

Consent Quick Guide

Office of Institutional Equity | New Mexico State University | Equity.NMSU.EDU



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Listen
for Yes

Make
sure "Yes"
means "Yes"

Keep the
conversation
open and
ongoing

Equality
and Respect
are major parts
of consent

Understand

Consent: A clear, knowing, voluntary and unambiguous agreement, expressed in mutually understandable words and/or actions, to engage in or give permission for a particular activity.

- 1. Consent is fundamental:** You must obtain consent before engaging in or deciding to move forward with any type of sexual activity.
- 2. Consent requires communication:** Verbal communication before engaging in sexual activity clarifies consent. Discussing your own and your sexual partner's sexual needs, desires, and limitations provides a basis of a positive and consensual experience.
- 3. Consent is Affirmative:** Listen for a clear and positive agreement. These factors don't count: The absence of "No", silence, relying on body language, flirtation, coercion, marital or relationship status, power differentials, clothing choice, or a person's past behavior. The only affirmative statement of consent is "YES".
- 4. Consent is Voluntary:** Consent must be given freely and willingly, and may not be valid if one person is being subjected to emotional or psychological pressure, intimidation, or fear.
- 5. Consent must be unimpaired:** A person who is impaired in any way, asleep, or mentally or physically incapacitated, either through the effect of drugs or alcohol, or for any other reason, is not capable of giving valid consent. Using alcohol or drugs may also seriously interfere with the initiating party's judgment about whether consent was sought or given.
- 6. Consent is Impermanent:** Consent at one time does not imply future consent. Consent must be given freely during each specific act of sexual activity.
- 7. Consent is always revocable:** Consent is subject to change and can be revoked or withdrawn at any time. Consent must be clear at each stage of a sexual encounter: Consenting to one sexual activity does not imply consent to further or other sexual activity.
- 8. Consent is autonomous:** A current or past sexual or intimate relationship, such as dating, marriage, or friendship, does not override the need to obtain consent.
- 9. Consent is equitable:** Consent is not valid when the individual pursuing the sexual activity holds power or authority over their partner, such as in an academic or workplace setting, or when one participant is under the legal age of consent.
- 10. Consent is essential.**
Sexual Contact without consent is **sexual assault**.

What does OIE do?

New Mexico State University is committed to creating and maintaining a respectful, inclusive, and responsible learning and working environment.

The Office of Institutional Equity strives to support this commitment by promoting an inclusive, diverse, and supportive environment for the NMSU system, with the goal of enabling our employees and students to excel

regardless of their age, ancestry, color, disability, gender identity, genetic information, national origin, race, religion, serious medical condition, sex (including pregnancy), sexual orientation, spousal affiliation, or protected veteran status, consistent with NMSU policy and state and federal laws.

To assist with this commitment, OIE is designated as the office that

receives and processes all reports of unlawful discrimination for the NMSU system. OIE is a neutral investigatory unit. Dr. Laura Castille, OIE Executive Director, serves as Title IX and ADA Coordinator, responsible for ensuring compliance with federal and state laws.



The Office of Institutional Equity offers live one-on-one and group training, and e-modules for Title IX, Consent/Healthy Relationships, Discrimination, Diversity & Inclusion, and Pregnancy/ADA accommodations.

To request a training, visit EQUITY.NMSU.EDU and SELECT [Training Request](#)

#AggiesAlwaysAsk, OIE's Consent Campaign, distributes "Consent Condoms" to encourage positive dialogue regarding consensual sexual activity

Supportive Measures

If you have been sexually assaulted, sexually harassed, or need help, OIE may be able to provide supportive measures including:

- Title IX course withdrawal
- Counseling or Social Service Referrals
- Course-related adjustments
- Campus Escort Services
- No-Contact Restrictions / Orders
- No Trespass Directives
- Restrictions
- Changes in Dining or Housing Arrangements
- Increased security and monitoring of campus sectors
- Modification to class or work schedules
- Authorized leaves of absence
- Time extensions
- Other similar accommodations