

02

AUDRIE & DAISY

IN THE CLASSROOM

Lesson Three
UNDERSTANDING CONSENT



Lesson Three

— UNDERSTANDING CONSENT

 1-2 Class Periods

We have a responsibility to teach our children what consent is and what it is not. Consent means a mutual agreement for something to happen. During sexual relations consent is everything. If at any time consent is not given or changes, then this decision must be respected. Consent cannot be given while intoxicated, while unconscious or while being physically restrained. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance in and of itself does not demonstrate consent. The law applies across sexual orientation and gender identity.

More and more school leaders and educators are understanding that to deter sexual assault in the college years education about consent needs to begin in the middle and high school. [The National Sexuality Education](#)

[Standards](#) provides guidance on the essential minimum core content for sex education that is developmentally appropriate for students K through 12th grade with specific 8-12th guidelines for sexual consent under the topics of personal safety and healthy relationships.

Through reflection and discussion activities students will prepare to answer the following questions:

- **What is and isn't affirmative consent?**
- **What is the difference between consensual and nonconsensual sexual relations?**
- **How can you give consent? What words do you use?**

Students will also learn the status of national programs advancing affirmative consent and explore ways to apply consent in their lives by creating personal "ground rules."



Open the lesson by communicating your designed trigger warning. For the lesson on consent, cultural variations may reflect a variety of different practices and beliefs regarding dating and when it is culturally or religiously acceptable to engage in sexual relations. Some students may be hesitant to share their experiences if they do not conform to the perceived norms. Seek out resources and support within your school personnel for help in designing what is developmentally appropriate to communicate with your class.

REFLECT

Introduce the word consent to the class. Ask students for any associations or examples they can think of to explain and define consent. If necessary offer this basic definition: consent means a voluntary agreement to another's proposition.

As a class watch [Tea and Consent](#), and animated short video explaining consent. After the video have students further refine their definition of consent and in their own words explain the phrase "consent is everything." Share their reflections in pairs or as a class. Identify common ideas about what is and isn't consent.

Transition from understanding the definition of consent, to brainstorming everyday situations where consent is given—at home, in school, among friends or in their family. When do they give consent? When is consent difficult to give? In what situations do they not consent? Invite students to share several situations they identified when consent is given and when it is refused.



CONSENT
IT'S SIMPLE AS TEA

DISCUSS & ENGAGE

Guidelines for Consent

Explain to students that consent also applies to sexual relations and is often referred to as affirmative consent, or the conscious and voluntary agreement to engage in sexual activity. When you are engaging in sexual activity consent should be verbally communicated every time. Sex without affirmative consent is sexual assault or rape. In Audrie & Daisy we see several examples where consent was not given and the terrible consequences that resulted.

The White House established an initiative *1 is 2 Many* to bring further attention to the crime of sexual assault and rape. You may choose to show their public service announcement before exploring consent in more depth with your students.

For the teacher: For middle grade students the discussion on consent should look very different than for students in the upper high school years. Adjust the language and exposure to these rules appropriately. Invite students to pose questions privately in written form, or verbally during the discussion to share with the class.

Introduce to students these general guidelines or ground rules for understanding consent

Engage

For the teacher: For middle grade students any discussion on consent should look very different than for students in the upper high school years. Adjust the language and exposure to these rules appropriately. Invite students to pose questions privately in written form, or verbally during the discussion to share with the class.

Introduce to students these general guidelines or “ground rules” for understanding consent

Consent is:

- Communicating when you change the type or degree of sexual activity with phrases like “Is this OK?”
- Explicitly agreeing to certain activities, either by verbally saying “yes” or another affirmative statement, like “I’m open to trying.”
- Using physical cues to let the other person know you’re comfortable taking things to the next level. Always check in verbally just to make sure.
- Never assumed. Just because you engaged in sexual activity in the past with this person does not mean it is OK every time. Nor is wearing certain clothes, flirting, or kissing an invitation for anything more.
- Never given when intoxicated. If unsure, wait and have the conversation when both of you are sober. To examine the role of alcohol in more depth see the Discussion Guide for Audrie & Daisy which has a section dedicated to the role alcohol plays in sexual assault.
- A legal age defined by the state. It is important to be aware of sexual consent laws and how it applies to individuals 18 years and older.

