Talking to your Student about Title IX: Tips for Families of Kenyon Students

Since the beginning of the Fall 2016 semester is only a few short weeks away, we are writing to encourage you to talk with your student about the College’s Title IX policy on sexual misconduct (which is available online at kenyon.edu/titleix). Sexual misconduct, including non-consensual sexual contact and non-consensual sexual intercourse, is an ongoing topic of conversation and preventive education efforts. Many of the situations investigated under our Title IX/VAWA (Violence Against Women Act) policy involve alcohol, and we have conversations on campus about responsible use of alcohol as well. A student who is found responsible for a Title IX/VAWA policy violation by a team of trained investigators may face long-term suspension or permanent dismissal from the College. Here are some suggestions for guiding these important discussions. Please don’t hesitate to contact us if you have any questions.

1. **No means no**: The single most crucial thing for students to understand is that “no means no.” If the person you are with says “I don’t want to have sex tonight” or “I don’t want to do oral sex” or “Please stop” or any other form of statement refusing sex, RESPECT THAT. It doesn’t matter if you have had sex with that person dozens of times. It doesn’t matter if that person had sex with four other people you know. It doesn’t matter if that person came back to your room with you. It doesn’t matter if that person has been kissing you. NO MEANS NO.

2. **No participation means no consent**: If someone doesn’t say “no,” that doesn’t mean they are necessarily saying “yes.” At Kenyon, participants in a sexual activity need to affirmatively consent to the activity. Kenyon doesn’t require that someone say “yes”; you can indicate yes with your actions. So if someone is not actively participating in the sexual behavior, take that as a “no.” If they are not taking off their clothes or taking off your clothes or moving with you or reciprocating your behaviors, just stop. When in doubt, ask! Communicating with your partner directly is the best way to make sure you are both enjoying the experience.

3. **Vomiting, staggering, slurring**: Incapacitation due to alcohol, drugs or sleep makes it impossible to consent to sex. How do you know if your possible partner is too drunk? There are a number of important signs: vomiting, staggering, falling (or nearly falling), unusual emotional volatility, any loss of consciousness, difficulty staying awake, slurring speech. Again, when in doubt, stop.

4. **Intoxication does not excuse bad behavior**: Initiating non-consensual sex is a policy violation, regardless of your level of intoxication. Period. Being drunk is not an excuse or a defense.

5. **Penalties**: Title IX/VAWA policy violations are serious. Penalties can range from warnings to dismissal. If you are found responsible for violating the policy in terms of non-consensual sexual intercourse, the typical penalty is long-term suspension or dismissal. Either one of these penalties is permanently noted on your transcript. There may be criminal penalties as well. See Kenyon’s Title IX/VAWA policy for more information.

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