

# KISHWAUKEE COLLEGE COMPREHENSIVE POLICY RELATING TO GENDER-BASED OR SEXUAL MISCONDUCT, DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

## Definition of Consent

**Consent** is defined as permission to act. It may be given by words or actions, so long as those words or actions create clear, mutually understood permission to engage in (and the conditions of) sexual activity. Consent is a freely given agreement to sexual activity.

- A person's lack of verbal or physical resistance or submission resulting from the use or threat of force does not constitute consent.
- A person's manner of dress does not constitute consent.
- A person's consent to past sexual activity does not constitute consent to future sexual activity.
- A person's consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another.
- A person can withdraw consent at any time.
- A person cannot consent to sexual activity if that person is unable to understand the nature of the activity or give knowing consent due to circumstances, including without limitation the following:
  - the person is incapacitated due to the use or influence of alcohol or drugs,
  - the person is asleep or unconscious,
  - the person is under age (16 years old or younger in Illinois), or
  - the person is incapacitated due to a mental disability.