

Allegany College of Maryland
STUDENT & LEGAL AFFAIRS – Title IX

INFORMATION: CONSENT
SEXUAL MISCONDUCT & SEX DISCRIMINATION POLICY

CONSENT: a knowing, voluntary, and affirmatively communicated willingness to mutually participate in a particular sexual activity or behavior. It must be given by a person with the ability and capacity to exercise free will and make a rational and reasonable judgment. Consent may be expressed either by affirmative words or actions, as long as those words or actions create a mutually understandable permission regarding the conditions of sexual activity. Consent may be withdrawn at any time. Consent cannot be obtained by force, threat, coercion, fraud, manipulation, reasonable fear of injury, intimidation, or through the use of one’s mental or physical helplessness or incapacity. Consent cannot be implied based upon the mere fact of a previous consensual dating or sexual relationship. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.

See “Definitions” at www.allegany.edu/titleIX along with detailed policy, procedures, and information.

See detailed information from the **National Domestic Violence Hotline** below.

<http://www.thehotline.org/?s=consent>

Consent allows both partners to express what they *do* want to experience.

It can be a moment for both partners to openly express to each other what they’re looking for. The saying “yes means yes” can be empowering and useful in thinking about what consent is.

Consent is ongoing.

Both partners should keep giving and looking for consent. Just because you’ve given consent to an act before, doesn’t mean it becomes a “given” every time. This idea also relates to new relationships — just because you’ve given consent to something in a different relationship doesn’t make it “automatic” in a new relationship.

Consent is not a free pass.

Saying yes to one act doesn’t mean you have to consent to other acts. Each requires its own consent. EX: Saying yes to oral sex doesn’t automatically mean you’re saying yes to intercourse.

Your relationship status does not make consent automatic.

If you’re married to someone, friends with someone, or dating someone, it doesn’t mean they ‘own’ your consent by default, or that you own theirs. Consent can also be taken back at any time — even if you’re in the midst of something and feeling uncomfortable, you always have the right to stop.

There’s no such thing as implied consent.

The absence of a “no” does not equal a “yes.” What you or a partner chooses to wear doesn’t mean that you or they are inviting unwanted sexual attention or “pre-consenting.” The same can be said for flirting, talking, showing interest or any other actions.

It’s not consent if you’re afraid to say no.

It’s not consent if you’re being manipulated, pressured, or threatened to say yes. It’s also not consent if you or a partner is unable to legitimately give consent, which includes being asleep, unconscious, under the influence of conscious-altering substances or not able to understand what you’re saying yes to.

Nonconsent means *STOP*.

If anyone involved isn’t consenting, then what is happening is or could be rape, sexual assault or abuse.