

# NAVIGATING SEXUAL ASSAULT

ON COLLEGE CAMPUSES



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# A NOTE FROM THE FOUNDER

## WELCOME

The aftermath of sexual assault is a weight no one ought to carry. While sexual abuse and assault occurs in many contexts, its prevalence on college campuses has increased rapidly in recent years.

Universities are aware, and have put forth mixed efforts geared toward prevention and appropriate safety measures. Nonetheless, students, parents, and educators continue to express confusion about how to address this rampant, and devastating social and relational travesty.

If you have endured sexual assault on campus, we hope the information in this paper provide some resources, and at the very least, assurance that you are not alone.



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# INTRODUCTION

Crime statistics on sexual assault are exceedingly high in today's society as a whole, let alone on college campuses. For starters, studies show that 26% of women are sexually assaulted in college.

It is important to bear in mind that in 2016, the Department of Justice disclosed that 80% of sexual violence cases go unreported, making sexual assault the most underreported crime. This very fact alone makes these statistics increasingly difficult to think about, as 23% of the nonbinary community reports sexual violence on campus while men report 7%.

Moreover, research shows one in five women and one in sixteen males will be survivors of sexual assault after college. With that said, it's not surprising that many published experts argue sexual violence on campus to be a public health crisis. What is shocking, however, is that the same societal factors that initially gave rise to this crisis still have not drastically shifted today, some of which include: college binge drinking, traditional gender roles, relaxed sexual assault legislation, sexually objectifying women in media, and slut-shaming.

In fact, not only do these societal attitudes, beliefs, and stigmas foster the prevalence of sexual assault on college campuses, they also contribute to the exact barriers survivors often face. For example, Wisconsin's Department of Health Services argued that social norms such as objectifying women and normalizing violence are parts of our society that serve as barriers for sexual assault.





Subsequently, these factors facilitate the disparity in the number of reported and unreported cases.

Unfortunately, if we preserve these narratives any longer, we will continue to minimize and belittle survivors' trauma on an individual scale, all while normalizing sexual assault on a national scale.

As a result, little to no progress will be made, which must be corrected immediately. The following will explore these societal factors, the most impactful barriers to reporting, where our current sexual assault legislation stands, preventative measures, and resources for survivors.



Only through the presentation of statistics, influential social norms, history, and the law can we as a society begin to move beyond pathologizing survivors to truly supporting, validating, and providing them with justice.





## ALCOHOL + SEXUAL ASSAULT IN COLLEGE

One of the most influential social norms that foster sexual assault on college campuses is alcohol abuse. It's no secret that college students like to excessively party, although both the short-term and long-term effects of alcohol don't go unaddressed either. Sadly, this culture of college drinking normalizes and supports binge drinking through the prevalence of university-affiliated Greek organizations and the lackadaisical alcohol disciplinary policies put in place by administration—both of which greatly impact how frequently sexual assault occurs on campus.

Alcohol abuse in college has never been given the proper attention, education, nor prevention it so rightfully deserves. In fact, some postulate this to be true as those with administrative power often choose to overlook the harsh truths of alcohol abuse to avoid taking liability for subsequent crimes on campus. Unfortunately, without taking liability, higher education institutions fail to protect their students and thereafter send a message that supports sexual violence on campus.

Research suggests that someone is more likely to get sexually assaulted if there is alcohol present, as alcohol weakens a drinker's cognitive, emotional, and physical abilities. This leaves their levels of functioning—including one's perception, motor skills, and judgement—in a compromised state. That being so, perpetrators under the influence tend to become more aggressive. On the other hand, victims under the influence tend to become less fit to escape danger, heavily linking alcohol to college sexual assault.



As if alcohol abuse among college students wasn't problematic enough, it is important to consider how the Greek system precipitates the presence of the college drinking culture. While Greek organizations symbolize traditional sisterhood & brotherhood for many, they serve as a stamp of approval to binge drink for others. Of course, it is unfair to say that fraternities endorse sexual misconduct because they do not strictly regulate members' alcohol use, they're certainly not taking proper nor substantial precautions to restrict it.

