

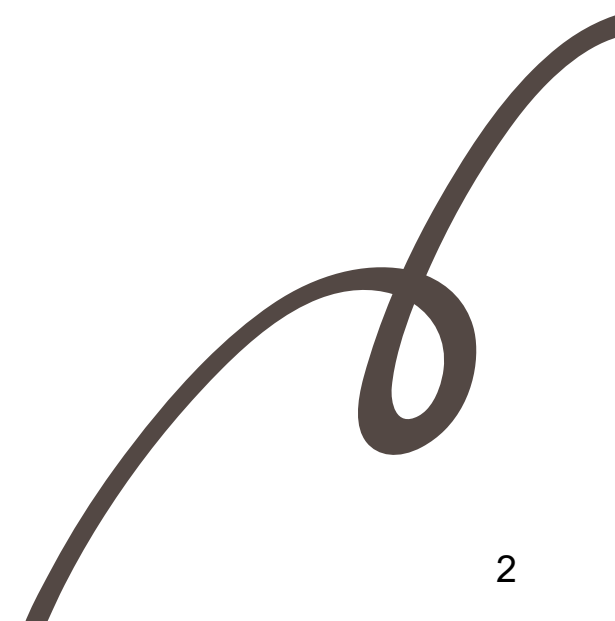


Affirmative Consent



Learning Objectives

After completing this lesson, students will be able to:

1. Define affirmative consent.
 2. Identify ways that consent can be communicated.
 3. Identify laws related to consent.
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Reflection Questions



Why is consent important when doing something intimate or sexual?



What are some situations where a person cannot consent to sexual activity?

