



HIGHER EDUCATION INSTITUTIONS' DEFINITIONS OF SEXUAL CONSENT

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EXISTING FEDERAL AND STATE LAW

Neither the federal Clery Act (20 USC § 1092(f)), which pertains to campus crime reporting, nor Title IX (20 USC § 1681(a)), which prohibits gender discrimination in education, define "consent" in sexual relationships.

State law does not define consent but does require public and private higher education institutions to promulgate their own definitions. It requires the institutions to offer annual sexual assault, stalking, and intimate partner violence primary prevention and awareness programming for all students and employees. The programming must, among other things, explain the definition of "consent" in sexual relationships ([CGS § 10a-55m\(c\)\(1\)](#)).

ISSUES

1. Provide each Connecticut higher education institution's definition of "consent" in sexual relationships and provide a source for each.
2. Indicate whether each institution submitted a report to the Higher Education and Employment Advancement Committee in 2015 about its sexual assault, stalking, and intimate partner violence policies as required by law ([CGS § 10a-55m\(f\)](#)).

SUMMARY

Each Connecticut public and private higher education institution defines sexual "consent" for purposes of the institution's conduct codes and disciplinary proceedings. Such definitions are typically found in the institution's student conduct code or Title IX policy handbook.

Tables 1-17 of this report summarize these definitions. Generally, each institution's definition contains all or many of the following elements: (1) a basic definition of "consent," (2) method(s) of expressing consent, (3) duration, (4) parties' relationships, (5) revocation, (6) coercion, and (7) legal age.

[PA 14-11](#) requires all Connecticut higher education institutions to annually submit a report to the Higher Education Committee containing information about sexual assault, stalking, and intimate partner violence. The information must include,



among other things, a copy of the institution's most recently adopted policies on these topics. The first report was due October 1, 2015 ([CGS § 10a-55m\(f\)](#)).

As of this report's publication date, all public higher education institutions and 12 out of 15 private institutions have submitted their report to the committee. (State law exempts Charter Oak State College from the requirement ([CGS § 10a-55m\(a\)\(3\)](#)).)

INSTITUTIONAL DEFINITIONS

We obtained institutions' definitions of "consent" primarily from their reports to the Higher Education Committee. For those institutions that did not submit the report or include a definition of "consent," we obtained the definition from the institution's website.

The institutions' definitions of sexual "consent" are lengthy and contain many components. Therefore, each definition is summarized below in table form by institution. Each table breaks the definition into the following elements:

1. Source: where the institution published the definition (e.g., 2015 report to the Higher Education Committee; policy or student handbook)
2. Basic definition of "consent": how the institution principally describes "consent"
3. Method(s) of expression: how a party must express consent for it to be valid
4. Parties' relationships: how parties' interpersonal relationships influence sexual consent
5. Duration: how parties may determine the length of consent validity
6. Revocation: how parties may retract consent once it has been given
7. Coercion: how parties are prohibited from pressuring another to give consent
8. Legal age: who is old enough to give consent

Each definition contains all or many of the above elements. Any elements that do not appear in a definition are not included in the chart.

To read each definition in its entirety, click on the hyperlink provided under the "Source" heading in each institution's table.

Public Institutions

Table 1: UConn

Source 2015 report to the Higher Education Committee
Basic Definition of Consent <ul style="list-style-type: none">• Understandable exchange of affirmative words or actions indicating willingness to participate in mutually agreed upon sexual activity
Method(s) of Expression <ul style="list-style-type: none">• Must be freely and actively given• Lack of a negative response is not consent• Someone incapacitated by alcohol or drugs (voluntarily or involuntarily consumed) cannot give consent; look for these context clues:<ul style="list-style-type: none">– Slurred speech– Bloodshot eyes– Smell of alcohol on breath– Inability to maintain balance– Vomiting– Unusual behavior– Unconsciousness• Person incapacitated from mental disability, sleep, involuntary physical restraint, or rape drugs cannot give consent
Duration <ul style="list-style-type: none">• Initiator must obtain clear and affirmative responses at each stage of sexual involvement• Consent to one form of activity does not imply consent to other forms• Past consent to sexual activity does not imply future consent
Coercion <ul style="list-style-type: none">• Consent cannot be given if coercion or force are present<ul style="list-style-type: none">– Coercion means the use of emotional manipulation or other unreasonable pressure to persuade someone to perform sexual acts– Force means the use of physical violence to gain sexual access; use of threats, intimidation, or coercion to overcome resistance

