January 2021

An Exploration Of Sexual Consent, Sexual Non-Consent, And Nonverbal Sexual Consent Communication Behaviors, Amongst Community Stakeholders.

Brent Stewart

An Exploration of Sexual Consent, Sexual Non-Consent, and Nonverbal Sexual Consent Communication Behaviors, amongst Community Stakeholders.

by

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A Dissertation
Submitted to the Graduate Faculty

of the

University of North Dakota

in partial fulfillment of the requirements

for the degree of

Doctor of Philosophy

Grand Forks, North Dakota

August, 2021

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Title	An Exploration of Sexual Consent, Sexual Non-Consent, and Nonverbal Sexual Consent Communication Behaviors, amongst Community Stakeholders.
Department	Counseling Psychology and Community Services
Degree	Doctor of Philosophy

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Brent Stewart
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ACKNOWLEDGEMENTS

This study is a result of a labor of love and is a testament to the support and unwavering faith of the community which surrounded me as its' author during the height of the dual pandemics of COVID-19 and Racism. I would like to take a moment to acknowledge my parents (Brent and Monica Stewart) for their faith, my grandmother (Margaret Hill) for her optimism, and my siblings (Paula, Desmond, and Monique) for their cheers during this process. Additionally, I would like to thank my midwestern family (Candice Farnham and the Motors) and my chosen family in Seattle Washington (Peter Englund, Oliver Jones, Lauren Menor, Adam Panebianco, Sam McQueen, Kate Gruver, Max Gray, Larissa Miller, Dr. Caroline Titan, Andrea Cerna, Jay Miller). Next, I would like to acknowledge the deep support from my adviser (Dr. Kara Wettersten), the UND faculty (including Drs. Tamba-Kuii Bailey; RaeAnn Anderson, Thomas Motl, Ashley Hutchison and Cheryl Hunter) and the UND Housing Department (especially Stuart Lickteig) all of whom helped make my dream of becoming a psychologist a reality. Lastly, I would like to thank my colleagues Drs. Marisa Mango, Megan K. Smith, Natalie Remanier, and Lauren Chapple-Love with whom I have the honor of sharing this journey with and also share the privilege of calling UND their alma mater.

ABSTRACT

Sexual Consent is a central concept in the field sexual violence and sexual violence prevention (Beres, 2007). However, despite disproportional rates of sexual violence amongst LGBT+ community, currently our understanding sexual consent and its practice is primarily focused on heterosexual encounters of traditional college aged students (CDC, 2017, Muehlenhard, Humphreys, Jozkowski & Peterson, 2016). The current study utilized the Delphi method to develop a better understanding of sexual consent, sexual non-consent, and nonverbal sexual consent communication behaviors among two distinct groups: sexual researchers and men who have sex with men (MSM). Thirty-five panelists (13 researchers 22 MSM) completed one-three rounds of an interactive study in which they provided 31 initial descriptions of sexual consent and 20 descriptions of sexual non-consent. Through grounded theory analysis, these descriptions were collapsed into 6 qualities of sexual consent and 5 elements of sexual non-consent and ranked for importance. Panelists reviewed, critiqued, and sorted Beres et al. (2007)'s list of nonverbal sexual consent communication behaviors. Implications of the perception of these behaviors and implications for future research and practice are discussed.

INTRODUCTION

In 2011, the nation focused its attention on sexual assault. Specifically, the Title IX Act drew attention to sexual assault on college campuses through (Ali, 2011). The origins of title IX stem from looking at equity amongst genders in terms of sports, but the Obama administration was broadened to look at issues of identity-based harassment and sexual assault. This formal adoption of sexual violence prevention as a governmental priority has provided a platform for activists and advocates to bring sexual violence prevention to the forefront of the lives of many Americans. This platform has included on campus trainings, documentary films regarding sexual violence on college campuses, and most recently the #metoo movement (Airey, 2018; Muehlenhard, Humphreys, Jozkowski, & Peterson, 2016).

Researchers of sexual violence have defined sexual violence broadly as "sexual contact achieved without consent" (Beres, 2007; Halley, 2016, p. 262). Thus, the definition of sexual violence depends heavily on the definition and conceptualization of sexual consent and how it is communicated. Unfortunately, there is limited research on what constitutes sexual consent, and an overall lack of consensus on what exactly sexual consent is or how it is communicated between parties (Beres, 2007; Beres, 2014; Muehlenhard et al., 2016; Pugh & Becker, 2018). Furthermore, when examining sexual consent, current research on consent and its communications practices are centered around the experiences of white, heterosexual, cisgender, individuals with varying levels of experience in sexual interactions (Beres et al., 2004; Jozkowski, et al., 2014; Humphreys & Brousseau, 2010; Humphreys & Herold, 2007; Ward et

al., 2012). Thus, when considering sexual consent and its practice, and its relation to sexual violence prevention it is paramount we broaden the scope of our understanding. This is especially relevant given the documented disparities regarding the experience of sexual violence within sexual minority and gender minority communities such as men who have sex with men (MSM; Kosciw et al., 2016; Smith et al., 2018).

Further complicating this picture is the way we conceptualize the communication of sexual consent between parties. Amongst sexual researchers, sexual consent communication has been depicted with two clear sets of behaviors utilized by partners to convey and seek sexual consent; verbal and nonverbal behaviors (Beres et al. 2004; Jozkowski et al., 2014). Verbal behaviors largely fall within the realm of verbal communication and can include direct communication, indirect communication, and "dirty talk" (Beres, et al. 2004; Hall, 1998; Hickman & Muehlenhard, 1999; Jozkowski, et al. 2014). Broadly, nonverbal behaviors have been labeled as "body language" and is considered to include behaviors such as hugging, kissing, massaging, undressing, eyeing, self-stimulation of genitals, stimulation of partners' genitals, and non-resistance to sexual advances (Beres et al., 2004; Camilleri, et al., 2007). While both verbal and nonverbal sexual consent communication behaviors are depicted across multiple studies, current literature has depicted a clear preference amongst subjects for using nonverbal behaviors rather than utilizing verbal communication behaviors (Beres et al., 2004; Hall, 1998; Humphreys, 2007; Jozkowski, et al., 2013 King, et al. 2020). Given this preference, it is important to consider the impact these nonverbal communication behaviors have on the expression of sexual consent especially within models of violence prevention such as affirmative consent.

Thus, it is scope of the current project to examine sexual consent communication behaviors, specifically to examine the use of nonverbal sexual consent communication behaviors amongst underrepresented populations in current literature. Utilizing the consensus-oriented Delphi research methodology (Linstone & Turoff, 1975), the current study seeks to compare the perceptions of sexual consent and sexual consent communication behaviors between sexual researchers of any gender or sexual identity (SR) and men who have sex with men community members (MSM). Specifically, the current study seeks to better understand how these two groups conceptualize sexual consent, sexual non-consent, and nonverbal communication behaviors of sexual consent.

Lastly, as part of this work, it is important to acknowledge the role that sexual consent, most importantly the lack of sexual consent, plays in sexual violence. Within the scope of the current study, it is the aim of the researcher to better understand nonverbal sexual consent communication behaviors and their utilization within the process of sexual consent communication. The current study is not designed to definitively define sexual consent, sexual non-consent, or advocate for the replacement of verbal sexual consent communication behaviors with nonverbal sexual consent communication behaviors. Rather, the current study seeks to build a fuller picture of the sexual consent communication process specifically the use and understanding of nonverbal sexual consent communication behaviors. Furthermore, because of its intimate connections with sexual violence, it is also paramount to note the current study of sexual consent communication behaviors is not designed to account for mal intent to cause harm. Rather, this study seeks to create a fuller picture of sexual consent communication practices and

aide in the creation of even more effective sexual violence interventions and consent communication practices that reflect the diversity of practices currently in use.

Script Theory and Sexual Consent

When discussing the concept of sexual consent and sexual consent communication behaviors, it is important to acknowledge the role of cultural expectations and the perception of "norms" in the communication process. Script Theory is an academic paradigm employed in the fields of sociology and cognitive psychology as an explanation for human behavior (McCormick, 1987; Simon and Gagnon, 1986; Schank & Abelson 1977). Within the field of cognitive and social psychology, script theory is considered analogous to computer programming and places an emphasis on prior learning dictating future outcomes for an individual's behavior (McCormick, 1987). In contrast, within sociology, scripts are a set of flexible guidelines, with larger cultural messages (cultural beliefs) influencing an individuals' actions (interpersonal scripts) and beliefs about their actions (intrapsychic scripts; Simon & Gagnon, 2003; McCormick, 1987).

First appearing in the early 1970's, Sexual Script Theory (SXST) was developed as response to and rejection of the bio-medical and psychological explanations for sexual behavior and sought to include contextual factors impact on sexual behavior (Gagnon & Simon, 2003). Sexual script theory rests on the sociological notion of scripting, where sexually active individuals have beliefs about the range of behaviors, they can engage in sexually based on preceding behaviors of their partners (Fantasia, 2011; Rose & Frieze, 1989). Within the SXST lens, widespread beliefs (i.e., cultural scenarios) around sexuality affect an individual's actions (i.e., interpersonal script) and more importantly their fantasies, beliefs, and internal experience around their sexuality and sexual interactions (i.e., intrapsychic beliefs, Simon & Gagnon. 1986;

Widerman, 2015). Contextual factors such as race, age, ethnicity, gender, and sexual orientation, have all been shown to affect sexual behavior, suggesting nuance and flexibility regarding sexual scripts is important (Dworkin & O'Sullivan, 2005; Parsons et al., 2012; Simms & Byers, 2013).

In the context of sexual consent research, this framework is used often to explore and explain behaviors of sexually active individuals. For instance, several studies have examined the cultural belief of 'men must initiate sexual activity' and found that this belief impacts individuals' sexual initiation behaviors despite their personal preference or personal beliefs (Dworkin & O'Sullivan 2005; Hirsch et al., 2019; Jozkowski & Peterson 2013; Jozkowski, 2015). Such findings are used to legitimize a key point of SXST: cultural beliefs affect one's sexual behavior (interpersonal scripts) and can override personal desires or beliefs when it comes to sex practices (intrapsychic scripts). Additional research has gone on to explore and validate the notion of a gendered (male and female) experience of intrapsychic scripts and subsequent sexual practices and beliefs (Rosenthal et al., 1998; Ortiz Torres et al. 2003; Peplau 2003).

When considering sexual consent miscommunication violence prevention, SXST and the notion of gendered intrapsychic scripts have large implications for best practice. For instance, research into sexual violence prevention, sexual consent communication, and sexual consent often cite the cultural belief women are expected to act as "gatekeepers" and men as "pleasure seekers" framing their interactions in relatively set roles (Hirsch et al., 2019; Jozkowski, 2013; 2015; Peplau 2003). However, rather than viewing these as rigid internalized roles, much research into sexual consent and sexual consent communication notes variation in intrapsychic scripts of individuals based on gender identity, age, relationship status, race, and sexual interest [e.g., kink] community membership (Beres & McDonald, 2016; Simms & Byers, 2013).

Furthermore, even within the narrow scope of heterosexual interactions, several studies provide evidence to suggest limitations of generalizability SXST when considering the lived experience of sexual behaviors and sexual consent communication behaviors of all sexually active people (Beckmann, 2003; Dworkin & O'Sullivan, 2005; Beres & McDonald, 2016; Simms & Byers, 2013)

Within MSM population, variations in sexual script are apparent and may include the behaviors of consensual non-monogamy, substance use in during sexual initiation, and sexual involvement on the first date (Candelas de la Ossa, 2016; Edgar & Fitzpatrick, 1993; Javaid, 2018; Klinkenberg & Rose 1994; Parsons, Starks, Gamarel, & Grov, 2012). Furthermore, when considering how these script differences may play out in the role of sexual consent communication, researchers specifically looking into same sex partners note when responding sexual initiation behaviors MSM report a higher use of nonverbal sexual consent communication behaviors to indicate their consent when compared to women who have sex with women (WSW; Beres et al., 2004, Peplau 2003). Additionally, amongst MSM couples, male intrapsychic scripts (e.g., pleasure-driven scripts) appear to affect the interpersonal scripts and scenarios of MSM community members regarding sexual and romantic behavior (Parsons, Starks, Gamarel, Grov, 2012). Thus, when thinking about sexual consent and sexual consent communication behaviors in the MSM community, it is important to understand how cultural scenarios, interpersonal scripts, and intrapsychic scripts interact in a dynamic fashion to affect consent behavior communication practices amongst members of this group.

Sexual Consent

Further complicating our understanding of sexual consent communication behaviors and their practice is that there is no clear agreed upon definition of sexual consent (Beres, 2014; Muehlenhard et al., 2016; Pugh & Becker, 2018). Beres (2007) has put forth that current literature often engages in "spontaneous consent" a process where definitions of sexual consent are not established by the author, but rather it is assumed the reader shares a common understanding of consent. Beres then goes on to make the case that, despite its' central role in our understanding of sexual violence, within the literature, sexual consent is not defined, inadequately defined, or defined in ways contradictory to previous definitions (Beres, 2007). Additionally, while a singular definition of sexual consent and its meaning remains opaque, equally important is a lack of clarity around the concept of sexual non-consent. Within the scope of literature some have defined sexual consent as merely the "absence of consent" (Halley, 2016). Within this context, defining sexual consent merely as the absence of consent, engenders the question of what sexual non-consent and the role sexual non-consent and the communication of non-consent is plays in our understanding of sexual violence prevention. Muehlenhard et al.'s (2016) meta-analysis of empirical research on sexual consent notes three main conceptualizations: sexual consent as an internal state of willingness, sexual consent as an act of explicitly agreeing to something, and sexual consent as behavior that some else interprets as willingness.

When considering sexual situations, each of the three conceptualizations put forth by Muehlenhard et al. (2016) boast strengths and weaknesses as potential basis for the definition of sexual consent, sexual consent communication behaviors, and the prevention of sexual miscommunication. For instance, when considering sexual consent as an internal state

willingness, this definition notes that sexual consent cannot be objectively defined by solely one member of the interaction. Therefore, under this premise, sexual consent must clearly involve both the internal agreement and willingness of one member to do something and the enacting of behaviors to express that willingness to others successfully (Hickman & Muehlenhard, 1999; Muehlenhard et al., 2016). Sexual consent as an internal state of willingness places large emphasis on individual party members demonstrating correct behaviors to communicate their willingness to engage in sexual activity. This places emphasis on communication behaviors and lends itself to popular theories of sexual violence and unwanted experiences (at least in some cases) being due in part to miscommunication of sexual consent (Abbey, 1982, 1987; Fantasia, 2011).

The second broad understanding of sexual consent is an act of explicitly agreeing to something (Muehlenhard et al. 2016). In sexual situations, this model of sexual consent involves an explicit verbal agreement between an initiator and respondent to engage in sexual activity. This perspective of sexual consent most closely aligns with aspirational notions of sexual consent which seek to have sexual consent explicitly communicated such as affirmative consent (de La Ossa, 2016; Soble, 2002). As a model of sexual consent, the explicit nature of agreement employed by these conceptualizations are preferred as they speak to the notion that a lack of sexual consent (i.e., sexual assault) occurs due to a lack of clear verbal communication between parties resulting in a miscommunication (Abbey, 1982, 1987; de La Ossa, 2016; Fantasia, 2011). However, several research findings suggest limitations of conceptualizing sexual consent in this way, which include the well-documented fact that verbal sexual consent communication behaviors during sexual consent negotiation is less common than nonverbal sexual consent

communication behaviors (Beres et al. 2004; Hall, 1998; Humphreys, 2007; Jozkowski et al., 2013). Additionally, some have postulated due to the inherent nature of some sexual relationships (especially heterosexual interactions) that women especially should be able to convey non-consent with a multitude of means outside of simply saying “no” (Kitzinger & Frith, 1999).

The third and final grouping of sexual consent definitions reviewed by Muehlenhard et al. (2016) is considering sexual consent as a behavior that someone else interprets as willingness. When considering sexual consent in this way, the legal notion of “implied consent” is most applicable to this group. Implied consent suggests that consent is given via a sign or action that creates a reasonable presumption of acquiescence (Block, 2004). In the context of sexual consent communication, implied consent relies heavily on the notion of a shared sexual script in which both actors are familiar with and well-rehearsed in said script. There are several limitations conceptualizing sexual consent in this way, including the fact subscription to cultural beliefs (i.e., Cultural scenarios) regarding sexual initiation behaviors and actual sexual behavior (i.e. interpersonal scripts) can differ among individuals (Beres & McDonald, 2016; Dworkin, & O'Sullivan, 2005; Simms & Byers, 2013). In summary all three conceptualizations of sexual consent as outlined by Muehlenhard et al. (2016) provide a unique framework for understanding sexual consent and thus helping inform policies around effective sexual violence prevention practices. All three models of sexual consent underscore the importance of effective communication between parties as being integral to the process of establishing sexual consent.

Sexual Non-Consent

When considering the impact of sexual violence on communities, and the role sexual consent plays in defining instances of sexual violence, it also becomes integral to consider the role of and our understanding of sexual non-consent. Analysis of sexual consent definitions in literature have noted that much of the current literature merely refers to sexual violence as intercourse with a of consent present or "sexual contact achieved without consent" (Beres, 2007; Halley, p. 262, 2016). Similarly, within the US legal system, there is a long history of examining the role of force, sexual consent, and sexual non-consent when considering the definition of the crime of rape (Decker and Boaroni, 2011). Historically many states have included an unfair burden on those who have experienced an unwanted sexual experience to "prove" an incident was indeed non-consensual especially in the absence of overt force or violence (Decker and Baroni 2011). This standard has been used in other crimes within the legal system, with the presence of "force" being used to delineate between crimes involving similar offenses (e.g., larceny vs. robbery, manslaughter vs. murder; Peeler, 2021). However, when considering cases and instances of sexual violence, intent of the perpetrator is generally outweighed by the impact of experiences on survivors. Furthermore, as noted by many scholars, the complex nature of sexual interactions and the "use of force" is not the only indication of an unwanted sexual experience (Kitzinger & Frith, 1999; Pugh & Becker, 2018). Therefore, when exploring sexual violence and it's prevention, its also important for researchers and the public to better understand the concept of sexual non-consent and the ways in which sexual non-consent is communicated between parties.

