Recommendations to the White House Task Force to Protect Students from Sexual Assault

Submitted by PCAR/NSVRC

TRAUMA-INFORMED PROTOCOLS AND PRACTICE

Trauma-informed systems are anchored by an understanding of the many roles that violence can play in a person's life, with every aspect of the system informed by this understanding (Harris & Fallot, 2001). In a trauma-informed response system, victims are viewed holistically, in the context of their cultural and community identities and experiences; their strengths are valued; and their decisions are respected.

A trauma-informed response system offers choices and flexibilities to survivors of sexual violence and honors the fact that every survivor has unique sources of resilience. A trauma-informed approach does not dictate a specific path that should be taken, but rather offers a range of options and honors survivors as experts in their own lives and choosing what is best for them.

Some survivors may want the perpetrator to be held accountable through campus judicial or criminal justice processes; others may want to change their housing and class schedule so they do not have to see the person who assaulted them on a regular basis; still others may want counseling and support and no other action taken. A trauma-informed system honors the many priorities and preferences that survivors have.

Currently, there appears to be a confidentiality crisis on college campuses, resulting in victims' confidentiality being violated. We are hearing that campuses are unintentionally misinterpreting and perhaps overwhelmed by the intersections of Title IX, Campus SaVE Act, the Dear Colleague letter, Clery Act, and other legislation pertaining to campus sexual assault. This lack of clarity and consistency has compromised many institutions' ability to respond to, investigate, and prevention sexual assault on campus in a way that affirms all members

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of the campus community (Karjane, Fisher, & Cullen, 2002).   Based on technical assistance requests, PCAR and the NSVRC are finding that campuses seem to be on both ends of the spectrum with regards to reporting campus sexual assault: reporting everything regardless of the factors and violating victims' confidentiality, or reporting nothing and violating their legal and ethical obligations.

It seems that some campuses are reluctant to disclose the actual numbers of sexual assaults that occur out of fear that enrollments will decline. It is not uncommon for numbers of sexual assault reports to increase following sexual assault training and policy development. While initially alarming for campus communities, it does not mean that numbers of sexual assaults are going up, necessarily, but that students feel more comfortable and supported in reporting and accessing institutional support. This can be a positive outcome. It can mean that systems are in place among peer groups, among RAs, university staff, and others to support victims and survivors in getting the help they need and deserve.

Additionally, in an effort to bring a "balanced" approach to investigation, institutions will often err on the side of leniency for respondents, or the person whom an allegation or compliant has been filed against. Victims will often be subjected to mediation or facing their assailant with no support person present. Being victim-centered or trauma-informed is not creating a system that is inherently biased or unbalanced – it is a proactive step toward creating a responsive and effective sexual assault policy.

Further, we are hearing that confidentiality is often compromised due to role confusion or duality. For example, Resident Advisors (RAs) are often seen as peers by students, yet as mandated reporters by the institution. Victims may feel comfortable disclosing to RAs, yet not want an official report to be made, or for anyone else to know what happened. However, RAs may be required to make a report, per campus policy/procedures.

When it comes to student knowledge and awareness of policies, many studies have found that students are unaware of institutional policies and/or are not empowered to engage in discussions about policy (Hayes-Smith & Levett, 2010; Karjane et al., 2002; Students Active for Ending Rape [SAFER], 2013; SAFER & V-Day, 2013). These studies point to a need for greater student empowerment and policy involvement

surrounding sexual violence prevention and response.

Sexual violence impacts individuals of all genders, abilities, socioeconomic status, religions, and racial or ethnic groups, however; research and efforts have historically explored the experiences of white female survivors. Male college students are less likely to report an assault or incident to campus systems or reach out for formal support (Banyard et al., 2007; Walsh, Banyard, Moynihan, Ward, & Cohn, 2010). Institutions may not be responding to the needs of students with disabilities, students who identify as lesbian, gay, bisexual, or transgender (LGBT), or students from various racial and ethnic groups (Karjane et al., 2002). There may also be concerns for linguistically isolated or English as a Second Language (ESL) students; campus support services may not be available in their preferred language.

Recommendations:

• **Institutional policies and protocols to address sexual assault:** Campuses develop trauma-informed response systems that are informed by the strengths and needs of survivors and the role that sexual trauma plays in campus culture. Such systems should protect the confidentiality, dignity, and rights of every survivor regardless of other factors such as whether or not they used alcohol, etc. A trauma-informed system has victims and survivors at its center.

   • *Coordination and collaboration:* It is critical that campuses work with sexual assault subject matter experts at community-based rape crisis centers and coalitions against sexual assault. These programs are informed by knowledge and skills developed in the sexual violence movement over four decades.