Table 2: Connecticut State University System (CSUS) and Regional Community Technical College (CTC) Institutions*

<p>Source</p> <p>Board of Regents for Higher Education Sexual Misconduct Policy (the board adopted a common definition of consent that applies to each CSUS and CTC institution)</p>
<p>Basic Definition of Consent</p> <ul style="list-style-type: none"> • Equal approval given to each participant to desired sexual involvement • An affirmative, conscious decision to engage in mutually accepted sexual contact
<p>Method(s) of Expression</p> <ul style="list-style-type: none"> • Given freely, willingly, and knowingly • Indicated clearly by words or actions • Cannot assume consent based upon lack of physical resistance or negative response • Mental or physical incapacity may result in a lack of consent <ul style="list-style-type: none"> – Mental incapacity includes ingesting alcohol or drugs that significantly impair awareness or judgment – Physical incapacity includes being unconscious or otherwise unable to communicate
<p>Parties' Relationships</p> <ul style="list-style-type: none"> • Dating relationship or past sexual relationship between people by itself does not indicate consent
<p>Revocation</p> <ul style="list-style-type: none"> • Can withdraw consent after giving initial consent

**CSUS institutions are Central Connecticut State University, Eastern Connecticut State University, Southern Connecticut State University, and Western Connecticut State University. CTC institutions are Asnuntuck Community College, Capital Community College, Gateway Community College, Housatonic Community College, Manchester Community College, Middlesex Community College, Naugatuck Valley Community College, Northwestern Connecticut Community College, Norwalk Community College, Quinebaug Valley Community College, Three Rivers Community College, and Tunxis Community College.*

Private Institutions

Table 3: Albertus Magnus College

Source Sexual Misconduct Policy
Basic Definition of Consent <ul style="list-style-type: none">• Agreement to engage in a particular sexual activity• Must be active, unambiguous, knowing, and voluntary
Method(s) of Expression <ul style="list-style-type: none">• Freely and actively by words or actions• Cannot be implied through silence, lack of resistance, or the absence of “no”• Resistance is a clear demonstration of non-consent
Duration <ul style="list-style-type: none">• Past consent to sexual activity does not imply future consent• Consent to one form of sexual activity does not imply consent to further activity
Parties' Relationships <ul style="list-style-type: none">• Current relationship does not imply consent to sexual activity
Revocation <ul style="list-style-type: none">• Consent can be revoked at any time during the sexual activity• Can be revoked verbally, through physical resistance, or by loss of consciousness• Revocation requires all activity to cease
Coercion <ul style="list-style-type: none">• Consent cannot be obtained by intimidation, force, or coercion<ul style="list-style-type: none">– Intimidation means using coercion, instilling fear, or making threats to induce submission, compliance, or acquiescence– Force includes using physical violence, threats, intimidation, or coercion– Coercion means unreasonable pressure
Legal Age <ul style="list-style-type: none">• Must be age 16 in Connecticut in order to give consent• Sexual activity with a person younger than age 16 may be a criminal offense under state or federal law

