
Relationship Violence Laws

Domestic Violence

Under Title IX, *domestic violence* is defined as felony or misdemeanor crimes of violence committed between two people who have:

married or been intimate partners

lived together as spouses or intimate partners

a child in common

protections under local domestic or family violence laws

Dating violence includes actual or threatened sexual or physical violence committed between two people who have been in a social relationship of a romantic or intimate nature, depending on the length and type of the relationship, and the frequency of their interactions.

Statutes

Federal Law

Domestic Violence and Dating Violence

Code of Federal Regulations

TITLE 34—EDUCATION

SUBTITLE B—REGULATIONS OF THE OFFICES OF THE DEPARTMENT OF EDUCATION

CHAPTER I—OFFICE FOR CIVIL RIGHTS, DEPARTMENT OF EDUCATION

PART 106—NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS

OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

SUBPART D—DISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES PROHIBITED

§ 106.30 Definitions. *[Effective Aug. 14, 2020.]*

(a) As used in this part:

.... *[Content omitted for clarity]*

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

- (1) An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;
- (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 recipient's education program or activity; or
- (3) "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

.... *[Content omitted for clarity]*

.... *[Content omitted for clarity.]*

§ 106.44 Recipient's response to sexual harassment. *[Effective Aug. 14, 2020.]*

(a) General response to sexual harassment. A recipient with actual knowledge of sexual harassment in an education program or activity of the recipient against a person in the United States, must respond promptly in a manner that is not deliberately indifferent. A recipient is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances. For the purposes of this section, §§ 106.30, and 106.45, "education program or activity" includes locations, events, or circumstances over which the recipient exercised substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by a postsecondary institution. ... *[content omitted for clarity]*

.... *[Content omitted for clarity.]*

Title 34—CRIME CONTROL AND LAW ENFORCEMENT

Subtitle I—Comprehensive Acts

CHAPTER 121—VIOLENT CRIME CONTROL AND LAW ENFORCEMENT

SUBCHAPTER III—VIOLENCE AGAINST WOMEN

§ 12291. Definitions and grant provisions

(a) Definitions

In this subchapter:

.... *[Content omitted for clarity]*

(8) Domestic violence

The term "domestic violence" includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

(9) Dating partner

The term "dating partner" refers to a person who is or has been in a social relationship of a romantic or intimate nature with the abuser, and where the existence of such a relationship shall be determined based on a consideration of –

- (A) the length of the relationship;
- (B) the type of relationship; and
- (C) the frequency of interaction between the persons involved in the relationship.

(10) Dating violence

The term "dating violence" means violence committed by a person –

- (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and

(B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

- (i) The length of the relationship.
- (ii) The type of relationship.
- (iii) The frequency of interaction between the persons involved in the relationship.

.... *[Content omitted for clarity]*

.... *[Content omitted for clarity.]*