Allow students the opportunity to discuss these “ground rules” in small groups in respectful and open dialogue to further clarify what is and isn’t consent.

- **Consent is voluntary and mutual, and can be withdrawn at any time.**
Discuss: What does mutual consent look like? How do you know? What questions can you ask?
- **You can change your mind at any time.**
Discuss: When would you imagine this occurring? How would you express this need?
- **Past consent (you kissed once before) does not mean current or future consent.**
Discuss: How would you check in about consent? Is it only verbal?
- **One cannot always consent when under the influence of alcohol and/or drugs.**
Discuss: Can one ever consent under the influence of alcohol or drugs? When?

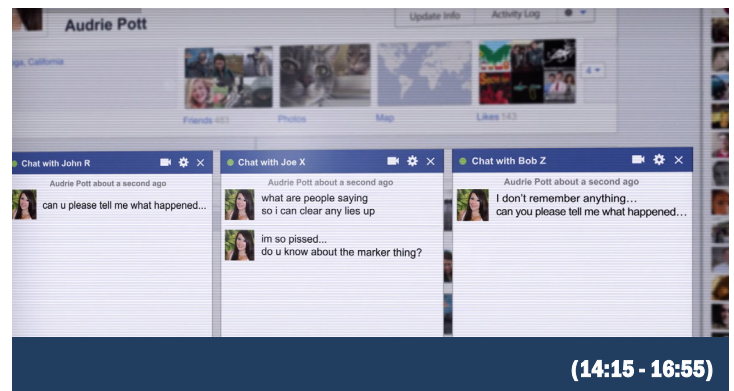
If time permits, have students add other ground rules. If students ask questions you are unprepared to respond to, it is important to be honest and simply tell students that you will explore their question with colleagues or other trained professionals in the field. You may also want to direct students to several national campaigns to raise awareness about consent including Project PAVE [#ConsentIs](#) Campaign.

WATCH

 08 Minutes

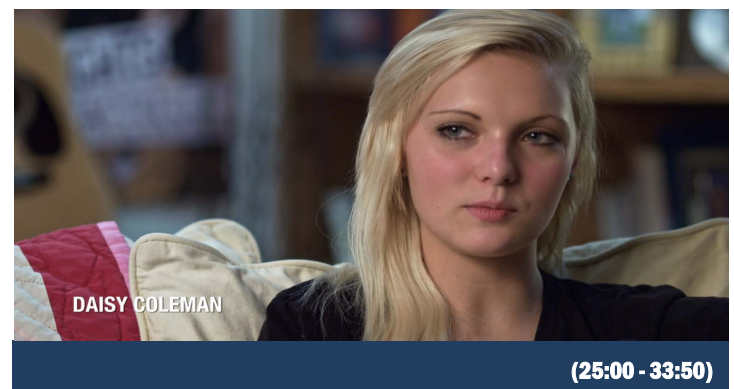
It is important to reiterate your trigger warning with these video segments as they focus on sexual assault, Audrie's reaction after the assault and the events of Daisy and Paige's assault.

Audrie's FB Post



Daisy and Paige's Assault

Ends with Daisy's phrase "I guess I was still pretty messed up still. I was really confused."



RESPOND

For the teacher to hand out:

After discussing what is and isn't consent, and after seeing and hearing about the appalling cases when consent was not given by Audrie, Daisy and so many others, each of us may feel scared, uncertain and confused. The response for this lesson is simple: reflect and write about your ground rules around consent. This reflection is confidential between you and me (your teacher), and will remain in your journal.

APPENDICES

APPENDIX I

Academic Content Standards Addressed

These standards are drawn from (1) Content Knowledge: A Compendium of Standards and Benchmarks for K-12 Education; 3rd and 4th Editions are included from the Mid-continent Research for Education and Learning (McREL); (2) Common Core State Standards English/Language Arts Anchor Standards for Reading and (3) Health Standards from the Centers and Disease Control National Health Standards.