Table 4: Connecticut College

Source Title IX Policy
Basic Definition of Consent <ul style="list-style-type: none">• Knowing, voluntary, and clear permission to engage in mutually agreed upon sexual activity• Each party must make certain the other has consented before engaging in the activity
Method(s) of Expression <ul style="list-style-type: none">• Clear expression by word or action• Existence of consent is based upon totality of the circumstances (e.g., context of incident, similar previous patterns)• Does not include silence, passivity, or the absence of resistance alone• Person is unable to consent if he or she is disoriented, asleep, or unconscious for any reason• Verbal “no” (no matter how indecisive) indicates lack of consent• Mental or physical incapacity results in a lack of consent
Duration <ul style="list-style-type: none">• Consent to some sexual contact cannot be presumed to be consent for other activity
Parties’ Relationships <ul style="list-style-type: none">• Current or previous dating relationship is insufficient to constitute consent
Revocation <ul style="list-style-type: none">• Can withdraw consent at any time during the sexual activity by word or action; other party must stop immediately
Coercion <ul style="list-style-type: none">• Decision to be sexually intimate must be made without coercion (i.e., unreasonable pressure)• Both partners must be equally free to act• Forced sexual act lacks consent, except in rare case where force is explicitly consented to
Legal Age <ul style="list-style-type: none">• Must be age 16 in Connecticut in order to give consent• Sexual activity with a person younger than age 16 may be a crime, even if the minor wanted to engage

Table 5: Fairfield University

Source 2015 report to the Higher Education Committee
Basic Definition of Consent <ul style="list-style-type: none">• Mutually understandable words or actions indicating a willingness to do the same thing, at the same time, in the same way with each other• Almost always viewed under an objective, reasonable person standard
Method(s) of Expression <ul style="list-style-type: none">• Freely and actively given• A person cannot give consent if he or she is:<ul style="list-style-type: none">– Mentally disabled– Physically impaired– Impaired as a result of drug or alcohol consumption (voluntary or involuntary)– Unconscious, unaware, or otherwise physically helpless• Inability to perceive incapacity does not excuse initiator's behavior
Duration <ul style="list-style-type: none">• Past consent does not imply future consent
Parties' Relationships <ul style="list-style-type: none">• Consent is viewed under a subjective standard only in a long-standing relationship where a couple established patterns of communicating consent; however, there must still be evidence of free and knowing participation
Revocation <ul style="list-style-type: none">• Consent may be withdrawn at any time
Coercion <ul style="list-style-type: none">• Consent cannot be obtained through fraud, force, threats, intimidation, or coercion
Legal Age <ul style="list-style-type: none">• Must be of legal age in Connecticut in order to give consent

Table 6: Goodwin College

Source 2015 report to the Higher Education Committee
Basic Definition of Consent <ul style="list-style-type: none">• Clear, knowing, voluntary words or actions that give mutually understandable, clear permission for willingness to engage in specific sexual activity
Method(s) of Expression <ul style="list-style-type: none">• Given by word or action<ul style="list-style-type: none">– Nonverbal consent is not as clear as verbal• Does not include silence without action demonstrating permission• Resistance is a clear demonstration of non-consent• Cannot be given by someone who is known to be mentally or physically incapacitated by:<ul style="list-style-type: none">– Alcohol– Drug use– Unconsciousness or sleep– Involuntary physical restraint– Rape drugs
Duration <ul style="list-style-type: none">• Consent to some form of sexual activity is not automatically consent to any other form
Parties' Relationships <ul style="list-style-type: none">• Previous relationships or prior consent cannot imply future consent
Coercion <ul style="list-style-type: none">• Forced sexual activity is non-consensual (e.g., using physical violence, threats, intimidation, and coercion to overcome resistance)• Coercion is unreasonable pressure for sexual activity
Legal Age <ul style="list-style-type: none">• Must be of legal age to give consent

Table 7: Mitchell College

Source 2015 report to the Higher Education Committee
Basic Definition of Consent <ul style="list-style-type: none">• Report states that the college uses affirmative consent standards under state law to affirm that consent is granted