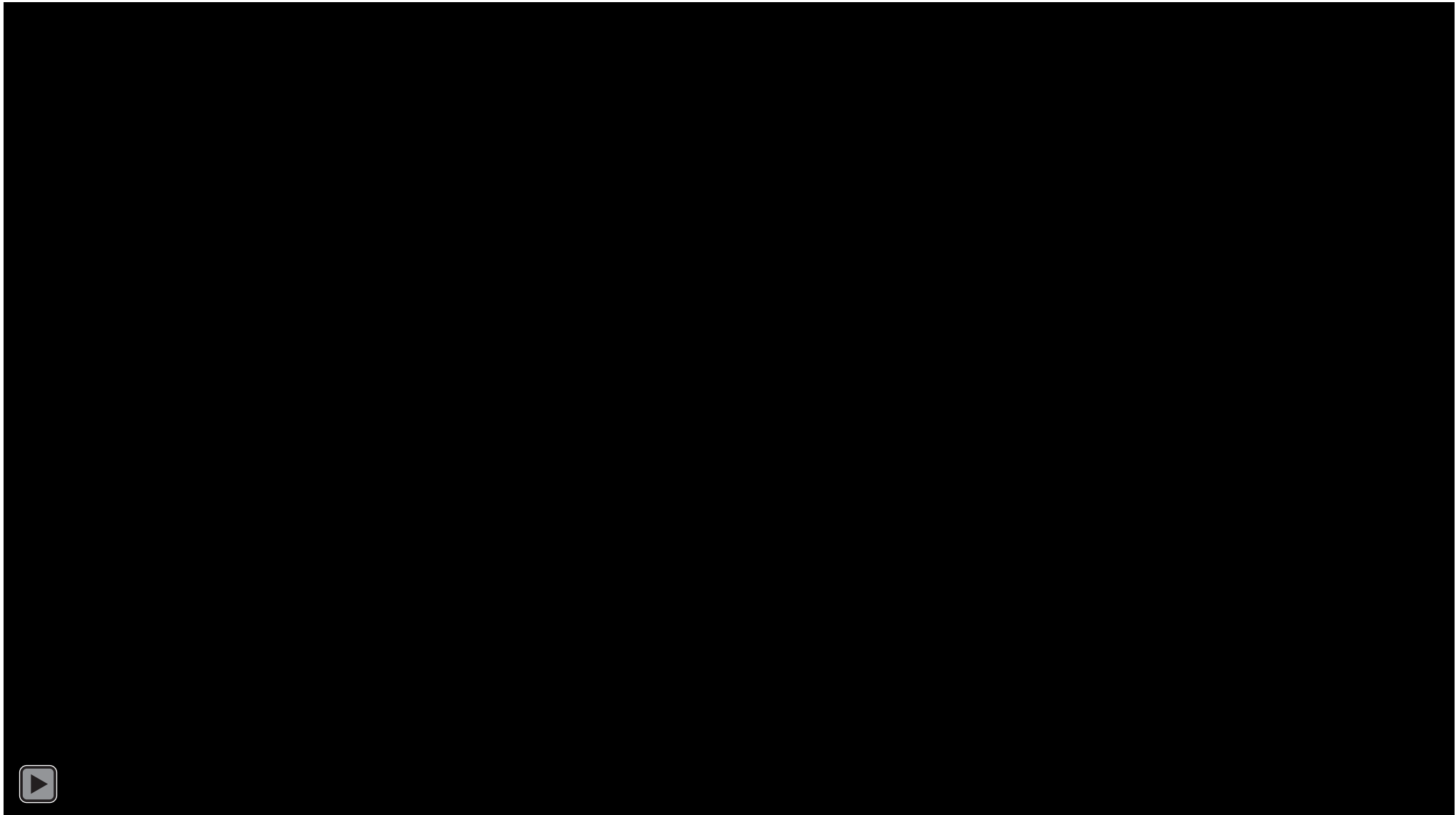


Affirmative Consent

An informed, voluntary, and explicit agreement to participate in a sexual act.

Video: Consent, It's Simple as Tea

https://www.youtube.com/watch?v=fGoWLWS4-kU&ab_channel=BlueSeatStudios





Some Rules for Consent

- Ask.
- Listen to the answer. A yes is a yes! A no is a no!
- If they are not sure, don't force or pressure them.
- If one person changes their mind, it's okay. They don't have to do anything they don't want to do.

More Rules for Consent

- If a person is unconscious, incapacitated, or passed out, they can't make a decision. In this case, make sure the person is safe and don't force them to do anything.
- If a person consented to something in the past, it doesn't mean they always want to do it again. Ask every time.

Reflection Question



Can you think of any laws related to consent?

SEXUAL ASSAULT

A RESOURCE FOR YOUNG PEOPLE

This contains sensitive and detailed information about sexual assault. Please reach out to us for support or questions: Harborview Abuse & Trauma Center 206-744-1600 or www.uwhatc.org

CONSENT AND SEX

Not sure if someone is consenting? Ask them! Are they OK with this? You can ask if you can do something with them—it's best to be specific. Or, you can just ask what they want to do!

CONSENT MEANS AGREEMENT. Consent is necessary each time that people do any type of sexual activity together.

RESPECTING A SEXUAL PARTNER LOOKS LIKE:

1. **Each person's choice:** Made with a clear head.
2. **Boundaries:** Respectfully accept when a partner says "no" (with words or actions).
3. **Affirmative consent:** Engage in sexual activity only when there is a clear "yes" (with words or actions).
4. **Checking in:** Each person feels good about what they choose to do together.
5. **Between equals:** People have equal power considering their developmental level, their job, etc.

WHAT DOES THE LAW ACTUALLY SAY?

Sexual assault is sexual activity that is forced, illegal, or done without a person's consent. It is a violation of a person's body or boundaries. Often, it is an abuse of power. Sexual assault can happen to anyone, including people of all genders, ages, races, and sexual orientations. Many people have questions about the laws. Here are a few of the Washington State laws in simpler language. For more laws and exact definitions, look up the RCWs (Revised Codes of Washington) at app.leg.wa.gov. These laws vary state by state.

RAPE: Forcing someone to have sex is rape. Legally, consent means words or actions that show agreement. Having sex with someone who did not give consent is rape. Having sex with a person who is unable to give consent is also rape. People who are "physically helpless" or "mentally incapacitated" (such as due to illness, effects of a substance, defect, or being unconscious) are unable to consent to sex. [See RCW Chapter 9A.44]

DEPICTIONS OF MINOR ENGAGED IN SEXUALLY EXPLICIT CONDUCT (Child Pornography): There are several crimes related to developing, possessing, viewing, copying, publishing, printing, exchanging, or distributing an image or video of a minor (under age 18) engaged in sexual conduct. [See RCW Chapter 9.68A]

COMMERCIAL SEX ABUSE OF A MINOR: There are several crimes related to promoting, allowing, paying, or offering anything of value in exchange for a minor engaging in sexual activity. [See RCW Chapter 9.68A]

The legal response can vary in different cases. Many times there is no arrest or jail time. Survivors can still get support. Minors and people with developmental disabilities should also be aware of mandated reporting laws. If you are concerned about this, you can always call our center anonymously and speak to a counselor: 206-744-1600.

Legal Definition of CONSENT in WA: "at the time of the act of sexual intercourse or sexual contact there are actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact."

Harborview Abuse & Trauma Center's handout, Sexual Assault: A Resource for Young People

What if one person is a lot older than the other person?

Consent is not possible if there is an unfair or illegal power imbalance between people.

For example, an 18-year-old is not allowed to have sexual contact with a 13-year-old. Even if the younger person said yes, it is still against the law.

A person in a position of power (like a teacher) is not allowed to have sexual contact with a student.

What about when someone is using alcohol or drugs?

Someone who is intoxicated CANNOT consent to sexual activity. A person has the right to decide if and how their body is touched. They are not truly able to make that decision with a clear head.

