

**Consent**

# How to ask questions:



Anonymous  
question form  
(link in chat)

Questions will be answered in  
an FAQ google doc

## Disclaimer:

Everyone has a different level of comfort and a different experience of sexuality, some of it great, some of it not-so-great, some of it terrible.

We are not assuming any of you are, are not, or are thinking about being sexually active. All perspectives and levels of experience are valued.

Please be respectful and practice self-care.

# Agreements:

- **Be respectful**—Treat the material, the presenters, and your classmates as **they** want to be treated. Cameras on.
- **Keep an open mind**—You may learn new information that challenges your previous beliefs. Acknowledge your positionality (gender identity, sexual orientation, experience with sexual harm, etc) and try to be receptive.
- **Be conscious of different experiences**—Seeking to understand is fine, but do so with the consideration of and deference to the emotional wellbeing of others in the class.
- **Be Courageous**—Talking about this subject is challenging, but the only way we address it is with open dialogue.
- **Maintain Confidentiality**—Learning can leave, how we get there (shared stories) should stay.

## Content Warning

We will be discussing material relating to **sexual assault** that may be **triggering** to certain audiences.

If you feel triggered feel free to **turn your camera off, lower the volume, step away from your computer, or join the counselor zoom room.**

# Who To Talk To

**Title IX Coordinator:**  
Stephen Jimenez-Robb

**Office:**  
2020 Bonar Street, Room  
117 Berkeley, CA

**Email:**  
complaints@berkeley.net

**Health Center:**

**Room Number: H105**

**Phone #: (510) 644-6965**

**Student Support Center  
Room Number: H104**

**More people:**

Campus Counselors  
(academic/guidance,  
college, intervention)

Health Center Staff  
(location left)

Teachers

Administrators

# Mandated Reporting

BHS Health Center: (510) 644-6965

|                                     |  |
|-------------------------------------|--|
| <b>What is a mandated reporter?</b> | A mandated reporter is a person who is <b>legally required to report</b> any suspicion of <b>sexual assault, abuse, neglect, etc. of minors</b> to relevant <b>law enforcement</b> and other authorities.  |
| <b>Who is a mandated reporter?</b>  | <u>On campus:</u> <ul style="list-style-type: none"><li>○ <b>All adults working on campus</b> - This includes teachers, administrators, custodial, &amp; health center staff.</li></ul> <u>Off campus:</u> <ul style="list-style-type: none"><li>○ <b>People working with minors</b> - Therapists, counselors, after school program workers and more.</li></ul> <p>If you are in doubt about someone's status as a mandated reporter, ASK!</p> |
| <b>What do they report?</b>         | Any known or suspected instances of child abuse (physical, sexual, emotional) or neglect.  |
| <b>Who do they report to?</b>       | <ul style="list-style-type: none"><li>● County child welfare department</li><li>● Local law enforcement agency (local police/sheriff's department)</li></ul>   |

# Icebreaker



# Helpful Vocabulary

# Consent (general):

Permission for something to happen or agreement to do something.

**Sexual Activity:** The act of vaginal, anal, or manual (using hands) intercourse, or oral-genital stimulation, with a partner.

**Perpetrator: A person who  
commits sexual harm.**

**Survivor:** Anyone who has experienced sexual harm and chooses to identify as such.

**Sexual Violence:** An all-encompassing term that refers to any non-consensual sexual behaviors.

## **Sexual Harassment: Unwelcome and Unwanted Sexual *Conduct***

**Sexual Harassment** includes behavior such as unwelcome sexual advances, requests for sexual favors, and other conduct of a sexual nature.

It is conduct that affects a person's work or educational performance or creates an environment that any person would reasonably find intimidating, hostile, or offensive.

BUSD Definition: *"Sexual harassment includes verbal, visual, or physical conduct of a sexual nature, which may have a negative impact upon the victim's academic or work performance or creates an intimidating, hostile, or offensive educational/work environment"*

## **Sexual Assault:** Unwelcome and Unwanted Sexual *Contact*

**Sexual Assault** occurs when physical, sexual activity is engaged without the consent of the other person, or when the other person is unable to consent to the activity.

The activity or conduct may include physical force, violence, threat, intimidation, coercion, ignoring the objections of the other person, causing/taking advantage of the other person's intoxication, or incapacitation.



