suspension or campus-imposed leave.</li> <li>• Any other remedy that can be tailored to the involved individuals.</li> </ul>
<b>Intimate Partners</b>	Intimate partners include current and former spouses and dating partners. Intimate partners include same-sex and opposite-sex relationships. Classification as an intimate partner relationship does not require the presence of sexual activity at any point before, during, or after the relationship.
<b>Intimate Partner Violence</b>	A pattern of assaultive and coercive behaviors, including physical, sexual and psychological attacks, as well as economic coercion, that adults or adolescents use against their intimate partners. IPV includes wide-ranging coercive behaviors, some physically injurious, all psychologically damaging. IPV can occur in any relationship, regardless of sexual orientation and/or gender identity. Some behaviors are chargeable as crimes in most states (e.g., physical assault, sexual assault, menacing, arson, kidnapping, harassment), while other battering episodes are not illegal (e.g., name-calling, interrogating children, denying access to the family automobile, control of financial resources). While intervening professionals may try to make sense of one specific incident that resulted in an injury, the complainant is typically dealing with that incident in the context of a pattern of both obvious and subtle coercion. IPV also includes acts that may represent first-time perpetration and/or victimization. IPV is another term for “domestic violence” or “dating violence” that is often considered more inclusive of LGBTQI+ relationships.

<b>Investigation</b>	<p>The process a campus uses to resolve complaints about gender-based violence. This includes the fact-finding investigation and any hearing and decision-making process used to determine: (1) whether it is more likely than not (preponderance of the evidence) that the conduct occurred; and, if so, (2) what actions the campus will take to end the gender-based violence, eliminate the hostile environment, and prevent its recurrence, which may include imposing sanctions on the respondent and providing remedies for the complainant and broader student population. An investigation by a campus is different than one conducted by law enforcement.</p> <p>The specific steps in a campuses Title IX investigation will vary depending on the nature of the allegation, the age of the student or students involved, the size and administrative structure of the school, state or local legal requirements (including mandatory reporting requirements for campuses working with minors), and what it has learned from past experiences. In all cases, a campus Title IX investigation must be adequate, reliable, impartial, and prompt, and include the opportunity for both parties to present witnesses and other evidence.</p>
<b>Limited English Proficiency</b>	<p>Someone who is referred to as Limited English Proficiency (LEP), is an individual who does not speak English as their primary language, and who has a limited ability to read, speak, write, or understand English. These individuals may be entitled to language assistance with respect to a particular type of service, benefit, or encounter.</p>
<b>Linguistically and Culturally-Relevant Services</b>	<p>Services that offer full linguistic access and culturally-specific services and resources, including outreach, collaboration, and support mechanisms primarily directed toward underserved and marginalized communities.</p>
<b>Mandatory Reporter</b>	<p>Ohio law mandates certain specified professionals report (or cause a report to be made) whenever physical, sexual or other types of abuse have been observed or are suspected, or when there is evidence of neglect, knowledge of an incident, or an imminent risk of serious harm. These professionals tend to be physicians, counselors, social workers, and other professionals who have contact with children or vulnerable adults, and includes persons employed by a campus when minors are involved. See O.R.C. §2151.421 Other federal laws also have reporting requirements in place, and those definitions are listed under “Responsible Employee” and “Campus Security Authority.”</p> <p>O.R.C. § 2921.22 requires that healthcare providers handle reports of domestic violence by documenting them in the patient’s chart or medical record. If a victim presents with felony-level injuries, such as gunshot wounds, stabbings, third degree burns, or other life threatening or serious injuries, healthcare workers providing aid to these victims are required to report these injuries to law enforcement. Victims are not required to discuss their victimization with law enforcement when responding to a report from healthcare workers. In addition, healthcare workers are not required to disclose identifiable victim information of adult rape victims who do not want to report. See O.R.C. § 2921.22(G) Failure to report a crime or knowledge of a death or burn injury and exceptions to when reporting is not required.</p> <p>Ohio’s mandatory reporting laws are separate from Title IX’s Responsible Employee reporting obligations (see Responsible Employee definition below).</p>
<b>Memorandum of Understanding</b>	<p>A written agreement that outlines mutually-accepted expectations between two or more people or organizations as they work together toward a common objective. MOU’s also provide a mutually beneficial framework that partners can use to achieve shared goals.</p>

