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OPENING REMARKS

On September 11, 2014, Chancellor Gray-Little convened the Sexual Assault Task Force (SATF) to examine current prevention and policy efforts that address the issue of sexual violence at the University of Kansas. In the past seven months, the Task Force has met with many individuals representing over twenty campus and community partners. We have also received input from countless alumni, KU students and community members. Several prevalent themes emerged out of these conversations, including a shared widespread concern about the issue of sexual violence, and a parallel commitment to undertaking a process for positive changes on campus.

Several offices and organizations are already implementing various prevention programs at the University of Kansas. However, as presently configured, prevention efforts at KU are limited in a variety of key ways. The University’s sexual assault prevention efforts are not conceptualized as a comprehensive approach. Instead, efforts by individual campus units are decentralized, uncoordinated, and often result in isolated implementation. Prevention efforts are short-term in their scope. Additionally, the sexual assault prevention programs are not rigorously evaluated to determine their efficacy. Finally, current prevention efforts often lack evidence-based programs.

Prevention should be the cornerstone for the long-term changes needed to create and reinforce norms of respect, safety, and healthy relationships. The SATF recommendations are rooted in a view of sexual violence as a public health issue that requires a comprehensive approach based on the Spectrum of Prevention model, which includes individual, institutional, and community strategies. The recommendations are derived from the input we received from campus and community partners, research on sexual violence, and best practices from other institutions.

Sound substantive policies and procedures are essential to address sexual assault affecting the KU community. The SATF found three major deficiencies in the current formulations of KU’s policies and procedures concerning sexual violence, which should be immediately corrected. First, their confusing structure often impedes victim reporting and fair adjudication of cases. Second, there is limited transparency of how cases are presently processed and resolved. Third, KU’s policies and procedures often view sexual assault exclusively as a form of sexual harassment instead of an issue of student safety.

Several of the recommendations are intended to strengthen and refine policies and practices that already exist, while others will require changes that may take several years to implement and will likely pose challenges along the way. The SATF recommendations are neither static nor intended to be an end point. Rather, we have developed them as a blueprint for preventing and addressing sexual violence using KU’s core values, specifically “integrity; respect for the dignity and rights of the individual; inclusion, transparency, and communication.”
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EXECUTIVE SUMMARY

Introduction
The problem of sexual assault at colleges and universities is serious and warrants immediate attention. KU is not exempt from the national trends and problems with campus sexual assault. In order to reverse the trend of inaction that has long characterized higher education's response to this complex issue, KU must invest in a comprehensive and cohesive approach to addressing sexual assault.

To that end, Chancellor Gray-Little convened the Sexual Assault Task Force (SATF) on September 11, 2014 and gave it four charges:

- Solicit input and feedback from individuals who have participated in the sexual assault and harassment investigation and resolution process, and provide recommendations on how this process can be improved;
- Examine current prevention practices and make concrete recommendations for improvements to make them more effective and meaningful;
- Evaluate the Code of Student Rights and Responsibilities, and make recommendations for how it can be revised and improved; and
- Determine how best to support and advocate for student victims of crime.

Methods
From September 2014 through April 2015, the SATF gathered information from community leaders, activists, organizations working in the area of sexual violence, KU employees, and KU students. The SATF spent significant time conducting interviews with a range of stakeholders representing more than 20 campus and community partners. We also received input from hundreds of individuals affiliated with KU, as well as from members of the broader community. Additionally, the SATF reviewed KU’s current policies, practices and sanctions. The Task Force also considered research pertaining to sexual assault and examined best practices from other institutions.

Recommendations
Recommendations were formed through the information gathered by the SATF. Several specific issues warranting changes to KU’s policies, procedures, prevention efforts and survivor services were identified. The recommendations address key concerns related to sexual assault of KU students. This report discusses the recommendations in greater detail including the nature, magnitude, and causes of sexual assault. Below is an abridged version of the recommendations, which are organized around the four charges, issued by Chancellor Gray-Little.

Charge 1: Policy and Process Improvement

Recommendation 1. Clearly Outline Procedures for Making Sexual Assault Complaint
A brief outline of the procedures for making a sexual assault complaint and KU process for handling such complaints should be made easily available on the KU website and on paper around campus.
Recommendation 2. Develop a Sexual Assault Response Team (SART) on Campus
Develop a KU Sexual Assault Response Team (SART). A SART provides a coordinated effort among the parties involved in responding to a sexual assault to create communication standards, collect and (when appropriate) share aggregate data, and monitor and evaluate efforts.

Recommendation 3. Encourage Reporting of Sexual Assault
In addition to reporting an incident to campus authorities, as a matter of explicit policy, victims/survivors of sexual assault should be encouraged to report incidents to the local police department.

Recommendation 4. Provide Information and Data
KU should regularly collect and post online information and data about the nature and resolution of sexual assault complaints filed at the Office of Institutional Opportunity & Access.

