Student Sexual Misconduct Update

Board of Visitors Meeting, September 2014
Agenda

• Background

• Recent activity at the Federal and State levels: Task Forces

• Recommendations from the White House Task Force Report (*Not Alone*) and University response

• Student panel
Our work on this issue involves significant collaboration across the University.
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White House Task Force to Protect Students from Sexual Assault

“I am directing the Office of the Vice President and the White House Council on Women and Girls to lead an interagency effort to address campus rape and sexual assault, including coordinating Federal enforcement efforts by executive departments and agencies (agencies) and helping institutions meet their obligations under Federal law.”

President Barack Obama, Task Force Memorandum; January 2014

The Task Force shall be co-chaired by designees of the Office of the Vice President and the White House Council on Women and Girls.

In addition to the Co Chairs, the Task Force shall consist of the following members:

• the Attorney General;
• the Secretary of the Interior;
• the Secretary of Health and Human Services;
• the Secretary of Education;
• the Director of the Office of Science and Technology Policy;
• the Director of the Domestic Policy Council;
• the Cabinet Secretary; and
• the heads of agencies or offices as the Co Chairs may designate.

Governor McAuliffe’s Task Force on Combating Campus Sexual Violence

“The task force, according to the order, is charged with producing recommendations for ‘best practices’ on various topics. Among them: how campuses should respond to sexual violence; how schools and law enforcement agencies can develop closer relationships; how sexual violence complaints should be investigated and resolved; how students, faculty and staff members should be trained; and how reporting of incidents can be encouraged.”


NCAA Resolution, Handbook Addressing Sexual Assault

Addressing Sexual Assault and Interpersonal Violence

Athletics’ Role in Support of Healthy and Safe Campuses

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- Background
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  - Recommendations from the White House Task Force Report (*Not Alone*) and University response
- Student panel
The White House Task Force’s *Not Alone* Report organizes action steps in three key categories:

1. **Identifying the Problem: Campus Climate Surveys**
2. **Preventing Sexual Assault – and Engaging Men**
3. **Effectively Responding When a Student Is Sexually Assaulted**

1. Identifying the Problem: Campus Climate Surveys

"The first step in solving a problem is to name it and know the extent of it – and a campus climate survey is the best way to do that. We are providing schools with a toolkit to conduct a survey – and we urge schools to show they’re serious about the problem by conducting the survey next year."

“Schools have to get credit for being honest – and for finding out what’s really happening on campus. Reports to authorities, as we know, don’t provide a fair measure of the problem. But a campus climate survey can. When done right, these surveys can gauge the prevalence of sexual assault on campus, test students’ attitudes and awareness about the issue, and provide schools with an invaluable tool for crafting solutions.”

Not Alone Report Definition

Action Items & Resources Provided

• Providing schools with a toolkit for developing and conducting a climate survey
  – Rutgers University will pilot and evaluate the survey
  – Justice Department’s Office on Violence Against Women will work with campuses to conduct and evaluate the survey
  – Bureau of Justice Statistics will refine survey methodology

• Calling on colleges and universities to voluntarily conduct the survey this academic year

• Exploring legislative and administrative options to require colleges and universities to conduct an evidence-based survey in 2016

Progress at UVA: Campus Climate Survey

**Progress to Date**

- AAU goal is “to have a **reliable, valid, survey in the field by spring, 2015**” (Hunter Rawlings, Letter to AAU Presidents and Chancellors, August 21, 2014)

- **UVA included in the RFP review team** as one of 6 AAU consortium partners

- RFP has been issued, **responses expected in October; survey expected to launch in early 2015**

- **Rutgers University is piloting a survey this fall based on the survey instrument developed by Dr. Victoria Banyard from the University of New Hampshire and included as a model campus climate survey in the *Not Alone* report**

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Source: Hunter Rawlings, Letter to AAU Presidents and Chancellors, August 21, 2014
2. Preventing Sexual Assault – and Engaging Men

**“Prevention programs can change attitudes, behavior – and the culture. In addition to identifying a number of promising prevention strategies that schools can undertake now, we are also researching new ideas and solutions. But one thing we know for sure: we need to engage men as allies in this cause. Most men are not perpetrators – and when we empower men to step in when someone’s in trouble, they become an important part of the solution.”**

“During this transition to adulthood, attitudes and behaviors are created or reinforced by peer groups. And students look to coaches, professors, administrators, and other campus leaders to set the tone. If we get this right, today’s students will leave college knowing that sexual assault is simply unacceptable. And that, in itself, can create a sea change.”