<b>No Contact Order</b>	<p>Some campuses issue no contact orders (NCO or no contact directives) as a protective measure for complainants. A NCO should be issued in collaboration and consultation with the complainant. Therefore, it should not be issued automatically and without consideration for the complainant’s wishes regarding safety and confidentiality, especially in incidents of intimate partner violence where its issuance may increase lethality.</p> <p>A no contact order prohibits the respondent from contacting the complainant. It can be issued based on good cause as an interim measure (before an investigation is started or anytime through the investigation or hearing process), or as part of a sanction. The NCO should be issued in writing and signed by the respondent. It can remain in effect as long as the respondent is a student at the institution. A comprehensive NCO should state that the respondent is prohibited from contacting the complainant in person, by phone (including text messages, voicemail, and through apps), via third party, in any form of written communication, or by any electronic or internet-based communication.</p> <p>A NCO should state that any violation will result in formal disciplinary action investigation and hearing. Because every campus varies widely in size, culture, and structure, and consequently may be nearly impossible to eliminate the possibility of incidental contact, it is important that the enforcing administrators understand the difference between incidental and intentional contact and explain these differences, both verbally and in writing, to the involved parties. A NCO is not the same as a CPO, see the definition for a civil protection order listed above for more information about that safety tool.</p>
<b>Notification</b>	<p>After a Title IX complaint has been filed, campuses are required to notify both the complainant and respondent with written updates. These notifications should include, but are not limited to, the commencement and conclusion of an investigation, the administrative resolution, the adjudication and/or sanctioning outcome, any right to appeal, and the conclusion of any appeal.</p>
<b>Office for Civil Rights</b>	<p>The enforcement agency for Title IX. The U.S. Department of Education, Office for Civil Rights (OCR), evaluates, investigates, and resolves complaints alleging sex discrimination. OCR also conducts proactive investigations, called compliance reviews, to examine potential systemic violations based on sources of information other than complaints. In addition to its enforcement activities, OCR provides technical assistance, information, and guidance to schools, universities and other agencies seeking voluntary compliance with federal education laws.</p>
<b>Office on Violence Against Women</b>	<p>Created in 1995, the Office on Violence Against Women (OVW) administers financial and technical assistance to communities across the country that are developing programs, policies, and practices aimed at ending domestic violence, dating violence, sexual assault, and stalking. Currently, OVW administers four formula-based and 20 discretionary grant programs, established under VAWA and subsequent legislation.</p>
<b>Ohio Alliance to End Sexual Violence</b>	<p>As Ohio’s federally recognized statewide sexual assault coalition, the Ohio Alliance to End Sexual Violence (OAESV) advocates for comprehensive responses and rape crisis services for survivors and empowers communities to prevent sexual violence. Its objectives are to: end isolation of survivors and agencies working on their behalf; improve services and responses to survivors and all those impacted by sexual violence; increase public awareness about sexual violence; inform and shape public policy; and end sexual violence.</p>
<b>Ohio Domestic Violence Network</b>	<p>As Ohio’s federally recognized statewide domestic violence coalition, the Ohio Domestic Violence Network (ODVN) advances the principles that all people have the right to an oppression and violence free life; fosters changes in our economic, social and political systems; and brings leadership, expertise and best practices to community programs. ODVN maintains a commitment to the empowerment of battered women and children as well as to the elimination of personal, institutional and cultural violence.</p>
<b>Perpetrator</b>	<p>Another term for “batterer”, “abuser”, “stalker”, or “rapist.” It is recommended that Ohio campuses use the term “respondent.”</p>

<b>Personally Identifying Information</b>	<p>Information, for or about a complainant, that, if shared, would most likely identify that complainant. This could be a single piece of information or a set of facts about that person. Some examples are:</p> <ol style="list-style-type: none"> <li>1. a first and last name;</li> <li>2. a home or other physical address;</li> <li>3. contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);</li> <li>4. a social security number; and</li> <li>5. any other information, including date of birth, racial or ethnic background, or religious affiliation, that, in combination with any of subparagraphs (A) through (D), would serve to identify any individual.</li> </ol>