# Title IX

The law that protects people from discrimination based on sex in education programs or activities that receive federal financial assistance. It holds schools accountable to creating a safe **educational environment, regardless of our sex or gender.**

**Because of this, we have a reporter in charge of handling cases:**

**Title IX Coordinator:** Stephen Jimenez-Robb

**Email:** [complaints@berkeley.net](mailto:complaints@berkeley.net)

**Office:** 2020 Bonar Street, Room 117, Berkeley

# Consent video



## Waterfall Response

What is one thing you learned in the video that you didn't know before?

*OR*

What is one takeaway?

# CONSENT



Freely Given  
Reversible  
Informed  
Enthusiastic  
Specific

 Planned Parenthood®

## Consent is not...

- Lack of protest or resistance
- Silence
- Past sexual relations
- Implied because you're in a relationship

Consent for one type of sexual activity doesn't mean  
consent for another.

# Coercion

## Coerced Consent ≠ Consent

Coercion happens when someone wants you to consent when you've already said no, expressed disinterest, or there are power dynamics where consent cannot be given.

*Tactics: Threats, persuasion, social power, and other tactics to get the outcome they want.*

Coerced sex (when it involves penetration) is rape even if the other person didn't use physical force or violence.

## Consent cannot be given...

- Under the influence of alcohol or other drugs.
- If someone is asleep, passed out, unconscious, or coming in and out of consciousness.
- Under direct threat of bodily harm or other forms of coercion (as mentioned).
- If someone has a physical, developmental, or mental disability that impairs their understanding of consent.
- If they are under 18.

If BOTH parties are intoxicated NEITHER can give consent.

# Asking and Giving Consent

## How to ask

Someone should always give their partner the option to **opt-in** to sexual activity, rather than the opportunity to **opt-out**.

## How NOT to ask

Fake/loaded questions:

*"You're fine with this, right?" "when are we having sex soon?"*

## How to give

Think about...

Mental—*What am I thinking?*

Emotional—*How am I feeling?*

Physical—*How is my body responding?*





# Reporting

\*T9C = Title IX  
Coordinator

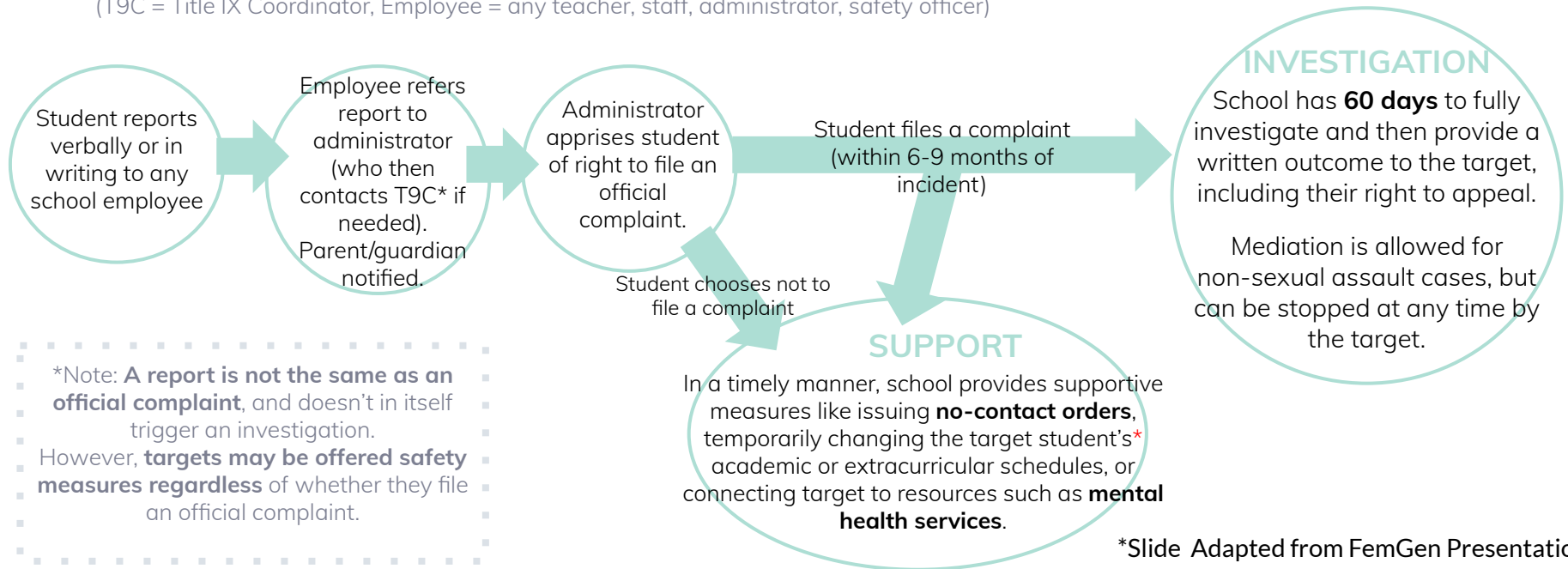
\*Target Student =  
student that was  
harmed