Grades 9-12 McREL

Language Arts Standard 1- Demonstrates competence in the general skills and strategies of the writing process. Benchmarks: Writes compositions that fulfill different purposes; Writes persuasive compositions that evaluate, interpret, and speculate about problems/solutions and causes and effects; Writes reflective compositions; Writes in response to literature. (CTSS – ‘english’, ‘9-12’, ‘1’)

Language Arts Standard 7- Demonstrates competence in the general skills and strategies for reading a variety of informational texts. Benchmarks: Applies reading skills and strategies to a variety of informational texts; Knows the defining characteristics of a variety of informational texts; Uses discussions with peers as a way of understanding information. (CTSS – ‘english’, ‘9-12’, ‘7’)

Language Arts Standard 8- Demonstrates competence in speaking and listening as tools for learning. Benchmarks: Asks questions as a way to broaden and enrich classroom discussions; Adjusts message wording and delivery to particular audiences and for particular purposes; Makes informed judgments about nonprint media. (CTSS – ‘english’, ‘9-12’, ‘8’)

Theatre Standard 5- Understands how informal and formal theatre, film, television, and electronic media productions create and communicate meaning. Benchmarks: Knows how social meanings (aural, oral, and visual symbols with personal and/or social significance) communicated in informal productions, formal productions, and personal performances of different cultures and historical periods can relate to current personal, national, and international issues.

Theatre Standard 6- Understands the context in which theatre, film, television, and electronic media are performed today as well as in the past. Benchmarks: Understands ways in which theatre can reveal universal concepts; Knows cultural and historical influences on American theatre and musical theatre.

Visual Arts Standard 3- Knows a range of subject matter, symbols, and potential ideas in the visual arts. Benchmark: Understands how visual, spatial, temporal, and functional values of artworks are tempered by culture and history

Civics Standard 29- Understands the importance of political leadership, public service, and a knowledgeable citizenry in American constitutional democracy. Benchmarks: Knows various ways students can exercise leadership in public affairs, and knows opportunities for citizens to engage in careers in public service; Understands why becoming knowledgeable about public affairs and the values and principles of American constitutional democracy, and communicating that knowledge to others are important forms of participation, and understands the argument that constitutional democracy requires the participation of an attentive, knowledgeable, and competent citizenry. (CTSS – ‘social’, ‘9-12’, ‘civ5’)

Common Core National Standards for English/Language Arts

9-10

Anchor Standard: Integration of Knowledge and Ideas

A.R. 7- Integrate and evaluate content presented in diverse media and formats, including visually and quantitatively, as well as in words.

Speaking and Listening

SL.9-10.1d Respond thoughtfully to diverse perspectives, summarize points of agreement and disagreement, and, when warranted, qualify or justify their own views and understanding and make new connections in light of the evidence and reasoning presented.

Integration of Knowledge and Ideas

RI.9-10.7. Integrate and evaluate content presented in diverse media and formats, including visually and quantitatively, as well as in words.

Centers for Disease Control - National Health Education Standards

The NHES are written expectations for what students should know and be able to do by grades 2, 5, 8, and 12 to promote personal, family, and community health. The standards provide a framework for curriculum development and selection, instruction, and student assessment in health education.

Standard 1	Students will comprehend concepts related to health promotion and disease prevention to enhance health.
Standard 2	Students will analyze the influence of family, peers, culture, media, technology, and other factors on health behaviors.
Standard 3	Students will demonstrate the ability to access valid information, products, and services to enhance health.
Standard 4	Students will demonstrate the ability to use interpersonal communication skills to enhance health and avoid or reduce health risks.
Standard 5	Students will demonstrate the ability to use decision-making skills to enhance health.
Standard 6	Students will demonstrate the ability to use goal-setting skills to enhance health.
Standard 7	Students will demonstrate the ability to practice health-enhancing behaviors and avoid or reduce health risks.
Standard 8	Students will demonstrate the ability to advocate for personal, family, and community health.

APPENDIX II

Primary source materials on the sexual cases of Audrie Pott and Daisy Coleman. (Listed chronologically)

Audrie

KGO-San Francisco, Oakland, San Jose. April 12, 2013. <https://www.youtube.com/watch?v=00bdn8lowwg>., Lisa Amin Gulezian reports on the arrest of John R & John B in Saratoga, California.

