

**College Students' Perception of Sexual Consent Based
on their Familiarity with Sexual Behavior**

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Introduction

Sexual violence and assault is one of the biggest issues plaguing college students across the U.S. Studies show that 1 in 5 women experience some form of sexual assault, whether attempted or completed, in their time in college (Muehlenhard, 2015). Factors such as party culture, alcohol consumption, gendered expectations, and limited knowledge of sexual consent increase college students' risk of sexual violence. Our culture today is recognizing the increased risk for college students more than ever. Legislation, law enforcement, parents, and students are increasingly developing new strategies to protect students from sexual violence. However, the statistics still put college students, especially women, at high risk for sexual assault.

Defining Sexual Consent

Sexual consent in its simplest form is often considered a “yes”. There is not much debate about consent in itself; however, consent can be nuanced. For example, some may say consent requires sobriety while others may say it is a look in their partners' eye. Yet, there has not been one singular definition of consent that has been agreed upon by scholars. Rather, each new addition is a valuable layer to the complexities of defining consent.

One definition of sexual consent is a feeling or decision of willingness to partake in sexual activity, which can be communicated either verbally or nonverbally (Beres, 2007). This definition indicates the emotion behind the decision of engaging in sexual activity. The idea that consent requires an internal decision is a relatively common, but the intent behind the decision can often fall into the grey area.

Verbal Consent Communication

When articulating the basics of consent, verbal communication seems to be a popular response. Verbal consent is verbalizing your desire to engage in sexual behaviors. Usually this is through phrases as simple as “yes” or “I would like to continue this” in response to a partner initiating sexual behavior. It could also be explicitly expressing desire like “I want to have sex” or affirmation such as “That feels good” or “Don’t stop”. Verbal consent is usually associated with more intimate, higher-level sexual behaviors such as vaginal-penile intercourse, because there is usually a transition between foreplay to the actual engaging in penetrative intercourse that may include a conversation regarding contraception or other protective measures. Pausing sexual activity to ask about condoms or other forms of contraception is an unobtrusive and casual way for many college students to either articulate or gauge consent communication (Hickman & Muehlenhard, 1999).

In homosexual couples, verbal consent is utilized more frequently than in heterosexual partnerships (McLeod, 2015). People in the BDSM community also are more likely to communicate consent verbally, (Beckmann, 2003; Pitagora, 2013).

Non-verbal Consent Communication

College students often report using non-verbal actions more frequently to express consent than verbalization. Some nonverbal cues for consenting to sexual intercourse include kissing, leaning closer, taking articles of clothing off, etc. Many people report using similar physical behaviors like these to communicate their consent to a potential partner, (Hall, 1998; Hickman & Muehlenhard, 1999; Jozkowski, Sanders, et al., 2014). The more an individual engages in repeated behaviors with the same partner, the more likely they are to utilize nonverbal cues. Nonverbal cues can be tricky, as they can often be misinterpreted. Some people interpret certain

lower-level sexual behaviors, such as kissing, as consent to engage in additional sexual behaviors even if their partner only intended to consent to kissing. Often, partners utilize nonverbal cues and slowly continue with sexual behavior until their partner offers a refusal (Jozkowski, Sanders, et.al, 2014). This, unfortunately, can provide insufficient and can further perpetuate rape myths.

Implicit vs. Explicit Cues

Explicit cues are direct indicators of sexual interest. These can be either nonverbal or verbal. Verbal, explicit cues are straight-forward such as a simple “yes” or “I want to keep going”. Nonverbal explicit cues are actions that can strongly show sexual interest such as unbuttoning your pants or touching your partner sensually. Explicit cues are clear and direct.

Implicit cues are implied and can occasionally be taken out of context. Similar to explicit cues, implicit cues can be both verbal or nonverbal. Verbal implicit cues could be “Would you like to come back to my place?” While that person may be meaning to engage in sexual behaviors, it is not directly said. Nonverbal implicit cues could be as simple as a look in the eyes. People often say that their partner gave them “bedroom eyes” and they knew that they wanted to have sex. These cues are risky, as one partner could interpret them as consent while one could not.

The Process of Consent

Whether partners verbally ask for consent or communicate consent through nonverbal cues, consent can be viewed as a discrete event. That means that when someone asks a partner for their consent or indicates their desire to have sex in other ways, they are receiving consent for the entirety of the behavior. When partners are engaging in lower-level sexual behaviors, such as kissing or manual/oral; sex, there is a natural pause where consent occurs. This could be asking for a condom or some other indicator of progression of sexual behaviors. The behavior

then continues and that pause for consent is seen as a check for all behaviors to follow. Consent is one official moment in sexual behaviors that allows the process to continue.