Fraternities all over the country throw parties and events for others in Greek life to attend and they most always include young adults drinking. Consequently, many consider fraternity parties to be breeding grounds for sexual assault, which research corroborates. For example, members of sororities are 74% more likely to encounter rape and sexual misconduct compared to women who are not a part of Greek life.

Likewise, there is evidence to support that fraternity members have a greater record of perpetrating sexual assault relative to those not in fraternities. Thus, it has been a subject of intense debate whether colleges and universities that have access to such data should be held accountable for enabling Greek life involvement.



## DISCLOSING SEXUAL ASSAULT ON CAMPUS

There are many barriers to disclosing sexual assault in college. Actually, research shows that some of the same barriers that existed 30 years ago still exist today. As addressed above, this is likely because the very traditional ways in which our society treats women, normalizes violence, and imposes rigid gender norms, in turn, amplifies these barriers to reporting. Further, since these social norms have never been addressed or fixed systemically, they continue to be a problem.

While there are many different types of barriers that survivors can come across when choosing to report or not, the following will address only the most common ones faced by survivors of all genders. This will aid in our society's ability to identify barriers and understand how they formed. Only through this recognition and awareness can our society effectively begin mitigating and dismantling these barriers, subsequently encouraging survivors to take legal action and holding perpetrators to the fullest extent of the law.



## distrust of the criminal justice system

One barrier that survivors of sexual assault may face is the fear that the criminal justice system will fail them. This fear is quite rational considering the Rape, Abuse & Incest National Network (RAINN) reports that 955 perpetrators out of every 1,000 will not be incarcerated. More importantly, however, some distrust the system since there have been many past scandals in which colleges and universities covered up cases of sexual assault to satisfy ulterior motives. These scandals most commonly arose when the assailant was a bread winning student athlete or acclaimed professor—influencing universities to place importance on protecting their influx of capital and reputation over their students' wellbeing and safety. As a matter of fact, 458 cases of sexual assault were mishandled at an institutional level from 2011 to 2018. These scandals show survivors how the systems put in place to protect them may actually betray them, which discourages survivors from coming forward and taking action.

## avoidance of re-traumatization

Another type of barrier that inhibits survivors from coming forward is the avoidance of re-traumatization. Survivors commonly confront this barrier in attempts to protect their emotional wellbeing from being further damaged during the legal process. While every survivor may present different ways in which trauma has impacted their lives, feelings of shame and guilt are some of the most universal and instinctive emotional responses. This likely occurs as many survivors typically report feeling humiliated if they climaxed during the assault or, more commonly, embarrassed if they could not escape it. Since the legal process lacks trauma-informed protocol, survivors may be forced to relive the trauma throughout the entirety of the investigation.

However, frequently revisiting the trauma can not only increase the likelihood of short-term emotional disturbances, such as flashbacks, but can also induce long-term implications for survivors like the development of PTSD. In fact, more than 75% of survivors in one study reported not coming forward to avoid further psychological turmoil than already experienced—clearly illustrating how serious the avoidance of re-traumatization is to reporting and recovery as a whole.

### fear of victim blaming

Sadly enough, many survivors who do come forward are victim blamed, which is one of the most damaging barriers in our society. Victim blaming can be identified when someone believes that the survivor did, said, or wore something that provoked the assault. Some examples of victim blaming include questions such as “don’t you think you should have drunk less” “what were you wearing” “were you being flirty” “why didn’t you come forward earlier?” As previously mentioned, the psychological impacts of trauma alone can be very painful and profound. Thus, questioning or blaming a survivor makes those impacts far more difficult to work through. In addition, victim blaming often prompts survivors to further question their own perception, autonomy, and ability to defend themselves. This may increase psychological distress, impact future relationships, and ultimately prevent survivors from coming forward. No survivor did, said, or wore anything to have asked to be abused, and they should be treated and respected as such.



## fear of not being believed

Similarly, to victim blaming, disbelieving a survivor is another most common and damaging barrier to sexual assault. Although there is only 2%-10% chance of a false accusation, survivors of sexual assault are likely to encounter skepticism when opening up about their trauma. Even though the false accusation rates of sexual assault align with false claims of other violent crimes, survivors of other crimes are not nearly met with the same doubt and suspicion that survivors of sexual assault experience.