<b>Post Separation Violence</b>	<p>Tactics of coercive control used to retain power and control over the survivor when the survivor is seeking to end or after the survivor has ended the intimate partner relationship. Separation is one of the most dangerous times for survivors of intimate partner violence, and many survivors report an escalation in coercive control when attempting to end the relationship. This type of violence often involves engaging systems to actively work against the survivor. Post separation violence can take many forms, including physical or sexual assault against the survivor, threats of abuse or violence, stalking, harassment, and threats or actual harm related to children.</p>
<b>Preponderance of Evidence</b>	<p>The appropriate standard for determining if there is sufficient evidence to support a finding of a campus policy violation. The amount of evidence that rises to the level of preponderance cannot be reduced to a simple formula. It has been described as just enough evidence to make it more likely than not that the fact(s) the claimant seeks to prove are true.</p>
<b>Prevention</b>	<p>A wide range of activities aimed at reducing risks or threats to health. There are three categories of prevention: primary, secondary and tertiary. Primary prevention aims to prevent disease or injury before it ever occurs. Secondary prevention aims to reduce the impact of a disease or injury that has already occurred. Tertiary prevention aims to soften the impact of an ongoing illness or injury that has lasting effects.</p>
<b>Privacy</b>	<p>The right of the individual to determine when, how, and to what extent he or she will release personal information. This right has developed into a liberty of personal autonomy protected by the 14th amendment of the United States Constitution. The 1st, 4th, and 5th Amendments also provide some protection of privacy, although in all cases the right is narrowly defined. It is best practice for a campus to limit information sharing and take other steps to protect the privacy of the complainant during the entire investigation and disciplinary process.</p>
<b>Privilege</b>	<p>Also known as a privileged communication, privilege is a legal term describing certain specific types of relationships that enjoy protection from disclosure in legal proceedings. Privilege is granted by law and belongs to the client in the relationship. It can either be absolute or qualified, each affording a different level of protection. Privileged relationships vary by state law. If a survivor discloses to someone with privilege, that person does not have a legal duty to report it to the Title IX Coordinator or to law enforcement, unless other mandated reporting requirements apply, typically involving minors or the disclosure of an imminent risk to self or others.</p>
<b>Protocol</b>	<p>A written document that outlines the expected conduct and behaviors of the larger campus community and the steps and measures the campus will take when those expectations are not met.</p>
<b>Rape</b>	<p>Although the legal definition of rape varies from state to state, rape is generally defined as forced or non-consensual sexual contact.</p>
<b>Release of Information</b>	<p>A form signed by a survivor/student that gives permission to an entity or agency to release certain personal information or documentation about that survivor. A release is only valid under VAWA, if it meets certain requirements, including that it must be signed, dated, time-limited, and specific as to the information to be released and for what purposes. Survivors must not be coerced or mandated to sign a release, and they should have the ability to revoke the release at any time.</p>



<b>Reporting</b>	When a survivor of gender-based violence tells an individual or entity about the violence because the survivor either wants the campus to initiate some type of grievance or disciplinary response or desires an off-campus criminal justice response.
<b>Respondent</b>	Anyone accused of violating a campus's code of conduct.
<b>Responsible Employee</b>	Title IX requires that campuses appoint and identify employees who have a duty to report gender-based violence to the Title IX Coordinator or other appropriate campus designee. Campuses are required by OCR to make clear to all employees and students which staff members are responsible employees, so students can make informed decisions about whom to confide in, and so that those designated understand their reporting obligations. Additionally, responsible employees must explain to the survivor (1) their particular obligation to report any information the student reveals to the Title IX Coordinator (2) the student's option to ask that the campus consider maintaining their confidentiality, but that the campus may not be able to guarantee confidentiality, and (3) the student's option to instead share this information with counseling, advocacy, health, mental health or other sexual assault-related resources who are not obligated to report it to the Title IX Coordinator.
<b>Risk Assessment</b>	Also known as a lethality assessment, it is a tool used to identify the amount of potential danger a victim may face. Risk assessments should be administered by a trained professional or advocate. They are complex instruments and should not be considered foolproof. Additionally, an individual's risk may change over time.