Recommendation 5. Modify Investigation Responsibilities
KU should have individuals specifically tasked with handling sexual assault complaints. These persons should not also be charged with other sexual harassment complaints or general Title IX compliance.

Recommendation 6. Modify Review Process
Assessment of whether a preponderance of evidence supports a complainant’s allegations of sexual assault should not be solely made within a single administrative unit or by a single person.

Recommendation 7. Modify Hearing Process
Hearings for determining sanctions should not be exclusively reserved for cases anticipated to result in suspension or expulsion.

Recommendation 8. Revise Definitions of Sexual Harassment and Sexual Assault
The definitions of “sexual harassment” and “sexual assault” should be refined.

Charge 2: Prevention Practices

Recommendation 1. Create a Central Prevention and Education Research Center
The Center will serve as an overarching structure through which campus-wide prevention and education efforts can be coordinated, evaluated, and revised.

Recommendation 2. Implement Multiple Prevention Programs to All First Year Students
Prevention programs should deliver multiple educational interventions throughout the academic year to all students beginning their freshman year that consist of multiple exposures, beginning with freshman orientation.

Recommendation 3. Address the Gaps in Services, Resources, Education, Planning and Prevention for All Students Regardless of Gender Identity or Sexual Orientation
All units should review current prevention programming and survivor materials to assess the level of competency related to gender and sexuality diversity.

Recommendation 4. Develop and Utilize List of Community Resources for Alleged Perpetrators
A list of credible licensed professionals with expertise in sexual assault perpetration, violence prevention, and social norms theory should be distributed to all alleged perpetrators.
Recommendation 5. Improve Data Collection, Evaluation, and Assessment Process
Prevention-related data collection efforts need to be overhauled to reflect best data collection practices. These include: 1) the University sexual assault climate survey; 2) evaluations of sexual assault programming; and 3) prevalence of sexual violence victimization and perpetration.

Recommendation 6. Develop College Course for Student Leadership and Peer Educators
A comprehensive, three-hour college course should be developed and required for student leaders and peer educators.

Recommendation 7. Develop Comprehensive University Messaging
A unified, comprehensive and coordinated campus-wide sexual violence prevention messaging and dissemination strategy should be developed.

Recommendation 8. Create a Sexual Violence Prevention Advisory Board
A Sexual Violence Prevention Advisory Board comprised of representatives from campus and the Lawrence community should be created to review and assess all prevention efforts.

Recommendation 9. Becoming a Jayhawk First: Institute First Year Student Campus Residency in Campus Housing
Prevention programming within student housing is a critical aspect of a multi-level prevention approach and facilitates a consistent delivery of prevention programming. All freshmen students should be required to live in campus housing for their first year. This includes deferring new fraternity members’ residency in chapter houses to sophomore year, consistent with existing sorority chapter house residency.

Recommendation 10. Modify Fraternity and Sorority Recruitment/Membership Intake Practices
The practices governing fraternity and sorority recruitment/membership intake of new members need to be examined and modified. In particular, the SATF recommends eliminating recruitment of high school seniors into fraternities, and moving the recruitment/membership intake of all first-year students into fraternities and sororities until spring semester.

Recommendation 11. Support Greek Collaboration with Overall Prevention Programming
The efforts of the Greek community, in particular the Greek Sexual Assault Task Force (GSATF), must be supported. Their participation in the overall prevention plan for the campus is needed.

Charge 3: Support and Advocacy for Student Victims of Crime

Recommendation 1. Establish a Memorandum of Understanding (MOU) with Key Community Partners
GaDuGi SafeCenter and Willow Domestic Violence Center are key organizations that have the expertise to provide survivor-centered services to KU students. A formalized MOU with these agencies would allow services to be fluid between agencies, and the multiple services offered by each agency would be available to every student.

Recommendation 2. Establish a Protocol for KU Mandated Reporters
Establish a consistent protocol for mandated reporters to follow, including making confidential survivor-centered services (i.e., GaDuGi SafeCenter) immediately available upon disclosure.
Recommendation 3. Increase the Visibility of Resources for KU Students and Employees
Use existing institutional venues to embed information about Title IX, and campus and community resources for students and employees.

Recommendation 4. Modify Discrimination Statement and Policy on KU Website
Modify the current statement appearing at the bottom of KU’s website to include language about mandated reporters.

Recommendation 5. Require Administrators to Educate Employees Regarding Their Mandatory Reporter Status
Require administrators and supervisors to educate their subordinates about the role and responsibilities of a mandated reporter, and how to report an incident.

Recommendation 6. Streamline Medical Services Billing
Funnel all billing for medical services received at Watkins Health Services related to sexual assault through the CARE Coordinator to minimize costs to victims.