Lopez, Robert J. and La Ganga, Maria L., "Attorney for Audrie Pott's family criticizes school officials," Los Angeles Times, April 17, 2013: <http://articles.latimes.com/2013/apr/17/local/la-me-ln-attorney-for-audrie-potts-family-criticizes-school-officials-20130417>. Audrie Pott's assailants were not suspended or expelled from school because, as Superintendent Bob Mistele told the Los Angeles Times, "school districts cannot suspend or expel someone from school based solely on alleged behavior outside of school."

"Reports: 3 teens admit assaulting NorCal girl who later killed herself," CBS/AP, January 16, 2014: <http://www.cbsnews.com/news/reports-3-teens-admit-assaulting-norcal-girl-who-later-killed-herself/>. The criminal proceedings of the case took part in Santa Clara County Juvenile Court. John R, John B and a third defendant were convicted of two felonies each, sexual assault and possessing illegal photos of Audrie. They were sentenced to serve time in juvenile detention over weekends, two of them for 30 days and 45 for the other.

Daisy

KQTV-St. Joseph, Missouri, "Second Teen Charged in Maryville Sex Crimes Case," January 18, 2012: <http://www.stjoechannel.com/news/second-teen-charged-in-maryville-sex-crimes-case>. The local television news story shows police arrest photographs of Matt Barnett and Jordan Zech.

KQTV-St. Joseph, Missouri, "Nodaway County Drops Sexual Assault Case Against Teens," March 14, 2012: <http://www.stjoechannel.com/news/nodaway-county-drops-sexual-assault-case-against-teens>. The local television news story shows police arrest photographs of Matt Barnett and Jordan Zech.

Gaug, Andrew. "Mothers Battle Dropped Sexual Assault Charges," St Joseph News-Press, March 26, 2012. http://www.newspressnow.com/news/local_news/article_8abff48f-2954-50f5-9d1a-139777ead5af.html

Gaug, Andrew, "2 Students file injunction against school," St. Joseph News-Press, April 18, 2012: http://www.newspressnow.com/news/article_8a7632b1-f712-5499-bed1-a3bd6b33212c.html. Nick Groumoutis and Cole Forney are named in article about athletic suspensions at Maryville High School resulting from their attendance at "an illegal gathering where drugs or alcohol were being consumed."

Smolowe, Jill and Truedell, Jeff, "Daisy Coleman: Bullied to the Brink," People Magazine Jan. 27, 2013 <http://www.people.com/people/archive/article/0,,20782738,00.html> "Daisy was the "focus of a "slut-shame" campaign after charges against the boy were dropped."

Lowe, Peggy and Sandrzcki, Monica, "Why was the Maryville Rape Case Dropped?," KCUR.org, July 11, 2013: <http://kcur.org/post/sexual-assault-maryville-timeline#stream/0>. Internet article on public broadcaster website names all four young men. <http://www.dailymail.co.uk/news/article-2465354/Daisy-Coleman-suicidal-Maryville-Twitter-abuse.htm>. Photographs of both Matt Barnett and Jordan Zech.

Lowe, Peggy and Sandrzcki, Monica, "Why was the Maryville Rape Case Dropped?," KCUR.org, July 11, 2013: <http://kcur.org/post/sexual-assault-maryville-timeline#stream/0> and <http://kcur.org/post/why-was-maryville-rape-case-dropped?nopop=1>

Brown, Tony, "Previous Maryville Daily Forum Coverage of the Daisy Coleman Case," Hannibal Courier-Post, 2012-13: Posted October 15, 2013. <http://www.hannibal.net/article/20131015/NEWS/131019307/?Start=1>. The names of Matt Barnett, Nick Groumoutis, Jordan Zech and Cole Forney appear in this series of reports from 2012 and 2013 by Maryville Daily Forum reporter Tony Brown relating to the case of alleged sexual assaults of Daisy Coleman and Paige Parkhurst.

Payne, Will, "#ihatedaisy, hope she gets what's comin': The vile Twitter abuse that drove girl at center of Maryville rape scandal to try and kill herself twice," Daily Mail, October 17, 2013: <http://www.dailymail.co.uk/news/article-2465354/Daisy-Coleman-suicidal-Maryville-Twitter-abuse.html>. Examples of twitter abuse: "#ihatedaisy hope she gets what's comin'"; "Schools back to normal cause #jordanandmattareefree".