However, consent can also be seen as a process, rather than a one-time event. Consent as a process involves partners continually checking each other's engagement, and gauging if they are still willing and desiring to continue, (Beres, 2014; Humphreys, 2004). One can interpret their partner's facial expressions or body language to see if they are still consenting, even if there has been no verbal indication of a change in consent. Consent as a process is a safe option, as it lessens the chance of someone engaging in sexual activity that they no longer are interested in. When consent is a process, individuals can stop and withdraw consent at any time during behaviors. Even if a partner said they wanted to engage in a certain behavior, they are able to change their mind during activity.

Factors that Impact Consent

Consent communication is also impacted by external factors, adding to the complexity of it. These factors include gender, relationship status, specific sexual behaviors, etc. Research on sexual consent shows that men and women articulate consent differently. "Women scored higher than men on Passive Behaviors and No Response Signals, indicating that women were more likely than men to engage in such behaviors with respect to externally indicating their consent," (Jozkowski et.al, 2014). Women are more likely to be passive in sexual encounters and allow men to initiate sexual behaviors. Men are also more likely than women to use coercive behaviors which is often why women are at higher risk for sexual assault.

Relationship status also impacts how consent is communicated, as there is often a level of intimacy. If partners are having repeated sexual encounters with each other, there is a level of trust and comfort that changes how consent is communicated. They are more likely to internally

consent and utilize implicit cues to continue with behaviors. However, single partners are less comfortable and thus rely more on external methods of communicating consent (Jozkowski et.al, 2014).

Consent communication also differs depending on what sexual behaviors partners are engaging in. Behaviors such as penetrative sex are often seen as needing explicit consent cues. There is a natural progression towards these behaviors that often allows for a discrete moment of consent. However, behaviors such as kissing or oral sex are viewed as more nonverbal or passive consent articulation. Often, other behaviors can be interpreted as consent as well. Kissing and touching can often be interpreted as implied sexual interest and can lead to higher behaviors.

Sexual Precedence

Sexual precedence refers to a partner's history with their sexual partner. That is, repeated sexual encounters with the same partner (Willis & Jozkowski, 2019). Sexual Precedence Theory posits once a person has engaged in consensual sexual behaviors with a partner then similar future sexual behaviors are expected, (Livingston et. al, 2004). This phenomenon likely occurs because the partners perceive that an initial consent understanding has been established, thus making future consent communication less necessary. This theory can be applied to most committed relationships, although research mostly focuses on heterosexual couples.

Previous research on sexual precedence worked under the assumption that sexual precedence is established solely with vaginal-penile intercourse. Yet, sexual precedence occurs among a spectrum of sexual behaviors, and does not just apply to vaginal-penile intercourse. This distinction helps articulate that the frequency of a variety of sexual behaviors can impact how individuals articulate consent before they have even engaged in penetrative sex.

For couples, consent is communicated differently and is more implied. Research with college students presents those students believe verbal consent to be more necessary for first-time sexual encounters than frequent, repeated encounters (Humphreys & Harold, 2007) When sexual precedence is established, partners are likely to use a variety of implicit behaviors,

Knowing that sexual precedence exists among the spectrum of different sexual behaviors, we wanted to determine if sexual precedence extended to the frequency/comfortability with these behaviors. If so, we wanted to see how this then impacted individual's views on sexual consent.

Current Study

Previous research regarding sexual consent has identified the various nuances of this communication. Researchers have identified the impacts that a person's gender, relationship status between partners, sexual precedence theory, and other situational and contextual factors have on consent communication; however, no studies have examined how one's own experience with engaging in sexual behaviors influence their perceptions of consent.

The purpose of this study is to examine college students and their sexual behaviors to determine if that impacts how they view and articulate sexual consent. We hypothesized that students who have experienced more sexual behaviors in their lifetime will conceptualize consent differently than those who have experienced less sexual behaviors. The goal in this study is to further add to the research in hopes to create a safer culture for college students. Sexual consent can be difficult to articulate, as it is very layered. Our goal is to help college students grow to understand sexual consent and to be able to recognize potential shortcomings in how consent is being communicated either to them or from them.