Charge 4: Evaluation of Code of Student Rights and Responsibilities

Recommendation 1. Clarify Article 19. Section A2 of the Code of Student Rights and Responsibilities by incorporating the following:
Students may be disciplined for sexual violence and sexual harassment, regardless of whether the sexual violence or harassment occurred on or off university premises, if a victim of the sexual violence was at the time a student at the University of Kansas. The prohibition of conduct that is not on university premises in instances of sexual assault and/or sexual harassment does not imply or require such broader jurisdiction for any other provision within the Code of Student Rights and Responsibilities.

Recommendation 2. Clarify Article 19. Section A8 of the Code of Student Rights and Responsibilities by incorporating the following:
Students may be disciplined for intimate partner violence, regardless of whether the violence occurred on or off university premises, if a victim of the violence was at the time a student at the University of Kansas. The prohibition of conduct that is not on university premises for intimate partner violence does not imply or require such broader jurisdiction for any other provision within the Code of Student Rights and Responsibilities.

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The SATF thanks the hundreds of people who contributed their expertise, opinions, insights and time to work toward improving KU’s response to sexual violence. We have been deeply appreciative of the outpouring of support we have received from members of the KU campus and the Lawrence community, which has continuously underscored the importance of addressing sexual violence.
INTRODUCTION AND OVERVIEW

Chancellor Gray-Little convened the University of Kansas Sexual Assault Task Force (SATF) on September 11, 2014. She provided four specific charges for the Sexual Assault Task Force:

1. Solicit input and feedback from individuals who have participated in the sexual assault and harassment investigation and resolution process, and provide recommendations on how this process can be improved;
2. Examine current prevention practices and make concrete recommendations for improvements to make them more effective and meaningful;
3. Evaluate the Code of Student Rights and Responsibilities, and make recommendations for how it can be revised and improved; and
4. Determine how best to support and advocate for student victims of crime.

To accomplish these charges, we met as a committee of the whole on a bi-weekly basis from September 2014 through April 2015. Additionally, the SATF organized subcommittees to specifically address each charge. Subcommittees collaborated outside of the bi-weekly meetings and provided progress updates to the SATF during the bi-weekly meetings.

Over the course of seven months input has been solicited from hundreds of people including KU undergraduate and graduate students, faculty, staff, alumni, and community members. Feedback was received through several mechanisms. First, a Sexual Assault Task Force web page was created. Individuals were invited to email the SATF at taskforce@ku.edu, or they could submit comments anonymously through a web form included on the Sexual Assault Task Force web page. Second, members of the Task Force directly received phone calls and emails from individuals. Third, the SATF conducted meetings with campus and community partners including the following:

- **Campus Partners**: Office of Institutional Opportunity & Access; General Counsel; Student Affairs; Emily Taylor Center for Women & Gender Equity; Office of First-Year Experience; Student Housing; Athletics; Alcohol & Sexual Assault Working Group; Current and Former Members of the Greek Community; Student Involvement & Leadership Center; Student Senate; Title IX Roundtable; Watkins Health Center; CARE Coordinator; Office of Multicultural Affairs; Office of Graduate Studies
- **Community Partners**: GaDuGi SafeCenter, Lawrence, Kansas; Willow Domestic Violence Center, Lawrence, Kansas; Metropolitan Organization to Counter Sexual Assault, Kansas City, Missouri; Jana’s Campaign, Hays, Kansas
- **Other Resources**: University of Michigan Sexual Assault Prevention & Awareness Center, Ann Arbor, Michigan, and Fort Hays State University, Hays, Kansas

Several themes emerged from these meetings. First, the issue of sexual assault is of paramount concern across the KU campus and community. This concern spanned across KU employees, students, alumni, and community members. For example, we received correspondence from alumni who were themselves victims of sexual violence, or had a close friend who was a victim of sexual violence during college. They shared their stories and expressed their support for meaningful institutional changes. Second, participants voiced their commitment to undertaking the arduous process of change that is necessary to effectively respond to sexual violence on campus. When discussing potential recommendations with campus stakeholders, they frequently said implementing them would pose multiple challenges, but with thoughtful planning and committed efforts they would be beneficial. Third, people expressed an intense affinity for the University of Kansas that
motivated their desire to critically evaluate KU and improve its response to sexual violence. From staff to students, respondents repeatedly discussed the central role KU occupies in their lives, which fueled their interest in advocating for change. Finally, prevention efforts were uniformly singled out as the most important factor for responding to sexual violence on campus.

In addition to the meetings and feedback from stakeholders and individuals, we also drew on research when applicable, and examined the prevention efforts at several other institutions. The SATF relied on several of KU’s core values to guide our work, specifically “integrity; respect for the dignity and rights of the individual; inclusion, transparency, and communication.” The recommendations were derived from these sources and core values, and were arrived at by critical examination and consensus.