Table 8: Quinnipiac University

<p>Source</p> <p>2015 report to the Higher Education Committee</p>
<p>Basic Definition of Consent</p> <ul style="list-style-type: none"> • Active, knowing, voluntary exchange of affirmative words or actions indicating a willingness to participate in sexual activity
<p>Method(s) of Expression</p> <ul style="list-style-type: none"> • Must be freely and actively given • Lack of negative response is not consent • Cannot be given by someone who is known to be mentally or physically incapacitated by: <ul style="list-style-type: none"> – Alcohol – Drug use – Unconsciousness or sleep – Involuntary physical restraint – Rape drugs • Someone incapacitated by alcohol or drugs (voluntarily or involuntarily consumed) cannot give consent; look for these context clues: <ul style="list-style-type: none"> – Slurred speech – Bloodshot eyes – Smell of alcohol on breath or clothing – Inability to maintain balance – Vomiting – Unusual behavior – Unconsciousness
<p>Duration</p> <ul style="list-style-type: none"> • Initiator must obtain clear and affirmative response at each stage of sexual involvement • Consent to one form of sexual activity does not imply consent to future activity
<p>Parties' Relationships</p> <ul style="list-style-type: none"> • A past relationship does not imply consent to future sexual activity
<p>Coercion</p> <ul style="list-style-type: none"> • Consent cannot be given if coercion or force are present <ul style="list-style-type: none"> – Coercion means the use of emotional manipulation or other unreasonable pressure to persuade someone to perform sexual acts – Force means the use of physical violence to gain sexual access; it also includes threats, intimidation, or coercion to overcome resistance
<p>Legal Age</p> <ul style="list-style-type: none"> • Must be age 16 in Connecticut in order to give consent

Table 9: Sacred Heart University

Source Student Handbook
Basic Definition of Consent <ul style="list-style-type: none">• Positive, unambiguous, voluntary agreement to engage in specific sexual activity
Method(s) of Expression <ul style="list-style-type: none">• A clear “yes,” verbal or otherwise, is necessary• Verbal consent is the most reliable form• Cannot be inferred from the absence of a “no”• Cannot be implied by a lack of protest• Cannot be obtained from someone who is asleep or mentally or physically incapacitated due to:<ul style="list-style-type: none">– Alcohol or drugs– Other condition• Can be gauged only through direct communication; cannot rely on presumptions based on contextual factors (i.e., clothing, alcohol consumption, inappropriate bodily gestures)• Use of alcohol or drugs does not diminish one’s responsibility to obtain consent
Duration <ul style="list-style-type: none">• Consent to some sexual acts does not imply consent to others• Past consent to a given act does not imply present, continued, or future consent• Consent must be ongoing throughout a sexual encounter• If there is confusion or ambiguity about consent at any time during the interaction, the parties involved must stop and clarify the other’s willingness to continue
Revocation <ul style="list-style-type: none">• Consent may be revoked at any time
Coercion <ul style="list-style-type: none">• Consent cannot be obtained by physical force, threats, intimidation, or coercion• Agreement under coercion does not constitute consent

Table 10: St. Vincent's College

<p>Source</p> <p>2015 report to the Higher Education Committee</p>
<p>Basic Definition of Consent</p> <ul style="list-style-type: none"> • Equal approval of each participant to desired sexual involvement
<p>Method(s) of Expression</p> <ul style="list-style-type: none"> • Must be given freely, willingly, knowingly, and voluntarily • Must be an outward demonstration using mutually understandable words or actions • Non-verbal communication may lead to misunderstandings • May not be inferred from silence, passivity, lack of resistance, or lack of active response alone • Cannot be given by an incapacitated person, one who is: <ul style="list-style-type: none"> – Mentally or physically helpless due to drug or alcohol consumption (voluntarily or involuntarily) – Unconscious – Asleep – Unaware that the sexual activity is occurring – Disoriented • Being intoxicated or impaired by drugs or alcohol does not excuse one from the responsibility to obtain consent
<p>Duration</p> <ul style="list-style-type: none"> • Must exist from the beginning to end of each instance of sexual activity, and for each form of sexual contact • Consent to one form of contact does not constitute consent to all forms • If either party appears hesitant at any time, both parties should stop and obtain mutual verbal consent before continuing the activity
<p>Parties' Relationships</p> <ul style="list-style-type: none"> • Current or previous dating or sexual relationship is insufficient by itself to constitute consent • Relationship context still requires mutually understandable communication indicating a willingness to engage in each activity
<p>Revocation</p> <ul style="list-style-type: none"> • May be withdrawn by either party at any time • Must be outwardly demonstrated by words or actions clearly indicating a desire to end the activity • Activity must cease once withdrawal of consent has been expressed
<p>Coercion</p> <ul style="list-style-type: none"> • Use or threat of physical force, intimidation, or coercion is not effective to gain consent • Coercion includes the use of: <ul style="list-style-type: none"> – Pressure or oppressive behavior – Express or implied threats of harm – Severe or pervasive emotional intimidation • Coercion wrongfully impairs the other's freedom of will or ability to choose whether to engage in sexual activity