Methods

Participants

We recruited 5,000 college students between the ages of 18-24 at Oklahoma State University to complete a brief survey for our study. Those 5,000 students were selected randomly through a random sample of student emails supplied by the Institutional Review Board. Those selected were then emailed a link to complete the survey. After completing the survey, the participants were asked if they would like to enter their email for a chance to win one of fifteen \$20 Amazon gift cards. Their emails were de-identified after data collection, as to keep their answers confidential.

Of the 5,000 recruited, we received 303 responses. After inspecting responses, several were incomplete at the time of cut-off, which left us with 263 participants from that sample. The respondents were pretty close in class standing with the majority being juniors (27.0%), then seniors (24.7%), followed by sophomores (24.3%), and freshmen (23.6%). Graduate students only comprised of .4%. The average age of participants was 20.25 years old.

The majority of respondents were female (56.7%), with males comprising of 39.5%, transgender individuals making up 1.1%, and the rest identifying as other (2.7%). Most of the participants were not involved in a Greek organization (66.9%). Respondents mainly reside from suburban areas (51.3%) or rural areas (36.5%).

In terms of religiosity, 32% of participants reported attending religious services once a week, 10.6% attended 2-3 times per month, 11.8% attended once per month, 26.2% attended a few times a year, and 19% had never attended a religious service.

When asked about relationship status, most of the participants were either single and not dating anyone (43.3%) or were in a committed relationship (39.9%). For the purpose of our

study, we also felt it important to ask participants about their current sexual relationship status. 37.4% of respondents reported being in an exclusive sexual relationship while only 1.9% of respondents responded being in a non-exclusive relationship. 7.3% were engaging in casual sexual encounters, and the majority of participants reported not engaging in sex (53.4%).

Measures

In order to gauge students' engagement sexual behaviors, we utilized the National Survey of Sexual Health Behaviors (NSSHB; Herbenick et al, 2010). The NSSHB consists of multiple different items where participants indicate the last time they engaged in that experience. The responses indicate participating in the behaviors (1) in the past 30 days (2) in the past 90 days (3) in the past year (4) in your lifetime and (5) never. While we included many of the items in our survey, we omitted the questions regarding sex toys, unwanted sexual encounters, and cheating in our analysis.

We also included the Consent to Sex Scale (CSS; Jozkowski & Peterson, 2013) to help identify the methods in which students would articulate sexual consent. The CSS provides different statements of how to express consent. For example, "I would smile". These statements are divided into different factors: (1) nonverbal signs of interest, (2) passive behaviors, (3) initiator behaviors, (4) verbal cues, and (5) removal behaviors. The participants then indicated how likely they were to use that method to communicate their consent. They were able to quantify this through the choices: strongly disagree, disagree, neither agree or disagree, agree, and strongly agree.

Lastly, the survey also consisted of an open-ended question, "In your own words, how do you define sexual consent?". The open-ended question was included to further help understand

the ways students define consent and to help with the analyses of sexual behaviors. Participants responses were grouped based on similarity of themes.

Analyses

Qualitative responses to the open-ended consent question was coded inductively into different groups based directly on participants' responses. We analyzed each response and noted several different themes for how participants defined and conceptualize sexual consent. The themes identified were verbalization, asking permission, agreement with partner, sober, lack of coercion, lack of hesitancy, enthusiasm, can be revoked/changed, willingness/wantedness, nonverbal actions, occurs before activity, of legal age, enjoyment, comfort, and other (responses that did not clearly fall into one of the other categories composed this). The participants' definitions of sexual consent were able to be sorted into multiple different themes depending on the thoroughness of their response.

Using the NSSHB, we created groups based upon participants' experiences with various sexual behaviors. Participants were grouped according to whether they indicated at least engaging in a sexual behavior sometime during their lifetime (other responses options were in the past 30 days, 90 days, and never). Using these parameters, the groups we developed were: (1) no partnered behaviors; (2) kissing; (3) oral/manual sex; (4) vaginal-penile sex; and (5) anal sex. Using the five CSS factors as dependent variables, we then ran ANOVAs to discover how each behavioral group responded to different consent methods.