<b>Safety</b>	Condition of being safe; freedom from danger or hazard.
<b>Safety Planning</b>	A process during which survivors explore and evaluate strategies to increase their own safety and the safety of their loved ones, including children and pets. Safety planning includes considerations for various situations that may elicit safety concerns. The philosophy is to have decisions made in advance and safety strategies practiced, so if an emergency arises, there are concrete plans in place to achieve, eliminate, or manage a safety threat. This is something that survivors can benefit from doing with an advocate or another trained supportive individual.
<b>Sanction</b>	An accountability measure used by campuses when the conduct of a faculty, staff member, administrator or student has violated the policies and procedures that promote a positive learning environment. While an act of gender-based violence can never be "undone," there may be situations in which one or a multitude of sanctions or remedies can include some restoration of harm caused. For respondents, this can include transcript notifications, suspension or expulsion. For those working on the campus, it could include graduated sanctions up to discharge. Additional sanctions could include educational programming or alcohol/substance assessment, reassignment of work duties or location, reassignment of class meetings, reassignment of or removal from living accommodations, restrictions on contact with complainant, access restrictions to campus property and/or events, disciplinary probation, and suspension or expulsion.  Guests and other persons alleged to have engaged in gender-based violence can be subject to corrective action, which may include removal from campus, ban from campus, and/or termination of contractual arrangements. Vendors or other agencies in contract with the campus should be promptly notified if any of their employees are alleged to have violated policy. Such employees may be banned from any or all campus properties, and may also be subject to action deemed appropriate by their respective employer. Restrictions regarding access to campus property or events may also be imposed.
<b>Sexual Harassment</b>	A form of sex discrimination prohibited in education settings by Title IX and Title IV. An "unwelcome conduct of a sexual nature" that may include "unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature." Sexual harassment also encompasses nonsexual conduct, provided the behavior is unwelcome, is based on sex or sexual stereotyping, and has the effect of interfering with a student's ability to participate in or benefit from a school program, such as participation in athletics
<b>Sexual Violence</b>	An umbrella term covering a wide range of [sexual] actions taken against a person without the person's consent, against the person's will, or under force, threat of force or coercion. Sexual violence is a broad term that describes perpetration by individuals known and unknown to the victim, and includes a wide range of unwanted sexual actions, including rape. Legally, consent cannot be given if the person is substantially impaired (refer to the definition of "consent" in this glossary). For Ohio definitions, see O.R.C. §2907

<b>Stakeholders</b>	Individuals and organizations that are actively involved in a project/initiative, or whose interests may be affected as a result of project execution or project completion. Stakeholders can also exert influence over the project’s objectives and outcomes.
<b>Stalking</b>	<p>The exact definition varies by state (see below for Ohio), but in general, stalking is a pattern of repeated, unwanted attention, harassment, or contact which reasonably alarms, torments, or terrorizes the person being stalked. Stalking can occur through unwanted contact through electronic and telephonic methods (phone calls, text messages, e-mails, social media, etc.), unwanted presence at locations without legitimate purposes, spreading rumors about the complainant on the internet, vandalism, posting messages, and/or threatening physical harm to or against the victim.</p> <p>In Ohio, refer to O.R.C. §2903.211 Menacing by stalking, which states that “no person by engaging in a pattern of conduct shall knowingly cause another person to believe that the offender will cause physical harm to the other person or cause mental distress to the other person. [T]he other person’s belief or mental distress may be based on words or conduct of the offender that are directed at or identify a corporation, association, or other organization that employs the other person or to which the other person belongs.”</p>
<b>Student Conduct Hearing</b>	See “Disciplinary Hearing.”
<b>Survivor</b>	Someone who has experienced any form of sexual violence, intimate partner violence, sexual harassment, or stalking. Though the word “victim” is often consistent with legal and legislative language, it is recommended that campuses use the word “survivor.”