Consent and Violence Prevention

As noted above, sexual consent and the communication of sexual consent are important components of sexual violence prevention. Thus, a large goal of violence prevention programing is addressing the notion known as implied consent and miscommunications that may result of that implication. To correct for the ambiguity and miscommunication associated with implied consent, much attention has been focused on the adoption of laws and education programs that focus on direct, clear, consistent, communication between parties as exemplified in the practice of affirmative consent (Curtis & Burnett 2017; Jozkowski & Humphreys, 2014; De León, 2014). The practice of affirmative consent, which focuses on training individuals to utilize direct, consistent, and clear verbal communication during sexual activity in order to establish enthusiastic participation by all parties, has become the primary means of teaching consent practices--especially on college campuses (Antioch College, 2016; Ali, 2011; De León, 2014). Affirmative consent is hallmarked by the seven key tenants in its practice which include:

1. Consent must be obtained verbally before there is any sexual contact or conduct.
2. Obtaining consent is an ongoing process in any sexual interaction.
3. If the level of sexual intimacy increases during an interaction… the people involved need to express their clear verbal consent before moving to that new level
4. The request for consent must be specific to each act.
5. If you had a particular level of sexual intimacy before with someone, you must still ask each and every time.

6. If someone has initially consented but then stops consenting during a sexual interaction, she/he should communicate withdrawal verbally and/or through physical resistance. The other individual(s) must stop immediately.
7. Don't ever make any assumptions about consent (p.327, Soble 2002).

However, several research findings suggest limitations of such an intervention. In particular explicit verbal communication behaviors during sexual consent communication is less common than nonverbal communication behaviors (Beres et al. 2004; Hall, 1998, Jozkowski et al., 2013; King et al. 2020; Shumlich, & Fisher, 2018). Additionally, some factors such as the length and duration of a relationship and gender identity of an individual, has been shown to impact sexual consent communication practices, specifically use of and reliance on verbal communication behaviors (Humphreys, 2007; Jozkowski & Peterson, 2013; King et. al, 2020; Willis & Jozkowski, 2019). As outlined above in the seven key tenants, while affirmative consent acknowledges the role of nonverbal sexual consent communication behaviors it is decidedly vague on what constitutes these behaviors, especially in comparison to its focus on verbal sexual consent communication behaviors.

Nonverbal Consent

In addition to observed gender differences in communication behavior patterns, research has shown that amongst sexual consent communication behaviors, nonverbal sexual consent communication behaviors are more commonly utilized by all individuals when compared with verbal communication behaviors (Beres et al. 2004; Hall, 1998; Humphreys, 2007; Jozkowski et al., 2013). Additionally, despite adoptions by many college campuses, verbal sexual consent communication behaviors outlined in affirmative consent models rarely reflect the lived

experience of students (Curtis & Burnett, 2017; Hall, 1998; Johnson & Hoover, 2015; Jozkowski & Humphreys, 2014). For example, Curtis and Burnett (2017) found some participants indicated little to no experience with affirmative consent as a verbal behavior. One female respondent noted "…But when I come to think of it in the real-world perspective, I think if you're going along with the motions and you're not showing resistance to it and you're into it, then that's consent" (p. 209 Curtis & Burnett, 2017). This statement corroborates with research on sexual consent communication behaviors amongst college students which notes preference by participants in the use of non-resistance as a means conveying consent, and a tendency of some males to continue with a sexual behavior until they encounter a verbal communication behavior of non-consent (Beres et al., 2004; Camilleri, et al., 2007; Hall, 1998; Humphreys, 2007; Jozkowski et al., 2013; King et al., 2020).

Many studies (mostly set amongst the college-aged population) have noted the use of and preference for nonverbal sexual consent communication behaviors, as a part of the sexual consent practice (Curtis & Burnett, 2017; Hall, 1998; Humphreys, 2007; Jozkowski & Peterson, 2014; King et al. 2020; Kitzinger & Frith, 1999; McCormick, 1979; Shumlich, & Fisher, 2018). Nonverbal sexual consent communication behaviors such as smiling, nodding, accepting alcoholic drinks, following a partner to their residence, and genital stimulation, have all been evaluated to have a range of meanings when conveying sexual consent to partner (Beres et al. 2004, Humphreys & Herold, 2007; Jozkowski & Peterson, 2014; Orchowski et al. 2018). Additionally, several studies have documented that gender differences in the perception of communication behaviors of sexual consent exist in heterosexual interactions, with men utilizing and watching for more nonverbal sexual communication behaviors (i.e., body language) and

women utilizing more verbal sexual communication behaviors (Abbey, 1982; Hickman & Muehlenhard, 1999, Jozkowski & Peterson, 2013; King et. al, 2020; Peplau, 2003). In response to critiques of the limitations of nonverbal sexual consent communication behavior studies examining one behavior at a time, King et al. (2020) examined college students' perceptions of concurrent/ successive nonverbal sexual consent communication behaviors. Again, results of this study showed differences in the perception of nonverbal sexual consent communication behaviors with male participants consistently interpreting successive nonverbal sexual consent communication behaviors as more indicative of sexual consent then their female peers (King et al., 2020).

As noted above, there is a significant portion of research which documents the existence of nonverbal sexual consent communication behaviors. These studies share common themes and outcomes, including a clear preference for nonverbal sexual consent communication behaviors amongst participants and male participants utilizing nonverbal sexual consent communication more ardently than their female counterparts (Beres et al. 2004; Curtis & Burnett, 2017). Additionally, as many young adults lack access to standardized experiences with sexual education and education centered sexual consent education, many learn concepts of sexual consent communication from mainstream depictions of consent in films and pornography (Willis et al., 2019; 2020). A 2019 study of sexual communication and refusal behaviors depiction in the media, revealed through the analysis of fifty (50) 2013 films' depictions of sexual consent communication behaviors between partners were overwhelmingly nonverbal sexual consent communication behaviors (Jozkowski et al., 2019). Furthermore, a content analysis of popular pornographic films done by Willis et al. (2020), reveal similar depictions of nonverbal sexual

consent communication behaviors are utilized. Taken together, findings such as these suggest a mechanism which may lead to the documented preference of college and high school youth (especially male-identified youth) to rely on and utilize nonverbal sexual consent communication behaviors (Righi et al. 2019; Nichols Curtis, 2017; King et al. 2020). When taken together, these findings lend support to the notion of larger societal expectations (cultural scripts) impacting and influencing individual behaviors (interpersonal scripts) and beliefs/ expectations (intrapsychic scripts) around nonverbal sexual consent communication behaviors.

Noting the support within the current literature for the existence, preference teaching, of nonverbal sexual consent communication behaviors- there remains a dearth in our understanding of these consent communication behaviors. Overwhelmingly, current studies of sexual consent and sexual consent communication behaviors have been conducted on cisgender, white, heterosexual, traditionally college-aged students (Beres, 2007; Muehlenhard et al. 2016). However, several studies have noted the impact of life experiences, especially length of a sexual partnership and gender socialization, to impact perceptions of sexual consent and sexual consent communication behaviors (Humphreys, 2007; Willis & Jozkowski, 2019). The concept of sexual script theory and the heteronormative notion of men being pleasure seekers and women being gatekeepers play out in many of these majority population studies (Jozkowski, 2017). Taken all into context, it is important to consider the question of how gender-identity and sexual orientation may interact and affect conceptions of sexual consent and subscription to and use of nonverbal sexual consent communication behaviors.

Consent Practices in Underrepresented Communities

Overwhelmingly, the North American understanding of sexual consent and sexual consent communication behaviors have been derived from the experiences of white, college-educated, and often heterosexual participants (Beres et al., 2004; Jozkowski, et al., 2014; Humphreys & Brousseau, 2010; Humphreys & Herold, 2007; Ward et al., 2012). This becomes incredibly significant when we consider the ample documentation for gender specific patterns of sexual consent communication behaviors, as well as the different patterns of sexual consent communication behaviors observed specifically within sub-communities (e.g., MSM, S&M, and WSM; Frankis & Flowers, 2009; Bullock, 2004;).

Specifically, within the MSM community, an historic emphasis by some members of this community has been placed on nonverbal communication behaviors in order to avoid detection and persecution by non-community members (Tewksbury, 1996). Historically MSM members have engaged in nonverbal communication behaviors such as displaying and wearing specific items of clothing and accessories, physical demonstrations (e.g., tapping of the foot beneath a stall) and attending designated public spaces (e.g., parks, rest stops, public restrooms) during designated hours as a means of conveying to other parties their community membership and potential sexual interest (Tewksbury, 1996). This behavior among MSM community members has been titled “cruising” and relies heavily on the use of nonverbal sexual consent communication behaviors including eye contact, pursuit, display, and body contact (Frankis & Flowers 2009).

As noted in literature on cruising, the specific set of nonverbal communication behaviors employed in these areas by community members are designed to communicate sexual interest and sexual consent to community members, but to hold no meaning for non-community

members. With this purpose in mind, nonverbal communication behaviors utilized in cruising are an example of communication behaviors that differ from the overarching sexual script for non-community members (ie. heterosexuals) as is described in much of the current sexual consent communication research. More contemporarily, research has also been conducted into the use of and understanding of "gaydar", a mechanism by which community members employ a "sixth sense" to assess and utilize nonverbal and verbal behaviors as a means of identifying potential sexual community membership and potential sexual/romantic partners (Rule & Alaei, 2016).

Our understanding of sexual consent communication behaviors remains at the heart of sexual miscommunication and thus some sexual violence prevention efforts. Therefore, it is crucial to better understand sexual consent communication behaviors within non-majority populations. For instance, when considering sexual violence within the MSM community, literature notes a disproportionate experience of sexual violence within this population when compared to their heterosexual peers (Association of American Universities, 2015; CDC, 2017; Kosciwet al., 2016). Taken together, the disproportionate amount of violence and community specific behaviors, underscores the need for a more complete understanding of sexual consent communication behaviors and concepts of sexual consent within this community.

Delphi

The Delphi method is a multi-round approach to consensus building among experts in a given field. Historically the Delphi has been termed as a means of refining a groups' judgement and has been a way of formalizing the power of group wisdom (Dalkey, 1969). The Delphi methodology allows for individuals with diverse experiences and expertise to independently share their knowledge and arrive at a consensus regarding a larger idea (Hasson, Keeney, &

McKenna, 2000; Hsu & Sandford, 2007). Additionally, the Delphi method has been successfully utilized in mental health research regarding best practice and competency, as well as a means of comparing the knowledge of experts (e.g., researchers, clinicians) and consumers (e.g., community stakeholders, patients; Forbes, Hutchison, 2020; Ross, Kelly, Jorm, 2015). As noted in the exploration of affirmative sexual consent and sexual violence prevention efforts above, there is a gap between academic best practice (verbal sexual consent communication behaviors) and the lived experiences of community stake holders regarding their communication of sexual consent (Curtis & Burnett, 2017). Thus, the Delphi methodology provides an ideal opportunity to compare and arrive at a group consensus between both researchers and community members regarding this important topic. Furthermore, considering the Covid-19 pandemic, the Delphi methodology is an increasingly attractive means of conducting research due to its ability to collect information and facilitate engagement amongst participants in a socially distant manner (Khazie, Khan, 2020). Lastly, when working specifically within the sexual minority communities such as the MSM community, several studies have documented the effectiveness of utilizing online/ distance methods to engage with this population regarding sexual behaviors and practices (Bowen, 2005; Ross et al. 2000).

Purpose of the Study

The current study seeks to expand our understanding of sexual consent and nonverbal sexual consent communication behaviors. Specifically, the current study seeks to address a dearth in the literature by examining these concepts within the context of two specific communities--the MSM community and sexuality researchers--by utilizing the Delphi Method (Dalkey, 1969). Due to the exploratory nature of this study and methodology, there are no

expected results or stated hypotheses for this study. Instead, we seek to determine if consensus between our two groups can be reached on each of the following primary research questions:

1. *What are the qualities of sexual consent?*
2. *What are the elements of sexual non-consent?*
3. *What are the behaviors associated with sexual consent communication?*
4. *What are the ways the group interprets and utilizes nonverbal sexual consent communication behaviors?*

METHODS

In this study, the Delphi method (Dalkey, 1969) was utilized in order to collect and analyze data through a multifaceted approach. The Delphi method is a group facilitation method that is performed in stages, with the ultimate goal being the expert panelists arriving at a consensus opinion regarding the topic at hand (Jorm, 2015; Linstone & Turoff, 1975). The current study sought to better understand conceptualizations and experience of panelists regarding sexual consent and sexual consent communication behaviors.

Participants

In line with the establishment of a community-driven and community-consistent conceptualization of sexual consent and the behaviors utilized in its communication, participants for this study were recruited through a snowballing campaign. Eligibility for the current study included participants identifying with one or more of the following criteria:

1. Identifying as a researcher of human sexuality, sexual violence, or sexual violence prevention (of any gender identity or sexual orientation).
2. Identifying as a member of the MSM community, who acknowledges having a history of a sexual experience with another male-identified person.

In addition to the above inclusionary criteria participants were also included based of their willingness to participate in a multiple-round study, having adequate time and internet access, as well as their ability to read and write effectively in the English language (Skulmoski et al., 2007).

Our initial panel (Round One) consisted of a total of 35 unique participants who completed the survey; a complete list of their demographic information can be found in Table 1. Participants Round One ranged in age from 18 to 55, with a little over 50% of participants identifying as members of the MSM community. Participants also presented with racial ethnic diversity with 34% of participants identifying as a member of a racial or ethnic minority group and 66% identifying as white. Similarly, participants in Round One also presented with various relationship statuses with 66% indicating they were in a relationship and 34% indicating they were single. Participants in Round one also presented with a long history of experiences in higher education with 92% or participants indicating they were a college graduate or had post-graduate training.

Proceeding to Round Two, 20 respondents completed the second-round survey making up our panel in this round, a complete list of their demographic information can also be found in Table 1. Despite some attrition, Round Two's participants presented with similar representation of diverse experiences and identities as seen in Round One. Despite attrition of 15 participants, proportionally demographics of Round Two participants remained largely the same with a majority of participants identifying as male, and as members of the MSM community.

In the final round, Round Three, a total of 18 participants completed the survey making up our third-round panel. With an attrition of two, demographics between Round Two and Round Three largely remain the same. Fifty-one percent of participants (n=18) completed all three rounds of this Delphi study, the complete list of participants demographics can be found in Table 1 . A majority of participants in all three rounds identified as MSM community members, ranging in age (23-55). When compared to Round One, the participants in the final survey are

less diverse in their educational experiences with 100% of the final sample having college and post graduate experience.

Table 1

Delphi Rounds 1,2,3, Panelist Demographics

	Round 1		Round 2		Round 3	
Demographic	N (35)	%	N (20)	%	N (18)	%
Age						
18- 22	1	3%	1	5%	-	
23-30	11	32%	8	40%	8	44%
31-40	17	48%	8	40%	8	44%
41- 55	5	14%	2	10%	1	6%
Prefer not to answer	1	3%	1	5%	1	6%
Stakeholder Status						
Sexual Researcher (SR)*	13	37%	7	35%	6	33%
MSM Community member (MSM)	22	63%	13	65%	12	67%

Gender identity						
Male	27	77%	15	75%	13	72%
Female	8	23%	5	25%	5	28%
Sexual Orientation						
Gay	24	70%	14	70%	12	67%
Lesbian	1	3%	1	5%	1	6%
Bisexual	3	8%	2	10%	2	12%
Queer	3	8%	1	5%	1	6%
Heterosexual	4	11%	2	10%	2	10%
Relationship Status						
In a relationship	23	66%	12	60%	11	61%
Single and Actively Seeking a committed relationship	6	17%	4	20%	4	22%
Single and Casually Dating	1	3%	-		-	

Single and not dating	5	14%	4	20%	3	17%
Nature of relationship	N (23)		N (12)		N (11)	
Monogamous	19	83%	10	83%	9	81%
Monogamish (mostly monogamous)	4	17%	2	17%	2	19%
Open	-	-	-	-	-	-
Race						
European American	23	66%	16	80%	15	83%
African American	4	11%	2	10%	1	6%
Asian American	3	9%	1	5%	1	6%
Hispanic	1	3%	-		-	
Mena	1	3%	-		-	
Native Hawaiian	1	3%	-		-	
Asian	2	5%	1	5%	1	6%

Education						
Postgraduate	23	66%	14	70%	13	72%
College Graduate	9	26%	5	25%	5	28%
Some College	2	5%	1	5%	-	
Completed 12 years or HS equivalent	1	3%	-		-	

*Note. *Two Sexual researchers identify as MSM community members and are noted as (MSR)*

Procedure

As noted, the Delphi method is an ideal methodology for gathering consensus amongst community stakeholders and experts to define a large broad concept such as consent (Forbes, 2020; Jorm, 2015). Following institutional review board approval (UND IRB-201811-094), in line with the Delphi methodology, participants are recruited and asked to engage in a multi-round study coordinated by a researcher (Jorm, 2015). In the current study, participants were identified and recruited through a snowballing methodology by both reviewing current literature and authorship in sexual violence, sexual violence prevention, and human sexuality, as well as outreach to MSM specific groups and listservs. Once identified, participants were also invited to nominate parties who may fit the criteria for the population to also join the study.

Participation in this study was done exclusively online through Qualtrics, which is in line with both methodological best practice and health board best practice (Ross, 2000). In Round

One, participants were provided with either a personalized link or anonymous link which outlined risks and benefits and were asked to complete a 33-item questionnaire which consisted of three distinct tasks. Task one of this questionnaire collected participants' demographic information. During task two of Round One, participants were asked to provide broad opinions on the topic of sexual consent via open-ended questions. Finally, task three of Round One asked participants to review a list of communicative behaviors associated with consent and provide feedback on that list (Beres 2010). Following the completion of Round One, the open-ended data collected from the 35 unique participants was qualitatively analyzed and used to construct the Round Two survey.