Table 11: Trinity College

Source 2015 report to the Higher Education Committee
Basic Definition of Consent <ul style="list-style-type: none">• Mutually understandable words or actions that indicate a willingness to participate in mutually agreed upon activity
Method(s) of Expression <ul style="list-style-type: none">• Must be freely and actively given• Cannot be given by people who are mentally or physically incapacitated, including those asleep or unconscious due to alcohol or drug consumption• Lack of verbal or physical resistance does not necessarily indicate consent
Duration <ul style="list-style-type: none">• Initiator must obtain clear and affirmative responses at each stage of sexual involvement• Past consent cannot be construed to indicate current or future consent• Consent to engage in sexual activity with one person does not imply consent to engage with another• Consent to engage in one form of sexual activity does not imply consent to engage in others
Revocation <ul style="list-style-type: none">• Consent may be withdrawn at any time
Coercion <ul style="list-style-type: none">• Cannot use fraud or force (e.g., physical force, threats, intimidation, verbal coercion) to gain consent
Legal Age <ul style="list-style-type: none">• Minors may never give consent

Table 12: University of Bridgeport

Source 2015 report to the Higher Education Committee
Basic Definition of Consent <ul style="list-style-type: none">• Mutually understandable words or actions that clearly convey a willingness to engage in sexual activity• Informed, knowing, and voluntary from beginning to end
Method(s) of Expression <ul style="list-style-type: none">• Each participant must consent to each act• Consent must be actively demonstrated• Consent may not be inferred from silence or passivity• Alcohol and drugs can impair decision-making and lead to confusion over whether consent was given
Duration <ul style="list-style-type: none">• Consent to one form of sexual activity does not constitute consent to all forms• Initiator is responsible for getting advance consent for each sexual activity and should be able to explain the basis for why consent existed
Revocation <ul style="list-style-type: none">• Consent may be withdrawn at any time through outward expression; activity must then cease
Coercion <ul style="list-style-type: none">• Consent is not effective if obtained by force, threats, intimidation, coercion, incapacitation, or any other factor eliminating a person's exercise of free will• Coercion includes:<ul style="list-style-type: none">– Oppressive behavior which prevents another person from choosing whether to have sex– Administering or pressuring another to consume a drug or intoxicant with the intent of impairing his or her ability to consent• Incapacitation includes:<ul style="list-style-type: none">– Mental or physical helplessness– Unconsciousness– Unawareness that sexual activity is taking place

Table 13: University of Hartford

<p>Source</p> <p>2015 report to the Higher Education Committee</p>
<p>Basic Definition of Consent</p> <ul style="list-style-type: none"> • Active, knowing, and voluntary exchange of affirmative words or actions indicating and effectively communicating a willingness to participate in a particular sexual activity
<p>Method(s) of Expression</p> <ul style="list-style-type: none"> • Must be freely and actively given • Silence, lack of resistance, or lack of negative response is not consent • A person cannot give consent if: <ul style="list-style-type: none"> – Under the influence of drugs or alcohol (voluntarily or involuntarily consumed) – Unconscious or asleep – Under involuntary physical restraint – Mentally or physically incapacitated
<p>Duration</p> <ul style="list-style-type: none"> • Initiator is responsible for obtaining clear and affirmative response at each stage of sexual involvement • Consent to one form of sexual activity does not indicate consent to another • Past consent does not indicate current or future consent
<p>Parties' Relationships</p> <ul style="list-style-type: none"> • A past relationship does not indicate current or future consent
<p>Revocation</p> <ul style="list-style-type: none"> • Consent can be withdrawn at any time
<p>Coercion</p> <ul style="list-style-type: none"> • Coercion, force, or the threat of either invalidates consent <ul style="list-style-type: none"> – Coercion means unreasonable pressure for sexual activity, including threats, intimidation, or emotional manipulation – Force means the use of physical violence or imposing on someone physically to gain sexual access
<p>Legal Age</p> <ul style="list-style-type: none"> • Must be age 16 in Connecticut in order to give consent