<b>Temporary Protection Order</b>	A temporary protection order (TPO) may be ordered in a criminal domestic violence-related case. It terminates when the criminal case is over. See O.R.C. §2919.26
<b>Timely Warnings</b>	Campuses must give a timely warning when a Clery Act crime occurs on Clery geography and represents a serious or continuing threat to the safety of students or employees. Timely warnings are triggered as soon as the pertinent information becomes available. Each report must be evaluated to determine if a timely warning should be issued. Because the nature of criminal threats often is not limited to a single location, timely warnings must be issued in a manner likely to reach the entire campus community. Disclosure within privileged relationships of the occurrence of a Clery Act crime is exempt from the timely warning requirements. It is generally expected that timely warnings will contain more guidance than an emergency notification. Campuses are required to publish their policies regarding timely warnings in their ACR.
<b>Title IX</b>	Title IX of the Education Amendments of 1972 (Title IX), prohibits discrimination on the basis of sex in education programs, activities, and employment. Title IX applies to all campuses that receive federal financial assistance. Title IX states, “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 education program or activity receiving Federal financial assistance.” Title IX covers students, staff, and faculty. It protects any person from sex-based discrimination, regardless of their real or perceived sex, gender identity, and/or gender expression. Female, male, and gender non-conforming students, faculty, and staff are protected from all forms of sexual discrimination, including sexual harassment, sexual misconduct, and sexual violence and to gender-based harassment.
<b>Title IX Complaint</b>	A document that details the ways in which a student, staff, or faculty member (student for purposes of this Toolkit) who has experienced sexual harassment, sexual battery, sexual assault, or rape, or has faced retaliation for speaking out about sexual assault issues (i.e. a violation of Title IX). The complaint can involve a single case or multiple cases. Complainants can either be named or anonymous, and they can include as much or little detail about their case as they would like. Some campus activists have also included violations of additional laws in their Title IX complaints (e.g., Title VI and Title VII of the Civil Rights Act of 1964, which ban retaliation, and Title II of the Americans with Disabilities Act, which addresses failure to provide adequate mental health accommodations to rape survivors and other mental health-related discrimination).

<b>Transcript Notation</b>	<p>A notation added to a respondent's transcript when he/she has been found responsible for any act of gender-based violence. Some states are now requiring campuses to note on transcripts whether a student was suspended or expelled due to sexual assault allegations.</p> <p>ATIXA's Board of Advisors adopted a position statement in favor of a mandatory transcript notation for any student expelled for such acts and a discretionary transcript notation for any student that was suspended or voluntarily withdrew while allegations of intimate partner violence, stalking, and/or sexual violence were pending. Though Ohio has no such requirement, it is an emerging best practice that campuses may want to review.</p>
<b>Trauma-Informed</b>	<p>An organizational structure and treatment framework that involves understanding, recognizing, and responding to the effects of all types of trauma. Trauma-informed responses emphasize physical, psychological and emotional safety, and help survivors rebuild a sense of control and empowerment. When responding to a student who has experienced gender-based violence, trauma-informed practices take into account the existence of trauma and the impact of an investigation process and any informal or formal action that follows.</p>
<b>University</b>	<p>Another term for "campus."</p>
<b>Victim</b>	<p>Another term for "survivor."</p>
<b>Victim/Witness Advocate</b>	<p>Professionals trained to support victims through the criminal justice system. Their role is to link victims to services, explain the processes of the criminal justice system, and if requested, make the survivor's wishes known in the criminal justice proceeding. Victim/witness advocates reach out to the survivor during the investigation and, if applicable, prosecution of the crime. Their role often ends when a criminal case ends. Most work for law enforcement or prosecutors, which can impact confidentiality. For example, the information survivors provide may be shared with the prosecutor. In turn, the prosecutor may be required to release that information to the defense. Victim/witness advocates may work in conjunction with community-based advocates to ensure a survivor has a holistic support system.</p>
<b>Violence Against Women Act</b>	<p>The Violence Against Women Act (VAWA) is the cornerstone of the United States' response to domestic and sexual violence (codified through Title IV, sec. 40001-40703 of the Violent Crime Control and Law Enforcement Act of 1994, H.R. 3355) signed as Pub.L. 103-322. VAWA was passed in 1994, and has been reauthorized many times. It established the Office on Violence Against Women within the Department of Justice, and authorizes money for criminal and civil responses to violent crimes against women.</p>