In line with the Delphi methodology, data from Round One was collected, analyzed, and collated to create the Round Two survey (Jorm,2015). During Round Two the first task asked participants to review and provide feedback regarding their level of agreement with their peers' qualitative responses (31 in all) to the question "How would you describe sexual consent (Q48)". More specifically, after reviewing an individual Round One qualitative response, participants were asked to note their level of agreement with their peers' statement on a 5-point Likert scale 1 (*This does not adequately describe sexual consent)* to 5 (*This very much describes sexual consent).*

The second task of Round Two invited participants to provide narrative feedback on the six broad qualities of consent that were derived (by the researcher) from participant responses to Q48 in Round One. The third task of Round Two asked respondents to rank order the six broad qualities of consent in order from importance (ranking 1-6, with 1 as most important). In the fourth and final task of Round Two, participants were asked to provide their thoughts on sexual

non-consent through a response to a set of open-ended questions which included “How would you describe sexual non-consent?” 20 participants from Round One (57%) completed Round Two of this three-round study.

Round Three of this three-round study consisted of four distinct tasks that participants were asked to complete. The first task consisted of asking participants to review their peers’ responses to the Q72 of Round Two and provide feedback regarding their level of agreement with their peers’ conceptualization of sexual non-consent. Specifically, participants were asked to note their level of agreement with peers’ statements on a 5-point Likert scale 1 (*This does not adequately describe sexual non-consent)* to 5 (*This very much describes sexual non-consent).*

The second task of Round Three asked participants to review five elements of sexual non-consent which were derived (by the researcher) from the groups’ open-ended responses to Q72 in Round Two Following their review of these five elements of sexual non-consent, participants were again asked to provide feedback and to rank order the elements of sexual non-consent in terms of impact (ranking 1-5, with one as the most impactful). In the third task of Round Three, participants were provided with their personal rank ordering of consent qualities collected in Round Two and asked to compare their personal positioning with the groups’ collective rankings of consent qualities. After comparing these rankings, participants were asked to confirm their personal rankings.

The final task of Round Three asked participants to review qualities of sexual consent and elements of sexual non-consent as determined by the group. Following their review of these items, participants were asked to review and sort a list of nonverbal behaviors of sexual consent

communication derived from the group's responses in round one and sort them into groups based on their perceived function (i.e., do the individual items represent Consent Giving Behavior, Consent Seeking Behavior, Interchangeable Consent Behavior, Ambiguous consent Behavior, or Consent Refusal Behavior). For Round Three, 18 of the 20 respondents to Round Two (90%) completed all four tasks.

Data Analysis

In line with the Delphi methodology, a mixed method approach was used to assess the qualitative and quantitative data collected as part of this study (Skulmoski, Hartman, & Krahn, 2007). A key element of Delphi studies is the reaching of consensus on an issue by a panel of experts (Jorm, 2015). Formally there are no guidelines for establishing consensus within a given delphi study, therefore, in the current study a novel and new three-tiered system of group agreement was established in order to better determine the level of and reveal the nuances of agreement amongst participants (Jorm 2015; Nair et al. 2011; Waggoner, Carline, Durning, 2016). The top tier of this three-tier system was termed Major Consensus, which was met when 90% of participants of the study were in agreement on an issue as demonstrated by their responses on the Likert scale. The second tier was termed Consensus and was reached when 70% of participants indicating agreement on a singular issue as demonstrated by their responses on the Likert scale. The final tier was termed Endorsement and consists of 50 % of participants indicating agreement on an issue as demonstrated by their responses on the Likert scale.

Similarly, when examining qualitative data in Delphi studies there are few guidelines in place for data analysis, thus for this study a grounded constructivist framework was applied for the data analysis with the adoption of an outside reader to increase trustworthiness (Chamaz, 2008; Skulmoski, et al. 2007; Krippendorff, 2015). The grounded constructivist framework was

selected for its usefulness in analyzing data for major themes, as well as its emphasis on the role of the researcher and the lens by which they view and interpret the data (Chamaz, 2008). In the current study, the author thoroughly read the data before attempting to code responses (with both open coding and axial coding), kept a journal ("memoing") to utilize the reflective process, utilized a reader to provide an additional point of view, and provided participants with opportunities to provide feedback regarding the coding process (Chamaz, 2008).

Data Analysis Round One

During Round One, qualitative responses to question 48 were collected and analyzed using a grounded constructivist framework. Responses were initially de-identified by the first author and reviewed for key elements in the responses. Key elements included overall ideas or statements indicated by a participant as being central to their notion of sexual consent (Chamaz, 2008). Following the highlighting of key elements, seven overarching codes were developed, and responses were sorted along those codes for subsequent analysis. Utilizing the constructivist grounded framework (Chamaz, 2008), responses were analyzed for content to derive six overall qualities.

Data Analysis Round Two

Following the collection of qualitative data in round one, the group was asked to establish consensus regarding the descriptions of sexual consent provided by the group, utilizing a five-point Likert scale. The mean and standard deviation was used as a mechanism to indicate participants' overall level of agreeance to the sexual consent descriptions and help inform whether consensus was reached. In the current study, consensus was defined according to the percentage of participants who fell in agreement regarding a description. Major Consensus was defined as at least 90% of participants selecting a 4 or 5 on the Likert scale, Consensus was

defined as at least 70% of respondents selecting a 4 or 5 on the Likert scale, and an Endorsement was at least 50% of participants selecting a 4 or 5 on the Likert scale (Bono, 2017; Jorm 2015; Nair, Aggarwal, Khanna, 2011; Waggoner, Carline, Durning, 2016).

Finally, data was collected from Round Two to help construct the Round 3 survey. Participant's initial rank order positions of six qualities of sexual consent were collected and averaged to construct an initial ranking. Additionally, during the second round, 20 qualitative responses were gathered to question 72 regarding elements of sexual non-consent. Again, utilizing a grounded constructivist framework, responses were analyzed and coded into five elements of sexual non-consent (Table 10).

Data Analysis Round Three

Participants in Round Three were asked to review their peers' response to question 72 regarding descriptions of sexual non-consent via a Likert scale. Means and standard deviation were used to help determine which tier of group agreement was met (e.g., Major Consensus ≥90%, Consensus ≥70%, Endorsement ≥ 50%). Additionally, participants in round three were asked to review their initial individual rank order positions of sexual consent qualities and re-rank these qualities after comparing them to the group aggregate. Again, results from these rankings were collected and analyzed by the percentage of group agreement. Next, participants were also asked to review and rank a list of elements of non-consent during this task which was analyzed for consensus based on the three-tiered group agreement system.

The final task of Round Three asked participants to sort a list of nonverbal consent behaviors among six categories of usage (Consent Giving Behavior, Consent Seeking Behavior, Interchangeable Consent Behavior, Ambiguous consent Behavior, Consent Refusal Behavior, Unused behavior). The tiered system of agreement was utilized sorted a given behavior into a

usage category. Additionally, a chi-square analysis was run to examine for significant differences in sorting of behavior usage by group membership (SR vs. MSM).

RESULTS

Across three rounds, the current study gathered data from participants regarding their conceptualization of sexual consent and consent communication behaviors. Participants consisted of researchers of human sexuality, sexual violence, and sexual violence prevention, as well as MSM community members. Throughout each round both qualitative and quantitative data was gathered in order to better understand sexual consent and its' nonverbal communication practices. The current study sought to explore three topics, including sexual consent, sexual non-consent, and nonverbal communication behaviors associated with sexual consent. In the following results section, each of the subjects is discussed in depth covering each subject and its exploration through all three rounds of the study.

Sexual Consent Results

In Round One, participants were asked to respond to the open-ended prompt of "How would you describe sexual consent?" participants provided 34 unique qualitative descriptions of sexual consent. These responses were analyzed with three responses being consolidated due to similar content for a total of 31 descriptions (Charmaz, 2008, see left panel of Table 2).The 31 descriptions of sexual consent formed the central data for open and axial coding. Six broad categories emerged from the coding of the 31 descriptions and these were used to construct six broad qualities of sexual consent shown below:

1. Sexual consent should be mutual between all parties.

2. Sexual consent should be permission granting/ affirming.

3. Sexual consent should be confirmed via verbal and non-verbal behaviors.

4. Sexual consent should be freely/given without influence.

5. Sexual consent should be ongoing.

6. Sexual consent should be reversible/ revocable.

Sexual Consent quality one, was derived from Broad category (1) Mutual Agreement. Descriptions coded with Mutual Agreement noted the need for a mutuality of agreement or consent between parties. Seventeen responses were coded with Mutual Agreement, a sample response coded with Mutual Agreement was: "Sexual consent is mutual agreement to engage in a sexual activity while setting specific boundaries".

Broad category (2) Permission Granting/ Affirming was utilized when a description noted an element of permission granting or affirmation behaviors as part of the consent process. This code was utilized a total of 15 times and is best exemplified by the description "Sexual consent is the active and ongoing affirmation that sexual activity is desired or welcomed. Affirmation includes verbal and nonverbal communication."

Broad category (3) is Confirmed via verbal and non-verbal behaviors, which was used when Response notes an explicit need for verbal or nonverbal confirmation among parties. A total of six descriptions utilized this code and it is best exemplified by the description: "Consistent with muehlenhard et als review paper, an explicit agreement to do something. can be communicated verbally or nonverbally".

The next broad category (4) Freely Given/ Without Influence was used when a description noted that lack of coercion, substance induced influence is necessary when giving consent. A total of six descriptions were coded with Freely Given/ Without influence and this category is best exemplified by the description: “Sexual consent is a mutual agreement between 2 or more people to engage in sexual activity - without coercion or compensation. All people must be capable of consenting and agreeing.”

Broad Category (5) Ongoing was utilized with descriptions which noted consent is a continuous process and must be present for the duration of activity. Ongoing was used for a total of six descriptions and is best exemplified by the statement: “When adult confirms…This confirmation must be present for the duration of the sexual activity…”.

Broad Category (6) Reversible, was used with descriptions that noted that consent has elements that are reversible or revocable. This code was used a total of four times and is best exemplified by the description: “Permission to engage sexual activity from the other person(s). This permission can be rescinded at any time before, during, or after.”

In Round Two, participants reviewed the 31 original descriptions of sexual consent collected in Round One, as well as the six qualities of sexual consent. In the first part of Round Two, participants rated the 31 original descriptions of sexual consent on a five-point Likert scale with 1 being “This does not adequately describe consent” and 5 “This very much describes consent”. Table 2 records the mean, standard deviation, and variation of the groups’ responses to each description of sexual consent. Additionally, Table 2 notes the consensus percentage for each response, specifically the number of participants who indicate a four or five on the Likert

scale. Of the 31 descriptions rated in round two, 24 descriptions (77%) met some form of group agreement. Descriptions number ten and seven also met group consensus with majority rating these statements negatively with a 1 or 2 on the Likert scale and thus were not included in the analysis of table 2. Of those 22 descriptions with a positive level of agreement, 7 descriptions (31%) reached a Major Consensus with 90% of participants indicating a four or five on the Likert scale; 5 descriptions (22%) reached Consensus with 70% of participants indicating a four or five on the Likert scale; and 10 descriptions (45%) reached an endorsement of the group with 50% of the group indicating a four or five on the Likert scale. Finally, Table 2 also records limited demographic information of the participants who make up the consensus response. Specifically, means, SD and consensus percentage of stakeholder groups are recorded in Table Two denoted by their abbreviation.

Table 2,

Round 2, Level of Agreement to Descriptions of Consent 1(This does not adequately describe consent) to 5 (This very much describes consent) with Mean, Standard Deviation, and Variance

Description		M	SD	Consensus %
1. I imagine 2 formal variations in consent:1) Responding in the affirmative to a suggestion for sexual activity (responding by saying "yes" to a verbal, physical, or otherwise suggestive (look, gesture, body or body-part positioning or repositioning) request to engage in sexual activity); or2)	Panel	4.0	1.07	80% (n=16)
	SR	4.0	.70	80%

Initiating the above expressed suggestion to engage in sexual activity. However, a caveat I would like to mention is that perceived consent from one party may not be the actual expression of consent by the other. **				(n = 4)
	MSM	4.0	1.2	77% (n= 10)
	MSR	4.0	0	100% (n = 2)
2. Two adults confirming they are comfortable with engaging in sexual activity.**	Panel	4.1	.78	75% (n=15)
	SR	4.0	0	100% (n = 5)
	MSM	4.3	.85	77% (n= 10)
	MSR	3.0	0	-
3. Having permission and agreement from a partner(s) to engage in a sexual act that is not coerced or influenced in any one.***	Panel	4.3	.74	90% (n= 18)
	SR	4.4	.89	80% (n = 4)
	MSM	4.38	.76	80% (n =

				12)
	MSR	4.0	0	100% (n = 2)
4. I would describe sexual consent as the effective communication of ongoing, affirming, equitable, relational decisions regarding sexual choice among partners of free-will. ***	Panel	4.55	.82	90% (n= 18)
	SR	5	0	100% (n = 5)
	MSM	4.30	.94	84% (n = 11)
	MSR	5.0	0	100% (n = 2)
5. Sexual consent is an ongoing process to engage in sexual activities with another person. Sexual consent can be withdrawn at any time and for any reason. Some individuals are unable to give sexual consent due to the undue influence of power to obtain that consent (e.g. children, individuals in police custody, people with advanced dementia). ***	Panel	4.6	.81	90% (n= 18)
	SR	5.0	0	100% (n = 5)
	MSM	4.69	.63	92% (n = 12)

	MSR	3.5	2.12	50% (n = 1)
6. Mutual and unambiguous understanding between all parties that a sexual activity is desired and being entered into and participated in without coercion, exploitation, or abuse. ***	Panel	4.5	.75	95% (n=19)
	SR	4.4	.54	100% (n = 5)
	MSM	4.61	.63	92% (n = 12)
	MSR	4.5	..5	100% (n = 2)

7. consistent with muehlenhard et als review paper, an explicit agreement to do something. can be communicated verbally or nonverbally	Panel	3.1	1.2	35% (n= 7)
	SR	3	1.58	40% (n = 2)
	MSM	3.15	1.34	38% (n = 5)
	MSR	3.0	0	-
8. All parties being of sound mind to give verbal permission to engage in any activity believed to be, or identified as, sexual	Panel	3.5	1.1	45% (n=9)
	SR	2.4	.8	-
	MSM	3.92	1.03	61% (n = 8)
	MSR	3.5	.5	50% (n = 1)
9. Sexual consent is when both people agree on a specific act when intimate with each other. *	Panel	3.3	.87	40% (n=8)
	SR	2.8	.75	20% (n =1)

	MSM	3.92	1.34	46% (n = 6)
	MSR	3.5	.5	50% (n = 1)
10. A verbal agreement between two consenting adults	Panel	2.5	1.2	25% (n=5)
	SR	1.6	.75	60% (n = 3)
	MSM	2.92	1.32	15% (n = 2)
	MSR	2.5	.5	-
11. Permission to engage sexual activity from the other person(s). This permission can be rescinded at any time before, during, or after. **	Panel	4.05	.88	75% (n =15)
	SR	3.6	.24	60% (n = 3)
	MSM	4.46	.66	92% (n = 12)

	MSR	2.5	.5	-
12. Sexual consent is mutual agreement to engage in a sexual activity while setting specific boundaries *	Panel	3.9	.78	65% (n=13)
	SR	3.8	.83	80% (n = 4)
	MSM	4.0	.81	61% (n = 8)
	MSR	3.5	.5	50% (n = 1)

13. psychological, emotional, and spiritual permission delivered in an active process for one or more sexual activities to occur. *	Panel	3.6	1.1	60% (n= 12)
	SR	3.4	1.5	60% (n = 3)
	MSM	3.76	1.0	61% (n = 8)
	MSR	3.5	.50	50% (n = 1)
14. Sexual consent is when someone knowingly participates in and allows sexual activity with another person.	Panel	3.5	1.1	45 % (n= 9)
	SR	3.6	1.1	60% (n = 3)
	MSM	3.7	1.1	46% (n = 6)
	MSR	2.0	0	-
15. Sexual consent is the active and ongoing affirmation that sexual activity is desired or welcomed. Affirmation includes verbal and nonverbal communication. ***	Panel	4.6	.59	95% (n=19)
	SR	4.6	.54	100% (n = 5)

	MSM	4.53	.66	92% (n = 12)
	MSR	5.0	0	100% (n = 2)
16. When all participants of a sexual encounter want the encounter to happen at that time.	Panel	3.0	1.1	40 % (n=8)
	SR	3	.89	40% (n = 2)
	MSM	3.15	1.28	46% (n = 6)
	MSR	2.5	.5	-
17. When the other person allows to have sex with you	Panel	2.2	1.1	15% (n=3)
	SR	1.4	.49	-
	MSM	2.53	1.19	23% (n = 3)
	MSR	1.5	.5	-

18. When both parties give a verbal confirmation of what is ok and not ok to engage with. This confirmation can be reinforced or revoked at any time.	Panel	3.3	1.3	40% (n=8)
	SR	2.2	.75	-
	MSM	3.76	1.30	61% (n = 8)
	MSR	3.0	1.0	50% (n = 1)
19. Consent is between two people. As long as 2 people say yes then it is good to go. Consent can be withdrawn at any time. Anyone who has had some mind altering substances or are unconscious will automatically not give consent.	Panel	3.0	1.2	30% (n= 6)
	SR	2.2	.75	-
	MSM	3.46	1.2	46% (n = 6)
	MSR	2.5	.5	-
20. Agreement on terms of what areas to touch and what types of sexual contact to use (oral, anal, etc).*	Panel	3.2	1.1	50% (n= 10)
	SR	2.8	1.17	40% (n = 2)

	MSM	3.46	1.05	54% (n = 7)
	MSR	2.5	1.5	50% (n = 1)
21. Freely given agreement to sexual activities *	Panel	3.3	1.5	50 % (n=10)
	SR	3.2	1.30	40% (n = 2)
	MSM	3.38	1.5	54% (n = 7)
	MSR	3.0	2.82	50% (n = 1)
22. Sexual consent is if all participating members agree to the sexual activities being presented. Sexual consent cannot be obtained when one or more party members are under the influence of drugs, alcohol, or altered mental health state. *	Panel	3.6	1.4	60% (n=12)
	SR	2.8	.1.30	23% (n = 3)
	MSM	4.07	1.03	69% (n = 9)
	MSR	3.0	0	-