Table 14: University of New Haven

Source Title IX Policy
Basic Definition of Consent <ul style="list-style-type: none">• An understandable exchange of affirmative words or actions indicating willingness to participate in mutually agreed upon sexual activity• Consent must be informed
Method(s) of Expression <ul style="list-style-type: none">• Must be freely and actively given• Silence or absence of resistance does not imply consent• Must be obtained at each stage of sexual involvement• Cannot be given by someone who is mentally or physically incapacitated by:<ul style="list-style-type: none">– Alcohol or other drug use– Unconsciousness– Sleep– Involuntary physical restraint– Rape drugs
Duration <ul style="list-style-type: none">• Initiator is responsible for obtaining clear and affirmative responses at each stage of sexual involvement• Past consent to sexual activity does not imply ongoing future consent• Consent to one sexual activity does not imply consent to all
Parties' Relationships <ul style="list-style-type: none">• Consent to engage in sexual activity with one person does not imply consent to engage with another
Revocation <ul style="list-style-type: none">• Consent may be withdrawn at any time by communicating lack of consent to the other person (e.g., a “no” or its verbal or nonverbal equivalent); all activity must then cease
Coercion <ul style="list-style-type: none">• Consent is not effective when person is subjected to either mental or physical coercion (e.g., pressure, harassment, threats, or intimidation)
Legal Age <ul style="list-style-type: none">• Must be age 16 in Connecticut in order to give consent• Connecticut law restricts sexual involvement of a person younger than age 18 with a person age 20 or older by virtue of the person’s professional, legal, occupational, or volunteer status and the other person’s participation in a program or activity

Table 15: University of St. Joseph

Source 2015 report to the Higher Education Committee
Basic Definition of Consent <ul style="list-style-type: none">• Clear, knowing, and voluntary agreement by an individual of legal age
Method(s) of Expression <ul style="list-style-type: none">• Silence alone is not consent• A person cannot give consent when incapacitated by:<ul style="list-style-type: none">– Drugs or alcohol– Sleep– Unconsciousness– Intellectual or other disability
Duration <ul style="list-style-type: none">• Prior permission does not imply future consent
Parties' Relationships <ul style="list-style-type: none">• Relationship does not imply future consent
Revocation <ul style="list-style-type: none">• Consent can be withdrawn at any time
Coercion <ul style="list-style-type: none">• Coercion, force, or threat invalidates consent• Force includes the use or display of a weapon, physical immobilization, threats, intimidation, coercion, psychological pressuring, and taking advantage of a person under duress

