PREVENTION AND CONSENT

The responsibility of preventing sexual assault lies with the person initiating sexual behavior, because that is the person who has the power to stop what he or she is doing. With this in mind these are things to consider when initiating sexual behavior:

1. Sexual assault is a crime and a violation of the Student Conduct Code and the SCSU Sexual Violence Policy. As such, being found responsible for a student conduct code violation involving sexual violence can result in a maximum sanction of expulsion from SCSU. Additionally, criminal charges could be brought forward as well as civil litigation within the court system.

2. Because sexual assault is a crime of power and control, the most important issue to consider when engaging in sexual behavior is the CONSENT of the other person involved. Only a person’s consent gives one the right to engage in sexual contact. Therefore, consent must be many things including:

   • Verbal and Clear: Consent cannot be assumed. One’s sexual partner must freely be given opportunity to communicate his/her wishes and limits on the degree of behavior that is initiated upon them. No means no and can be communicated verbally and non-verbally. When in doubt, ask.
   • Sober and unimpaired. Consent can only be given by a person who has full control of his or her mental capacities and can understand the nature and extent of the sexual situation.
   • Consistent and prompt: Even if someone has agreed to be sexually involved with someone, that person has the right to withdraw consent at any time, even during behavior that might already be interpreted as sexual. Consent is not implied by the fact that dinner was bought for someone or that the parties were sexually involved in the past or even if someone was seemingly “led on” by another’s behavior.
   • Free of threats, physical force and intimidation. Coercion, force or threats is a willful denial of a person’s right to freely give his/her consent.

Checking in with your partner about what you are doing is a way of sharing the power and control of the situation that was initiated by you with them. This keeps the interaction an equal and safe situation for both parties.