23. When an adult confirms that a specific sexual activity is okay with them, and this confirmation is shared by all parties involved in the sexual activity. All involved parties must actually be able to knowingly confirm their approval of involvement in the sexual activity. This confirmation must be present for the duration of the sexual activity. Any party involved in the sexual activity may choose to no longer participate at any time during the sexual activity, at which time they would no longer give their consent or confirmation to continue. All involved parties must agree to these terms for the sexual activity to be considered consensual. ***	Panel	4.25	.96	95% (n=19)
	SR	3.2	1.09	100% (n = 5)
	MSM	4.61	.65	92% (n = 12)
	MSR	4.5	.5	100% (n = 2)
24. I would describe consent as the agreement of two interested parties to engage in agreed upon sexual activities.	Panel	3.4	1.0	45% (n=9)
	SR	3.0	.89	40% (n = 2)
	MSM	3.69	1.10	54% (n = 7)
	MSR	3.0	0	-
25. It's when the other person clearly indicates they wish a sexual act to happen. This could be verbal, written or through body language (although that's a harder line to define).*	Panel	3.4	1.1	55% (n=11)
	SR	3	.89	40%

				(n = 2)
	MSM	3.61	1.26	61% (n = 8)
	MSR	3.5	.5	50% (n = 1)
26. A fluid and reversible assertion that all members of a sexual scene are present and readily willing to engage in the acts being proposed. *	Panel	4.0	.88	75% (n=15)
	SR	3.8	.83	60% (n = 3)
	MSM	4.2	.92	84% (n = 11)
	MSR	3.5	.5	50% (n = 1)
27. Establishing a clear agreement that both partners would like to have a sexual encounter.*	Panel	3.6	.88	55% (n=11)
	SR	3.4	.80	60% (n = 3)
	MSM	3.7	.92	61% (n = 8)

	MSR	3.0	0	-
28. Sexual consent is a mutual agreement between 2 or more people to engage in sexual activity - without coercion or compensation. All people must be capable of consenting and agreeing. **	Panel	3.9	1.2	70% (n= 14)
	SR	4.2	1.09	60% (n = 3)
	MSM	3.9	1.44	77% (n= 10)
	MSR	3.5	.50	50% (n = 1)
29. [s]exual consent is both a cognitive decision and a behavioural display (verbal or nonverbal), signaling a willingness (free from coercion/ incapacitation) to engage in sexual activity. ***	Panel	4.2	.61	90% (n= 18)
	SR	4.8	.44	100% (n = 5)
	MSM	4.07	.49	92% (n = 12)
	MSR	3.5	.50	50% (n = 1)

30.Sexual Consent is a verbal or nonverbal agreement between two adults to engage in sexual acts with one another. Sexual consent can be either clearly defined or implied depending on the setting of the encounter and habits of the individuals. *	Panel	3.3	.92	50% (n= 10)
	SR	2.6	.54	40% (n = 2)
	MSM	3.69	.85	61% (n = 8)
	MSR	2.5	.25	-
31.Sexual consent is the permission by another to engage in a sexual act. The consent involves complete choice from the other without substance coercion or force. **	Panel	3.9	1.0	75% (n= 15)
	SR	4.4	.89	80% (n = 4)
	MSM	3.92	1.15	77% (n= 10)
	MSR	3.0	1.0	50% (n = 1)

Note. Level of agreement * Endorsement = ≥ 50% participant agreement ; ** Consensus = ≥70% participant agreement * Major Consensus = ≥90% participant agreement*

As part of Round Two, qualitative feedback was also collected from participants regarding their reactions to peers' descriptions of sexual consent collected in Round One. Table 3 contains the qualitative comments made by participants in response to peers' descriptions of sexual consent. Comments were sorted by description reference number and according to stakeholder status. Table 3 highlights the diverse opinions amongst participants, particularly around the use jargon and the importance of elements of sexual consent.

Table 3

Round 2, Task 1, Qualitative Feedback to participants descriptions of Sexual Consent

How would you describe sexual consent?	Qualitative Comments		
	Sexual Researcher	MSM	Both
1. I imagine 2 formal variations in consent:1) Responding in the affirmative to a suggestion for sexual activity (responding by saying "yes" to a verbal, physical, or otherwise suggestive (look, gesture, body or body-part	the "initiating" part of number 1 confuses me a little bit.	The first statement was very confusing. The first half made total sense to me but the second half starting with "I would like to add a caveat" lost me. Even after rereading it, I still don't quite understand it. I found the wording and grammar of many of these responses confusing and so I'm not fully sure I understood the point you were trying to	

positioning or repositioning) request to engage in sexual activity); or2) Initiating the above expressed suggestion to engage in sexual activity. However, a caveat I would like to mention is that perceived consent from one party may not be the actual expression of consent by the other. **		get across. Particularly number one which has a number of parentheticals.	
2. Two adults confirming they are comfortable with engaging in sexual activity. **	Honest question about #2 - can minors "consent" to one another in some form if they're both minors? That's what threw me off, though I'm unsure of the answer, so maybe it's fine as it is.	Statement two is the most basic of the five but all five allow for a clear picture of what consent should be. Comments 2, 3, and 4 do not mention specific means of communicating consent between participants.	
3. Having permission and agreement from a partner(s) to engage in a sexual act that is not coerced or influenced in any one. ***	I like 3 and 4 because they capture it so snappily.	I especially agree with the emphasis in 3, 4, 5 about the importance of ongoing communication and the ability to withdraw consent, as well as the importance of equity and the role that power dynamics play. Comments 2, 3, and 4 do not mention specific means of	

		communicating consent between participants. 3, 4, and 5 each bring in pieces of equity, free-will, or power dynamics that must be taken into consideration of participating parties, which I also see as essential to consent.	
4. I would describe sexual consent as the effective communication of ongoing, affirming, equitable, relational decisions regarding sexual choice among partners of free-will.***	4 and 5 include that consent is an ongoing process, which I see as a key component in the definition. I like 3 and 4 because they capture it so snappily.	No 4 does not include reference to accepting sexual activity, it simply states that sexual choice is communicated. This sounds more like declaring preferences than actually engaging in sex. I especially agree with the emphasis in 3, 4, 5 about the importance of ongoing communication and the ability to withdraw consent, as well as the importance of equity and the role that power dynamics play. 3, 4, and 5 each bring in pieces of equity, free-will, or power dynamics that must be taken into consideration of participating parties, which I also see as essential to consent. Comments 2, 3, and 4 do not mention specific means of communicating consent between participants.	

5. Sexual consent is an ongoing process to engage in sexual activities with another person. Sexual consent can be withdrawn at any time and for any reason. Some individuals are unable to give sexual consent due to the undue influence of power to obtain that consent (e.g. children, individuals in police custody, people with advanced dementia). ***	5. I like the notion that consent can be withdrawn and limits of ability to give consent. 4 and 5 include that consent is an ongoing process, which I see as a key component in the definition.	No. 5 States that consent is the process of engaging in sexual activities and leaves out reference to approving sexual acts. 3, 4, and 5 each bring in pieces of equity, free-will, or power dynamics that must be taken into consideration of participating parties, which I also see as essential to consent. I especially agree with the emphasis in 3, 4, 5 about the importance of ongoing communication and the ability to withdraw consent, as well as the importance of equity and the role that power dynamics play.	
Referencing answers 1-5		Some are more detailed than others. Some...I just don't understand the words to be frank. I almost interpreted the rating as a ranking of sorts ("Oh, that one seems more true").	
6. Mutual and unambiguous understanding between all parties that a sexual activity is desired and being entered into and participated in without coercion,		#6 - Was very strong definition!	

exploitation, or abuse. ***			
7. Consistent with muehlenhard et als review paper, an explicit agreement to do something. can be communicated verbally or nonverbally		Comment 7 makes reference to a source I am not familiar with so I cannot fully determine whether I agree with the comment. And 7 is all-around a nope for me. No 7 - I am not aware of research by Muehlenhard. #7 - I have no idea what muehlenhard et als is so I feel like I cannot judge it fairly!	
8. All parties being of sound mind to give verbal permission to engage in any activity believed to be, or identified as, sexual		Comments 8 and 10 limit the expression of consent to spoken word. Based on experience, there are instances when two or more people agree to engage in sexual activity without a single word spoken. These comments do not adequately describe consent as they exclude non-verbal gestures and body language which are important mediums of communication. 8 doesn't go far enough - "sound mind" doesn't cover coercion, power.	

		8. Excludes nonverbal consent. "Sound mind" is not explained.	
9. Sexual consent is when both people agree on a specific act when intimate with each other.	9 is pretty good but doesn't mention coercion or power.	9 does not account for power dynamics. No 9 does not include reference to sexual partners being able to give consent (i.e. children or coercion pressure) 9. Exclusionary to polyamorous folx	
10. A verbal agreement between two consenting adults	10 asserts that consent must be verbal, which is not always the case. 10. What does it mean to be a consenting adult?	Comments 8 and 10 limit the expression of consent to spoken word. Based on experience, there are instances when two or more people agree to engage in sexual activity without a single word spoken. These comments do not adequately describe consent as they exclude non-verbal gestures and body language which are important mediums of communication. 10s [sic] just naming the thing as the definition. No 10 on references a verbal agreement. There are non verbal ways to give consent, specifically physical touch.	

Referencing answers 6-10			It seems that due to several reasons, verbal agreements may often be important, but are complicated. Some people do not have verbal ability, some are not able to hear, and some sexual acts may make verbal discussion difficult. And while I don't disagree with the spirit of verbal consent, and often consider it important, I think that it's the underlying shared communication process among individuals that is most important.
11. Permission to engage sexual activity from the other person(s). This permission can be rescinded at any time before, during, or after. **	These are all pretty good. I gave # 11, 12, and 13 ratings of 4 instead of 5 because now that I've seen the strength of definitions that explicitly address coercion and power, definitions that don't make note of that feel lacking	Comments 11 and 12 are vague and not specific in describing how consent is communicated between participants. No 11 and 12 exclude the requirement that those giving consent must be capable of giving consent.	

12. Sexual consent is mutual agreement to engage in a sexual activity while setting specific boundaries *	These are all pretty good. I gave # 11, 12, and 13 ratings of 4 instead of 5 because now that I've seen the strength of definitions that explicitly address coercion and power, definitions that don't make note of that feel lacking	Comments 11 and 12 are vague and not specific in describing how consent is communicated between participants. No 11 and 12 exclude the requirement that those giving consent must be capable of giving consent. Establishing boundaries per 12 is important. Strongest page so far! I like #12 discussing boundaries!	
13. psychological, emotional, and spiritual permission delivered in an active process for one or more sexual activities to occur. *	These are all pretty good. I gave # 11, 12, and 13 ratings of 4 instead of 5 because now that I've seen the strength of definitions that explicitly address coercion and power, definitions that don't make note of that feel lacking.	It is hard to discern the differences between many of these things. I wouldn't even know how to describe "spiritual permission", perhaps someone's definition of that is something I would agree is part of sexual consent. No 13 does not include acknowledgement of consent to your partner and excludes communication.	
14. Sexual consent is when someone knowingly participates in and allows sexual activity with another person.			

15. Sexual consent is the active and ongoing affirmation that sexual activity is desired or welcomed. Affirmation includes verbal and nonverbal communication. ***			
Referencing 11-15			The idea of permission or allowing one partner to engage in sexual activity seems potentially passive to me, and active consent seems essential. Referencing 11-15.
16. When all participants of a sexual encounter want the encounter to happen at that time.	16 is technically 100% accurate (actually, the most accurate of any of these!!) but if only, if only we could KNOW when someone wants something without all this verbal/nonverbal stuff..	Comment 16 does not provide specifics of how consent is communicated between participants.. No 16, 17, and 20 exclude person being able to give consent. 16. Needs more information regarding communication or what is meant by a sexual "encounter." 16 and 17 do not give an adequate description of how consent is given and what it does.	

17. When the other person allows to have sex with you	17 is....strange.	Comment 17, because a person allows you to have sex with them does not automatically mean they want the sexual activity to occur. A participant could be coerced, under the influence of an outside force, or not of sound mind. No 16, 17, and 20 exclude person being able to give consent. 17. This definition feels too "black and white" to describe consent - nothing about it being an ongoing process, establishing boundaries, nor does it explain what is meant by sex and how that can vary. 17 is missing the importance of equity and power dynamics. #17 - Is very concerning and I think could use some more detail. This sounds very one sided 16 and 17 do not give an adequate description of how consent is given and what it does.	

18. When both parties give a verbal confirmation of what is ok and not ok to engage with. This confirmation can be reinforced or revoked at any time.		Comments 18 and 19 limit communication to verbal medium, leaving out non-verbal means of communication. 18 is delineating do's and DONTs. the dont's don't seem to be a requirement of consent but are advisable. In response to #18, consent does not always have to be verbal. No 18 only allows for verbal consent. Non verbal consent exists.	
19. Consent is between two people. As long as 2 people say yes then it is good to go. Consent can be withdrawn at any time. Anyone who has had some mind altering substances or are unconscious will automatically not give consent.	19. Only applies to monogamous individuals.	Comments 18 and 19 limit communication to verbal medium, leaving out non-verbal means of communication. No 19 only references substances as blocking ability to give consent but there are other causes (Age, mental health, etc.) 19 highlights use of substances as a factor.	
20. Agreement on terms of what areas to touch and what types of sexual contact to use (oral, anal, etc). *		Comment 20 is not specific on how communication is accomplished. No 16, 17, and 20 exclude person being able to give consent.	

Referencing 16-20		The grammar, informality, and spelling makes this hard to do.	Sex sometimes involves more than two people and consent should not be definitionally limited to any number of participants.
21. Freely given agreement to sexual activities. *		Comments 21-24 are not specific on the means by which the communication for consent occurs	
22. Sexual consent is if all participating members agree to the sexual activities being presented. Sexual consent cannot be obtained when one or more party members are under the influence of drugs, alcohol, or altered mental health state. *		Comments 21-24 are not specific on the means by which the communication for consent occurs	
23. When an adult confirms that a specific sexual activity is okay with them, and this confirmation is shared by all parties involved in the sexual activity. All involved parties must actually be	23 is very inclusive and reflects the complexity of consent (that it must be freely given, can be revoked at any time, and that all parties must be able to knowingly give their consent).	Comments 21-24 are not specific on the means by which the communication for consent occurs	

able to knowingly confirm their approval of involvement in the sexual activity. This confirmation must be present for the duration of the sexual activity. Any party involved in the sexual activity may choose to no longer participate at any time during the sexual activity, at which time they would no longer give their consent or confirmation to continue. All involved parties must agree to these terms for the sexual activity to be considered consensual. ***			
24. I would describe consent as the agreement of two interested parties to engage in agreed upon sexual activities.	24 and 25 are exclusionary of sexual encounters with more than 2 people.	Comments 21-24 are not specific on the means by which the communication for consent occurs.	
25. It's when the other person clearly indicates they wish a sexual act to happen. This could be verbal, written or through body language (although	24 and 25 are exclusionary of sexual encounters with more than 2 people.	25 is a lacking clarity in their description. #25 - I liked the acknowledgement that body language is hard to define because I agree with this.	

that's a harder line to define). *			
26. A fluid and reversible assertion that all members of a sexual scene are present and readily willing to engage in the acts being proposed. **			
27. Establishing a clear agreement that both partners would like to have a sexual encounter. *			
28. Sexual consent is a mutual agreement between 2 or more people to engage in sexual activity - without coercion or compensation. All people must be capable of consenting and agreeing. **		Comment 28 on the next section mention consent cannot be obtained if compensation is involved. That to me is a false statement. Compensation can be a condition of consent and does not invalidate the consent. It is not coercion if the person is seeking compensation as a condition of consent.	
29. [s]exual consent is both a cognitive decision and a behavioural display (verbal or nonverbal), signaling a			

willingness (free from coercion/ incapacitation) to engage in sexual activity.***			
30. Sexual Consent is a verbal or nonverbal agreement between two adults to engage in sexual acts with one another. Sexual consent can be either clearly defined or implied depending on the setting of the encounter and habits of the individuals. *			
31. Sexual consent is the permission by another to engage in a sexual act. The consent involves complete choice from the other without substance coercion or force. **			

Note. Level of agreement * Endorsement = ≥ 50% participant agreement; ** Consensus = ≥70% participant agreement * Major Consensus = ≥90% participant agreement*

Of the seven descriptions of sexual consent which the Panel reached a level of consensus of over 90% (descriptions 3, 4, 5,6,15, 23, & 29), three of the six qualities of sexual consent are shared by multiple descriptions. The quality *Sexual consent should be freely/given without influence* is notable in five of these descriptions (3,4,5,6, 29) and is reflected as a positive element of these descriptions in the qualitative comments. Indeed, as seen in Table 3 one MSM participant notes:

"I especially agree with the emphasis in 3, 4, 5 about the importance of ongoing communication and the ability to withdraw consent, as well as the importance of equity and the role that power dynamics play."

The quality of *Sexual consent should be ongoing* is documented in in four of the Major Consensus descriptions (4,5,15, & 23). Again, in Table 3 qualitative feedback reflects the positive nature of the Major consensus percentage as one SR notes: "4 and 5 include that consent is an ongoing process, which I see as a key component in the definition". Lastly, descriptions 23 and 29 shared the sexual consent quality of *"Sexual consent should be permission granting/ affirming"* however qualitative feedback for these statements did not endorse that quality as being relevant to its' Likert rating.

In Round Two, participants were asked to review the list of six-sexual consent qualities and provide qualitative feedback speaking to the comprehensiveness of this list as a form of member check (Appendix AA). Additionally, initial rank order positions of the sexual consent qualities were collected from participants and are depicted in Table 4. Results from this initial ranking demonstrate that the group was unable to come to an agreement as no sexual consent

quality in a given rank order position was able to reach the minimum tier. However, several sexual consent qualities in a given rank order position were close to meeting group agreement. In particular, "*Sexual consent should be mutual"* reached 40% in the first rank order position (most important), with seven MSM endorsing it and the first position and one researcher who identified as MSM placing it in rank order position one. "Consent should be confirmed via verbal and nonverbal behaviors reached 30% in the sixth rank order position (sixth most important) and with two SR, four MSM and one MSM identified researcher placing it in the sixth rank order position.

