

Policy Position:

Adopted by the MOASH Board of Directors



Affirmative Consent



What we stand for:

The Michigan Organization on Adolescent Sexual Health (MOASH) supports the establishment of affirmative consent policies on all educational campuses. Affirmative consent policies set a standard for whether consent was or was not given for a sexual act in a case of sexual violence perpetration. Under these policies, consent is and can only be attained by a clear, freely given “yes” during a sexual encounter. MOASH’s focus around this issue is on promoting a culture of safety and respect by championing policies of clear communication of consent in sexual relationships.

Why we stand for this:

- Consent must be voluntary and mutual, and it can be withdrawn at any time. Consent cannot be given under coercion, force, and/or intimidation. Consent from a previous interaction does not apply to future interactions. If someone is mentally or physically incapacitated and cannot understand the extent or nature of situation, there is not consent.¹
- Young people should have the tools to make positive, healthy choices when it comes to sex. This includes knowing what consent is and how to give and receive consent.
- Education on affirmative consent is an effective sexual violence prevention tool. Affirmative consent dictates a standard for consent to sexual activity as a verbal and enthusiastic ‘yes’ from all involved parties. Teaching youth about healthy relationships, communication, and negotiation skills opens dialogue around sexual violence prevention and increases understanding around how to have a healthy relationship.
- Within current cultural expectations, silence and passivity are misconstrued as positive affirmations during a sexual encounter. Affirmative consent changes the script for sexual encounters and helps ensure all parties have equal agency.²
- Expert organizations in the field of higher education campus safety (e.g., The National Center For Higher Education Risk Management) support the crafting and standardizing sexual assault policies, including affirmative consent policies based on best practice.³

Data and statistics:

- One in four women will be sexually assaulted during their time as a university student.⁴
- According to the 2018 FBI Crime Report, Michigan had the fourth highest reported rapes per 100,000 people in the US.⁵
- 79% of female rape survivors report being first raped before the age of 25.⁶
- Over 40% of LGBTQ students experience sexual assaults on college campuses.⁷
- Several Michigan public and private universities have affirmative consent policies, and other universities have strong consent policies.⁸
- On a rolling national average, sexual assault occurs once every 73 seconds in the United States.⁹

¹ National Sexual Violence Resource Center (2015). *WHAT IS CONSENT? Discussion Guide* [PDF]. Retrieved from http://genprogress.org/wp-content/uploads/2015/08/31155358/Consent-Discussion-Guide_Updated.pdf

² Bolotnikova, M.N. & Evans, L.R. (2012, March 16). Rape and The Gatekeeper Narrative. *The Harvard Crimson*. Retrieved from <http://www.thecrimson.com/article/2012/3/26/Harvard-gatekeeper-narrative/>

³ Fischer, W.F., Lewis, W.S., Lowery, J.W., et al. (2013) *A Developmental Framework for a Code of Student Conduct: The NCHERM Group Model Code Project* [PDF]. Retrieved from <https://cdn.tngconsulting.com/website-media/nchem.org/unoffloaded/2013/09/A-Developmental-Framework-for-a-Code-of-Student-Conduct-03-11-20143.pdf>

⁴ Cantor, D., Fisher, B., Chibnall, S., Harps, S. et al. *Report on the AAU Campus Climate Survey on Sexual Assault and Misconduct* [PDF]. Retrieved from [https://www.aau.edu/sites/default/files/AAU-Files/Key-Issues/Campus-Safety/Revised%20Aggregate%20Report%20and%20appendices%201-7_\(01-16-2020_FINAL\).pdf](https://www.aau.edu/sites/default/files/AAU-Files/Key-Issues/Campus-Safety/Revised%20Aggregate%20Report%20and%20appendices%201-7_(01-16-2020_FINAL).pdf)

⁵ Federal Bureau of Investigation (2018). *Crime in the United States by State, 2018* [Data set]. Retrieved from <https://ucr.fbi.gov/crime-in-the-u.s/2018/crime-in-the-u.s.-2018/topic-pages/tables/table-5>

⁶ National Center for Injury Prevention and Control Division of Violence Prevention (2014). *National Data on Intimate Partner Violence, Sexual Violence, and Stalking* [PDF]. Retrieved from <https://www.cdc.gov/violenceprevention/pdf/NISVS-Fact-Sheet-2014.pdf>

⁷ Kingkade, T. (2015, Sept 9). LGBT Students Face More Sexual Harassment And Assault, And More Trouble Reporting It. *The Huffington Post*. Retrieved from http://www.huffingtonpost.com/entry/lgbt-students-sexual-assault_us_55a332dfe4b0eccc71bc5e6a

⁸ The Affirmative Consent Project (2016). *AFFIRMATIVE CONSENT LAWS (YES MEANS YES) STATE BY STATE*. Retrieved from <http://affirmativeconsent.com/affirmative-consent-laws-state-by-state/>

⁹ Rape, Abuse, and Incest National Network (2020). *Statistics*. Retrieved from <https://www.rainn.org/statistics>