Eligon, John: "High School Sexual Assault Case is Revisited, Haunting Missouri Town" New York Times Oct. 19, 2013. http://www.nytimes.com/2013/10/20/us/high-school-sexual-assault-case-is-reopened-haunting-missouri-town.html?_r=0 "Ms. Coleman said she was harassed at school and on Facebook and Twitter. In one instance, she said, she was walking to the bathroom at school when a boy popped into the hallway and yelled 'Liar!' at her."

Bechard, Lauren, "Carrying the Weight," The Baker Orange, October 25, 2013: <http://www.thebakerorange.com/news/2013/oct/25/charlie-coleman-recounts-his-familys-ordeal/>. Article about Charlie Coleman includes the names of Matt Barnett, Nick Groumoutis, Jordan Zech and Cole Forney.

Coleman, Daisy, "Daisy Coleman's Story: 'I Refuse to be Silenced,'" Seventeen Magazine, Dec. 3, 2013. <http://www.seventeen.com/health/advice/a28579/daisy-coleman-tells-her-story/>. "I had a hard time making it through full days. In the halls, people yelled cuss words at me and called me a liar"

Seidel, Jamie: "Dead rabbits have been dumped in Paige Parkhurst's family car as fellow Maryville rape victim Daisy Coleman attempts suicide" News Corp Australia, Jan. 8, 2014 <http://www.news.com.au/world/alleged-maryville-rape-victim-daisy-coleman-attempts-suicide-her-mother-says/story-fndir2ev-1226796966515>. Paige Parkhurst was also the recipient of disturbing bullying. This piece reports on one incident when dead and dismembered rabbits were left on the family's driveway.

Pearce, Matt, "The Case is Closed, No Rape Charge in Maryville MO." Los Angeles Times, January 9, 2014: <http://articles.latimes.com/2014/jan/09/nation/la-na-nn-maryville-rape-charges-20140109>

Smith, DeAnn and Webster, Betty: "Daisy Coleman's family looks to future after guilty plea" KCTV 5 Jan 10, 2014: <http://www.kctv5.com/story/24418084/daisy-colemans-family-looks-to-future-after-guilty-plea#ixzz3uWUW5L30> "Barnett was a football player and is the grandson of a prominent Republican with extensive ties throughout northwest Missouri."

APPENDIX III

Key Terms and Concepts for Audrie & Daisy

Accountability: A willingness or obligation to accept responsibility for one's actions.

Acquaintance Rape: Also known as "date rape." Rape between two people who know each other.

Age of consent: The age at which a person is considered in law to be able to consent to sexual activity. Someone above this age who has sex with someone below it can often be charged with statutory rape, even if the younger person wants to consent.

Audrie's Law: (SB 838) California law signed October 1, 2014 to increase the penalties for a juvenile that sexually assaults a person who is in a defenseless state—unconscious or developmentally disabled. Additionally, Audrie's Law creates a crime enhancement for any sexual assault in which the offender disseminates media of the incident with the intent to further harm their victim.

Blaming the Victim: Victim blaming is a devaluing act that occurs when the victim(s) of a crime or an accident is held responsible — in whole or in part — for the crimes that have been committed against them.

Bystander: Anyone who is not a perpetrator or victim in a given situation; this may include friends, family, teammates, teachers, peers, adults, staff.

Bystander Intervention: is a strategy to change social norms in peer cultures in all age and grade levels. Bystander intervention teaches people how to intervene, interrupt, speak up and take action to influence an event that is potentially dangerous, such as an assault.

Child Pornography: Federal and state laws make it a crime to produce, possess, distribute (on and offline), or sell pornographic materials that exploit or portray a minor - someone under the age of 18.

Consent: Permission for something to happen. An agreement.

Culpability: Responsibility for a fault or wrong; blame.

Cyber-bullying: The use of electronic communication to bully a person, typically by sending messages of an intimidating or threatening nature. Electronic communication includes devices and equipment such as cell phones, computers, and tablets as well as communication tools including social media sites, text messages, chat, and websites.

Digital Citizen: Using digital media safely, responsibly, and respectfully.

Digital Footprint: The trail of data you create while using the Internet. It includes the websites you visit, emails you send, and information you submit to online services.

Drama: While drama can refer to describe a genre of theater, television or radio performances, the drama we are emphasizing for the lesson on digital citizenship refers to an exciting, emotional, or unexpected series of events or set of circumstances.