Table 4,

Round 2, Sexual Consent Qualities Rank Order Position

	Rank Order Position					
	1 most important position	2 Second most important position	3 Third most important position	4 Fourth most important position	5 Fifth most important position	6 Sixth most important position
Consent Quality	Round 2	Round 2	Round 2	Round 2	Round 2	Round 2

I. Sexual consent should be mutual between all parties.	Panel n =8 (40%)	Panel n = 7 (35%)	Panel n = 4 (20%)	Panel n = 1 (5%)	-	-
	SR n = 0	SR n = 4	SR n = 1	SR n = 0		
	MSM n = 8 (1 MSR)	MSM n = 3	MSM n = 3 (1 MSR)	MSM n = 1		
II. Sexual consent should be freely/given without influence.	Panel n = 4 (20%)	Panel n = 7 (35%)	Panel n =5 (25%)	Panel n = 2 (5%)	Panel n = 1 (5%)	Panel n = 2 (10%)
	SR n = 2	SR n = 1	SR n = 1	SR n = 0	SR n = 0	SR n = 1
	MSM n = 2	MSM n = 6 (2 MSR)	MSM n = 4	MSM n = 2	MSM n = 1	MSM n = 1
III. Sexual consent should be confirmed via verbal and non-verbal behaviors.	-	Panel n = 1 (5%)	Panel n = 5 (25%)	Panel n = 3 (15%)	Panel n = 5 (25%)	Panel n = 6 (30%)
		SR n = 0	SR n = 2	SR n = 1	SR n = 0	SR n = 2
		MSM n = 1	MSM n = 3	MSM n = 2 (1 MSR)	MSM n = 5	MSM n = 5 (1 MSR)
IV. Sexual consent	Panel n = 1 (5%)	Panel n = 1 (5%)	Panel n = 3 (15%)	Panel n = 6 (30%)	Panel n = 4 (20%)	Panel n =5 (25%)

should be reversible/ revocable.	SR n = 0	SR n = 0	SR n = 0	SR n = 2	SR n = 2	SR n = 1
	MSM n = 1	MSM n = 1	MSM n = 3 (1 MSR)	MSM n = 4 (1 MSR)	MSM n = 2	MSM n = 4
V. Sexual consent should be ongoing.	Panel n = 1 (5%)	Panel n = 2 (10%)	-	Panel n = 6 (30%)	Panel n = 9 (45%)	Panel n = 2 (10%)
	SR n = 0	SR n = 0		SR n = 2	SR n = 3	SR n = 0
	MSM n = 1	MSM n = 2		MSM n = 4	MSM n = 6 (2 MSR)	MSM n = 2
VI. Sexual consent should be permission granting/ affirming.	Panel n = 6 (30%)	Panel n = 2 (10%)	Panel n = 3 (15%)	Panel n = 3 (15%)	Panel n = 1 (5%)	Panel n =5 (25%)
	SR n = 3	SR n = 0	SR n = 1	SR n = 0	SR n = 0	SR n = 1
	MSM n = 3 (1 MSR)	MSM n = 2	MSM n = 2	MSM n = 3	MSM n = 1	MSM n = 4 (1 MSR)

Note. When applicable MSM Sexual Researchers are noted within totals as (# MSR)

Data from the initial Round Two ranking was analyzed and collated before being provided to participants for Round Three. Participants reviewed their initial rank order positions of sexual consent qualities against the group aggregate, and then re-ranked the sexual consent qualities. As can be seen Table 4, there are a diverse set of opinions amongst the group. However some group agreement was reached with a total of 4 sexual consent qualities reaching an

agreement level of Endorsement by having 50% or more of the participants agreeing on a rank order position for the specific quality. In particular, "*Sexual consent should be mutual"* (first position n = 11, [61%]), "*Sexual consent should be confirmed via verbal and non-verbal behaviors*" (third position n = 9, [50%]), "*Sexual consent should be ongoing"* (fifth position n = 9, [50%]), and "*Sexual consent should be permission granting/ affirming*" (sixth position n = 10, [55%]).

Table 5,

Round 3, Sexual Consent Qualities Rank Order Position

	Rank Order Position					
	1 most important position	2 Second most important position	3 Third most important position	4 Fourth most important position	5 Fifth most important position	6 Sixth most important position
Consent Quality	Round 3	Round 3	Round 3	Round 3	Round 3	Round 3
I. Sexual consent should be mutual between all	Panel n =11 (61%)	Panel n = 5 (27%)	Panel n = 2 (11%)	-	-	-
	SR n = 3	SR n = 1	SR n = 1			

parties.	MSM n = 8 (1 MSR)	MSM n = 3	MSM n = 3 (1 MSR)			
II. Sexual consent should be freely/given without influence.	Panel n = 4 (22%)	Panel n = 10 (55%)	Panel n =2 (11%)	-	Panel n = 2 (11%)	-
	SR n = 2	SR n = 3	SR n = 0		SR n = 0	
	MSM n = 2 (1 MSR)	MSM n = 7	MSM n = 2		MSM n = 2	
III. Sexual consent should be confirmed via verbal and non-verbal behaviors.	Panel n = 1 (5%)	Panel n = 1 (5%)	Panel n = 9 (50%)	Panel n = 3 (16%)	Panel n = 2 (11%)	Panel n = 2 (11%)
	SR n = 0	SR n = 1	SR n = 2	SR n = 0	SR n = 2 (1MSR)	SR n = 1
	MSM n = 1	MSM n = 0	MSM n = 7	MSM n = 3	MSM n = 0	MSM n = 1
IV. Sexual consent should be reversible/ revocable.	Panel n = 1 (5%)		Panel n = 4 (22%)	Panel n = 7 (38%)	Panel n = 4 (22%)	Panel n =2 (11%)
	SR n = 0		SR n = 1	SR n = 3	SR n = 1	SR n = 0
	MSM n = 1		MSM n = 3 (1 MSR)	MSM n = 4	MSM n = 3	MSM n = 2

V. Sexual consent should be ongoing.	Panel n = 1 (5%)	Panel n = 1 (10%)	-	Panel n = 3 (16%)	Panel n = 9 (50%)	Panel n = 4 (10%)
	SR n = 0	SR n = 0		SR n = 2	SR n = 3	SR n = 0
	MSM n = 1	MSM n = 1		MSM n = 1	MSM n = 6	MSM n = 4 (1 MSR)
VI. Sexual consent should be permission granting/ affirming.		Panel n = 1 (5%)	Panel n = 1 (5%)	Panel n = 5 (27%)	Panel n = 1 (5%)	Panel n =10 (55%)
		SR n = 0	SR n = 1	SR n = 0	SR n = 0	SR n = 4
		MSM n = 1	MSM n = 0	MSM n = 5 (1 MSR)	MSM n = 1	MSM n = 6

Note. When applicable MSM Sexual Researchers are noted within totals as (# MSR)

Finally, Table 6 compares the first order position rankings of sexual consent qualities between Round Two and Round Three. As noted in Table six, more agreement was reached when considering the first rank order position. "*Sexual consent should be mutual"* earned a group endorsement with 61% (n=11) of participants indicating this quality belonged in the first rank order position. Similarly, Table 7 compares the sixth rank order position of sexual consent qualities between rounds. The quality of *"Sexual consent should be permission granting/ affirming*" also earned an endorsement in the sixth rank order position with 55% of participants indicating its placement there.

Table 6

Sexual Consent Qualities First Rank Order Position Comparison between Round Two Ranking and Round Three Ranking,

Consent Quality	Panel Description	Round 2 First rank order position	Round 3 First rank order position
I. Sexual consent should be mutual between all parties.	Consensus %	40% n = 8	61% n = 11
	SR	n = 0	n = 3
	MSM	n = 8 (MSR)	n = 8
II. Sexual consent should be freely/given without influence.	Consensus %	20% n = 4	22% n = 4
	SR	n = 2	n = 2
	MSM	n = 2	n = 2 (1 MSR)

III. Sexual consent should be confirmed via verbal and non-verbal behaviors.	Consensus %	-	5% n = 1
	SR	-	-
	MSM	-	n =1
IV. Sexual consent should be reversible/ revocable.	Consensus %	5% (n = 1)	5% (n = 1)
	SR	-	-
	MSM	n = 1	n = 1
V. Sexual consent should be ongoing.	Consensus %	5% (n = 1)	5% (n = 1)
	SR	-	-
	MSM	n = 1	n = 1
VI. Sexual consent should be permission granting/ affirming.	Consensus %	30% (n = 6)	-
	SR	n = 3	
	MSM	n = 3 (1	

		MSR)	

Note. When applicable MSM Sexual Researchers are noted within totals as (# MSR)

Table 7

Sexual Consent Qualities Sixth Rank Order Position Comparison between Round Two Ranking and Round Three Ranking,

Consent Quality		Round 2 Sixth rank order position	Round 3 Sixth rank order position
I. Sexual consent should be mutual between all parties.	Consensus %	-	-
	SR	-	-
	MSM	-	-
II. Sexual consent should be freely/given without influence.	Consensus %	10% (n = 2)	-
	SR	n = 1	-
	MSM	n = 1	-
III. Sexual consent should be	Consensus %	30% (n = 6)	11% (n = 2)

Consent Quality		Round 2 Sixth rank order position	Round 3 Sixth rank order position
confirmed via verbal and non-verbal behaviors.	SR	n = 2	n = 1
	MSM	n = 5 (1 MSR)	n = 1
IV. Sexual consent should be reversible/ revocable.	Consensus %	25% (n = 5)	5% (n = 1)
	SR	n = 1	-
	MSM	n = 4	n = 1
V. Sexual consent should be ongoing.	Consensus %	5% (n = 1)	11% (n = 2)
	SR	-	-
	MSM	n = 1	n = 2
VI. Sexual consent should be permission granting/ affirming.	Consensus %	25% (n = 5)	55% (n = 10)
	SR	n = 1	n = 4

Consent Quality		Round 2 Sixth rank order position	Round 3 Sixth rank order position
	MSM	n = 4 (1 MSR)	n = 6

Note. When applicable MSM Sexual Researchers are noted within totals as (# MSR)

Sexual Non-Consent Results

Questions regarding Sexual non-consent where not added into the survey until Round Two due to a Qualtrics error. In Round Two, participants were asked to respond to the open-ended prompt of "How would you describe sexual non-consent?" participants provided 20 unique qualitative descriptions of sexual non-consent (See left panel of Table 8). The 20 descriptions of sexual non-consent were analyzed using open and axial coding and formed the five elements of sexual non-consent shown below:

1. *Non-consent involves Coercion and Power Imbalances that prevent consent to be freely given (by at least one member of the party).*
2. *Non-consent involves a lack of Mutual Agreement (between all members of the party)*
3. *Non-consent involves a lack of Will or Desire (for at least one member of the party)*
4. *Non-consent involves Verbal, Nonverbal, and Body Language behaviors to communicate it.*
5. *Non-consent involves the continued violation of permission (of at least one party*

member) as conveyed through verbal behaviors (eg. saying no).

Non-Consent element one was derived from the broad category of (1) Coercive/ power Imbalance. Descriptions coded with Coercive/ Power imbalance were descriptions in which the participant noted the implications of unequal power dynamics, citing a variety of origins for that imbalance (e.g., social, perceived, chronological, neurological, etc.). Five responses were coded with the Coercive/ Power imbalance category, an example of these statements is: "Non-consent is any sexual action that occurs that is not agreed upon, occurs with a power differential, one of the members is influenced by a substance, there is force, or finally that consent is withdrawn but the action continues".

Broad Category (2) Lack of Mutual Agreement was utilized when a description emphasized a one-sidedness or lack of agreement as being part of sexual non-consent. This code was utilized six times during the coding process. An exemplar statement for this code is "Sexual non-consent is the act of forcing or coercing an individual into sex without his/her permission".

Broad category (3) Lack of Will/ Desire was used to code descriptions in which the participant identified lack of will/ desire as part of sexual non-consent. This code was applied ten times and is represented be the following statement: "Choosing to not want to participate in sexual activity. This can occur independently of a provocation or can happen by declining a suggestion or proposition. Non-consent means no."

The next Broad category (4) Nonverbals / Body language was derived from participants response which noted the use of nonverbals or "body language" to effectively convey a lack of consent to a partner. This code is best represented by the following description:

"Either actively dissenting (verbally by saying "No" or otherwise indicating distaste,

disinterest; nonverbally by physically resisting or moving away from person seeking consent) AND passively resisting (maybe verbally saying things like, "Maybe" or "I'm just really tired"; nonverbally lying motionless or not moving). Basically, any verbal language that is not "Yes" but "Maybe" or "No" is a no to me, and any body language that is ambiguous or disinterested is non-consent, in my book."

This code was used a total of ten times during the analysis.

The final Broad category (5) Violation of Permission was derived from descriptions use of terminology in which boundaries are communicated (via verbal or nonverbal behaviors) and permission has been denied to proceed further in activity by one party member. This code was utilized a total of 8 times during the analysis. Violation of Permission is best exemplified by this statement: "Any sexual experience that leaves any partner questioning their own enthusiastic and willing participation or feeling that boundaries and limits were ignored through verbal, non-verbal, or socially coercive actions or words."

In Round Three, the 20 original descriptions of sexual non-consent (collected in Round Two) were reviewed by participants and rated on a five-point Likert scale with 1 being "This does not adequately describe sexual non-consent" and 5 "This very much describes sexual non-consent". Table 6 includes descriptions of sexual non-consent provided by respondents as well as their overall rating on the five-point Likert scale. Of the 20 descriptions of sexual non-consent rated in round two, 19 descriptions (95%) met a tier of group agreement. One description, (description 10) met consensus negatively receiving 60% of participants endorsing this as not adequately describing non consent. Reviewing the remaining 18 descriptions, one response (description 7) met Major Consensus with 94% of respondents indicating a four or five on the Likert scale; nine descriptions established consensus with at least 70% or participants endorsing

a 4 or 5 on the Likert scale; and 8 descriptions of sexual non-consent, marked a group Endorsement with a minimum of 50% of participants indicating a four or five on the Likert scale. Table 8 also shows means and standard deviations for the entire panel of participants, as well as participants broken down into stakeholder status.

Table 8

Round 3, Task 1, Level of Agreement to Descriptions of Sexual non -consent 1(Strongly Disagree) to 5 (Strongly Agree) with Mean, Standard Deviation, and Variance

Description		M	SD	Consensus %
1. Any sexual experience that leaves any partner questioning their own enthusiastic and willing participation or feeling that boundaries and limits were ignored through verbal, non-verbal, or socially coercive actions or words. **	Panel	4.22	.87	83% (n = 15)
	SR	4.2	.40	100% (n = 5)
	MSM	4.33	.98	83% (n = 10)
	MSR	3.0	0	-
2. Non-consent is the way that two or more people say no leading up to and during a sexual encounter.	Panel	3.5	1.1	44% (n = 8)
	SR	3.2	.97	20% (n = 1)
	MSM	3.5	1.1	50% (n = 6)
	MSR	5.0	0	100% (n = 1)
3. Verbal expression of non-consent, body language such as moving away from the other person(s), physical deflection of a sexual contact, or non verbal queue such as shaking of the head from side to side. **	Panel	4.1	1.1	82% (n = 14)
	SR	3.6	.48	60% (n = 3)
	MSM	4.1	.93	83% (n = 10)

	MSR	5.0	0.0	100% (n = 1)
4. Reluctance or resistance to a suggestion of sexual activity. It can be verbally, physically or in body language. **	Panel	4.1	1.1	72% (n = 13)
	SR	3.8	.97	60% (n = 3)
	MSM	4.1	1.1	75% (n = 9)
	MSR	5.0	0.0	100% (n = 1)
5. Rape*	Panel	4	1.4	66% (n=12)
	SR	3.4	1.4	40 % (n = 2)
	MSM	4.1	1.3	75% (n = 9)
	MSR	5.0	0.0	100% (n = 1)
6. denial of permission, verbally or non-verbally **	Panel	3.9	1.2	72% (n=13)
	SR	3.6	1.2	40% (n=2)
	MSM	4.0	1.3	83% (n = 10)
	MSR	5.0	0.0	100% (n = 1)

7. Not giving consent would include when not all parties agree to the sexual activity. This non-consent can take the form of verbal and non-verbal cues (e.g., saying "No," pushing someone away), reversing a decision for consent that may have been given earlier, when an involved party is not an adult, or an adult in a power dynamic not capable of consent in the first place (e.g. child, prisoner, mental health considerations). ***	Panel	4.7	.57	94% (n=17)
	SR	4.6	.48	100% (n = 5)
	MSM	4.7	.621	91% (n = 11)
	MSR	5.0	0.0	100% (n = 1)
8. Verbal or non-verbal indications that they are unwilling or not wanting to participate in sexual activities. Any Coercive or being under the influence of drugs or alcohol automatically makes it non-consensual. **	Panel	3.8	.96	72% (n = 13)
	SR	3.6	.48	60% (n = 3)
	MSM	4.0	1.12	75% (n = 9)
	MSR	4.0	0.0	100% (n = 1)
9. I would describe sexual non-consent as taking actions to indicate that you do not want to have sex in this moment. Preferably it involves words indicating your unwillingness to engage in sex, but it can also involve non-verbal behaviors such as increasing physical distance.*	Panel	4.0	1.1	66% (n = 12)
	SR	3.4	.48	60 % (n = 3)
	MSM	4.1	.93	66% (n = 8)
	MSR	5.0	0.0	100% (n = 1)
10. If the other party utterly do not agree	Panel	2.8	1.3	27% (n=5)

	SR	1.8	1.1	20% (n = 1)
	MSM	3.0	1.1	25% (n =3)
	MSR	5.0	0.0	100% (n = 1)
11. Non-consent is any sexual action that occurs that is not agreed upon, occurs with a power differential, one of the members is influenced by a substance, there is force, or finally that consent is withdrawn but the action continues. **	Panel	4.2	1.2	77% (n = 14)
	SR	4	1.0	80% (n = 4)
	MSM	4.3	1.2	75% (n = 9)
	MSR	5.0	0.0	100% (n = 1)
12. Either actively dissenting (verbally by saying "No" or otherwise indicating distaste, disinterest; nonverbally by physically resisting or moving away from person seeking consent) AND passively resisting (maybe verbally saying things like, "Maybe" or "I'm just really tired"; nonverbally lying motionless or not moving). Basically, any verbal language that is not "Yes" but "Maybe" or "No" is a no to me, and any body language that is ambiguous or disinterested is non-consent, in my book. **	Panel	4.2	.78	77% (n=14)
	SR	4.2	.74	80% (n = 4)
	MSM	4.1	.79	75% (n = 9)
	MSR	5.0	0.0	100% (n = 1)
13. Sexual non-consent is the act of forcing or coercing an individual into sex without his/her permission.*	Panel	3.5	1.3	55% (n=10)
	SR	3.4	.8	40% (n = 2)

