

Sexual Violence

On College Campuses

By: Katie Roseman

What is it?

Sexual violence includes, **Sexual harassment**, or unwelcome conduct of sexual nature ³, and **Sexual assault**, or rape and other sexual contact forced upon a person without consent ⁵

Why Does it Matter?

Physical impacts (i.e. PTSD, Anxiety, Depression, Chronic Pain, and Disordered Eating) and resulting impairment in social, work, and family domains, cause victims to **perform poorly in academics and/or drop out.**⁴



Misconceptions about sexual violence cause barriers to reporting, such as feelings of **shame**, **fear of retaliation** or of **not being believed**, and **lack of resources**. Due to barriers, **more than 90% of cases go unreported**, resulting in decreased help for victims and misrepresentation of the reality that influences a student's well-being and decision-making. ²

Myths & Misconceptions	Reality
False Reporting is Prevalent	There is almost never an incentive to report assault, so false reporting happens at rates between 2% and 10% ⁶
Campuses offer plenty of resources and help to victims	Info about filing campus reports and criminal charges are included in less than 50% of institutions' procedures and only 50% provide a victim hotline ²
Perpetrators will receive adequate disciplinary action if reported to campus administration or law enforcement	Less than 1% of reported perpetrators receive disciplinary action from the school and only 6% are arrested & prosecuted or convicted ²

Current Action

There are several federal laws, including: ³

- ❖ **Higher Education Act of 1965 (Sec. 826)**: Grants to combat violent crimes against women on campuses
- ❖ **Title IX (1972)**: Statute for most cases of gender-based violence on campus
- ❖ **Clery Act (1991)**: Mandatory reporting of cases on campus
- ❖ **Campus SaVE Act (2013)**: Increases victim protection, transparency regarding frequency of cases, and educational & procedural requirements

These laws suffer from **enforcement issues and do not require specific processes**, meaning that **campus polices vary by institution and are not consistently successful.**²

Institutions are failing to comply with the best practices and federal laws ²

Of 440 4-year institutions: ²

- ❖ **Only 44%** allow online reporting
- ❖ **Only 8%** allow confidential reporting
- ❖ **20%** provide no faculty training
- ❖ **More than 30%** provide **no student training**
- ❖ **70%** do not have coordination protocols with local police

What Can the Government do to Help?

Pass the Accountability & Safety Act¹

First introduced to Congress in 2014 by Senator Kirsten Gillibrand, this act is an **amendment to the Higher Education Act of 1965 and the Clery Act of 1991**. It has been subjected to debates between parties and has not yet been passed. Opposition argues that it ignores “due process procedural safeguards for both the accuser and the accused,” and **only offers more confidentiality for accusers**, despite the lack of proof in allegations and the need for equal support of both parties. While this potential solution could suffer from enforcement issues just as current federal legal authority does, proponents argue that it uses input from victims, students, academic institutions, law enforcement, and advocates to **increase resources, support, and transparency** between the public and campuses; **requires minimum training** standards; **requires a uniform student disciplinary process**; and uses **stiffer penalties** than Title IX and the Clery Act. For more information, go to <https://www.gillibrand.senate.gov/campus-sexual-assault>

Subsidize Research and Investigations

Passing the Accountability and Safety Act is not enough, as it does not address issues of enforcement. Reports of sexual violence can lead to a bad reputation and loss of federal funding, so colleges and universities are incentivized to ignore cases on their campuses. Consequently, **41% have not held a single investigation in the past several years**.¹ Additionally, there is a clear need for research, as there are several **institutional inconsistencies**, differing methodologies, and lack of education pertaining to prevalence, reporting, and proper victim resources and support for both campus faculty and students. By giving subsidies and passing the Accountability and Safety Act, the federal government can better address sexual violence through a combination of specific requirements and **positive reinforcement of necessary research and productive action**. **High cost** for the government and taxpayers is a major and unavoidable concern with this solution, but **it could also be worth the cost** if research and investigation led to **successful campus policies that decrease sexual violence and provide better help for struggling victims**.

References

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