

Preventing and Responding to Campus Sexual Violence

Across the nation, concerns over the rate of sexual assault on college campuses have generated public interest, new federal regulations, and intense focus. In the interest of building collaborations and meeting both the spirit and the letter of the law, state coalitions across the nation are excited to partner with college campuses to bring awareness, training, and understanding to campus.

The Resource Sharing Project encourages state coalitions to be bold in taking leadership in this arena. We know survivors and campus communities need your expertise at the table.

PROBLEM:

20%
FEMALE
6%
MALE

students will experience **SEXUAL VIOLENCE** while in college

SOLUTION: Regulatory Compliance & Stronger Partnerships

Coalitions are able to assist campuses in:*

- Developing and implementing prevention programs
- Training for administrators, faculty, staff, and students
- Developing partnerships with rape crisis centers to provide support services to male and female survivors including 24-hour medical and legal accompaniment
- Technical Assistance
- Confidentiality

*all needs identified through the Campus SaVE Act of VAWA

Federal Responses to Sexual Assaults on Campus

Clery Act

- Requires campuses to disclose information about crime on and around their campuses
- Schools must afford victims of campus sexual assault certain basic rights
- Provisions dealing with registered sex offender notification and campus emergency response
- Protects crime victims, “whistleblowers”, and others from retaliation

Campus SaVE Act

- Passed in 2012 as part of Violence Against Women Act
- Amends the Clery Act and affords additional rights to victims
- Requires reports of domestic violence, dating violence and stalking on campus in addition to sexual assault
- Includes prevention requirements
- In April of 2014 a rule-making committee for the Campus SaVE Act reached consensus on the proposed rules, final rules go into effect July 2015

Title IX

- Prohibits sex discrimination in educational institutions that receive federal funding
- Sex discrimination includes sexual harassment and sexual violence since it creates a hostile educational environment
- Schools are legally required to respond and remedy hostile educational environments and failure to do so is a violation that means a campus could risk losing its federal funding

White House Task Force

- Created in January 2014
- Led by the Office of the Vice President and the White House Council on Women & Girls
- Released a report with multiple recommendations & resources for campuses to follow including a Model MOU for working with coalitions & rape crisis centers and strong confidentiality recommendations. They also launched www.notalone.gov as well as the “It’s On Us” Public Awareness Campaign focusing on bystander intervention

Responses from Congress

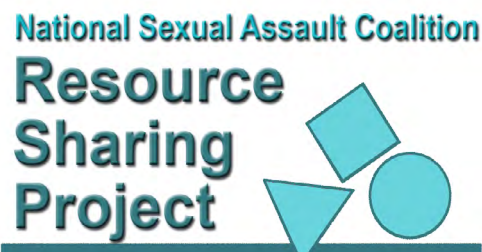
- Senator Claire McCaskill (D-MO) held roundtables during the summer to analyze the problem
- She along with Senators Kirsten Gillibrand (D-NY), Richard Blumenthal (D-CT) and additional co-sponsors introduced the Campus Accountability and Safety Act (S. 2692)
- Campus sexual assault issues might also be considered in the reauthorization of the Higher Education Act

What can advocates and coalitions do?

- Develop guidance for rape crisis centers on fee structures for training, prevention and services.
- Meet with and/or write governing boards such as boards of regents that oversee higher education institutions to discuss campus sexual assault policies as well as to offer training, prevention and services expertise.
- Provide an opportunity for campus-based advocates, women’s centers, and/or student anti-rape activist groups to network, build relationships with local programs, and/or attend trainings and conferences.
- Host a forum to discuss your state’s response to campus sexual assault. Include policy makers, advocates, student activists, and survivors.
- Help rape crisis centers and campuses create or strengthen task forces and response teams.

Resources

- The official government website on campus sexual assault: www.NotAlone.gov
- [Department of Education Office for Civil Rights](#) sexual violence resources and [information about schools with Title IX complaints](#)
- [National Alliance to End Sexual Violence](#) campus sexual assault policy documents
- [National Sexual Violence Resource center](#) campus resources
- The [Victim Rights Law Center](#) represents student survivors
- Ohio Alliance to End Sexual Violence Resource: “[Creating Change Together: A Guide for Rape Crisis Centers Partnering with Colleges & Universities](#)”
- Student Activist Groups [Know Your IX](#) and [End Rape on Campus](#)
- OVW Campus Grant TA Providers [California Coalition Against Sexual Assault](#) and [Mississippi Coalition Against Sexual Assault](#)



CAMPUS SEXUAL ASSAULT

One in 5 women and one in 16 men are sexually assaulted while in college (Krebs, Lindquist, Warner, Fisher, & Martin, 2007). The majority of these crimes (90%) on college campuses are never reported (Fisher, Cullen, & Turner, 2000). Several national initiatives are underway, including the White House Task Force to Protect Students From Sexual Assault and the *It's On Us* campaign, to change cultural norms and engage the campus community in prevention (White House Task Force to Protect Students From Sexual Assault, 2014).