The recommendations are structured around comprehensive prevention efforts because it is the cornerstone for effectively addressing sexual violence. This approach encapsulates the multi-tiered efforts that are needed at the individual, institutional and societal levels for positive change. A comprehensive prevention approach encompasses improvement of both institutional responses to sexual violence and the support services for student victims of crime.

In addition, the recommendations from the 2014 White House Task Force to Protect Students from Sexual Assault Not Alone Report were used as a touchstone for the SATF’s work. The report offers four action steps and recommendations: (1) Identify the problem: Campus climate surveys; (2) Preventing sexual assault - and engaging men; (3) Effectively responding when a student is assaulted; and (4) Increasing transparency and improving enforcement. All of these are echoed in the recommendations.

The recommendations include short-term and long-term recommendations developed as a blueprint for preventing and addressing sexual violence at the University of Kansas. As prevention efforts and policy improvements evolve, new information and data should be used to assess their efficacy and undertake necessary revisions on an annual basis. The SATF hopes the recommendations will be enacted, built upon and used as a living document to elevate the University of Kansas to become a leading institution in the practice and research of sexual violence prevention efforts, and in the enactment of policies that support victims/survivors.
CHARGE 1: POLICY AND PROCESS IMPROVEMENT

Introduction

The problem of sexual assault at colleges and universities is serious and warrants immediate attention (Calmes, 2014). Unfortunately, institutions of higher education have been slow to effectively address this ongoing campus problem. KU must be proactive in reforming its policies and procedures addressing sexual assault of members of the KU community, in particular students. To that end, the SATF has issued a set of recommendations which address the key concerns related to sexual assault of students in general and attending KU specifically. The discussion below outlines the research and recommendations regarding the nature, magnitude, and causes of sexual assault that underlay the recommendations for policy and procedure reform.

Recognizing the Problem

Throughout the United States, institutions of higher education have turned a blind eye toward sexual assault (Weizel, 2012). The most reliable studies show that approximately one-in-five women are sexually assaulted while attending college (Krebs et al., 2007). Although there is less empirical evidence as to the rate of victimhood among men and transgender individuals, those populations have also suffered high levels of victimization (Sable et al., 2006; Stotzer, 2009). That colleges and universities have high levels of sexual violence is not particularly surprising given that students are typically at the prime age for victimhood via sexual violence (Sinozich & Langton, 2014).

Unfortunately, leadership at higher education institutions has generally underestimated the significance of problems on their campuses. A Gallup and Inside Higher Ed survey of 647 college presidents published in March of 2015 found that just 32% of those surveyed either strongly agreed or agreed that sexual assault was “prevalent at U.S. colleges and universities” (Inside Higher Ed Survey, 2015). Only 6% either strongly agreed or agreed that sexual assault was “prevalent at [their] institution.” A mere 4% strongly disagreed or disagreed that their campuses were “doing a good job” protecting women from sexual assault on campus. None of the results are comforting. Given the high rate of sexual assault, far more college and university presidents should consider it to be prevalent in institutions generally. However, it is particularly worrisome that few presidents believe sexual violence is a problem on their campuses or that they should be doing more to address the issue at their institutions.

Recent empirical research sheds some light on why institutional leaders might be underestimating the extent of their campus problems. In particular, a study regarding campus reporting practices indicates that the general practice of colleges and universities is to substantially undercount incidents of sexual violence such that published rates of sexual assaults are likely significantly less than the actual rates of reported sexual assaults on individual campuses (Yung, 2015). Diane Moyer, the Legal Director of the Pennsylvania Coalition Against Rape, articulated the perspective of people in the field regarding the reported number of sexual assaults at colleges and universities: “This will sound counterintuitive, but I actually tell parents to send their kids to the college or university with the highest number of sexual assaults reported through the Clery Act, because these schools are probably most aware of the campus sexual assault problems” (Police Executive Research Forum, 2012).

KU is not exempt from the national trends and problems with sexual assault. In addition to the general problems associated with sexual assault that are not unique to KU, the SATF identified several specific issues warranting changes to KU’s policies and procedures. The following discussion
of problems at KU and solutions to those problems were formed through the information gathered by the SATF.¹

**Specific Issues**

In the end, several key concerns were identified: a maze of bureaucracy confronting victims/survivors; limited transparency regarding how cases are resolved; and inherent difficulties with addressing sexual assault utilizing a Title IX sexual harassment paradigm.

**Confusing Maze of Bureaucracy**

There is a lack of trust between victims/survivors of sexual assault and KU. The relationship is problematized not just by handling of past cases, but also by the policies and procedures in place to handle complaints. Presently, the described process for handling sexual assault complaints is obscured in legalese, jargon, and rules irrelevant to victims/survivors. The reporting process is also divided among many possible entry points, some of which are external to KU. As a result, victims/survivors will often face multiple difficult interviews about their attack, while being shuttled between bureaucracies inside and outside of KU. Such victims/survivors may end up alienated from KU or leave the KU community.