Results

Defining Consent

From the qualitative analysis, we were able to identify three themes that were the most prominent or popular in the responses. The first one was that sexual consent is an agreement

between partners. This definition says that it is not enough for one partner to say yes to sexual activity, but that there must be a consensus between all participating members. A female respondent (20) responded that sexual consent is “a mutual agreement to participate in sexual acts. All parties must agree to the acts for there to be consent”. A female participant (22) saw this agreement as being dependent on behavior as it occurs “when both parties agree to engage in a certain type of sexual act”. Many participants who indicated the agreement with partner, also were grouped in the “verbalization” theme. This agreement between partners could be articulated many different ways. Consent is a “written or verbal agreement between two people”, said a male participant (19).

Verbalization was another theme that was prevalent in responses, both grouped on its own and alongside other themes such as agreement with partner and wantedness/willingness. Sexual consent is “the word yes. Anything else is a no”. Many consider verbalization as a necessary part of sexual consent, and that without verbalization, it does not count as consent. “The person has to state that they want to have sexual relations otherwise they are not consenting” responded a female (19). For many, verbalization is as simple as “saying yes” to sexual activity.

Another theme that was prevalent in responses is sobriety. Sobriety is being free of any mind-altering substance such as alcohol, drugs, or tobacco. It is “saying yes when aware. By aware, I mean not drunk, high, etc” said female (18) participant. Since substances can alter inhibition and decision making, sobriety is often seen as a necessity for sexual consent. “Saying yes to a sexual activity and being able to change your mind at any time. You can’t consent if you are under the influence” replied male student (18). A sense of clarity or coherency is associated

with being sober. “A simple definition would be two parties agreeing to have sex. Further than that, both parties must be coherent in their decision making in order to give consent”.

Group Differences

We ran ANOVA's to determine how each behavioral group responded to the CSS scale items. By conducting the tests, we were able to analyze how each behavioral group responded to the different methods to communicating consent. For Initiator Behaviors, students who reported engaging in vaginal-penile intercourse ($M = 2.78$) and students who reported engaging in anal intercourse ($M = 3.16$) had significantly higher scores on this consent construct compared to students who reported never engaging in partnered sexual behavior ($M = 2.24$). Additionally, students who reported kissing a partner ($M = 2.54$) had significantly lower scores on this construct compared to students who engaged in anal intercourse ($M = 3.16$), $F(4, 206) = 6.90, p < .01$.

For Verbal Consent Behaviors, there was similar results. Those students who reported engaging in vaginal-penile intercourse ($M = 3.40$) and students who reported engaging in anal intercourse ($M = 3.44$) had significantly higher scores on verbal consent cues compared to students who reported never engaging in partnered sexual behavior ($M = 2.94$), $F(4, 205) = 2.90, p < .05$. The students who reported engaging in kissing ($M = 3.34$) and the students who reported engaging in manual/oral sex ($M = 3.27$) only had slightly lower scores than those who reported engaging in vaginal-penile intercourse ($M = 3.40$) and those who reported engaging in anal intercourse ($M = 3.44$).

No significant differences among students according to their previous sexual experiences were found for the Nonverbal Behaviors [$F(4, 207) = 1.48, p = .21$], Passive Behaviors [$F(4, 206) = 2.20, p = .07$], or Removal Behaviors [$F(4, 204) = 0.69, p = .60$] constructs.

Discussion

College students are a particularly vulnerable population in terms of sexual assault. While there are a variety of factors that contribute to students' risk for sexual assault, consent communication can always be improved upon. Our hope with this study is to further understand how college students conceptualize sexual consent. We sought to determine if there is a connection between how many behaviors a student has engaged in and how they communicate sexual consent. The more we can learn about this, the more that we can help prevent sexual assault and mistreatment on college campuses.

In terms of consent definitions, our results found that there were three key themes that students articulated being most important when defining sexual consent. These themes were verbalization, being sober, and forming some sort of an agreement with partner(s). We also found differences in consent perceptions among our participants based upon their experiences of previous sexual behaviors. Those who indicated engaging in anal sex and those who indicated engaging in vaginal-penile intercourse were more likely to utilize verbal cues and initiator cues to communicate consent than those who had never engaged in partnered behaviors.

The results of the ANOVAs align with previous research. While verbalization still is not the most common method in communicating consent, people are more likely to rely on verbal cues depending on the intimacy of the behavior. "For the more intimate activities, such as oral sex and intercourse, both vaginal and anal, verbal permission occurs more often than it does for other activities," (Hall, 1998). Due to our small sample size for students who have only engaged in oral sex at most, we mostly noticed this trend with the participants who marked the different methods of penetrative sex.