Empathy: The ability to share another person's feelings; to put yourself in "someone else's shoes."

Endangering the welfare of a child: A person commits this offense if he or she knowingly engages in conduct creating a substantial risk of serious harm to the physical or mental welfare of another person known by the person to be a minor. Matt Barnett pleaded guilty to endangering the welfare of a child in the second degree in the case of Daisy Coleman.

Escalate: Become or cause to become more intense or serious.

De-escalate: Verb - Reducing the intensity of (a conflict or potentially violent situation).

Hate speech: Is speech that offends, threatens, or insults groups, based on race, color, religion, national origin, sexual orientation, disability, or other traits.

Incapacitated: A loss of ability to do something in the usual or desired way.

Internet Privacy: Is the right or mandate of personal privacy concerning the storing, repurposing, provision to third parties, and displaying of information pertaining to oneself via the Internet. Internet privacy is a subset of data privacy.

Justice: Just behavior or treatment; the administration of the law or authority in maintaining this.

Perpetrator: Someone who has committed a crime or offense.

Pornography: Written, visual or other kinds of media either expressly designed to elicit feelings of sexual desire and/or which people use to elicit those feelings.

PTSD: (Post-Traumatic Stress Disorder) A collection of long-term symptoms, or long-term psychological harm from having been sexually assaulted. PTSD can affect victims of any trauma or horrific experience as well. Some symptoms may include depression, anxiety, flashbacks, substance abuse, disconnection, irrational self-blame, a preoccupation with the trauma and difficulty concentrating and sleeping.

Rape: The legal definition of rape can vary from state to state. Nonconsensual sexual behavior that usually includes some form of penetration of a bodily orifice.

Rape Culture: A term in common use to describe the broad cultural factors that encourage unhealthy masculinity and highly sexualized femininity that ultimately enable sexual violence and the blaming and shaming of assault victims and survivors.

Rape Kit: A container for a sexual assault forensic exam that includes a checklist, materials, and instructions, along with envelopes and containers to package any specimens collected during the exam. A rape kit may also be referred to as a Sexual Assault Evidence Kit (SAEK).

Sexting: The practice of sending nude or semi-nude pictures by cell phone or other electronic media; it is a sexual text ('sext') message. Sexting is against the law and any minor who sends nude photos of themselves (or others) can be currently prosecuted under federal child pornography laws. These laws may be changing in some states so please continue to do your research.

Sexual Assault: A form of sexual violence. Any kind of nonconsensual sexual behavior in which a person is coerced or forced against his or her will. It includes any kind of nonconsensual sexual touching, and any kind of oral, vaginal or anal penetration.

Sexual Violence: An umbrella term for all personal violations that are sexual in nature, including harassment, unwanted touching and sexual assault, rape, and other acts.

Slut-Shaming: The action or fact of stigmatizing a woman for engaging in behavior judged to be promiscuous or sexually provocative.

Social Media: Any website or application that enables users to share content, including text, photos, and video, with one another. This includes large social networking websites such as Facebook and Snapchat, as well as private email lists, such as exist within schools or from email servers like Yahoo! and Google.

Survivor: Term that describes individuals who have been raped or sexually assaulted. Many of these individuals and their advocates prefer to use “survivor” vs. “victim” because it’s more empowering.

Title IX: Title IX of the Education Amendments of 1972 is a federal civil rights law that protects all people from discrimination regardless of gender, race, religion or sexual orientation in education programs or activities that receive federal financial assistance. Many people hold the misconception that Title IX only applies to student athletics; however, this is incorrect. The law prohibits gender discrimination in all educational activities, which includes everything from sexual assault to opportunities in math and science.

Upstander: A person who speaks or acts in support of an individual or cause, particularly someone who intervenes on behalf of a person being attacked or bullied.

Victim: Someone who has been the target of a crime. For some, the term ‘victim’ feels disempowering, as if the crime defines a permanent loss of agency. In these materials, we talk about ‘victims’ and ‘survivors’ in order to acknowledge both.

Victim Blaming: When the victim of a crime or any misconduct is held entirely or partially responsible for the wrong.

Witness: A person who sees an event, typically a crime or accident, take place.