STATISTICS

- Among college women, nine out of 10 victims of sexual assault knew the person who sexually assaulted them (Fisher, Cullen, & Turner, 2000).
- In a nationally representative survey of adults, 37.4% of female rape victims were first raped between ages 18-24 (Black et al., 2011).
- 27% of college women have experienced some form of unwanted sexual contact (Gross, Winslett, Roberts, & Gohm, 2006).
- 40% of colleges and universities reported not investigating a single sexual assault in the previous five years (U.S. Senate Subcommittee, 2014).
- 30% of colleges and universities offered no training on sexual assault to students nor law enforcement officers (U.S. Senate Subcommittee, 2014).
- 70% of colleges and universities did not have a protocol for working with local law enforcement (U.S. Senate Subcommittee, 2014).

- Of the self-reported perpetrators, 75% reported that they had used alcohol prior to their most recent perpetration incident. Incidents involving alcohol were much more likely to include attempted or completed rape than incidents without alcohol (Kingree & Thompson, 2014).
- Nearly two-thirds of college students experience sexual harassment, and less than 10% of these students tell a college or university employee (Hill & Silva, 2005).

CONSENT

Consent is understood as an affirmative agreement to engage in various sexual or non-sexual activities. Consent is an enthusiastic, clearly communicated and ongoing yes. One can't rely on past sexual interactions, and should never assume consent. The absence of "no" is not a "yes." When sex is consensual, it means everyone involved has agreed to what they are doing and has given their permission. Nonconsensual sex is rape. A person who is substantially impaired cannot give consent.

TITLE IX

According to the U.S. Department of Education, "Title IX of the Education Amendments of 1972 protects people from discrimination based on sex in education programs or activities which receive federal financial assistance." It states: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

For the purposes of Title IX, sexual violence falls under the definition of sexual harassment. The Office for Civil Rights (OCR) is responsible for enforcing Title IX and provides guidance to schools/agencies to assist them in complying with the law. If someone is a victim of discrimination, they may file a complaint with OCR under Title IX (U.S. Department of Education, 2014).

CLERY ACT

The Clery Act is a federal law enforced by the U.S. Department of Education that requires colleges and universities in the U.S. to disclose information about campus crime. As part of the law, schools must publish an annual security report, maintain a public crime log, release crime statistics, issue timely alerts about crime, implement an emergency response plan, and have procedures for handling missing persons cases.

CAMPUS SEXUAL VIOLENCE ELIMINATION (SAVE) ACT

In March 2013, the Campus Sexual Violence Elimination (SaVE) Act was signed into law as part of the Violence Against Women Act (VAWA)

Reauthorization. The SaVE Act is an amendment to the Clery Act and requires that all institutions of higher learning must educate students, faculty, and staff on the prevention of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking. This legislation increases standards of campus response, disciplinary proceedings, and prevention education.

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WHAT IS CAMPUS SEXUAL VIOLENCE?

Preventing sexual violence on campus takes more than one department, office, club, team, administrator, professor, staff member, or student. It takes all of us, working together in big and small ways. Everyone can play a role in creating safety, equality, and respect on campus.

What is sexual violence?

Sexual violence occurs when someone is forced or coerced into unwanted sexual activity without agreeing or consenting. Reasons someone might not be able to consent include:

- fear
- being underage
- having illness or disability
- incapacitation due to alcohol and other drugs

Consent initially can be given and later be withdrawn. Sexual violence is a crime that comes in many forms, including forced intercourse, sexual contact or touching, sexual harassment, sexual exploitation, and exposure or voyeurism.

Sexual violence is never the victim's fault. It does not matter what the victim is wearing or doing, whether the victim has been drinking, or what type of relationship the victim has with the person who is sexually abusing them.

Sexual violence on campus

- One in five women will be a victim of completed or attempted sexual assault while in college. (Krebs, Lindquist, Warner, Fisher, & Martin, 2007)
- One in 16 men will be a victim of sexual assault during college. (Krebs et al., 2007)
- Among college women, nine out of 10 victims of rape and sexual assault knew the person who assaulted them (Fisher, Cullen, & Turner, 2000)

- More than 90% of sexual assault victims on college campuses do not report the assault (Fisher et al., 2000)
- 40% of colleges and universities reported not investigating a single sexual assault in the previous five years (U.S. Senate Subcommittee, 2014)

What is affirmative consent?