There was universal consensus among our sources that victims/survivors face an incredibly complex maze of bureaucracy in making complaints. A primary concern was that victims/survivors come from numerous points of entry. Just in Lawrence, they might first make their attack known at the Lawrence Police Department, KU’s Public Safety Office, KU’s Institutional Opportunity & Access Office (IOA), Lawrence Memorial Hospital, GaDuGi SafeCenter, or The Willow Domestic Violence Center. KU has not put in place a consistent protocol for victims/survivors to proceed through once they come forward with a complaint. As a result, many victims/survivors abandon their complaints simply due to the difficulties faced in navigating the present system.

Concerns associated with the confusing web of organizations are exacerbated by the online and paper resources designed for victims/survivors. There is no simple set of instructions for victims/survivors on how they should make a complaint. Further, once beginning the process with IOA, the victim/survivor is confronted with a variety of confusing forms, documents, and checklists. Although it is important that victims/survivors are fully apprised of their rights and the procedures involved, the documentation simply must be more accessible.

There is also a worry that some of the extensive documentation is misleading to students. Consider, for example, the list of examples of sexual harassment in KU’s online resources. Presently, “playing sexually suggestive music” and “allowing third parties to observe sexual acts” are listed as sexual harassment. The first is certainly too broad and both examples are missing the key element of non-consent needed to differentiate sexual harassment from permissible conduct. Students reading such examples might, as a result, make frivolous complaints believing (falsely) that they have been sexually harassed. Or, perhaps moreworrisomely, students might believe that sexual harassment is a frivolous concern because the instances described on KU’s website seem relatively trivial or unusual. Other examples on the website, such as “Causing the prostitution of another person” and

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¹ The Taskforce did not have access to case files from previous complaints and/or investigations handled by the Office of Institutional Opportunity & Access (IOA). Moving forward, best practices for policy enforcement will require consistent evaluation of previous cases to verify that practices reflect existing policies. Accordingly, we recommend consistent future review of previous cases by an independent body so that this information is retained and evaluated.
“Capturing or transmitting intimate or sexual utterances, sounds or images of another person,” are not, as claimed by the KU website, examples of sexual assault as defined on the same website. Although those two scenarios constitute objectionable conduct, they do not clearly fit within the policy’s general definition of “sexual assault.”

KU has already begun the process of negotiating memorandums of understanding with organizations at several of the points of victim/survivor intake which should help cure some of the difficulties victims/survivors face in making a sexual assault complaint. Still more needs to be done to streamline the process for victims/survivors so that bureaucracy does not impede their complaints. Further, IOA specifically and KU as an institution need to provide clearer documentation online and on paper to victims/survivors and students in general so that victims/survivors can easily proceed with filing a complaint or make an informed decision about whether to proceed with a complaint.

**Limited Transparency**

Little data and information are available about how cases proceed through the campus resolution system for sexual assault cases. The KU community is not informed in aggregate or in particular cases about what happens to sexual assault complaints that are made. This lack of transparency undermines trust and prevents effective, tailored policy responses.

Consider the efforts undertaken by Yale University in response to federal investigations regarding the school’s handling of sexual assault complaints. The University now posts online bi-annual reports that provide significant data and information about sexual assault reports at Yale (Yale Provost Reports, 2015). The reports include tallies of incidents of sexual assault, stalking, and intimate partner violence. There are also significant details about the cases that outline the nature of the allegations without violating student privacy. This information helps to build trust with the Yale community, gives needed information for prevention efforts, and aids in deterring future misconduct by publicly disclosing punitive actions taken for sexual assault.

A system comparable to Yale’s would be particularly valuable at KU. The amount of information available to both the SATF and student body has been too limited. With greater transparency, resources can be better allocated, student confidence in the sexual assault resolution process can be enhanced, and better coordination with community partners can be achieved.

**Sexual Assault and Harassment**

By creating policies aligned with the structure of Title IX, as interpreted by the Department of Education, KU has necessarily treated sexual assault as a specific form of sexual harassment. The conflation of these related, but distinct, situations contributes to a culture of mistrust and skepticism by victims/survivors of sexual assault. Furthermore, it convolutes differences between the two, which potentially creates confusion for victims/survivors, investigators, and individuals charged with enforcement of sanctions. University policies for cases of sexual assault must keep concerns of victims/survivors paramount. Sexual assault cases should be handled in a manner similar to other cases of non-sexual interpersonal violence. Current University policy appears to be driven by Title IX compliance, rather than protecting students from sexual assault. Stringent promotion of a safe environment, both on and off campus, must be clearly included in University policy. Current University policy, while remaining consistent with Title IX, should be revised to raise overall concern with safety.
Title IX, as originally enacted as part of the United States Education Amendments of 1972, contains little specific guidance about sexual assault within the statute itself: “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” (Title IX, 2006). As a result of its brevity, Title IX’s application to higher education institutions in regard to sexual assault is primarily understood through “Dear Colleague” letters issued by the Department of Education’s Office of Civil Rights (2011 Dear Colleague Letter, 2011) and, to a lesser extent, court opinions in cases involving Title IX litigation (Carabello v. NYC Department of Education, 2013).

