

WHAT IS CONSENT?

POLICIES & DEFINITIONS

VASSAR'S POLICY ON AFFIRMATIVE CONSENT

Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.

- Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act. Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol. Consent may be initially given but withdrawn at any time.
- Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity.
- Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm. When consent is withdrawn or can no longer be given, sexual activity must stop.
- In order to give effective consent, one must be of legal age; New York State defines 17 years as of legal age.

For a full description of College Regulations on Sexual Misconduct and Gender-based Violence, please visit: eoaa.vassar.edu/title-ix/policy/affirmative-consent.html

VASSAR'S AMNESTY POLICY

A reporting individual or bystander acting in good faith that discloses an incident of sexual assault, relationship violence, or stalking will not be subject to Vassar's code of conduct for violations of alcohol and/or drug use policies occurring at or near the time of the incident. This policy exists to alleviate fear of potential consequences for reporting an incident while under the influence of alcohol and/or drugs.

ARE YOU SAFE?

If you are concerned about your own or someone else's safety, call **911** or **Vassar Safety & Security at (845) 437-7333**.

If you are safe and are looking for information about on/off campus resources or reporting options, you can call a **Vassar Sexual Assault Response Team (SART) Advocate at (845) 437-7333** or visit savp.vassar.edu/resources for a full list of resources and options.

TIPS ON CONSENT

CONSENT SHOULD BE:

- A voluntary, sober, imaginative, enthusiastic, creative, wanted, informed, mutual, honest, and verbal agreement to sexual activity.
- An active agreement: consent cannot be coerced.
- A process, which must be asked for every step of the way. If you want to move to the next level of sexual intimacy, you should ask.
- Ongoing, honest, respectful communication before any sexual interaction or change of sexual activity.
- Asking:
 - "Is this okay?"
 - "Is there anything you don't want to do?"
 - "Are you comfortable?"
 - "Do you want to stop?"
- The fact that you have the right to say, "no," to sexual activity at any time.
- The fact that you have the right to change your mind at any time regardless of what you may have said in the past, your past experiences with other people, or your experiences with the person you are with.

CONSENT IS NOT:

- Implied or assumed, even in the context of a relationship. Just because you are in a relationship does not mean that you have permission to have sex with your partner.
- Assuming that certain clothing, flirting, kissing, or other actions are an invitation for sexual activity.
- Assuming permission for sexual activity because your partner agreed to an earlier act.
- Assuming permission to engage in a sexual activity because you have done it in the past.
- Pressuring or threatening someone into sexual activity.
- When someone says, "no."
- When someone says, "no," repeatedly and then says, "yes."
- When someone is asleep.
- When someone is incapacitated or unconscious as a result of alcohol and/or drugs.
- When someone is silent or does not resist.
- When someone is pushing you away, not responding to your touch, turning away from you, or hiding their face.
- When someone has been made to feel that they must say, "yes."
- When someone uses their position of power or authority to coerce or manipulate someone into saying, "yes."

It is important to remember that even though consent is given at one point or for a certain activity, it can be withdrawn at any point in time and all sexual activity must stop.

In addition, while this list describes many behaviors, some individuals may also choose to define what consent looks like to them differently. **Ask them how they give and get consent.**