Consent is understood as an affirmative agreement to engage in various sexual or nonsexual activities. Consent is an enthusiastic, clearly communicated and ongoing "yes". One can't rely on past sexual interactions and should never assume consent. The absence of "no" is not a "yes." When sex is consensual, it means everyone involved has agreed to what they are doing and has given their permission. Nonconsensual sex is rape. A person who is substantially impaired cannot give consent.

Understanding "Title IX"

According to the U.S. Department of Education (2014), "Title IX of the Education Amendments of 1972 protects people from discrimination based on sex in education programs or activities which receive federal financial assistance. Title IX states: No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance (para. 1)."

For the purposes of Title IX, sexual violence falls under the definition of sexual harassment. The Office for Civil Rights (OCR) is responsible for enforcing Title IX and provides guidance to schools/agencies to assist them in complying with the law. If someone is a victim of discrimination, they can file a complaint with OCR under Title IX (U.S. Department of Education, 2014).

What is the Clery Act?

The Clery Act (2008) is a federal law enforced by the U.S. Department of Education that requires colleges and universities that receive financial aid in the U.S. to disclose information about campus crime. As part of the law, schools must publish an annual security report, maintain a public crime log, release crime statistics, issue timely alerts about crime, implement an emergency response plan, and have procedures for handling missing persons cases.

New legislation: the Campus Sexual Violence Elimination (SaVE) Act

In March 2013, the Campus Sexual Violence Elimination (SaVE) Act was signed into law as part of the Violence Against Women Act (VAWA) Reauthorization. The SaVE Act is an amendment to the Clery Act and requires that all institutions of higher learning must educate students, faculty, and staff on the prevention of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking. This legislation increases standards of campus response, disciplinary proceedings, and prevention education.

Resources

- **National Sexual Violence Resource Center:** www.nsvrc.org

- **Clery Center for Security on Campus:** www.clerycenter.org
- **It's On Us:** www.itsonus.org
- **Not Alone:** www.notalone.gov
- **Know Your IX:** www.knowyourix.org
- **SAFER (Students Active For Ending Rape):** www.safercampus.org
- **American College Health Association:** www.acha.org
- **Victim Rights Law Center:** www.victimrights.org

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PREVENTION IS POSSIBLE

Sexual violence is a widespread problem, but the good news is it is preventable. Prevention requires many voices and roles. There are many ways individuals, communities, and the private sector can take action to promote safety, respect, and equality.

What is prevention?

Prevention aims to stop sexual violence before it has a chance to happen. It is possible to create communities where everyone is treated with respect and equality. This can be done by promoting safe behaviors, thoughtful policies, and healthy relationships.

Prevention strategies that address the root causes and social norms that allow sexual violence to exist in the first place are the most effective. This means making the connection between all forms of oppression (including racism, sexism, homophobia, ableism, adultism, ageism, and others). Oppression creates a culture in which inequality thrives and violence is seen as normal.

Many communities are already reducing the risk of sexual violence through efforts that promote safety, respect, equality, and accountability.

Understanding the role of oppression

All forms of oppression contribute to sexual violence. Oppression condones violence, uses power over others, and excuses unfair treatment and harm. Consider how sexism, racism, and transphobia are used to silence violence and abuse. What are other examples?

Prevention is everyone's responsibility.

What you can do

As individuals, all of us have a role to play in creating safe environments. We can all:

- Intervene to stop problematic and disrespectful behavior
- Promote and model healthy attitudes, behaviors, and relationships
- Believe survivors and assist them in finding resources

What communities can do

Communities and organizations also have a role to play in serving as leaders on this issue by:

- Creating and strengthening policies to promote safety, equality, and respect
- Assessing the risks in their environment
- Promoting respectful behaviors
- Providing support for survivors
- Holding those who harm others accountable and ensuring that appropriate treatment options are available

What businesses can do

- Promote prevention and support for survivors through policies and education

- Model healthy attitudes and relationships with clients and consumers
- Promote positive messages and behaviors through marketing campaigns and advertising content
- Invest funding to make sexual violence prevention a social responsibility priority

Examples of prevention in action

Employers, schools, and community settings can create proactive policies to promote a safer environment. For example:

- Conduct trainings on how staff can contribute to positive workplace norms through bystander intervention
- Display prevention messages and promote community resources at your school or business
- Find resources to learn more about prevention efforts and get involved

Be a part of the solution

The time for prevention is now. Join us in promoting safe behaviors, thoughtful policies, and healthy relationships. Your efforts are important and necessary. Together, we can create safe and equitable communities where every person is treated with respect.