   • *Recruitment and admissions:* Campuses should communicate strong messages about sexual violence having no place in the campus culture and community early with prospective and enrolled students and expectations around bystander intervention and other promising prevention approaches. Early messages from the university should include resources and information for survivors and convey a compassionate and caring approach.

   • *Crisis intervention and advocacy services:* A 24-hour hotline should be made available to everyone in the campus community as a way to reach out for assistance. All counselors, advocates, and support staff

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should be trained in trauma-informed approaches and feel confident in these skills.

• *Victim notification:* The Campus SaVE Act establishes accommodations for students who are sexually assaulted to address possible needs around housing, employment, class schedules, and other aspects of campus life. These accommodations are critical and may play a powerful role in a survivor's healing process and ability to stay in school following an assault. However, these options are only beneficial if students know about them before an assault occurs. Notification of these accommodations and options should be written into policy and made accessible, available, and repeatedly offered to all students during enrollment, orientation, through Resident Advisors, counselors, health providers, and other venues. Additionally, it is critical that these options be explored with the help of a skilled advocate who can walk students through the possibilities and help them in accessing what they feel is best for them.

• *Complaint and grievance procedures:* Offer a variety of options for reporting (e.g. anonymous) with detailed guidance or institutions regarding compliance with laws.

• *Investigation protocols:* Students who come forward should be offered advocacy services before being asked about an investigation or formal process. Victims should be referred to supportive services protected by privilege/confidentiality statutes, such as community-based sexual assault crisis center staff. There should also be a streamlined evidence and information collection process to prevent a survivor from repeating the experience multiple times.

• *Disciplinary sanctions:* Offender treatment should be a priority for campuses, ensuring that students who sexually offend receive the help they need to prevent recidivism. Too often, student offenders transfer, are required to relocate to a different dorm, or change their class schedule; this, unfortunately, does not prevent them from re-offending.

• *Responding to diverse, underserved, or historically marginalized victims:* A trauma-informed process also recognizes how oppression and inequality can compound the experiences of victims. Thoughtful consideration and intentional language can help place the needs of underserved communities at the forefront.

• Policy guidance needs to be clear regarding sexual assaults and harassment that occur between students of the same (perceived) gender, as well as sexual harassment of gender non-conforming students.

• Institutions can be strongly encouraged to set aside funding for interpretation by trained professionals or community resources for students who have a language preference other than English. Policies should be available in the language(s) other than English that are most often spoken in the campus community. These should be also posted online.

• Support services should be designed and marketed in a way that responds to the needs of underserved students (e.g. support services for LGBT students).

• **Certification training program for Title IX:** All campuses staff Title IX Coordinators and institutions are given guidance on how the role of this individual differs from survivor support, student conduct investigators, campus security, and additional institutional systems already established. This position compliments the role of various campus departments and processes, but has specific topic areas and projects.

• Title IX Coordinators should complete a certification program to ensure they are adequately trained to respond to victims and survivors in a trauma-informed way.

• Furthermore, Title IX Coordinators and the individuals involved in investigation and campus adjudication should receive thorough and on-going training in perpetrator behavior as well as perceived counter-intuitive responses in survivors of sexual violence.

• **Training for First Responders:** First responders (e.g. campus security officers), staff, faculty, and administration should receive mandatory, consistent, and adequate training and support to fully implement the spirit of that law. Some trainings and information sessions can be web-based, but in-person skill-building should be a priority.

• Further, ethical practice requires that RAs and other campus personnel have clearly defined roles and that informed consent occurs before students disclose personal – and possibly reportable – information.

• **Researching interrupted education among survivors:** Campuses should develop a system for tracking, responding to, and preventing

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student withdrawals, leaves of absence, and transfers during or following the investigative process. Fund and carry out research on the drop-out rates of survivors and the short- and long-term effects sexual violence has on education and future earnings and economic security over time. Through this research, identify the reasons survivors withdraw, transfer, or take a leave of absence and possible policy and practice recommendations to establish a system that promotes survivors' academic resilience, success, and graduation options.

CREATING SAFER CAMPUSES THROUGH SOCIAL CHANGE

Given that sexual violence risk factors occur on multiple levels of society, our prevention efforts must also span individual, relationship, community, and societal spheres. Everyone plays a role in preventing sexual violence. The Spectrum of Prevention offers a blueprint for prevention, where multiple efforts work together synergistically to achieve a unified goal (Davis, Parks, & Cohen, 2006). More specifically, the Spectrum involves individual skill-building, community engagement, multidisciplinary collaboration, organizational policy and practices, and public policy and legislation (Davis et al., 2006).

A growing body of research helps to illuminate best practices in sexual violence prevention. For example, Nation et al. (2003) identifies *Nine Principles of Prevention* as follows:

1. **Comprehensive:** Strategies should include multiple components and affect multiple settings to address a wide range of risk and protective factors of the target problem.