There are numerous differences between sexual assault cases and general sexual harassment claims under Title IX. Conceptually, one large difference between the general laws governing sexual harassment and sexual assault is that sexual harassment claims treat institutions as defendants, whereas sexual assault claims are against individuals responsible for such assaults. Further, Title IX offices at universities are focused on issues of sex discrimination but are not well-equipped to handle certain aspects integral to resolving sexual assault cases (Halley, 2015). Cases with racial elements or same-sex attacks are especially removed from the ordinary domain of Title IX administrators.

KU’s focus on Title IX compliance has also raised the concern that it might be more interested in protecting the institution from liability rather than protecting students. Whether this worry represents an actual conflict of interest or merely a perceived one, the result has been a significant lack of trust between victims/survivors and the University. Nonetheless, there are substantial reasons to be concerned that KU, like all institutions of higher education, does face actual conflicts of interest when overly focused on Title IX.

Consider, for instance, the following typical situation: A student reports that she was sexually assaulted by a man with whom she was previously friends and the man denies the allegation, contending that he is being wrongfully accused. After investigation, a compliance officer at IOA is charged with deciding whether the complaint is suitable for a hearing. If the complainant prevails at the hearing and the respondent is expelled, KU could face a lawsuit from the expelled student. However, if the hearing finds insufficient evidence to support the sexual assault complaint, the complainant might file an individual suit under Title IX against KU (Wilson, 2014).

Notably, the law makes the latter lawsuit very difficult to win because the complainant faces significant legal hurdles (Rosenfeld, 2008). As one commentator observed, the existing doctrine “practically immunizes schools from liability in Title IX suits involving peer sexual harassment in all but the most extreme cases” (Walker, 2010). The Title IX theory of sex discrimination for failure to properly administer a sexual assault complaint as understood in the Dear Colleague Letters has not been fully vetted in courts. Nonetheless, the existing framework for litigating such claims makes individual suits likely to fail (Rosenfeld, 2008).

Title IX requires plaintiffs to prove that sexual harassment is “so severe, pervasive, and objectionably offensive that it … deprive[s] victims/survivors access to educational opportunities or benefits provided by the school” (Davis v. Monroe County Bd. Of Educ., 1999). As a result, the complainant would likely need evidence of systemic failure by KU to show that the decision to not bring the case to a hearing was not a reasonable decision by the institution. Further, plaintiffs must show that the institution had “actual knowledge” of the facts underlying the complaint and was “deliberately indifferent” to reports of sexual harassment, a high bar (Walker, 2010).

Illustrating the difficulty in succeeding in a Title IX suit, in 2013, a federal district court in New York held that the plaintiff had failed, as a matter of law, to prove that the sexual abuse she suffered
supported a legal cause of action (Carabello v. NYC Department of Education, 2013). The court reached that determination even though the defendant was alleged to have, over forceful and verbal objections by the victim/survivor, “touched [the victim] all over, including her legs, stomach, and breasts, and bit her on the neck.” The court noted that under the controlling Supreme Court precedent, a plaintiff would need to cite harm akin to a penetrative rape for it to meet the severe and pervasive requirement with only a single incident of sexual abuse. Further, even if the single incident were deemed significant enough, a plaintiff must also show actual deprivation of educational opportunities. In Carabello, the court noted that although the victim/survivor had “been diagnosed with [post-traumatic stress disorder] and suffer[ed] flashbacks and nightmares,” the plaintiff failed to show “declining grades and other evidence of a concrete negative effect on [her] education.”

The holding in Carabello is typical (Walker, 2010; Rosenfeld, 2008). As litigation under various civil rights statutes has indicated, courts have erected numerous obstacles for plaintiffs seeking legal recourse beyond simply proving that the defendant failed to properly address instances of sexual harassment and assault (Goluboff, 2007). Title IX alone is simply not a reliable means of policing sexual assault at colleges and universities. Even when such lawsuits are successful, it is years after the incident, often when both the perpetrator and victim/survivor have left the school.

Previous litigation involving other universities has demonstrated that concerns about Title IX compliance have been subjugated to financial or public image concerns, particularly in the realm of athletic success (Rosenfeld, 2008). Cases such as J.K. v. Arizona Board of Regents, 2008 and Simpson v. University Of Colorado Boulder, 2007 embody the pitfalls KU may face if it approaches student sexual assault solely through the lens of Title IX compliance rather than the broader, encompassing framework of student safety. Such a scenario creates the possibility of a conflict of interest for compliance officers, although the SATF has no concrete reason to believe such incentives have guided past decision-making at KU. Because there is low probability that Title IX litigation would result in any significant financial liability, compliance officers concerned primarily with institutional protection may not be as motivated to include hearings as part of the regular investigation process.