Being met with disbelief from those who survivors choose to confide in is problematic enough, regardless of the fact that it also applies to those in power. Reports show that a large number of survivors who came forward explained how in hindsight, they would have kept quiet because they were met with disbelief from police officers. This shows how those in power continue to intensify traditional social norms, which does not set a progressive example for the rest of our society. Therefore, the frequency of disbelieving survivors' pressures individual them to keep their trauma private, which continues to discourage reporting on a national scale.





## WHAT ARE UNIVERSITIES DOING ABOUT SEXUAL ASSAULT?

After identifying key societal factors and barriers to reporting, it is helpful to understand how colleges and universities respond to sexual assault today. Commonly understood as ensuring equal access to athletic scholarship opportunities in the National Collegiate Athletic Association, Title IX is a law that governs much more. When it was first put into effect in 1972, Title IX served to protect against sex-based discrimination in any institution that was federally funded. However, Title IX's legislation failed to address sexual harassment for many years until two cases of sexual misconduct in schools hit the Supreme Court. The Department of Education's Office for Civil Rights argued against the court's decision with stricter parameters but made little progress to implement them.

It wasn't until 2011, when the Obama administration announced the first concerted set of regulations against sexual harassment, specifically targeting college campuses, such as new standards for evidence and thorough university jurisdiction parameters. Indeed, the scholarly conversation experienced a surge of attention and discourse illustrated by a nearly 2,000% increase in published literature on rape culture. Much of Obama's work, however, was reconsidered in 2017 when the Trump administration rescinded several of his Title IX regulations.

A year after pulling his most salient regulations, The U.S. Secretary of Education, Betsy DeVos, opened the first formal notice-and-comment process since 1997 and released a draft of the new revisions. The new protocol, as described below, was met with extreme controversy and the Office of Civil Rights took over a year to review 124,000 public comments on the issue. The Department of Education passed the new regulations in 2019 and placed them into effect on August 14th, 2020.

One of the new regulations pertains to what may be used as evidence for investigations of sexual assault. Under Obama's administration, college Title IX coordinators were prompted to use the preponderance of evidence standard when investigating sexual assault cases. This regulation favored the survivor when making the closing decision, if they were able to provide enough evidence to show that the accusation was more likely to be true than not. Some find it helpful to think about the preponderance of evidence standard as being met if enough evidence is provided to show there is greater than a 50% chance that the claim is true.

Obama's administration implemented this relatively low burden of proof to help lessen the degree to which survivors would be re-traumatized during the grievance process and subsequently increase the chances of assailants being found guilty. However, Trump's administration edited this rule as a result of many who argued false convictions. Trump's new revision allows schools to decide if they want to use the preponderance of evidence standard or the more demanding clear and convincing evidence standard during investigation.

The latter means that the survivor must provide enough evidence to show that the accusation was substantially more likely to be true than untrue. So, if schools choose to enforce the clear and convincing evidence standard, they will increase the threshold for stronger and more compelling evidence. Although the U.S. Department of Education's Office of Civil Rights argues these new regulations were established to protect both the assailant and the survivor equally, many feel this adjustment alone protects perpetrators from getting convicted more than it supports survivors in getting justice—as this heightened burden of proof may be difficult for survivors to meet.

Additionally, the second most shocking revision to Title IX places limitations on what colleges and universities may be required to address. This means that any complaint of rape or sexual assault that occurs on university-owned property must be attended to following proper Title IX protocol. However, anything that occurs beyond the university's jurisdiction may be handled in any way the university sees fit, which includes off-campus housing, abroad programs, and cases that don't exactly fit Title IX's definition of sexual harassment.



Although university-owned property does include some Greek life housing, making this rule sound very effective in theory, many Greek organizations actually have separate privately owned satellite houses in which their parties most commonly take place. Thus, in reality, this rule will only further intensify barriers to reporting, as colleges and universities won't be required to handle cases that arise at most of the fraternity party sites. In fact, some schools, like [Princeton](#), have retaliated against this regulation by implementing a new policy for handling sexual misconduct that falls beyond the scope of Title IX's regulations.