	MSM	3.6	1.4	58% (n = 7)
	MSR	5.0	0.0	100% (n = 1)
14. Sexual non consent is an unwillingness to participate in a sexual act with one or more other people. This can be affirmed actively or through avoidance. Sexual non consent should be the default assumption until confirmed.*	Panel	3.6	1.0	55% (n = 10)
	SR	3.4	.80	40% (n = 2)
	MSM	3.6	1.1	58% (n = 7)
	MSR	5.0	0.0	100% (n = 1)
15. Not wishing to engage in certain sexual activities with a certain partner or partners, or at that specific time. This can also include moments where an individual is unable to provide consent, such as when someone is drinking alcohol or is unconscious.*	Panel	3.8	1.3	61% (n=11)
	SR	4	1.1	60% (n = 3)
	MSM	3.8	1.4	58% (n = 7)
	MSR	5.0	0.0	100% (n = 1)
16. Non-consent constitutes the absence of agreement. In other words, a lack of disagreement or refusal is not sufficient for consent. Sexual non-consent is sexual activity that is not mutual, communicated (verbal/nonverbal), or ongoing.**	Panel	4.3	1.3	83% (n=15)
	SR	4.6	.8	80% (n = 4)
	MSM	4.1	1.1	83% (n = 10)

	MSR	5.0	0.0	100% (n = 1)
17. Saying no. Or some concept of that. Actions too, but honestly, I think no is very clear.*	Panel	3.3	1.4	55% (n=10)
	SR	2.2	1.5	40% (n = 2)
	MSM	3.5	1.1	58% (n = 7)
	MSR	5.0	0.0	100% (n = 1)
18. Choosing to not want to participate in sexual activity. This can occur independently of a provocation, or can happen by declining a suggestion or proposition. Non-consent means no.*	Panel	3.6	1.2	61% (n=11)
	SR	2.8	1.2	40% (n = 2)
	MSM	3.8	1.1	66% (n = 8)
	MSR	5.0	0.0	100% (n = 1)
19. Non-consent is either verbal or nonverbal communication that states someone in the party does not want to participate. When someone is non-consenting the act should be stopped immediately and not face any harm or backlash. **	Panel	4.0	1.2	77% (n = 14)
	SR	3.6	1.35	80% (n = 4)
	MSM	4.1	1.2	83% (n = 10)
	MSR	5.0	0.0	100% (n = 1)

20. The forcing of a sexual activity or encounter on someone who has not given clear consent or the continuation of sexual acts on someone who has rescinded their consent.*	Panel	3.8	.92	66% (n=13)
	SR	3.2	.97	40% (n = 2)
	MSM	4.0	.74	83% (n = 10)
	MSR	5.0	0.0	100% (n = 1)

Note. Level of agreement * Endorsement = ≥ 50% participant agreement ; ** Consensus = ≥70% participant agreement * Major Consensus = ≥90% participant agreement*

Additionally, during Round Three, qualitative feedback was also collected from participants regarding their reactions to peers' descriptions of sexual non-consent collected in Round Two. Table 9 contains the qualitative comments made by participants in response to peers' descriptions of sexual non-consent. Comments were sorted by description reference number and according to stakeholder status (SR and MSM). Table 9 notes differences between these groups, and particularly highlights differing views on substance use and its impact on the ability to give sexual consent (comments responding to 8 and 11). Additionally, overarching themes through these comments highlight the role of coercion and power in sexual non-consent (comments 16-20).

Table 9,

Round 3, Task 1 Qualitative Feedback to participants descriptions

How would you describe sexual non-consent?	Sexual Researcher	MSM / MSR
1. Any sexual experience that leaves any partner questioning their own enthusiastic and willing participation or feeling that boundaries and limits were ignored through verbal, non-verbal, or socially coercive actions or words. **		
2. Non-consent is the way that two or more people say no leading up to and during a sexual encounter.		
3. Verbal expression of non-consent, body language such as moving away from the other person(s), physical deflection of a sexual contact, or non verbal		

queue such as shaking of the head from side to side. **		
4. Reluctance or resistance to a suggestion of sexual activity. It can be verbally, physically or in body language. **		
5. Rape*		
6. denial of permission, verbally or non-verbally **		Again, 6-10 show nuanced parts of non-consent. There are many examples, and I think all these are valid.
7. Not giving consent would include when not all parties agree to the sexual activity. This non-consent can take the form of verbal and non-verbal cues (e.g., saying "No," pushing someone away), reversing a decision for consent that may have been given earlier, when an involved party is not an adult, or an		Again, 6-10 show nuanced parts of non-consent. There are many examples, and I think all these are valid. No 7 and 8 are great examples because they also include mental state (clouded by drugs or alcohol) and power dynamics as forcing non consent. Non consent is more than just no

adult in a power dynamic not capable of consent in the first place (e.g. child, prisoner, mental health considerations).***		
8. Verbal or non-verbal indications that they are unwilling or not wanting to participate in sexual activities. Any Coercive or being under the influence of drugs or alcohol automatically makes it non-consensual.**		Comment 8: I do not agree that if a person is under the influence of alcohol it is automatically not consent. I have had sex many times while under the influence of alcohol and I had the capacity to provide my consent. There are degrees of influence or impairment and that is what must be considered. Again, 6-10 show nuanced parts of non-consent. There are many examples, and I think all these are valid. No 7 and 8 are great examples because they also include mental state (clouded by drugs or alcohol) and power dynamics as forcing non consent. Non consent is more than just no
9. I would describe sexual non-consent as taking actions to indicate that you do not want to have sex in this moment. Preferably it involves words indicating your unwillingness to engage in sex, but it can also involve non-verbal		Again, 6-10 show nuanced parts of non-consent. There are many examples, and I think all these are valid.

behaviors such as increasing physical distance.*		
10. If the other party utterly do not agree		Comment 10: This comment provides no description of how any party is not agreeing and is inadequate. No 10 is too vague. How do you know if someone else doesn't agree? 10 seems to be lacking description and clearness in language. Again, 6-10 show nuanced parts of non-consent. There are many examples, and I think all these are valid.
11. Non-consent is any sexual action that occurs that is not agreed upon, occurs with a power differential, one of the members is influenced by a substance, there is force, or finally that consent is withdrawn but the action continues.**	11 and 13 both seem to be more about the non consensual act perpetrated, not non-consent given (or not given) by the other party	Comments 11 and 15: The fact that a person has consumed alcohol does not automatically mean they are unable to provide consent. Again the degree to which alcohol is impacting the individual's ability to make a decision must be considered. No 11 is a particularly good non consent definition. It includes all dynamics I can think of (coercion, mental state, force, unwillingness). This is probably the best definition I can find.

12. Either actively dissenting (verbally by saying "No" or otherwise indicating distaste, disinterest; nonverbally by physically resisting or moving away from person seeking consent) AND passively resisting (maybe verbally saying things like, "Maybe" or "I'm just really tired"; nonverbally lying motionless or not moving). Basically, any verbal language that is not "Yes" but "Maybe" or "No" is a no to me, and any body language that is ambiguous or disinterested is non-consent, in my book.**		
13. Sexual non-consent is the act of forcing or coercing an individual into sex without his/her permission.*	11 and 13 both seem to be more about the non consensual act perpetrated, not non-consent given (or not given) by the other party	Comment 13 describes one forcing a sexual act, not the act of a the person giving non-consent. No 13 is too vague and doesn't capture the range of different non consent conditions.

14. Sexual non consent is an unwillingness to participate in a sexual act with one or more other people. This can be affirmed actively or through avoidance. Sexual non consent should be the default assumption until confirmed.*		Comment 14: Does not describe any ways specific ways that non-consent is conveyed. #14 gets to an important approach, that non-consent should be the default until consent is confirmed. I hadn't thought of that before in that way, it makes sense.
15. Not wishing to engage in certain sexual activities with a certain partner or partners, or at that specific time. This can also include moments where an individual is unable to provide consent, such as when someone is drinking alcohol or is unconscious.*		Comments 11 and 15: The fact that a person has consumed alcohol does not automatically mean they are unable to provide consent. Again the degree to which alcohol is impacting the individual's ability to make a decision must be considered.
16. Non-consent constitutes the absence of agreement. In other words, a lack of disagreement or refusal is not sufficient for consent. Sexual non-consent is sexual activity that is not mutual,		No 16 through 20 are all pretty good, but still focus only on not declining and not the other attributes of consent (metnal state, coercion, ability to consent).

communicated (verbal/nonverbal), or ongoing.**		
17. Saying no. Or some concept of that. Actions too, but honestly, I think no is very clear.*		No 16 through 20 are all pretty good, but still focus only on not declining and not the other attributes of consent (metnal state, coercion, ability to consent).
18. Choosing to not want to participate in sexual activity. This can occur independently of a provocation, or can happen by declining a suggestion or proposition. Non-consent means no.*		No 16 through 20 are all pretty good, but still focus only on not declining and not the other attributes of consent (metnal state, coercion, ability to consent).
19. Non-consent is either verbal or nonverbal communication that states someone in the party does not want to participate. When someone is non-consenting the act should be stopped immediately and not face any harm or backlash.**		No 16 through 20 are all pretty good, but still focus only on not declining and not the other attributes of consent (metnal state, coercion, ability to consent). #19 is mine! I remember. haha I think I might have forgot last time. I really liked the "no is very clear" because I agree, it should be very clear. But I think our culture doesn't allow for that. There is always an unbalance of power and people will exploit it if they know they can get away with it. It's terrible.

20. The forcing of a sexual activity or encounter on someone who has not given clear consent or the continuation of sexual acts on someone who has rescinded their consent.*	same criticism for #20 as for 11 and 13 - more about the more active party than the person not consenting	No 16 through 20 are all pretty good, but still focus only on not declining and not the other attributes of consent (metnal state, coercion, ability to consent).
Referencing 16-20	Still a lil [sic] mind boggled coming up with a strong definition of the absence of something.	

Note. Level of agreement * Endorsement = ≥ 50% participant agreement ; ** Consensus = ≥70% participant agreement * Major Consensus = ≥90% participant agreement*

After reviewing peers' descriptions of sexual non-consent, participants were given the five elements of sexual non-consent derived from the group's descriptions of sexual non-consent and asked to provide feedback. Furthermore, participants were asked to rank order the elements with rank order position one being "most impactful" on a 1-5 scale. Data collected from this ranking is depicted below in Table 10. Only one element of non-consent "*Non-consent involves a lack of Will or Desire (for at least one member of the party)"* reached a level of agreement by participants, an endorsement (50%, n=9), and this was placed in the fifth rank order position. Two other responses neared a group agreement of an endorsement, "*Non-consent involves a lack of Mutual Agreement (between all members of the party)*" in the first rank order position (44%,

n=8) and "*Non-consent involves Coercion and Power Imbalances that prevent consent to be freely given (by at least one member of the party)*" in the third rank order position (44% n=8).

Table 10

Elements of Sexual Non-Consent Rank Order Position Round 3

	Rank Order Position				
	1 most impactful position	2 Second most impactful position	3 Third most impactful position	4 Fourth most impactful position	5 Fifth most impactful position
Non-Consent Element	Round 3	Round 3	Round 3	Round 3	Round 3
I. Non-consent involves Coercion and Power Imbalances that prevent consent to be freely given (by at least one member of	Panel n = 2 (11%)	Panel n = 3 (16%)	Panel n = 8 (44%)	Panel n = 3 (16%)	Panel n = 2 (11%)
	SR n = 1	SR n = 0	SR n = 2	SR n = 2	SR n = 0
	MSM n = 1	MSM n = 3	MSM n = 6	MSM n = 1 (1 MSR)	MSM n = 2

the party).					
II. Non-consent involves a lack of Mutual Agreement (between all members of the party)	Panel n = 8 (44%)	Panel n = 2 (11%)	Panel n =2 (11%)	Panel n = 5 (27%)	Panel n = 1 (6%)
	SR n = 3	SR n = 0	SR n = 2	SR n = 0	SR n = 0
	MSM n = 5	MSM n = 2	MSM n = 0	MSM n = 5 (1 MSR)	MSM n = 1
III. Non-consent involves a lack of Will or Desire (for at least one member of the party).	Panel n = 1 (6%)	Panel n = 4 (22%)	Panel n = 2 (11%)	Panel n = 2 (11%)	Panel n = 9 (50%)
	SR n = 0	SR n = 2	SR n = 0	SR n = 1	SR n = 2
	MSM n = 1	MSM n = 2	MSM n = 2	MSM n = 1	MSM n = 6
IV. Non-consent involves Verbal, Nonverbal, and Body Language behaviors to communicate it.	Panel n = 4 (22%)	Panel n = 6 (33%)	Panel n = 4 (22%)	Panel n = 3 (16%)	Panel n = 1 62%)
	SR n = 1	SR n = 2	SR n = 1	SR n = 0	SR n = 1
	MSM n = 3	MSM n = 3 (1 MSR)	MSM n = 3	MSM n = 3	MSM n = 0

V. Non-consent involves the continued violation of permission (of at least one party member) as conveyed through verbal behaviors (eg. saying no).	Panel n = 3 (16 %)	Panel n = 4 (16%)	Panel n = 2 (11%)	Panel n = 5 (27%)	Panel n = 5 (27%)
	SR n = 0	SR n = 1	SR n = 0	SR n = 2	SR n = 2
	MSM n = 3 (1 MSR)	MSM n = 3	MSM n = 2	MSM n = 3	MSM n = 3

Note. When applicable MSM Sexual Researchers are noted within totals as (# MSR)

Nonverbal Sexual Consent Communication Behaviors Results

Across Rounds One and Three, data was collected from participants regarding nonverbal sexual consent communication behaviors. In Round One, participants reviewed Beres et al.'s (2007) list of nonverbal sexual consent communication behaviors and provided qualitative feedback regarding the list (Table 11). Broad themes amongst the feedback regarding nonverbal consent communication behaviors included the need for "nodding and smiling" and more attention to "cruising" behaviors. In addition, as highlighted by one sexual researcher's comment "… [You] Need to keep in mind actions that (a) are used to initiate sex that are signaling one's own consent and (b) cues that are used in response to someone else's actions that signal one's own consent". Utilizing the feedback collected in Round One, an expanded list of nonverbal sexual consent communication behaviors was created and presented to participants in Round Three.

Table 11

Round One, Qualitative descriptions of missing nonverbal sexual consent communication behaviors.

Question 61	SR (n= 13)	MSM (n=22)
"When describing the idea of sexual consent, researchers have established two means of communicating consent through verbal and nonverbal behaviors. Some of these nonverbal behaviors have been noted below (Beres, Herold, Maitland, 2004). What nonverbal behaviors, if any, are missing from the above list?	None (n=10, 76%)	None (n=9, 40%)
	I wanna say like grinding on them but maybe that's what they mean by "physically close to your partner," haha. Maybe moving towards bedroom?	Heavy breathing, motions or gestures that indicate a request to engage in sexual activity or mimic sexual activity
	Nodding. Smiling.	Hold partner's hands during sexual act
	There are a couple of items here noting "kissing" in return (i.e., as a response) but not as an initial action. Need to keep in mind actions that (a) are used to initiate sex that are signaling one's own consent and (b) cues that are used in response to someone else's actions that signal one's own consent	Head nod in agreement or as to motion to come closer/approach. Pass a prospective partner several times with eye contact, "cruising". Gesturing with hand(s) to approach. Sit or stand next to deliberately [sic] leading to touching, kissing, fondling, etc. Leaving a shower curtain/door open at home or in public place such as gym. Flashing head lights of a car. Standing at a urinal for an

		unusually long time. Many of these and those listed in the question are used in combination to convey consent.
		Partner nods head. You exchange a "look" that you know means "yes" to sexual activity
		nod, wink, come hither motion
		Urging on, being enthusiastic about it
		Undressing yourself in front of your partner, showing off attractive underwear to your partner, putting your partners hands on you
		play footsie with your partner
		Raising Eyebrows and eye contact with the penis.
		I would say eye contact and maybe a head nod yes or no. I always think verbal is much more important than the nonverbals.
		Nodding head affirmatively. Smiling. Making noises, like moaning.
		Sending suggestive or sexually explicit pictures / video; Checking out partner by looking at their body
		I want us together

Note. When applicable MSM Sexual Researchers are noted within totals as (# MSR)

In Round Three, participants sorted the expanded list of 29 nonverbal sexual consent behaviors into categories of usage (i.e., identified a behavior as a Consent Giving Behavior, a Consent Seeking Behavior, an Interchangeable Behavior, Ambiguous Behavior, a Refusal Behavior or an Unused Behavior). Table12, depicts the results from this sorting task with 24 nonverbal behaviors (82%) reaching a level of group agreement on its usage. Out of the 24 nonverbal sexual consent communication behaviors which reached a level of group agreement, only "*The behavior of distancing onself physically from a partner*" reached the level of Major Consensus with 95% of the panel labeling this behavior as a consent refusal behavior. Five behaviors (20%) reached the level of Consensus with more than 70% of the panel agreeing on the nonverbal communication behavior's usage (Table 13). The remaining 18 behaviors reached the level of group endorsement with more than 50% of the panel agreeing on the nonverbal sexual consent communication behavior's usage (Table 14). Additionally, a chi square analysis of independence was run to analyze group differences between SR and MSM (including MSR). One Behavior, "*The behavior of saying nothing and proceeding to have sex with a partner*" reported a value of X^2 (3, N= 18) = 6.70, p .08 nearing significance but not meeting threshold for independence. When examining three distinct groups, SR, MSM, and MSR independently, four behaviors (11, 15, 21, 23 bolded in Table 12) were found to have p values <.05 suggesting these groups may act differently than differences between groups. Implications of these findings are discussed in the next section (crosstabs located in Appendix A).

