

## XX. Sexual Misconduct Policy:<sup>71</sup>

### A. Policy:

1. The SCA prohibits all forms of sexual misconduct including, but not limited to, sexual assault, sexual harassment, stalking, and sexual violence. Such conduct violates SCA Core Values and puts the SCA and its participants at risk. In furtherance of this policy, the SCA highlights our Core Values as the code of conduct for participants in any of our activities.

#### a. SCA Statement of Core Values

In pursuing its mission, the SCA is committed to excellence in its programs, communications, and activities and to:

- act in accordance with the chivalric virtues of honor and service in all interactions with SCA members and participants;
- be a responsible steward of SCA resources;
- deal fairly with others, and value and respect the worth and dignity of all individuals;
- practice inclusiveness and respect diversity;
- promote a safe and respectful environment for all SCA members and participants;
- act with transparency, fairness, integrity and honesty;
- maintain a harassment-free environment in SCA spaces;
- avoid behavior that reflects adversely on the SCA or other SCA members and participants.

It is the expectation of the SCA that its members and participants, in all events and activities of the SCA, will conduct themselves in accordance with these tenets.<sup>72</sup>

### B. Definitions:

1. Consent means freely and affirmatively communicated willingness to participate in sexual activity, expressed by clear, unambiguous words.

a. Consent is a clear, verbal, voluntary agreement given by someone able to agree to an act.

b. Someone may lack the ability to consent, due, for example, to their age, intellectual or other disability, or incapacitation from the use of drugs or alcohol.

c. We will always view as unwelcome and nonconsensual any sexual activity between an adult and any person below the legal age of consent.

d. Additionally, because consent is a voluntary agreement to engage in sexual activity:

- someone who is incapacitated cannot consent;
- past consent does not imply future consent;
- consent for one act does not imply consent for another;
- silence or an absence of resistance does not imply consent;
- consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another;
- consent can be withdrawn at any time during a sexual encounter; and
- coercion, force, or threat of either invalidates consent.

2. Sexual Assault is an actual or attempted sexual contact with another person without that person's consent. Sexual assault includes, but is not limited to, acts that constitute sexual assault under state law.

3. Sexual Harassment is any unwelcome verbal or physical conduct of a sexual nature that is sufficiently severe, persistent, or pervasive such that it unreasonably interferes with, limits, or deprives someone of the ability to participate in or benefit from the SCA events and activities. Sexual Harassment includes, but is not limited to, acts that constitute sexual harassment under state law.

4. Sexual Misconduct is any unwelcome behavior of a sexual nature that is committed without consent and/or by force, intimidation, coercion, or manipulation. Sexual misconduct includes, but is not limited to, exposure of reproductive organs, sexual assault, sexual harassment, stalking, and sexual violence. Sexual misconduct also includes, but is not limited to, acts that constitute sexual misconduct under state law.

5. Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for his or her safety or the safety of others, or (b) suffer substantial emotional distress. Stalking behavior can include: (i) persistent, unwanted communications to the victim by phone, email, and/or other social media; (ii) repeatedly sending the victim unwanted gifts; (iii) following or waiting for the victim at home, school, work, or elsewhere; and (iv) direct or indirect threat(s) by the stalker to harm herself or himself, the victim, or the victim's friends and family, or to damage the victim's property. Stalking includes, but is not limited to, acts that constitute stalking under state law.