Furthermore, the new regulations do not require Title IX coordinators to file a formal complaint even after receiving multiple accusations against the same person; nor do they require a specific time frame for investigation, which both served as proper Title IX protocol requirements under Obama's administration. This again makes people believe these new regulations will far more protect assailants rather than survivors, which completely goes against Trump's reasoning for revising Title IX in the first place.

Similarly, to everyone else suffering from COVID-19, colleges and universities were already forced to adapt to Tele-Education and these unforeseeable times. As a matter of fact, [18 attorney generals](#) pushed for a delay in the enactment of Title IX's new rules, declaring that they had limited time to adjust, restructure, and implement. However, the Department of Education quickly declined this request, thereby forcing colleges to comply with the new rules of Title IX—over a [2,000 page document](#)—adding another level of uncertainty to faculty, students, and parents. Schools only received three months to implement these Title IX alterations amid drastic changes to education pedagogy and widespread uncertainty regarding the COVID-19 pandemic and a dynamic social justice landscape.



## PREVENTION OF SEXUAL ASSAULT IN COLLEGE

As stressed above, effective prevention of sexual assault must address the societal factors that contribute to it. The Center for Disease Control and Prevention (CDC) confirms this idea, by arguing that the only way to see a national decrease in sexual assault cases is to culturally shift our society. This shift should occur at an institutional level, rather than solely trying to prevent sexual assault at an individual one, which is how our country's method of prevention has taken form thus far. Therefore, it's understandable why our country still has not seen the drastic, meaningful, nor systemic change that so desperately needs to occur.

In fact, to effectively implement this holistic cultural shift, the CDC and the American College Health Association (ACHA) recommend that higher education institutions adopt an ecological model of prevention—one that not only enforces cohesive and evidence-based preventative measures as a society, but as organization, communities, and individuals as well. Some of these preventative strategies proposed

by the CDC include: bystander intervention and healthy skill development at an individual level, sex-positive education and addressing hyper-masculinity norms at a relational level, promoting safety and identifying danger zones on campus at a community level, and increasing efforts to reduce binge drinking and strengthening implementation of reporting on & off campus at a societal level.

Further, the CDC stresses that in order for this cultural shift to be effective, colleges and universities must require frequent, comprehensive, and repetitive exposure to prevention programs. Instead of just requiring students to complete one prevention education course with their admissions as freshmen, colleges must mandate ongoing and multifaceted prevention education throughout the entirety of one's college experience.

Hopefully, with the CDC and ACHAs' guidelines addressed above; we will finally see the highly urgent changes that have gone unaddressed for far too long.



# GETTING HELP

Since there is a huge accessibility problem and lack of resources in our society to help survivors of sexual assault, they often have to find them on their own. That being said, the most effective way to access resources on college campuses would be to contact your schools Title IX coordinator. Every school is required to have one, and they should be equipped to point you in the proper direction for whatever concern you're seeking help for. Alternatively, those who work in your schools Office of Equal Opportunity and Affirmative Action, should likely be able to help too, in case the Title IX coordinator is unavailable.

However, if your school has failed to provide said resources, you may want to look to other organizations who provide resources to survivors. RAINN is one of those organizations, which is the largest anti-sexual misconduct organization. Not only does RAINN offer resources and services to survivors, including having a sexual assault hotline, offering online chat options, and providing funding to prevent against sexual violence, they also do an amazing job at educating the masses. RAINN's hotline can be reached at 800-656-HOPE (4673), which will give you free access to invaluable resources at any time of the day. However, perhaps the best resource is the National Sexual Violence Resource Center, as it has a directory of all resourceful organizations available for survivors divided up by each state. This directory can be found at <https://www.nsvrc.org/organizations>, and should be utilized fully.





## MEET THE AUTHOR

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### QUESTIONS?

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*"Everyone deserves a safe,  
empowered, and  
pleasurable relationship  
with sex."*

DR. KATE BALESTRIERI