

What is Consent?

Consent means two people (or more) deciding together to do the same thing, at the same time, in the same way, with each other. Any sexual act that is initiated upon a person without their consent is against the law and is a violation of District Policy.

Elements of Consent

- C Comprehension that the act is taking place
- O Optional for both parties
- N Negotiation with partner
- S Sobriety – must have knowledge of the nature of the act
- E Engagement in the act
- N Nonviolent
- T Talking about it/ communication – silence does not equal consent

Consent can be a difficult concept to understand, but the basic principle is that every person has a right to personal sovereignty... in other words every person has the right not to be acted upon by someone else in a sexual way unless he or she gives clear permission to do so.

Consent means that you can't make assumptions about what your partner does or does not want. Absence of clear communication means that there is no permission to touch someone else, not that there is. No means no, but silence also means no. Silence and passivity do not equal consent. Consent to one form of sexual activity does not automatically imply consent to other forms of sexual activity. While engaging in sexual activity, one person can change their mind and withdraw consent at any time, as long as that withdrawal is clearly communicated by the person withdrawing it.

There are circumstances in which even when consent is given, it is not valid. Consent would be invalid when coerced, intimidated, threatened, forced, when given by a mentally or physically incapacitated person (including an intoxicated person), or when given by a minor. In a sexual encounter when one person withdraws (stops engaging or touching back), this may mean that they are uncomfortable with the sexual activity... it is time to stop completely and talk about each

other's desires and limits. Continued requests or verbal pressure for sexual activity can be coercive and/or intimidating and may invalidate consent.

There is no duty for an alleged victim to fight off or act in any way to stop a sexual aggressor.

*** the UCLA Center for Women & Men adapted this information from materials written by the UC Irvine Student Health Center and from the Supplement to Student Conduct Committee Training Manual on Sexual Misconduct (2000, NCHERM).