If KU is primarily concerned with the threat to student safety, it should more often allow hearings to review the evidence and decide if the respondent has committed a violation of the student code. If it is more likely than not, the preponderance of evidence standard, that the respondent sexually assaulted the victim/survivor, students are best protected by disciplining the respondent. Further, KU would remain in compliance with Title IX because the statute in no way restricts colleges and universities from allowing more cases to be reviewed through administrative adjudication.

Although the primary statutory focus of higher education institutions in regard to sexual assault has been Title IX, it need not be the exclusive means of determining appropriate policies. Indeed, the application of Title IX to instances when schools mishandle sexual assault complaints is a relatively recent phenomenon. Student codes that authorize punishment for sexual assault violations, like those at KU, predate attempted applications of Title IX. These codes emerged not as an attempt to make college and universities compliant with federal law, but rather to protect students from sexual violence.

The overriding concern for student safety should serve as the basis for enacting effective policies and procedures at KU. Title IX compliance will continue to be important, but merely focusing on the federal standards is not sufficient, and can be misleading.
Recommendations for Policy and Process Improvement

In order to address the specific issues described above, the SATF suggests the following reforms to KU policies and procedures:

**Recommendation 1. Clearly Outline Procedures for Making Sexual Assault Complaint**

A brief outline of the procedures for making a sexual assault complaint and KU process for handling such complaints should be made easily available on the KU website and on paper around campus. The present documents are not readily understandable to a general audience, particularly when such persons have been traumatized by sexual violence.

**Recommendation 2. Develop a Sexual Assault Response Team (SART) on Campus**

Currently, Douglas County has a Sexual Assault Response Team (SART), which includes some of our campus resources. However, campus specific issues may justify a KU SART. As outlined in the Office of Justice/Office of Victims (2011), members of the SART would include all campus units responsible for responding to a sexual assault such as Watkins Health Services, Office of Institutional Opportunity & Access, Campus Public Safety, and community resources such as GaDuGi SafeCenter, Lawrence Memorial Hospital, the Lawrence Police Department, and the Willow Domestic Violence Shelter. A SART provides a coordinated effort among all parties involved in responding to a sexual assault to create communication standards, collect and (when appropriate) share aggregate data, and monitor and evaluate efforts.

**Recommendation 3. Encourage Reporting of Sexual Assault**

In addition to reporting an incident to campus authorities, as a matter of explicit policy, victims/survivors of sexual assault should be encouraged to report incidents to the local police department.

**Recommendation 4. Provide Information and Data**

KU should regularly collect and post online information and data about the nature and resolution of sexual assault complaints filed at IOA. This information should include, but not be limited to, day of week, time of day, on-campus or off-campus, location (dorm, fraternity/sorority, private residence, other), whether alcohol or drugs were involved, relationship of victim/survivor and perpetrator, or if the incident in any way was connected with a KU event or activity. An ongoing committee or task force consisting of representatives, such as the proposed KU SART and the proposed Sexual Violence Prevention Advisory Board (described in Prevention Recommendation 8), made up of the University community (including students, faculty, staff, and possible other subgroups) should be constituted to periodically review the data that is collected.

**Recommendation 5. Modify Investigation Responsibilities**

KU should have individuals specifically tasked with handling sexual assault complaints. These persons should not also be charged with other sexual harassment complaints or general Title IX compliance. However, such persons could also have a role in investigating or administering policies related to domestic violence or other relationship violence. Such persons should have institutional accountability indicative of overall student safety concerns, rather than just responsibilities related to Title IX compliance.


Assessment of whether a preponderance of evidence supports a complainant’s allegations of sexual assault should not be solely made within a single administrative unit or by a single person. A rotating
committee of faculty and/or administrators from the KU community should also review case files to ensure that KU policies and procedures are being applied fairly and consistently.

**Recommendation 7. Modify Hearing Process**

Hearings for determining sanctions should not be exclusively reserved for cases anticipated to result in suspension or expulsion. After IOA has completed its investigation and delivered its findings to all parties, including Student Affairs, any case in which either party contests the findings of the investigation should be heard by a hearing panel.

