**DO YOU NEED TO KNOW THE DEFINITION OF CONSENT?**

The 30 second version:

- Is clear
- Is given freely
- Is active
- Is uniform
- Is the responsibility of the person(s) initiating
- Can be withdrawn at any time
- Cannot be give when a person is incapacitated
- Cannot be given by a person under the legal age

Under Vassar College Policy:

- Affirmative consent is **knowing, voluntary, and mutual** decision among all participants engaged 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.
- Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
- Consent is active, not passive. 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. 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.
- Seeking and having consent accepted is the responsibility of the person(s) initiating each specific act. Consent is required regardless of whether the person initiating the act is under the influence of drugs or alcohol.
- Consent may be initially given but withdrawn at any time. **When consent is withdrawn or can no longer be given, sexual activity must stop.**
- 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. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.
- In order to give consent, one must be of the legal age; New York State defines **17 years of age** legal.

**Under Vassar’s Amnesty Policy:**

Victims and bystanders who have been drinking and/or using drugs at the time that violence occurs, who disclose to the college or law enforcement in good faith, will not be subject to College Regulations violations for alcohol and drug use.

**For more information**

Visit [eoaa.vassar.edu](http://eoaa.vassar.edu), email [titleix@vassar.edu](mailto:titleix@vassar.edu), stop by the Title IX Office located in the Main Building, South 182 or call the Title IX office at (845) 437 - 7924.