Table 16: Wesleyan University

<p>Source</p> <p>2015 report to the Higher Education Committee</p>
<p>Basic Definition of Consent</p> <ul style="list-style-type: none"> • When all parties agree to engage in sexual activity
<p>Method(s) of Expression</p> <ul style="list-style-type: none"> • Must be mutual; voluntary; and given without pressure, intimidation, or fear • Must be freely and affirmatively communicated between all individuals in order to participate in sexual activity or behavior • Can be expressed by words or clear, unambiguous actions • Silence or lack of protest or resistance does not signify consent • A person cannot give consent if he or she is incapacitated; incapacitation means: <ul style="list-style-type: none"> – Mentally or physically helpless – Unconscious – Unaware the sexual activity is occurring due to alcohol or other drugs • Use of alcohol and drugs can affect consent: <ul style="list-style-type: none"> – From complainant’s perspective, they can limit the ability to freely and clearly give consent – From respondent’s perspective, they can create an atmosphere of confusion over whether or not consent has been freely and clearly sought or given • Warning signs of incapacitation include: <ul style="list-style-type: none"> – Slurred speech – Vomiting – Unsteady gait – Combativeness – Emotional volatility – Sleeping
<p>Duration</p> <ul style="list-style-type: none"> • Initiator is responsible for ensuring each partner’s consent • Consent must be obtained at each step and be present throughout the sexual activity • Parties must stop the activity if there is confusion about consent and should not resume until it is resolved
<p>Parties’ Relationships</p> <ul style="list-style-type: none"> • Current or previous dating or sexual relationship, by itself, is insufficient to establish consent • Willingness to engage in sexual activity must be freely and affirmatively communicated in the context of a relationship
<p>Revocation</p> <ul style="list-style-type: none"> • Can be revoked at any time during the sexual activity
<p>Coercion</p> <ul style="list-style-type: none"> • Consent is not present if it results from intimidation, coercion, incapacitation, physical force or the threat of it, or any other factor interfering with a person’s free will • Coercion is the use or attempted use of pressure or oppressive behavior, which places a person in fear of immediate harm or physical injury or causes a person to engage in unwelcome sexual activity

Table 17: Yale University

<p>Source</p> <p>2015 report to the Higher Education Committee</p>
<p>Basic Definition of Consent</p> <ul style="list-style-type: none"> • Positive, unambiguous, and voluntary agreement to engage in specific sexual activity throughout a sexual encounter
<p>Method(s) of Expression</p> <ul style="list-style-type: none"> • Can be gauged only through direct communication; cannot rely on presumptions based on contextual factors (e.g., clothing, alcohol consumption, dancing) • Does not need to be verbal, but that is the most reliable form of asking for and gauging consent • Cannot be inferred from the absence of a “no;” a clear “yes,” verbal or otherwise, is necessary • Cannot be obtained by someone who is: <ul style="list-style-type: none"> – Asleep – Otherwise mentally or physically incapacitated due to alcohol, drugs, or another condition
<p>Duration</p> <ul style="list-style-type: none"> • Consent to some sexual acts does not constitute consent to others • Past consent to a given act does not constitute present or future consent • Consent must be ongoing throughout a sexual encounter
<p>Revocation</p> <ul style="list-style-type: none"> • Consent may be revoked at any time during a sexual encounter
<p>Coercion</p> <ul style="list-style-type: none"> • Consent cannot be obtained by threat, coercion, or force

REPORTING REQUIREMENT

[PA 14-11](#) required all Connecticut higher education institutions to annually submit a report to the Higher Education Committee containing information about sexual assault, stalking, and intimate partner violence. The information must include, among other things, a copy of the institution’s most recently adopted policies on these topics. The first report was due October 1, 2015 ([CGS § 10a-55m\(f\)](#)).

All Connecticut higher education institutions, with the exception of three private institutions, have submitted their 2015 report to the committee as of this OLR Report’s publication date. Table 18 below lists the institutions that have met the requirement and those that have not. (State law exempts Charter Oak State College from the requirement ([CGS § 10a-55m\(a\)\(3\)](#)).)

Table 18: 2015 Sexual Assault Reporting Compliance*

<i>Institutions in Compliance</i>	<i>Institutions not in Compliance</i>
Public	
UConn UConn Health Center All CSUS institutions All RCTCs	none
Private	
Fairfield University Goodwin College Mitchell College Quinnipiac University St. Vincent's College Trinity College University of Bridgeport University of Hartford University of New Haven University of Saint Joseph Wesleyan University Yale University	Albertus Magnus College Connecticut College Sacred Heart University

** This list is current through the publication date of this report. Institutions may have fulfilled the requirement subsequent to the report's publication. Please contact the Higher Education and Employment Advancement Committee for the most current compliance list.*

MS/AR:cmg