However, the initiator items consisted of nonverbal methods of showing interest and initiating sexual behaviors. These initiator items are more explicit and rely on making various moves to gauge partners reactions. “This probably means that one should be sure that one’s partner has engaged in behaviors that can reasonably be interpreted to mean that the partner is willing,” (Muehlenhard et. al, 2016). When looking at our results and knowing that partners usually follow a sexual script beginning with foreplay, initiator behaviors could likely be higher for students who indicate vaginal-penile and anal sex because they interpreted previous behaviors as indication of sexual interest. For those who have not engaged in VP or anal sex, they might not use initiator behaviors as frequently because they do not have other sexual behaviors to interpret as engagement.

Limitations

A majority of our participants were white, cisgender, heterosexual individuals. Our results therefore cannot be generalized to all college students. Our sample was also pulled from a southern university located in a rural area, which also limits our data and its representation for college students from other demographics. In terms of our data, most participants reported engaging in penetrative sex so there was not an even distribution among behavioral groups.

Conclusion

Consent communication is very complex and nuanced and having a firm understanding of it is especially important for prevention of sexual violence. Sexual consent communication is influenced by a person’s gender, relationship status, but also by the behaviors they are engaging in. There is a large spectrum of sexual behaviors that college students engage in. There is extensive research about consent communication depending on these factors, but there is not much on how familiarity with each behavior impacts how college students perceive consent.

This study and findings can hopefully help professionals and students on college campuses to be aware of another nuance of consent. Sexual behavior cannot be viewed through a “one size fits all” lens, and neither can sexual consent. If we can understand the different factors that impact sexual consent, we can hopefully work to prevent sexual violence on college campuses.

References

- Beckmann, A. (2003). "Sexual rights and sexual responsibilities within Consensual S/M practice. In M. Cowling & P. Reynolds (Eds.), *Making sense of sexual consent* (pp. 195–208). Burlington, VT: Ashgate.
- Beres, M. A. (2007). 'Spontaneous' Sexual Consent: An Analysis of Sexual Consent Literature. *Feminism & Psychology*, 17(1), 93–108. <https://doi.org/10.1177/0959353507072914>
- Beres, M. A. (2014). Rethinking the concept of consent for anti-sexual violence activism and education. *Feminism and Psychology*, 24, 373–389. doi:10.1177/0959353514539652
- Hall, D. S. (1998). Consent for sexual behavior in a college student population. *Electronic Journal of Human Sexuality*, 1. Retrieved from <http://www.ejhs.org/volume1/consent1.htm>
- Hickman, S. E., & Muehlenhard, C. L. (1999). "By the semi-mystical appearance of a condom": How young women and men communicate sexual consent in heterosexual situations. *Journal of Sex Research*, 36, 258–272. doi:10.1080/00224499909551996
- Humphreys, T. (2004). Understanding sexual consent: An empirical investigation of the normative script for young heterosexual adults. In M. Cowling & P. Reynolds (Eds.), *Making sense of sexual consent* (pp. 209–225). Burlington, VT: Ashgate.
- Humphreys, T. (2007). Perceptions of sexual consent: The impact of relationship history and gender. *Journal of Sex Research*, 44, 307–315. doi:10.1080/00224490701586706
- Jozkowski, K. N., Peterson, Z. D., Sanders, S. A., Dennis, B., & Reece, M. (2014). Gender differences in heterosexual college students' conceptualizations and indicators of sexual consent: Implications for contemporary sexual assault prevention education. *Journal of Sex Research*, 51, 904–916. doi:10.1080/00224499.2013.792326

Livingston, J. A., Buddie, A. M., Testa, M., & VanZile-Tamsen, C. (2004). The role of sexual precedence in verbal sexual coercion. *Psychology of Women Quarterly*, 28, 287–297. doi:10.1111/j.1471-6402.2004.00146.x

McLeod, L. (2015). Towards a culture of consent: Sexual consent styles and contemporary social interventions (Unpublished thesis). James Cook University, Cairns, Australia

Muehlenhard, C. L., Sakaluk, J. K., & Esterline, K. M. (2015). Double standard. In P. Whelehan & A. Bolin (Eds.), *International encyclopedia of human sexuality* (Vol. 1, pp. 309–311). Chichester, UK: Wiley-Blackwell.

Pitagora, D. (2013). Consent vs. coercion: BDSM interactions highlight a fine but immutable line. *New School Psychology Bulletin*, 10(1), 27–36