Instruction

Administrative Procedure – Developmentally Appropriate Consent Education [1]

The District offers age- and developmentally appropriate consent education in grades K through 12 pursuant to 105 ILCS 5/27-1010, amended and renumbered by P.A. 104-3919.1b, added by P.A. 102-522. This administrative procedure contains two sections as follows:

1. Glossary of Terms
2. Age- and Developmentally Appropriate Consent Education Curriculum

Glossary of Terms [2]

The current Definitions of 105 ILCS 5/27-10159.1a(a) are incorporated here by reference.

Age- and developmentally appropriate - Suitable to particular ages or age groups of children and adolescents, based on the developing cognitive, emotional, and behavioral capacity typical for the age or age group.

Consent - An affirmative, knowing, conscious, ongoing, and voluntary agreement to engage in interpersonal, physical, or sexual activity, which can be revoked at any point, including during the course of interpersonal, physical, or sexual activity.

Age- and Developmentally Appropriate Consent Education Curriculum

In grades K through 5, instruction and materials shall include age- and developmentally appropriate instruction on consent and how to give and receive consent, including a discussion that includes, but is not limited to, all of the following: [3]

1. Setting appropriate physical boundaries with others.
2. Respecting the physical boundaries of others.
3. The right to refuse to engage in behaviors or activities that are uncomfortable or unsafe.
4. Dealing with unwanted physical contact.
5. Helping a peer deal with unwanted physical contact.

In grades 6 through 12, instruction and materials shall include age and developmentally appropriate instruction on consent and how to give and receive consent, including a discussion that includes, but is not limited to, all of the following: [4]

1. That consent is a freely given agreement to sexual activity.
2. That consent to one particular sexual activity does not constitute consent to other types of sexual activities.

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The footnotes should be removed before the material is used.

[1] This procedure is optional, but if offered, 105 ILCS 5/27-10109.1b, amended and renumbered by P.A. 104-391, added by P.A. 102-522 mandates the content for the curriculum outlined in this procedure. For districts that will not provide this program, delete this procedure. Id. at (b), renumbered by P.A. 104-391, added by P.A. 102-522, states grades K through 12, meaning a district cannot choose to offer consent education to only grades 6 through 12 or only grades K through 5.

[2] 105 ILCS 5/27-9.1bId. at (a), amended and renumbered by P.A. 104-391, added by P.A. 102-522.

[3] 105 ILCS 5/27-9.1bId. at (b)(1)(A)-(E), added by P.A. 102-522renumbered by P.A. 104-391.

[4] 105 ILCS 5/27-9.1bId. at. (b)(2)(A)-(I), renumbered by P.A. 104-391added by P.A. 102-522.

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3. That a person's lack of verbal or physical resistance or submission resulting from the use or threat of force does not constitute consent.
4. That a person's manner of dress does not constitute consent.
5. That a person's consent to past sexual activity does not constitute consent to future sexual activity.
6. That a person's consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another person.
7. That a person can withdraw consent at any time.
8. That a person cannot consent to sexual activity if that person is unable to understand the nature of the activity or give knowing consent due to certain circumstances that include, but are not limited to when the person is:
    a. Incapacitated due to the use or influence of alcohol or drugs;
    b. Asleep or unconscious;
    c. A minor; or
    d. Incapacitated due to a mental disability.
9. The legal age of consent in this State.

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