# REPORTING AT BHS

## INVESTIGATIONS and INTERIM MEASURES

This is the investigative procedure laid out by BHS, compiled from their various policy documents.

(T9C = Title IX Coordinator, Employee = any teacher, staff, administrator, safety officer)



\*Note: A report is not the same as an official complaint, and doesn't in itself trigger an investigation.

However, targets may be offered safety measures regardless of whether they file an official complaint.

# REPORTING AT BHS

Student reports verbally or in writing to any school employee

Employee refers report to administrator (who then contacts T9C\* if needed).  
Parent/guardian notified.

Administrator apprises student of right to file an official complaint.

\* Note: **A report is not the same as an official complaint**, and doesn't in itself trigger an investigation. However, **targets may be offered safety measures regardless** of whether they file an official complaint.

\*Target Student = student that was harmed

# REPORTING AT BHS

Administrator apprises student of right to file an official complaint.

Student files a complaint  
(within 6-9 months of incident)

Student chooses not to file a complaint

## SUPPORT

In a timely manner, school provides supportive measures like issuing **no-contact orders**, temporarily changing the target student's\* academic or extracurricular schedules, or connecting target to resources such as **mental health services**.

\*Target Student = student  
that was harmed

# REPORTING AT BHS

Student files a complaint  
(less than 6 months after incident)

## SUPPORT

In a timely manner, school provides supportive measures like issuing **no-contact orders**, temporarily changing the target student's\* academic or extracurricular schedules, or connecting target to resources such as **mental health services**.

## INVESTIGATION

School has **60 days** to fully investigate and then provide a written outcome to the target, including their right to appeal.

Mediation is allowed for non-sexual assault cases, but can be stopped at any time by the target.

# Questions

## **Closing:** Why does consent matter?

Consent exemplifies:

mutual respect, empathy, and communication.

**YOU have the right to  
agency and autonomy.**

Opt-in

versus

Opt-out

“Does this feel good for you?”

“How do you feel about...?”

“You okay?”

“Do you want to keep going?”

“Are we going to make out soon?”

“Don’t you like me?”

“Don’t you want this to be good?”



## Examples: How to ask

“You good?”

“You okay?”

“Are you sure you want to do this?”

“Do you want to keep going?”

“Do you want me to stop?”

“Does this feel good for you?”

“What are you comfortable with?”

“What are you into?”

“How do you feel about...?”

“How do you want to be....?”

# Examples: How to say no

“I’m not ready for...”

“I’m not comfortable with...”

“No...” (!)

“Stop...” (!)

No, but I’m okay/good with...” (half-refusal, half-affirmative)

“Let’s stay like this.” (half-refusal, half-affirmative)

Sit up, move your body away from the person, look them in the eye

## Make an excuse—no apologies necessary!

“I’m not feeling well...” “I forgot I need to be home early. I have to go...”

“I told [a friend] that I would leave with them early because they have a game/meet. Gotta go.”

“If you continue, you will be raping me”

# Examples: How to say yes

“I’m good to...”

“I’m into...”

“Let’s stay like this.”

“I like...” or “I like it when we...”

“This feels good...” or “It feels good when..”

“I’m open to trying...”

“I’d like to but am not sure so let’s go slow.”

“I would love to try that”

If you want to say yes, say it with body language too—guiding, supporting, caring.