2. **Varied Teaching Methods:** Strategies should include multiple teaching methods, including some type of active, skills-based component.

3. **Sufficient Dosage:** Participants need to be exposed to enough of the activity for it to have an effect.

4. **Theory Driven:** Preventive strategies should have a scientific justification or logical rationale.

5. **Positive Relationships:** Programs should foster strong, stable, positive relationships between children and adults.

6. Appropriately Timed: Program activities should happen at a time (developmentally) that can have maximal impact in a participant's life.

7. Socio-Culturally Relevant: Programs should be tailored to fit within cultural beliefs and practices of specific groups as well as local community norms.

8. Outcome Evaluation: A systematic outcome evaluation is necessary to determine whether a program or strategy worked.

9. Well-Trained Staff: Programs need to be implemented by staff members who are sensitive, competent, and have received sufficient training, support, and supervision.

Pre-packaged online curricula are being developed in response to the Camps SaVE Act. Many are marketed as evidence-based and equipped to enable campuses to meet new requirements. While there may be strengths within some of these curricula, we are seeing some questionable messaging and looking for the evidence base behind these programs. We are concerned that campuses may purchase a program and do nothing else to prevent sexual violence—feeling they have fulfilled their requirements.

We feel strongly that good prevention is comprehensive, culturally-relevant and involves a long-term, multi-layered approach. True culture change requires multiple prevention methods working in coordination, including training and skill development, policy development and implementation, messaging, evaluation, role modeling and bystander intervention, and other strategies.

Effective and sustainable prevention revolves around knowing one's community—its history, strengths, challenges, culture, goals, and audiences. No two campuses are exactly alike. Questions remain about the degree to which pre-packaged curricula can be truly effective to any local campus community.

We are concerned that campuses may overlook the critical expertise that exists in community-based rape crisis centers and state level coalitions in this process, missing out on an extremely valuable and unduplicated resource and pool of subject matter expertise.

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Recommendations:

• *Collaborations:* Campuses engage in meaningful and mutually-beneficial collaborations with sexual assault programs at local, state, and national levels, as well as culturally-specific organizations and student activist groups to ensure that prevention is informed by promising practices, the realities of students and campus community life, and credible research.

> • A useful tool that many campuses and sexual assault centers have found is a community readiness assessment (Wasco & Zadnik, 2013) that collects responses from a small group of reliable informants on aspects of the campus community such as campus climate, leadership, activities, and knowledge regarding sexual violence prevention.

• *Prevention policy:* Engage students in policy review and updates. One study found that students most often suggested a full course for distributing sexual assault information (Hayes-Smith & Levett, 2010). Social change and prevention must be included in model policy guidance.

> • Do prevention efforts go beyond a risk reduction framework?

> • Are prevention efforts and messages clear and consistent and offered in a variety of formats throughout the academic year?

> • Are students, faculty, staff, and administration engaged in prevention in ways that make sense within their role?

> • Do prevention efforts explicitly address oppression in a way that is relevant to the lives of students and the campus community?

• *Research:* The Task Force should prioritize research to help bridge gaps in the literature around evidence-based sexual violence prevention programming on college campuses.

• *Student activism:* Campuses can learn a tremendous amount from engaged students. Sexual assault policies are intended to protect, support, and strengthen students within the campus community. Student activists have a lot to say when it comes to policies and institutions need to be responsive and respectful of that input (SAFER, 2013; SAFER & V-Day, 2013). Mobilize this energy and enthusiasm.

INTENTIONAL COORDINATION WITH COMMUNITY ASSETS

Sexual assault programs at local, state, and national levels have an understanding of sexual violence that has been developed and honed for the past four decades. Campuses should meaningfully collaborate with these subject matter experts from community-based sexual assault programs; state, territory, and tribal sexual assault coalitions; and national technical assistance providers in developing trauma-informed sexual violence response systems.

Recommendations:

• *Coordination and collaboration:* It is critical that campuses work with sexual assault subject matter experts at community-based rape crisis centers and coalitions against sexual assault.

• *Funding:* Resources are needed to support sustainable collaborations between institutions and community-based sexual assault services. While coordination with community-based sexual assault programs is critical to effective response and prevention, these centers are in the midst of a difficult economic climate where prevention and outreach are often the first positions/areas to cut. To ensure collaboration is meaningful and sustainable, adequate funding must be established. Clear roles and responsibilities be made available for these partnerships; community-based agencies have a commitment to serve the community-at-large, while colleges and universities have a responsibility to create a safe learning and working environment.

> • Funding could potentially be established through campus technical assistance funds with pilot programs that are evaluated and through other federal and state budgetary venues.

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