**Not Alone Report Definition**

**Action Items & Resources Provided**

- Providing schools with **best practices for better prevention**
  - Centers for Disease Control and Prevention (CDC) reviewed prevention strategies and released a summary of findings
  - CDC review highlights programs that are “sustained (not brief, one-shot educational programs), comprehensive, and address the root individual, relational and societal causes of sexual assault.”

- Promoting **bystander intervention education**
  - Public Service Announcement featuring President Obama, Vice President Biden, and celebrity actors
  - Basic factsheet on bystander intervention, including information on the most promising programs

- Developing **new prevention strategies** (forthcoming)

Video: Understanding Bystander Intervention

Who Are You? New Zealand Video Promoting Bystander Behavior

Progress at UVA: Preventing Sexual Assault – and Engaging Men


2. Student Education & Resources

One Less
One in Four

3. The Not On Our Grounds Campaign

Student and Corner Merchant T-Shirts

Sexual Violence Education & Resources Website; Sexual Violence Prevention Coalition
Video: #HOOSGotYourBack

#HOOSGotYourBack: Awareness Video for the Not On Our Grounds Campaign

Source: #HOOSGotYourBack; https://www.youtube.com/watch?v=pxWsrq7tNIE
3. Effectively Responding When a Student Is Sexually Assaulted

“When one of its students is sexually assaulted, a school needs to have all the pieces of a plan in place. And that should include:

• someone a survivor can talk to in confidence;
• a comprehensive sexual misconduct policy;
• trauma-informed training for school officials;
• better school disciplinary systems; and
• partnerships with the community.”

“The principal aim of the criminal system is to adjudicate a defendant’s guilt and serve justice. A school’s responsibility is broader: it is charged with providing a safe learning environment for all its students – and to give survivors the help they need to reclaim their educations.”

Progress at UVA: Effectively Responding When a Student Is Sexually Assaulted

Sexual Misconduct Reporting: Just Report It

Progress at UVA: Effectively Responding When a Student Is Sexually Assaulted

Why Does the University Need a Reporting Policy? Title IX

What does Title IX require?

- Under Title IX, once an institution has notice of an act of sexual misconduct, it is required to (1) take immediate and appropriate steps to investigate what occurred; and (2) take prompt and effective action to (a) end any misconduct that occurred; (b) remedy its effects; and (c) prevent its recurrence. The University must have an effective reporting policy and procedures to meet these requirements.

How does an institution get notice of an act of sexual misconduct?

- An institution gets notice of an act of sexual misconduct when the act is reported to a “Responsible Employee”
- The reporting policy is in place to ensure that responsible employees have an official process through which they can relay information about acts of sexual misconduct to the institution.

Who is considered to be a “Responsible Employee”?

- Any employee who has the authority to take action to redress harassment, or has the duty to report harassment to appropriate officials, or is someone a student could reasonably believe has this authority or responsibility.

Source: Just Report It, http://www.virginia.edu/justreportit/sexualmisconduct/faculty-staff/, Title IX Requirements
Progress at UVA: Effectively Responding When a Student Is Sexually Assaulted

Who is covered by the new reporting policy and how does it work?

Student chooses reporting option and controls the conversation

Next steps depend upon employee type chosen: confidential or responsible

In either scenario, the student is given the support and options s/he needs

- **Confidential Employee:** “Any University employee who is a licensed clinical or mental-health professional when acting in his or her professional role in the provision of services to a patient who is a University student.”
  - Treat information confidentially under governing health care privacy laws
  - Direct students to appropriate University resources for assistance

- **Responsible Employee:** “any University employee who is not a Confidential Employee.”
  - Required to report information to the University’s Title IX Coordinator through the University’s secure, on-line reporting system
  - Completing all applicable University training on reporting requirements and staying current on training requirements

Source: Just Report It, [http://www.virginia.edu/justreportit/sexualmisconduct/faculty-staff/](http://www.virginia.edu/justreportit/sexualmisconduct/faculty-staff/); Title IX Requirements
Progress at UVA: Effectively Responding When a Student Is Sexually Assaulted

http://www.virginia.edu/justreportit/sexualmisconduct/responsible-employees/

Source: Just Report It, http://www.virginia.edu/justreportit/sexualmisconduct/faculty-staff/; Title IX Requirements
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Student Panel

- Meg Gould (Student Member of the Board of Visitors)
- Hawa Ahmed (Resident Advisor and Chair, ADAPT)
- Will Cadigan (Co-Chair, Sexual Violence Prevention Coalition)
- Caroline Parker (Chair, Sustained Dialogue)
- Tommy Reid (President, Inter-Fraternity Council)
- Sara Surface (Co-Chair, Sexual Violence Prevention Coalition)