What Are Some Ways We Can Ask For Consent?

- Do you want to...?
- Is this okay?
- Can I _____ your _____?
- Would you like to...?

How to Know if Someone IS Consenting

VERBAL

- “Yes”
- “Let’s do it!”
- “Sure”
- “Okay!”

NON-VERBAL

- Nodding
- Proceeding with what you asked (ex: if you ask them if they want to kiss, they can consent by leaning in to kiss you)
- IMPORTANT: Non-verbal cues can be harder to read. Ask if you’re unsure whether they consented or not

How to Know if Someone is NOT Consenting

VERBAL

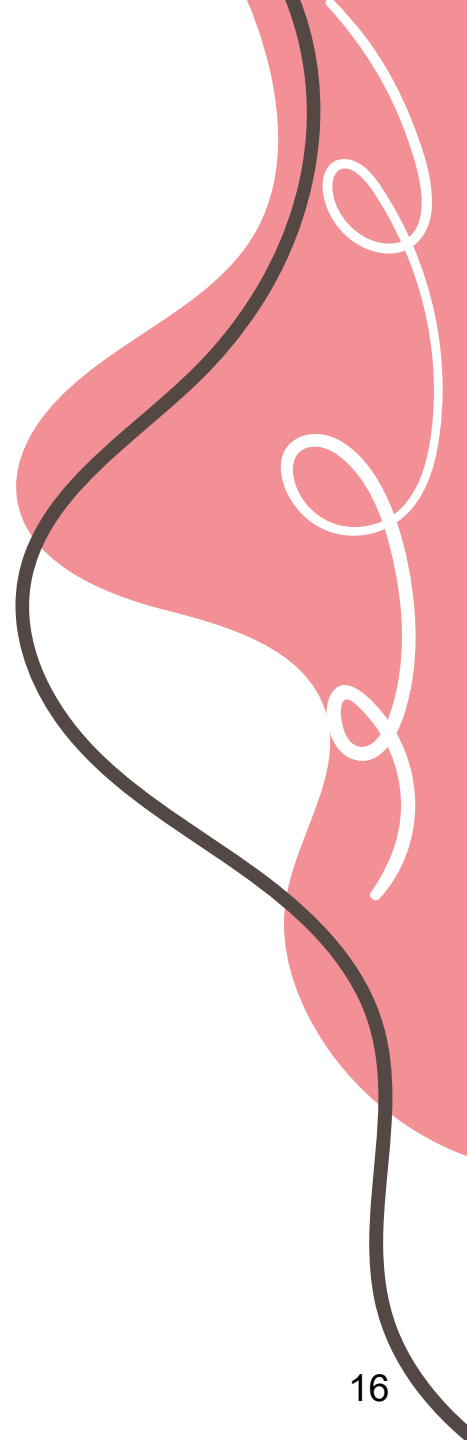
- “Nope”
- “No, I don’t like that”
- “Not now, it doesn’t feel right”
- “I need some space”
- “No, I’m not ready”
- “I don’t know”

NON-VERBAL

- Pulling away
- Shaking head
- Making a face (mad, sad, scared, etc.)
- Putting hands up
- Silent/neutral
- Not answering

Group Activity: Consent Scenarios

Get into groups of three!





“I’VE GOT CONSENT!”

Affirmative Consent is:

I: Informed,

V: Voluntary, and

E: Explicit

- “**
- 1** I believe you.
 - 2** It's not your fault.
 - 3** I'm here to support you.
 - 4** Let's get some help. **”**

4 ESSENTIAL ELEMENTS OF A SUPPORTIVE RESPONSE

National Resources

Love is Respect Teen Dating Violence Hotline

Call: 866.331.9474

Text: loveis to 22522

Chat: www.loveisrespect.org

Trevor Project Hotline

Call: 866.488.7386 (24 hours a day)

Text: Trevor to 202.304.1200

(Mon-Fri 3pm-10pm ET / noon-7pm PT)

Chat: www.thetrevorproject.org

(Everyday 3pm-10pm ET / noon-7pm PT)

Local Resources

Harborview Abuse & Trauma Center:



www.uwhatc.org

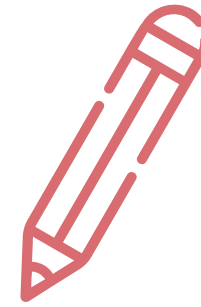


206-744-1600



Located in Seattle,
Bellevue, and Shoreline

Exit Ticket



Respond to the following:

1. Define affirmative consent.
2. Give 3 examples of verbal or non-verbal communication that indicates a person is consenting.
3. Give 3 examples of verbal or non-verbal communication that indicates a person is not consenting.
4. Why can consent not be given while under the influence of drugs or alcohol?



Credits

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