

## Middle School Lesson

### 8<sup>th</sup> Grade, Lesson 2

#### Sexual Consent

##### Learning Objectives:

1. Define sexual consent and identify ways that consent can be communicated and accepted. (H1.Se5.8b)
2. Understand importance of personal responsibility for sexual decisions (H7.Se6.HS)
3. Explain consequences of sharing sexually explicit pictures or messages (H1.Se6.8c)
4. Identify state laws related to sexual offenses, including when a minor is involved (H1.Se6.8b)

Adapted From: Rights, Respect, Responsibility- Consent: It Goes With Everything and FLASH Lesson 3: Rules Of Dating

<b>5 minutes</b>	<p><b><u>Introduction</u></b></p> <p><b>Review Group Agreements and Anonymous Questions procedure.</b></p> <p>Today we're learning about the topic of Consent. <b>Raise your hand if you've heard the word consent before. What does the word consent mean?</b> <i>Consent is permission to do something.</i> Consent is both something we can get from others and give to others.</p> <p>There are lots of things in life that we need consent, or permission, for. <b>What are some things we need consent for in everyday life?</b> <i>Touch (hugs, kisses), taking and posting pictures, borrowing things, sharing secrets, medical consent, sex.</i></p>
<b>10 minutes</b>	<p><b><u>Understanding Consent</u></b></p> <p>To start today's class I'm going to place you into six large groups. I will distribute a marker and a piece of chart paper to each group and ask that you all write as many answers as you can think of to your assigned sentence prompt as you possibly can. We will then come together as a group to share.</p> <p><b>Distribute the six consent prompts to the class and invite them to work in groups to brainstorm answers to their prompt. Give about 5 minutes. See sample answers below.</b></p> <ol style="list-style-type: none"><li><b>1. Consent is...</b><ol style="list-style-type: none"><li>a. <i>Clear permission to do something with someone; freely given; enthusiastic; reversible; specific; important</i></li></ol></li><li><b>2. Consent is not...</b><ol style="list-style-type: none"><li>a. <i>Forced, pressured, or coerced; the lack of a 'no'</i></li></ol></li><li><b>3. You know for sure when someone has given consent when...</b><ol style="list-style-type: none"><li>a. <i>They are not under pressure to say yes; they give a clear, enthusiastic, sober, verbal "yes" that is accompanied by positive body language.</i></li></ol></li><li><b>4. It can be hard to know if someone has given consent when...</b><ol style="list-style-type: none"><li>a. <i>They are under the influence of alcohol or drugs; they are unconscious; they don't understand what you are asking of them</i></li></ol></li></ol>

**5. A person needs to get consent when...**

- a. *They are unsure if the other person would be okay with what they're asking; specific examples such as touch*

**6. If a person does not get consent before doing something the following consequences can happen...**

- a. *The other person may be hurt, violated, offended; you will lose trust; legal trouble*

After groups have finished, have each group share out their responses.

These are great explanations as to what consent is and isn't, what it looks like to receive or not receive consent, and what could happen if a person does not receive consent but continues anyway. Consent is a skill where a person asks permission to interact with another person's space or body.

What we are looking for is *affirmative consent* where unless the other person provides a complete yes the answer is no. This means that silence, not saying no, or saying maybe would all be a NO to the request. Consent can be applied to any ask that a person would make but today we are going to look at sexual consent.

10 minutes

**Understanding Sexual Consent**

Ask a student from each group to add the word 'sexual' directly before the word consent in their original prompts used for the previous activity.

Ask students to take the next five minutes to add to their lists of answers now that the question has been specified to focus on sexual consent.

Answers may reflect the possible answers above. Additional details below.

**1. Sexual consent is...**

- a. *Consent for sexual activity or sexual touch*

**2. Sexual consent is not...**

- a. *Assumed or implied. It must be explicit.*

**3. You know for sure when someone has given sexual consent when...**

**4. It can be hard to know if someone has given sexual consent when...**

**5. A person needs to get sexual consent when...**

- a. *Every time they engage in sexual activity*

**6. If a person does not get sexual consent before doing something the following consequences can happen...**

- a. *They may commit an illegal sexual assault or rape which can be highly traumatizing to the person involved*

After groups have finished, have each group share out their responses.

**How did you tell the difference between consent and sexual consent?**

Push for responses that highlight the difference as being the type of interaction a person is asking to engage in with another person. Consent is asking for permission to interact with another person's space or body and sexual consent is asking for permission to interact with another person's space or body for a sexual purpose.