Table 12,

Round Three, Nonverbal Sexual Consent Communication Behavior Usage

		Sorted Category					
Nonverbal Behavior		Consent Giving	Consent Seeking	Interchangeable Behavior	Ambiguous Behavior	Consent Refusal	Declined to sort
1. The behavior of hugging and caressing a partner. (NV) *	Panel	N = 1 (5%)	N = 2 (11%)	N = 10 (55%)*	N = 4 (22%)	0	N = 1 (5%)
	SR	-	-	N = 5 (100%)	-	-	-
	MSM	N = 1 (8%)	N = 2 (16%)	N = 5 (41%)	N = 4 (33%)	-	N = 1 (8%) (1 MSR)
2. The behavior of getting physically closer to a partner. (NV) *	Panel	N = 1 (5%)	N = 5 (27%)	N = 9 (50%)*	N = 3 (16%)	0	0
	SR	-	N = 1 (20%)	N = 3 (60%)	N = 1 (20%)	-	-
	MSM	N = 1 (8%)	N = 4 (33%) (1 MSR)	N = 6 (46%)	N = 2 (16%)	-	-
3. The behavior of distancing onself physically from a partner (NV) ***	Panel	0	0	0	N = 1 (5%)	N = 17 (95%)***	0
	SR	-	-	-	-	N = 5 (100%)	-
	MSM	-	-	-	N = 1 (8%)	N = 12 (91%) (1MSR)	-
4. The behavior of touching and kissing a partner in return.	Panel	N = 14 (77%)**	0	N= 4 (22%)	0	0	0
	SR	N = 5 (100%)	-	-	-	-	-
	MSM	N = 9 (66%)	-	N=4 (33%)	-	-	-

(NV)**		(1MSR)					
5. The behavior of one beginning to touch and kiss a partner (NV) **	Panel	0	N = 14 (77%)**	N = 3 (16%)	0	0	N = 1 (5%)
	SR	-	N = 3 (60%)	N = 2 (40%)	-	-	-
	MSM	-	N = 11 (83%) (1 MSR)	N = 1 (8%)	-	-	N = 1 (8%)
6. The behavior of smiling at a partner. (NV) *	Panel	0	N = 1 (5%)	N = 6 (33%)	N = 9 (50%)*	0.00	N = 2 (11%)
	SR	-	-	N = 2 (40%)	N = 3 (60%)	-	-
	MSM	-	N = 1 (8%)	N=4 (33%)	N = 6 (50%)	-	N = 2 (8%) (1 MSR)
7. The behavior of not smiling at a partner (NV)*	Panel	0	0	N = 1 (5%)	N= 12 (66%)*	N= 5 (27%)	0
	SR	-	-	-	N = 5 (100%)	-	-
	MSM	-	-	N = 1 (8%)	N = 7 (58%)	N=5 (33%) (1 MSR)	-
8. The behavior of rubbing, fondling, and touching a partner sexually. (NV)	Panel	N = 1 (5%)	N = 6 (33%)	N = 8 (44%)	N = 1 (5%)	0	N = 2 (11%)
	SR	-	N =1 (20%)	N = 3 (60%)	N =1 (20%)	-	-
	MSM	N = 1 (8%)	N = 5 (41%)	N = 5 (41%)	-	-	N = 12 (8%) (1 MSR)
9. The	Panel	N = 3	0	N = 2	N= 10	N = 2	N = 1

behavior of not resisting a partner's sexual advances. (NV)*		(16%)		(11%)	(55%)*	(11%)	(5%)
	SR	N =1 (20%)	-	-	N = 4 (80%)	-	-
	MSM	N = 2 (16%)	-	N = 2 (16%)	N = 6 (41%) (1 MSR)	N = 2 (16%)	N = 1 (8%)
10. The behavior of not stopping a partner from kissing or touching one sexually. (NV)*	Panel	N = 6 (33%)	N = 1 (5%)	0	N= 9 (50%)*	N = 1 (5%)	N = 1 (5%)
	SR	N =1 (20%)	-	-	N = 4 (80%)	-	-
	MSM	N = 5 (41%)	N = 1 (8%)	-	N=5 (33%) (1 MSR)	N = 1 (8%)	N = 1 (8%)
11.The behavior of letting a partner take one's clothes off. (NV)*	Panel	N=9 (50%)*	N = 1 (5%)	N = 3 (16%)	N= 4 (22%)	0	N = 1 (5%)
	SR	N = 2 (40%)	-	N =1 (20%)	N = 2 (40%)	-	-
	MSM	N = 7 (58%)	N = 1 (8%)	N = 2 (16%)	N = 2 (16%)	-	N= 1 (1 MSR)
12.The behavior of not saying "no" to a partner. (NV)	Panel	N = 3 (16%)	0	N = 1 (5%)	N=8 (38%)	N=5 (27%)	N = 1 (5%)
	SR	-	-	-	N = 2 (40%)	N = 3 (60%)	-
	MSM	N = 3 (24%)	-	N = 1 (8%)	N = 6 (41%) (1 MSR)	N = 2 (16%)	N = 1 (8%)
13.The behavior of undressing a partner. (NV)*	Panel	0	N=9 (50%)*	N= 4 (22%)	N = 3 (16%)	0	N = 2 (11%)
	SR	-	N = 3 (60%)	N =1 (20%)	N =1 (20%)	-	-
	MSM	-	N = 6 (50%)	N = 3 (24%)	N = 2 (16%)	-	N = 2 (8%) 1 (MSR)

14. The behavior of undressing onself (NV) *	Panel	N = 3 (16%)	N = 3 (16%)	N = 11 (61%)*	0	N = 1 (5%)	0
	SR	N =1 (20%)	-	N = 4 (80%)	-	-	-
	MSM	N = 2 (16%)	N = 3 (24%)	N = 7 (50%)	-	N = 1 (8%)	-
15. The behavior of helping a partner undress oneself. (NV)	Panel	N=5 (27%)	N= 4 (22%)	N = 7 (38%)	N = 1 (5%)	0	N = 1 (5%)
	SR	N = 3 (60%)	-	N = 2 (40%)	-	-	-
	MSM	N = 2 (16%)	N=4 (33%)	N = 5 (41%)	N = 1 (8%)	-	N = 1 () (1 MSR)
16. The behavior of helping undress a partner. (NV)	Panel	N= 4 (22%)	N = 6 (33%)	N = 7 (38%)	0	0	N = 1 (5%)
	SR	N = 2 (40%)	N =1 (20%)	N = 2 (40%)	-	-	-
	MSM	N = 2 (16%)	N=5 (33%) (1 MSR)	N = 5 (41%)	-	-	N = 1 (8%)
17. The behavior of following a partner when invited. (NV)*	Panel	N=12 (66%)*	N = 2 (11%)	0	N = 4 (22%)	0	0
	SR	N = 4 (80%)	-	-	N =1 (20%)	-	-
	MSM	N = 8 (58%) (1 MSR)	N = 2 (16%)	-	N = 3 (24%)	-	-
18. The behavior of signaling or motioning for a partner to follow (NV) *	Panel	N = 2 (11%)	N=9 (50%)*	N = 2 (11%)	N = 5 (27%)	0	0
	SR	N =1 (20%)	N = 2 (40%)	N =1 (20%)	N =1 (20%)	-	-
	MSM	N = 1 (8%)	N = 7 (50%) (1 MSR)	N = 1 (8%)	N=4 (33%)	-	-

19. The behavior of putting one's hands down a partner's pants. (NV) *	Panel	0.00	N = 10 (55%)*	N = 5 (27%)	N = 2 (11%)	0	N = 1 (5%)
	SR	-	N =1 (20%)	N = 3 (60%)	N =1 (20%)	-	-
	MSM	-	N = 9 (66%) (1 MSR)	N = 2 (16%)	N = 1 (8%)	-	N = 1 (8%)
20. The behavior of saying nothing and proceeding to have sex with a partner. (NV) *	Panel	N = 4 (22%)	0	N = 3 (16%)	N =11 (61%)*	0	0
	SR	-	-	N = 2 (40%)	N = 3 (60%)	-	-
	MSM	N = 4 (33%)	-	N = 1 (8%)	N = 8 (58%) (1 MSR)	-	-
21. The behavior of touching oneself. (NV) *	Panel	0	N= 4 (22%)	N = 10 (55%)*	N = 2 (11%)	0	N = 2 (11%)
	SR	-	-	N = 5 (100%)	-	-	-
	MSM	-	N = 4 (33%)	N = 5 (41%)	N = 2 (16%)	-	N = 2 (8%) (1 MSR)
22. The behavior of making eye contact with a partner. (NV) *	Panel	0	N = 1 (5%)	N = 7 (38%)	N = 9 (50%)*	0	N = 1 (5%)
	SR	-	-	N = 2 (40%)	N = 3 (60%)	-	-
	MSM		N = 1 (8%)	N = 5 (41%)	N = 6 (41%) (1 MSR)	-	N = 1 (8%)
23. The behavior of avoiding eye contact with a partner	Panel	0	0	N = 1 (5%)	N = 2 (11%)	N = 14 (77%)**	N = 1 (5%)
	SR	-	-	-	N =1 (20%)	N = 4 (80%)	-

(NV)**	MSM	-	-	N = 1 (8%)	N = 1 (8%)	N = 10 (83%)	N = 1 (1 MSR)
24. The behavior of turning away from a partner (NV) **	Panel	0	0	0	N = 3 (16%)	N = 15 (83%)**	0
	SR	-	-	-	-	N = 5 (100%)	-
	MSM	-	-	-	N = 3 (25%)	N= 10 (75%) (1 MSR)	-
25. The behavior of one raising their eyebrows while looking at a partner (NV)*	Panel	0	N = 6 (33%)	N = 2 (11%)	N = 9 (50%)*	0	N = 1 (5%)
	SR	-	N =1 (20%)	-	N = 4 (80%)	-	-
	MSM	-	N = 5 (33%) (1 MSR)	N = 2 (16%)	N = 5 (41%)	-	N = 1 (8%)
26. The behavior breathing heavily (NV) **	Panel	N = 1 (5%)	0	N = 2 (11%)	N = 14 (77%)**	0	N = 1 (5%)
	SR	N =1 (20%)	-	-	N = 4 (80%)	-	-
	MSM	-	-	N = 2 (16%)	N= 10 (75%) (1 MSR)	-	N = 1 (8%)
27. The behavior of leaning into/ rubbing against a partner (NV)*	Panel	0	N = 6 (33%)	N = 11 (61%) *	N = 1 (5%)	0	0
	SR	-	N =1 (20%)	N = 3 (60%)	N =1 (20%)	-	-
	MSM	-	N = 5 (41%)	N = 8 (58%) (1 MSR)	-	-	-
28. The	Panel	0	N = 6	N = 8	N = 3	0	N = 1

behavior of sharing provocative content with a partner (NV)			(33%)	(44%)	(16%)		(5%)
	SR	-	N = 2 (40%)	N = 3 (60%)	-	-	-
	MSM		N = 4 (25%) (1 MSR)	N = 5 (41%)	N = 3 (25%)		N = 1 (8%)
29. The behavior of showing a partner one is wearing provocative clothes or accessories (underwear, harness, etc.) *	Panel	0	N = 11 (61%)*	N = 5 (27%)	N = 2 (11%)	0	0
	SR	-	N = 3 (60%)	N = 2 (40%)	-	-	-
	MSM	-	N = 8 (58%) (1 MSR)	N = 3 (25%)	N = 2 (16%)	-	-

Note. Level of agreement * Endorsement = ≥ 50% participant agreement ; ** Consensus = ≥70% participant agreement * Major Consensus = ≥90% participant agreement. When applicable MSM Sexual Researchers are noted within totals as (# MSR)*

DISCUSSION

The current study examined the concepts of sexual consent, sexual non-consent and nonverbal sexual consent communication behaviors amongst a panel of experts. This study utilized the Delphi Method (Dalkey, 1969), which is a multi-round mixed method approach to research that provides structure for consumer/expert consensus (Jorm, 2015). In the context of the current study, consumers were MSM community members and experts were researchers of human sexuality, sexual violence, and sexual violence prevention (with approximately two participants identifying as both). The current study is novel in sexual consent and sexual consent communication behavior research due to its focus on the inclusion of MSM community members which are historically underrepresented in studies of sexual consent and sexual consent communication (Muehlenhard, Humphreys, Jozkowski & Peterson, 2016). This study sought to explore the concepts of sexual consent, sexual non-consent, and nonverbal sexual consent communication behaviors, as conceptualized by these groups.

Sexual Consent

The qualities of sexual consent were explored through all three rounds of this Delphi Study. Participants provided and reviewed 31 descriptions of sexual consent and largely found commonality around personal opinions regarding sexual consent. Utilizing a Likert scale, participants were able to give numerical feedback regarding the adequacy of a peer's description of sexual consent. The results from the current study highlight that within this current group (The Panel) and the individual stakeholders making up the group (SHS) individuals appear to be largely in agreement about what does and does not constitute an adequate description of sexual consent. Of the 31 descriptions provided by The Panel, individuals seemingly came to consensus

on the relevance of 24 descriptions (77%) describing the concept of sexual consent. Similar studies in expert/ consumer research, note that such a consensus percentage is ideal when attempting to further understand and develop culturally congruent interventions and guidelines for nuanced topics such as post disaster psychosocial care protocols and the development of a mental health first aid programs for Indigenous Australians (Bisson et al., 2010; Hart et al. 2009). Taken together, the current study suggests that The Panel's findings may help further define the relevance of a shared knowledge around the concept of what defines Sexual Consent. Such information may be relevant when considering educational and preventative programing around Sexual consent and sexual consent communication.

Regarding the descriptions of sexual consent provided by participants in Round One, The Panel reached a level of consensus of over 90% (Major Consensus) on seven descriptions of sexual consent provided by the individuals on the panel (descriptions 3, 4, 5,6,15, & 23). As noted in the results, amongst the seven descriptions which achieved Major Consensus, three qualities of sexual consent were commonly shared and mentioned specifically by participants in qualitative feedback (Sexual consent should be freely/given without influence; Sexual consent should be ongoing; Sexual consent should be permission granting/ affirming). Taken together the strong qualitative and quantitative feedback suggest that participants both collectively and individually, support the qualities that sexual consent should be freely given without coercion, permission granting/ affirming and ongoing through an interaction. These qualities are shared values of sexual violence prevention programs and aspirational models of sexual consent such as affirmative consent (Soble, 2002). Therefore, these results suggest that across our panel, despite differing sexual orientations, age, gender identities, and exposure to violence prevention literature, The Panel shares a common understanding and shared appreciation for these qualities

of sexual consent. Our data suggests further exploration into the role of demographic features such as gender identity and sexual orientation and their relationship to sexual consent understanding may be warranted. Historically, other studies have cited factors such as gender identity have been impactful when considering sexual consent and sexual consent communication, our findings suggest further exploration of these demographic factors as well additional factors (e.g. age, educational achievement) may be relevant as well(Jozkowski et al., 2017; Peplau, 2003).

Additionally, the cohesion amongst the panel that our results suggest may also speak to the influence of sexual script theory on individuals understanding of and enactment of sexual consent and sexual consent communication. For the current study, participants were sourced from North America and were living and working in the United States and Canada at the time of the study. Thus, the overall cohesion between SHS and the The Panel as a whole provide additional support for the influence of common cultural scenarios in the process of developing beliefs, attitudes, and expectations (intrapersonal scripts) regarding sexual consent and sexual consent communication behaviors (Simon and Gagnon, 1986). Furthermore, relationship status and duration of relationship have all been associated with impacting perceptions of sexual consent (Humphreys, 2007). As ThePanel of the current study largely identified as being in a committed monogamous relationship, it is plausible that these shared experiences also influenced the level of cohesion amongst participants. Therefore, the results of the current study also may lend support to examining the impacts of relationship status and duration of relationship on sexual consent communication and conceptualization.

Based on the initial qualitative responses of both SHS groups and The Panel, six categories of sexual consent qualities were derived by the researcher. These qualities of sexual

consent emphasize mutuality, confirmation of consent by verbal and nonverbal behaviors, and the impact of inequity on consent between partners. The six qualities of sexual consent derived were: (1) Sexual consent should be mutual between all parties (2) Sexual consent should be permission granting/ affirming. (3) Sexual consent should be confirmed via verbal and non-verbal behaviors. (4) Sexual consent should be freely/given without influence. (5) Sexual consent should be ongoing. (6) Sexual consent should be reversible/ revocable. These findings from the current study may lend to future research as the process of defining sexual consent amongst individuals is novel. Within literature there have been instances of research authors have been known to engage in "spontaneous consent"; that is, failing to define the subject (Beres, 2007).

Findings from the current study regarding the qualities of sexual consent also share a similarities with with the seven tenants of affirmative consent (Antioch College, 2016). The qualities derived in this study and the seven tenants of affirmative consent largely overlap, especially in the notions of sexual consent being ongoing, permission granting/affirming and given freely without coercion (Soble, 2002). Interestingly, The Panel differed from the tenants in one key way which was they did not include the central tenant of affirmative consent, verbal consent. More specifically, as a model of violence prevention, the Antioch College affirmative consent model heavily emphasizes "if the level of sexual intimacy increases during an interaction… the people involved need to express their clear verbal consent before moving to that new level" (Soble, 2002, p. 327). Aspirationally, this tenant would mean that when practiced, those engaging in sexual consent communication with affirmative consent would confirm activity with verbal communication behavior-ideally an enthusiastic "yes!" (Affirmative Consent and Respect., 2017). However, participants in the current study provided 31 descriptions of sexual consent, which noted the importance of consent being "ongoing", but they did not

reference a need for parties to engage in an overtly *verbal* consent behaviors during escalation of sexual activity.

The qualities provided and affirmed by the Panel suggest that conceptually, despite differences in demographic factors (e.g., sexual orientation, gender identity, SHS), the values and qualities of sexual consent amongst the Panel are largely consistent with aspirational models of sexual consent. These findings again suggest that there may be more of a common understanding of sexual consent—based on shared cultural scripts, at least in response to formal questions--among individuals who share a cultural script (Beres, 2007). However, more research across different communities (even within the U.S.) is warranted. It is also worth noting that responding to questions on an academic survey may be different then real-world sexual consent communication between (potential) sexual partners—for both expert and community SHS members.