Where can I learn more?

Local sexual assault centers can provide help. In crisis situations, contact 1-800-656-4673. For more information, visit www.nsvrc.org.



WHAT IS SEXUAL VIOLENCE?

Sexual violence happens in every community and affects people of all genders and ages. The impacts of sexual violence affect individuals, families, communities, and society as a whole. But prevention is possible. Together, we can change the conditions that contribute to sexual violence. You can learn the facts about sexual violence and play an active role in changing misconceptions.

What is sexual violence?

Sexual violence is any type of unwanted sexual contact. This can include words and actions of a sexual nature against a person's will and without their consent.

Consent is voluntary, mutual, and can be withdrawn at any time. Reasons someone might not consent include fear, age, illness, disability, and/or influence of alcohol or other drugs.

A person may use force, threats, manipulation, or coercion to commit sexual violence. Anyone can experience sexual violence, including children, teens, adults, and elders. Those who sexually abuse can be acquaintances, family members, trusted individuals, or strangers.

Forms of sexual violence

- Rape or sexual assault
- Child sexual assault and incest
- Sexual assault by a person's spouse or partner
- Unwanted sexual contact/touching
- Sexual harassment
- Sexual exploitation and trafficking
- Exposing one's genitals or naked body to other(s) without consent
- Masturbating in public
- Watching someone in private acts without their knowledge or permission

Facts about sexual violence

Sexual violence affects people of all genders, ages, races, religions, incomes, abilities, professions, ethnicities, and sexual orientations. There is a social context that surrounds sexual violence: oppression and social norms that allow for sexism, racism, and other forms of inequality are all contributing factors.

- Nearly 1 in 5 women in the United States have experienced rape or attempted rape some time in their lives (Black et al., 2011).
- In the United States, 1 in 71 men have experienced rape or attempted rape (Black et al., 2011).
- An estimated 32.3% of multiracial women, 27.5% of American Indian/Alaska Native women, 21.2% of non-Hispanic black women, 20.5% of non-Hispanic white women, and 13.6% of Hispanic women were raped during their lifetimes (Black et al., 2011).
- Nearly 1 in 2 women and 1 in 5 men have experienced sexual violence victimization other than rape at some point in their lifetime (Black et al., 2011).

Victims often know the person who sexually assaulted them.

People who sexually abuse usually target someone they know – a friend, classmate, neighbor, coworker, or relative.

- Nearly 3 out of 4 adolescents (74%) who have been sexually assaulted were victimized by someone they knew well. One-fifth (21.1%) were committed by a family member (Kilpatrick, Saunders, & Smith, 2003).
- In 2005-10, about 55% of rape or sexual assault victimizations occurred at or near the victim's home, and another 12% occurred at or near the home of a friend, relative, or acquaintance (Planty, Langton, Krebs, Berzofsky, & Smiley-McDonald, 2013).

Victims are never at fault.

It doesn't matter what someone is wearing or how they are acting, victims are never to blame. A person may use force, threats, manipulation, or coercion to commit sexual violence. An absence of injuries to the victim does not indicate consent.

Rape is often not reported or convicted.

Many victims who do report a rape or sexual assault find that there is no arrest or conviction.

- The majority of sexual assaults, an estimated 63%, are never reported to the police (Rennison, 2002).
- The prevalence of false reporting cases of sexual violence is low (Lisak et al., 2010), yet when survivors come forward, many face scrutiny or encounter barriers.

There are many reasons why someone may choose not to report to law enforcement or tell anyone about an experience. Some include:

- Concern about not being believed
- Fear of the attackers getting back at them
- Shame or fear of being blamed
- Pressure from others not to tell
- Distrust of law enforcement
- Belief that there is not enough evidence
- Desire to protect the attacker

Sexual violence is preventable.

We can all help create a culture of empathy, respect, and equity. Prevention starts with challenging victim-blaming and believing survivors when they disclose. In your personal life, you can model supportive relationships and behaviors and speak up when you hear sexist, racist, transphobic, or homophobic comments. Each of us is essential in challenging harmful attitudes and the societal acceptance of rape.

Help is available.

Local sexual assault centers can provide help. In crisis situations, contact 1-800-656-4673. For more information, visit www.nsvrc.org.

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