	<p>Video: <a href="https://youtu.be/5vmsfhw-czA">Play the video Consent Explained, What Is It? (1:46)</a> <a href="https://youtu.be/5vmsfhw-czA">https://youtu.be/5vmsfhw-czA</a></p> <p><b>Why is sexual consent important?</b> Look for responses that include sexual consent as being important because it shows respect to our partner or the other person and it is illegal (and trauma-inducing) to coerce or force someone to participate in a sexual act or interaction against their will.</p>
<b>10 minutes</b>	<p><b><u>Communicating Consent</u></b></p> <p>Hang three posters on the wall or write three headings on the board: Giving Consent, Asking For Consent, Not Giving Consent. Distribute sticky notes to students and ask them to place one in each column demonstrating how someone might communicate consent.</p> <p><b>Examples:</b></p> <p><b>Asking For Consent</b></p> <ul style="list-style-type: none"><li>• <i>Can I kiss you? Is this okay? Would you like to _____?</i></li></ul> <p><b>Giving Consent</b></p> <ul style="list-style-type: none"><li>• <i>Yes; I would love to!; That's okay with me!; Definitely!</i></li></ul> <p><b>Not Giving Consent</b></p> <ul style="list-style-type: none"><li>• <i>No; Stop; I don't like that; That's not okay with me; Pushing away; Uncomfortable body language</i></li></ul> <p>Read out a few student responses from each category. Highlight enthusiasm as being important in giving consent.</p>

5 minutes

### Washington State Consent Laws

As we've discussed, consent is important because it helps us to respect partners and Consent for sex is also required by law. Let's review some of those laws.

1. If two people have sex or engage in sexual touch, they have to both give consent to each other, which means permission.
2. If a person who is drunk or high gives consent to have sex, it does not legally count as consent. The person who has sex with them will get in trouble.
3. It is never allowed to have sex with a person who is passed out, asleep or unconscious, even if the person consented to sex in the past. Consent needs to be freely given each time.
4. At age 16, a person can legally give their permission to have sex. If someone under the age of 16 chooses to have sex or engage in sexual touch, they can only legally consent to someone who is close in age.
5. The best way a person can make sure they are following the law is to never sexually touch or get in a relationship with someone who is more than 2 years younger than them.
  - a. Younger than 12- Older person must be within 24 months
  - b. 12 or 13- Older person must be within 36 months
  - c. 14 or 15- Older person must be within 48 months
6. If an older and a younger person have sex, the older person is the one breaking the law, and will be in trouble.
7. Anyone who is in a position of power, such as a teacher, coach or boss, cannot have sexual contact with a youth or student they supervise, no matter how they met.

Common Question: Students often ask whether a 16-year-old can legally have sex with someone much older than them. While it would be legal in WA, ask the students to explore the balance of power in a relationship with a large age difference. Do you think there would be a power imbalance in that type of relationship? Would the older person be able to manipulate the younger person? Why might a much older person be interested in a relationship with a teen?

10 minutes

### Consent & Sexting Safety

Another issue that involves Consent and the law is sexting.

1. It is illegal for anyone over the age of 18 to have nude photos of anyone under the age of 18.
2. It is illegal to distribute someone else's nude photo without their consent.

Many people choose not to sext. It can be a risky activity. **What are some reasons why people may choose not to sext?**

- You may not know exactly who is going to see the message/photo. People online can lie about who they are.

- The message/photo may be shared with others.

**What are some reasons why someone may choose to send a sext?**

- Long distance relationship, exploring their sexuality, maybe they feel pressured to do so

In the groups we worked in earlier, we are going to brainstorm some sexting safety tips.

**Instruct each group to make a list responding to the following question:**

**If someone did choose to sext what are some things they could do to stay safe?**

- *Be sure you know who you are talking to and how old they are*
- *Don't include your face or anything that could identify you in the photo*
- *Be clear that the image is meant to be kept private and should be deleted upon your request*

**Ask students to discuss the following scenario in small groups and share suggestions as a class.**

Scenario: Riley and Peyton have been dating and sexting for a couple months. One day, Riley's best friend says that they overheard some classmates say that Peyton had texted them all one of Riley's nude photos. **How might Riley be feeling in this situation? What should Riley do?**

- *Riley might be feeling embarrassed, angry, upset, confused, hurt. Riley may be wanting to end their relationship with Peyton.*
- *Riley could talk to a trusted adult, ask the classmates to delete the photo. Riley can also report this because it is illegal for someone to distribute a nude photo of someone else without their consent.*

**5 minutes**

**Closing**

- 1. What is one thing you wish everyone knew about sexual consent?**

**Have students submit answers as an exit slip or invite a few students to share responses.**

**consent is...**

**consent is not...**

**You know for sure that  
someone has  
given  
consent when...**



**It can be hard to know if  
someone has  
given  
consent when...**

**A person needs to get  
consent when...**

**If a person does not get  
consent before doing  
something, the following  
consequences can happen...**