In Round Two and Three, participants were asked to review and rank order the six qualities of sexual consent in order of importance. During these rankings more diverse thinking was evident amongst The Panel. Specifically, when compared to their female-identified sexual researcher counterparts, a majority of MSM members (and one sexual researcher who also identified as MSM) endorsed *Sexual Consent should be mutual (n=8)* as most important by placing it in the first rank order position. In contrast the female-identified sexual researchers, noted the most important qualities to be *Sexual consent should be permission granting (n=3)/ affirming* and *sexual consent should be freely given (n=2)*. Interestingly the value placed on mutuality of sexual consent by male-identified participants, and permission granting by female participants, are in line with the cultural scenario of men being "pleasure seekers" and women being "gate keepers" (Hirsch et al., 2019; Jozkowski, 2013; 2015; Peplau 2003). Additionally,

during the initial ranking the quality of *Sexual consent should be freely given* had five participants indicate it belonged in the sixth rank order position (the lowest position), this number of participants doubled (n=10) in the second ranking of sexual consent qualities. Thus, within the confines of the study, these results may provide some support for the impact of cultural scenarios on personal beliefs around the value of some sexual consent qualities over others.

Sexual Non-Consent

Reviewing sexual consent literature, relatively few studies look at or explicitly examine sexual non-consent (Cook & Messman-Moore, 2018; Struckman-Johnson et al., 2003; McKie et al., 2020). In the current study, sexual non-consent was explored through two of the rounds of this Delphi study. Initially 20 descriptions of sexual non-consent were produced by participants in round two and were rated by the Panel in the subsequent round three. Interestingly, of the 20 descriptions of sexual non-consent produced, 19 met a form of group agreement, with one description meeting criterion for Major Consensus (≥90%). Again, our results suggest a level of uniformity amongst the panel which seemingly is novel when compared to other studies of experiences of sexual consent communication (Hirsch et al., 2019; Jozkowski, 2013; King et al. 2020). However, these preliminary findings should be follow up in subsequent studies, with larger and more diverse groups of participants to verify that the findings can persist.

The Panel expressed high levels of agreement amongst the quantitative data, thus when examining the qualitative data a fuller picture of participants experience and thoughts regarding sexual non-consent is painted. The strongest description produced by the panel was (as rated by the Panel) was description 7 which read:

Not giving consent would include when not all parties agree to the sexual activity.

> This non-consent can take the form of verbal and non-verbal cues (e.g., saying "No," pushing someone away), reversing a decision for consent that may have been given earlier, when an involved party is not an adult, or an adult in a power dynamic not capable of consent in the first place (e.g., child, prisoner, mental health considerations).

Description 7 (together with Description 8) also received strong qualitative feedback with one MSM participant remarking: “No 7 and 8 are great examples because they also include mental state (clouded by drugs or alcohol) and power dynamics as forcing non consent. Non consent is more than just no”. The views expressed in this statement are meaningful when relating back to larger concepts of both sexual violence prevention and sexual consent communication. Critics of early sexual consent campaigns, such as the “no means no” movements, have argued that the word “no” is an oversimplification—and not the only indication--of non-consent (Kitzinger & Frith, 1999; Marcantonio & Jozkowski, 2020). Research into sexual non-consent describe sexual non-consent as having multiple levels, including a lack of desire, regret, social manipulation, and a violation of personal boundary (Cook & Messman-Moore, 2018; Struckman-Johnson et al., 2003; McKie et al., 2020). As noted by the results produced by The Panel in our current study, it appears The Panel’s perceptions of sexual non-consent are in line with the literature on this topic.

Similarly, The Panel consistently noted the impact and need to speak to power dynamics and other coercive forces when examining sexual non-consent. These results are line with contemporary literature on sexual violence prevention that suggests the importance of power differentials in non-consensual interactions. Specifically, gender dynamics, sexual minority status, age, and intimidation have been noted as means of sexual exploitation in studies (Cook &

Messman-Moore, 2018; Rich, 1980; Struckman-Johnson et al., 2003). Thus, the results recorded from this study, lend support to the practice of integrating these concepts (i.e., power differentials and social dynamics) into sexual violence prevention at large. Furthermore, the results from the current study may lend to further exploration around the concepts of extraneous forces on the communication of sexual consent and sexual consent communication.

Interestingly, within our panel, there was some diversity in thought when comparing stakeholder groups. Within the MSM SHS group qualitative comments revealed differences in views of sexual non-consent that are not apparent in the quantitative data. In qualitative feedback to descriptions 11 and 15:

(11) "Non-consent is any sexual action that occurs that is not agreed upon, occurs with a power differential, one of the members is influenced by a substance, there is force, or finally that consent is withdrawn but the action continues." and (15)" … This can also include moments where an individual is unable to provide consent, such as when someone is drinking alcohol or is unconscious.".

In response to these descriptions, one MSM participant noted that for him, the use of substances, specifically alcohol, "does not automatically constitute sexual non-consent". The qualitative feedback provided by this MSM member aligns with documented literature regarding some sexual practices and beliefs within the MSM community regarding substance use during sexual intercourse (Giorgetti, 2017; McKie et al., 2020; Palamar et al., 2014). However, in contrast to this participant, other MSM participants within the current study noted the importance and centrality of substance use and "mental state" when considering sexual non-consent and the communication of sexual non consent. These conflicts regarding substance use and sexual consent and sexual consent communication practices, has also been an area of concern with

researchers and advocates within MSM communities (Abbey, 1987; McKie et al., 2020; Newcomb, 2014). Differences in these opposing opinions may reflect different cultural values within our Panel of MSM participants and potentially the MSM community itself. Furthermore, these differences may also reflect different values and preferences regarding those who engage monogamous relationships (as our Panel members overwhelmingly were in monogamous relationships) which has been noted in other studies to affect perception of sexual consent and its communication (Humphreys, 2007).

Nonverbal Sexual Consent Communication Behaviors

A novel element of the current study is the examination of nonverbal sexual consent communication behaviors, specifically the interpretation of nonverbal sexual consent behaviors. To the authors' knowledge, several studies exist examining the use of nonverbal sexual consent communication behaviors in college-aged population, but this is the first study to examine these behaviors outside of this group (Johnson & Hoover, 2015; Jozkowski & Humphreys, 2014). Initially participants reviewed and provided qualitative feedback regarding Beres et al.'s (2007) list of nonverbal sexual consent behaviors. Nineteen participants noted no changes or offered no additional feedback to the list of nonverbal behaviors. When examining those 19, proportionally MSM participants were less likely to offer no feedback when compared to their sexual researcher peers.

As alluded to earlier, demographics of those in the sexual researchers group largely identify as female compared to exclusively male-identified MSM group. This discrepancy in commentary, therefore, speak to trend differences between these two groups to utilize nonverbal sexual consent communication behaviors. These results seemingly support one trend in literature which the gendered difference in level of value placed on nonverbal sexual consent

communication behaviors by male-identified individuals when compared to female-identified individuals (Hall, 1998; Jozkowski & Peterson, 2013; King et al. 2020). Additionally, our results mirror information in literature which highlights specific nonverbal sexual consent communication behaviors observed within the MSM community. Particularly, several comments made by MSM participants reference behaviors such as: eyeing a partner, standing in a urinal for an unusually long time, flashing headlights, following a partner, leaving a shower door open, passing a partner multiple times while making eye contact. These behaviors are in line with well documented cruising behaviors which are common exchanges of nonverbal consent communication amongst MSM (Frankis & Flowers, 2009; Mckie et al. 2020). Thus, when taken together, the participation in offering nonverbal qualitative comments may offer additional. this split amongst participants is notable as noted previous sections they have largely been high levels of cohesion.

Nonverbal sexual consent communication behaviors were explored further in this study as The Panel was tasked with sorting the expanded nonverbal communication behaviors list into categories of usage. Current literature on nonverbal sexual consent communication behaviors is mixed, as it is often reported there are gendered (heteronormative) experiences of interpretation and subscription to use of nonverbal sexual consent communication behaviors to receive sexual consent (King et al.2020; Righi et al., 2019; Willis & Jozkowski, 2019). However, the enactment of nonverbal sexual consent communication behaviors to convey sexual consent is equally preferred by both males and females (Hall, 1998; Curtis & Burnett, 2017; Marcantonio & Jozkowski, 2020; Shumlich & Fisher, 2018). Thus, in the current study, twenty-nine nonverbal sexual consent communication behaviors were sorted among a Panel of 18 individuals and two SHS groups (sexual researchers and MSM). The nonverbal sexual consent communication

behaviors were sorted into six categories by the Panel (e.g., Consent Giving Behavior, a Consent Seeking Behavior, an Interchangeable Behavior, Ambiguous behavior, a Refusal behavior or an Unused Behavior). The Panel came to a level of agreement on 24 nonverbal sexual consent communication behaviors and their usage. Interestingly, only one behavior "*The behavior of distancing onself physically from a partner*", reached Major consensus with 95% of the panel noting this nonverbal communication behavior was a Refusal behavior. This finding is in line with much of the current literature on sexual consent communication (Marcantonio & Jozkowski, 2020).

As noted, much of the current literature on sexual consent communication behaviors note a gendered experience in the perception of and use of Sexual consent communication behaviors (King et al.2020; Righi et al., 2019; Willis & Jozkowski, 2019). Thus, when examining the data provided by The Panel, an examination of the possibility of gendered experiences of nonverbal sexual communication was done via the use of a chi square test of independence. Utilizing a chi square test of independence between two groups (Sexual Researchers and MSM [including 1 MSR]) no behaviors were determined to operate independently, meaning we were unable to reject the null hypothesis and thus it appears that an individual's identity did not impact their sorting of nonverbal sexual consent communication behaviors. However, when examining the data amongst three groups (Sexual Researchers, MSM, and MSR) four nonverbal behaviors were found to have a p value >.05 and thus the null hypothesis was able to be rejected. This again suggests that there may be more information to be explored when considering a larger more diverse group of individuals. Follow-up studies that take a more in depth look at how nonverbal consent behaviors are made and interpreted within the MSM community are warranted, as the current data seems to only begin to suggest that important differences exist in the areas

nonverbal sexual consent behaviors.

Overall, the implications of these results suggest what is largely documented in research in college-aged populations, that nonverbal sexual consent communication behaviors exist and are utilized by sexually active individuals (Humphreys & Brousseau, 2010; Humphreys & Herold, 2007; Jozkowski & Peterson, 2013; King et al. 2020). These results are also novel in the fact that the indicate while nonverbal consent behaviors are being used by a variety of individuals, and many of those behaviors were categorized were categorized similarly across both researchers (mostly female identified) and community members (mostly male identified). Additionally, only a small number of non-verbal consent behaviors were distinctly identified as overtly indicative of consent or non-consent (most other behaviors were identified as interactional or ambiguous). Consequently, the need to have communities explore just want particular non-verbal consent behaviors mean, and expanding the repertoire of those behaviors, may be an important next step in sexual consent research.

Strengths and Limitations

The current study boasts several strengths, including its mixed methodological approach to examining complex topics like sexual consent and sexual non-consent (Jorm, 2015). The use of open-ended questions, open and axial coding, as well quantitative measurements allowed for richer and deeper insight into the Panel's experience with these topics. Furthermore, the diverse make up of sexual orientations, gender identities, and ages, of participants of this study are unique to sexual consent research reviewed and should be considered a strength of this study.

While the study as several strengths, including strengths related to the Delphi method, it is not without limitations. For example, as with most elements of group consensus research, the current study was structured around a form of "group think". Thus, when considering such broad

ranging topics such as sexual consent, sexual non-consent, and nonverbal sexual consent communication behaviors, it becomes very important to note who constitutes that group. In the current study, there was a relative lack of racial, ethnic, consensually non-monogamous, and educational diversity amongst the participants, which certainly impacted the data and outcomes. This study also used a snowballing method of recruitment, and once identified participants had an option to nominate an individual who they felt also met criteria for inclusion. Therefore, the trustworthiness and generalizability of these results may be limited as there may be self-selection bias and an inadvertent silo as a result of the snowball methodology employed. Finally, this study looked at broad ranging topics, thus could have provided opportunities for deeper reflection on specific elements of this area. Specifically, participants could have explored nonverbal sexual consent communication behaviors in more depth had they had the opportunity to review and provide feedback to other participants sorting.

Implications for Violence Prevention and Practice

The findings of the current study have implications for a variety of stakeholders and future directions in research. First and foremost, the results of the current study demonstrate a surprising level of cohesion, even across participants of various educational, gender and sexual identities. Compared to past research, which suggests gender differences regarding views and experiences of sexual consent and sexual consent communication (Jozkowski & Peterson, 2013; King et. al, 2020; Peplau, 2003), the panel in this study showed high levels of cohesions across tasks. Taken together, the findings are intriguing and suggest there may be more benefits centered around this topic examining inter-group similarities around the concepts of sexual consent communication. This may be a result of the age or educational status of participants in this study, none-the-less these findings provide a platform to begin to consider what components

of sexual consent communication may be more common across communities, and which may be unique to specific communities.

Regarding the concept of sexual consent and sexual non-consent, the findings of this study bring about additional questions around what notions of sexual consent and sexual non-consent are held in esteem by individuals. Our panel showed some interest that the core notions of mutuality, lack of coercion, and ongoing consent were central across the Panel and other models of consent boasted in research (Soble, 2002). Also noteworthy is the absence of verbal consent communication behaviors as being the absolute in the consent communication process, especially regarding confirming sexual consent is present through the duration of an encounter. Furthermore, the notion of sexual non-consent is more than just a verbal "no" is apparent throughout the Panel members. Sexual non-consent in general, and non-verbal non-consent communication behaviors, warrants much more research—especially within and across communities. Studies that seek to understand how consent (and non-consent) are communicated non-verbally are imperative if we are to truly prevent sexual violence and promote sex positivity across communities. These studies are especially needed amongst underrepresented communities in psychological and violence prevention research including and not limited to: black, indigenous people of color (BIPOC), the educationally diverse including non-college, and the consensually non-monogamous.

This study also noted the impacts of sub-culture membership such as MSM may influence views in these two areas—as does previous literature in the area (Beres, & MacDonald, 2015; Frankis & Flowers, 2005; Pitagora, 2013). Further research within non-majority based, cultures may be warranted to help examine the impact of sub cultural behaviors on interpersonal scripts and intrapersonal beliefs related to sexual consent in the context of substance use and

non-monogamous sexual interactions. Providing safety standards, especially in the area recreation drug use, may also be an important point research agenda related to sexual consent.

Perhaps the most important, though incomplete, implication of this study is just how little is known and understood about non-verbal consent behaviors. Clearly, non-verbal consent behaviors are central to the lived experiences, and research understanding, of our Panel Members (both MSM and Researchers). There was also a significant amount of agreement about how to categorize specific non-verbal consent behaviors (e.g., consent-giving, consent requesting, ambiguous, non-consenting). However, because the amount of behaviors that were clearly categorized as consent-giving is extremely small, we argue that both research and community campaigns are need to provide better understanding and community norms in this area. In terms of research, we argue that it is imperative to gain knowledge on how people from different communities and identities give consent non-verbally, how that message received (encoded) by others, and how non-verbal consent encoding also differs by community, gender (and gender scripts; citation), and type of sexual interaction. It is only with better understanding, followed by intentional positive norm setting by community stake-holders, that we might make progress toward a more healthy sexual consent communication strategies. Furthermore, as this is overall a smaller subsection of a group, more follow up with larger and even more diverse participants is warranted.

Conclusion

In conclusion, the current study engaged in a consumer/expert exploration of sexual consent amongst two SHS groups: MSM and sexual researchers. The current study sought to add to the literature in this field, and particularly address a gap in the literature regarding an understudied and complex topic, sexual consent, sexual non-consent, and nonverbal sexual

communication behaviors. The findings of the current study reveal despite differing sexual orientations, gender identities, and experiences with sexual violence prevention literature, largely the Panel shared common views regarding these topics. Furthermore, the group was able to highlight the diversity of their views regarding sexual consent communication and specifically nonverbal sexual consent communication behaviors.

Literature supports education and conversation around sexual consent and verbal sexual consent communication behaviors are an effective means of supporting sexual violence prevention. However, the findings of the current study highlight the need to broaden the scope this conversation and encourage further research and attention to the presence and impact of nonverbal sexual consent communication behaviors in lived experiences of individuals. Furthermore, the complex results of this study highlight the need to work on and explore sexual consent communication practices with a wider variety of sexually active individuals to better understand these practices outside of the collegiate atmosphere.

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APPENDIX A

Contingency Tables For significant sorted nonverbal sexual consent communication behaviors during (SR x MSM x MSR) X^2

11. The behavior of letting a partner take one's clothes off. (NV)*						
SHS	Consent Seeking	Consent Giving	Interchangeable	Ambiguous	Declined to Sort	Total
1 SRS	2	0	1	2	0	5
2 MSM	7	1	2	2	0	12
3 MSR	0	0	0	0	1	1

X^2 Tests

	Value	Df	P
X^2	19.6	8	0.0012
N	18		

15. The behavior of helping a partner undress oneself. (NV)						
SHS	Consent Seeking	Consent Giving	Interchangeable	Ambiguous	Declined to Sort	Total
1 SRS	0	3	2	0	0	5
2 MSM	2	4	5	1	0	12
3 MSR	0	0	0	0	1	1

X^2 Tests

	Value	Df	P
X^2	22.6	8	0.004
N	18		

21. The behavior of touching oneself. (NV) *						
SHS	Consent Seeking	Consent Giving	Interchangeable	Ambiguous	Declined to Sort	Total
1 SRS	0	0	5	0	0	5
2 MSM	4	0	5	2	1	12
3 MSR	0	0	10	0	1	1

X^2 Tests

	Value	Df	P
X^2	13.5	6	0.036
N	18		

	23. The behavior of avoiding eye contact with a partner (NV)**						
SHS	Consent Seeking	Consent Giving	Interchangeable	Ambiguous	Declined to Sort	Refusal	Total
1 SRS	0		0	1	0	4	5
2 MSM	1		1	1	1	10	12
3 MSR	0		0	0	1	0	1

X^2 Tests

	Value	Df	P
X^2	18.9	6	0.004
N	18		