Definition of Consent

- Consent is
  - clear, and
  - knowing, and
  - voluntary,
  - words or actions,
  - that give permission for specific sexual activity.
- Consent is active, not passive.
- Consent should be requested with words and cannot be assumed.
- Silence, in and of itself, cannot be interpreted as consent.
- Consent can be given by words or actions, as long as those words or actions create mutually understandable permission regarding willingness to engage in (and the conditions of) sexual activity.
- Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity.
- Previous relationships or prior consent cannot imply consent to future sexual acts.
- Consent can be withdrawn once given, as long as that withdrawal is clearly communicated.
- In order to give consent, one must be of legal age.
- Sexual activity with someone you know to be or should know to be incapacitated constitutes a violation of this policy.
  - Incapacitation can occur mentally or physically, from developmental disability, by alcohol or other drug use, or blackout.
  - The question of what the responding party should have known is objectively based on what a reasonable person in the place of the responding party, sober and exercising good judgment, would have known about the condition of the reporting party.
  - Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of their sexual interaction).
- Consent cannot be obtained by force or coercion.¹
- This policy and definition also covers a person whose incapacity results from mental disability, sleep, unconsciousness, involuntary physical restraint, or from the taking of rape drugs.

- Definition of Force:
  - Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcomes free will or resistance or that produces consent (example: “Have sex with me or I’ll hit you. Okay, don’t hit me, I’ll do what you want.”).

- Definition of Coercion:
  - Coercion is unreasonable pressure for sexual activity. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.
  - NOTE: There is no requirement for a party to resist the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual, but non-consensual sexual activity is not by definition forced.

¹ Find definitions of force and coercion elsewhere in this policy.
RULES OF CONSENT

RED:
Stop.
There is danger here because you do not have affirmative consent through words and actions.

YELLOW:
Take time to think.
The only place to go from yellow is red.

GREEN:
Everything is great.
You have requested consent. Consent is clear from both words and actions.