

# STUDENT GUIDE TO SEXUAL ASSAULT & HARASSMENT ABROAD

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The Wake Forest University [Sex and Gender Discrimination and Harassment Policy and Title IX Sexual Harassment and Non-Title IX Sexual Misconduct Grievance Procedures](#) prohibits sexual harassment, gender-based harassment, sexual assault, relationship violence, stalking, sexual exploitation, and statutory rape.

## **What is Consent?**

Wake Forest defines consent as “informed, freely and actively given, mutually understandable words or actions, which indicate a willingness to participate in mutually agreed upon sexual activity.” Consent is mandatory in every instance of sexual activity.

### CONSENT DEFINED IN POLICY:

“Consent” means permission for something to happen or agreement to do something. For example, a person consents to sexual activity if/when they give permission for the activity to occur or agree to engage in the activity. Consent is unambiguous, informed, active (not passive), voluntary (freely given), mutually understandable words and/or actions that indicate a willingness to participate in the sexual activity.

Whether someone has given consent is based on the totality of the circumstances and is determined by reference to a reasonable person in the same or similar circumstances. Once consent to a sexual act has been given, consent can be withdrawn at any time by communicating words and/or actions to the other person before or during that sexual act. Consent is automatically withdrawn if someone becomes unconscious or falls asleep during a sexual act.

Consent cannot be inferred from silence, passivity, or a lack of resistance. Non-verbal communication alone may or may not be sufficient to constitute consent. Furthermore, consent cannot be inferred from a current or previous dating or sexual relationship (or the existence of such a relationship with anyone else), from someone’s attire, spending money, or consent previously given. In other words, consenting to one sexual act does not imply consent to another sexual act.

Consent cannot be coerced. Examples of coercion that prevent consent include physical force, violence, duress, intimidation, deception, or the threat, expressed or implied, of bodily injury.

The use of alcohol or other drugs does not diminish one's responsibility to obtain consent before sexual activity and does not excuse conduct that violates this Policy.

Consent may never be given by:

1. Minors<sup>1</sup>, even if the other participant did not know the minor's age;
2. Mentally disabled persons, when the Respondent knows or should know (based on a reasonable person standard) that the individual allegedly giving consent is not capable of consenting due to the disability; or
3. Persons who are Incapacitated.

### **Adjusting to Cultural Norms**

Each host culture varies tremendously in their attitudes toward men and women, response to crime, and resources available to victims of sexual misconduct. Prior to departing for your study abroad experience, it is important to familiarize yourself with the general attitudes of your host culture toward men and women, Americans, communication styles and cues, dress, and acceptable behaviors. Unknowingly, students studying abroad may communicate or dress in ways that may be misinterpreted by members of the host culture and increase their vulnerability.

### **Drink Responsibly**

Although the victim is never responsible for an attacker's sexual misconduct, there are preventative measures one can take to reduce one's risk of being targeted. Students studying abroad will likely have increased access to alcohol because of lower legal age limits for purchasing alcoholic beverages. "Binge drinking" behavior common across U.S. college campuses is not as prevalent in cultures abroad. Students abroad may be unaware of higher alcohol content in drinks and therefore may become intoxicated more quickly. It is important that students are both careful of what they drink and are sure to not leave their beverage unattended to prevent the addition of any unknown substances. Knowing your limits and sticking to them is one of the most effective things you can do to decrease your risk of sexual misconduct.

### **Maintain Open Communication**

Sexual partners have the right and responsibility to know and vocalize their sexual limits. It is important that each partner communicates clearly and clarifies their partner's wishes if confusion or ambiguity arise at any time. Speak up about what you want and don't want, and encourage your partner to do the same. Although this can be difficult, NOT talking can contribute to confusion and misinterpretation of cultural norms and nonverbal behaviors (flirting, touching, kissing, etc.).

### **Trust Your Instincts**

Across all host countries, students often experience an illusion of safety while abroad. A general sense of adventure or a desire to fit into a new culture may cause students to relax their personal boundaries. If

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<sup>1</sup> A minor is a person who is legally below the age of consent as set forth in the applicable law. Determining whether someone is below the age of consent will be judged by the law of the place where the sexual act occurred. In North Carolina, the age of consent is 16 years old.

you find yourself in a situation in which you don't feel comfortable, you have the right to say (or shout), "Stop – I don't want this!" or to leave the situation and get help. Many victims of sexual misconduct later express having felt uncomfortable or afraid before the incident(s) happened, but they dismissed these feelings because it would have been embarrassing or difficult to act on them. Always trust your instincts.

### **Preventative Safety Measures**

Measures to prevent vulnerability to sexual misconduct include but are not limited to:

- Paying attention to your surroundings at all times
- Making sure that someone always knows where you are
- Keeping your room, windows, and doors locked at all times
- Walking in well-lit areas and in groups at night
- Studying in populated areas, particularly on weekends and holidays
- Saying no to rides from strangers
- Staying in populated areas if you think you're being followed

### **Resources for Help**

In the event that you or a friend is a victim of sexual misconduct, your host country may have the best resources available for crisis response and immediate support. Always get to a safe place and seek immediate medical assistance first. Then, seek out resources for emotional support as well as information on safety and reporting options. If you have it, save any evidence like notes, voice messages, emails, and gifts.

If your friend is a victim of sexual misconduct, it can be difficult to know what emotional help they need. Some strategies for supporting a friend are:

- Affirming that it is not their fault
- Understanding each person responds differently to sexual misconduct
- Being a good listener
- Encouraging your friend to report the misconduct to the Title IX Coordinator and/or law enforcement
- Urging medical attention, and in stalking situations, law enforcement assistance as well
- Continuing your support during the recovery process

### **Options for Reporting**

Victims are strongly encouraged to first contact local law enforcement in their host country to both report the crime and to receive medical attention. Whether on campus, in our home communities, or abroad, Wake Forest community members are also encouraged to report incidents of sexual misconduct to their home university. Should you contact another faculty or staff resource on campus, please note that they are required to report any knowledge of alleged sexual misconduct to the University as mandated by Title IX.