**Recommendation 8. Revise Definitions of Sexual Harassment and Sexual Assault**

The definitions of “sexual harassment” and “sexual assault” should be refined as follows:

- The definition of “incapacitation” needs greater clarity to differentiate wrongful and permissible conduct.
- Definitions should be amended so that there are not duplicative or detached categories of misconduct. Currently, several categories of misconduct, such as “Dating Violence,” “Domestic Violence,” and “Intimate Partner Violence” almost entirely overlap. Other concepts such as “Sexual Violence” are not well integrated into the general prohibitions against sexual harassment and sexual assault.
- The examples of sexual harassment and sexual assault should either be removed or substantially amended. Presently, certain items such as “Playing sexually suggestive music” and “Allowing third parties to observe sexual acts” are too broad without language differentiating consensual and non-consensual conduct. Other examples do not clearly fit within the general definitions of the concepts such as “Causing the prostitution of another person” and “Capturing or transmitting intimate or sexual utterances, sounds or images of another person.” Those two examples constitute objectionable conduct, but do not clearly fit within the policy’s definition of “sexual assault.”
- “Coercion” should be redefined with greater precision or another word should be used in the definitions. The current definition of “unreasonable pressure for sexual access” fails to effectively divide coercive and non-coercive sexual conduct.
- “Stalking” should be more clearly defined beyond the very broad language presently used, which includes “a course of conduct directed at a specific person that is unwelcome and would cause a reasonable person to feel fear.”
CHARGE 2: PREVENTION PRACTICES

Sexual Assault Prevention

The current research on sexual assault prevention best practices outlines the need for a comprehensive and cohesive public health prevention approach (DeGue, 2014), that defines the problem, identifies protective and risk factors, develops and tests prevention strategies and ensures widespread adoption. Public health prevention experts, such as the Centers for Disease Control and Prevention (CDC), have found that individual approaches alone are not effective at creating long-lasting society level changes to end sexual violence (DeGue, et al., 2012; Dodge, 2009). Comprehensive approaches must systematically address prevention at multiple levels in tandem, including the individual, relational, and community levels, as well as social and cultural environments. A public health Social-Ecological model (See Figure 1) frames sexual violence within these levels and considers how they exert influence on the risk and protective factors for sexual violence (CDC, 2004).

Figure 1: Sexual Violence Social-Ecological Model (CDC, 2004)

<table>
<thead>
<tr>
<th>LEVEL</th>
<th>RISK FACTORS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individual Level</td>
<td>Drug/Alcohol Use</td>
</tr>
<tr>
<td></td>
<td>Hostility Toward Women</td>
</tr>
<tr>
<td></td>
<td>Acceptance of Sexual Violence</td>
</tr>
<tr>
<td>Relationship/Interpersonal Level</td>
<td>Sexually Aggressive Peers</td>
</tr>
<tr>
<td></td>
<td>Physically Violent Family Life</td>
</tr>
<tr>
<td></td>
<td>Emotionally Unsupportive Family</td>
</tr>
<tr>
<td>Community Level</td>
<td>General Tolerance of Sexual Assault</td>
</tr>
<tr>
<td></td>
<td>Lack of Enforcement of Policies</td>
</tr>
<tr>
<td></td>
<td>Lack of Employment Opportunities</td>
</tr>
<tr>
<td>Societal Level</td>
<td>Inequalities/Oppression</td>
</tr>
<tr>
<td></td>
<td>Norms about Masculinities &amp; Violence</td>
</tr>
<tr>
<td></td>
<td>Norms about Entitlement to Sex</td>
</tr>
</tbody>
</table>
Exemplary prevention approaches, in particular the Spectrum of Prevention (Cohen & Swift, 1999), are based on the understanding that sexual violence is not only an individual choice but that the gender and violence social norms in our society inform and reproduce gender inequality and the acceptance of violence as normal. Institutions are not immune from the influences of these norms, which are often reinforced through institutional structures, processes, policies and language. The Spectrum of Prevention (See Figure 2) identifies multiple levels of intervention and allows advocates and practitioners to create synergy between levels. For example, efforts to influence organizational practices and culture (Level 5) would have a better chance of being enacted if awareness and support are obtained by engaging and educating (Levels 1 & 4) various stakeholders to effect the desired change (Levels 3, 4 & 5). Organizations such as the National Sexual Violence Resource Center (Davis, Parks, & Cohen, 2006) utilize the Spectrum of Prevention in their work.

Figure 2: Spectrum of Prevention (Davis, Parks & Cohen, 2006)

<table>
<thead>
<tr>
<th>Level of Spectrum</th>
<th>Definition of Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Strengthening Individual Knowledge and Skills</td>
<td>Enhancing an individual’s capability of preventing injury or illness and promoting safety</td>
</tr>
<tr>
<td>2. Promoting Community Education</td>
<td>Reaching groups of people with information and resources to promote health and safety</td>
</tr>
<tr>
<td>3. Educating Providers</td>
<td>Informing providers who will transmit skills and knowledge to others</td>
</tr>
<tr>
<td>4. Fostering Coalitions and Networks</td>
<td>Bringing together groups and individuals for broader goals and greater impact</td>
</tr>
<tr>
<td>5. Changing Organizational Practices</td>
<td>Adopting regulations and shaping norms to improve health and safety</td>
</tr>
<tr>
<td>6. Influencing Policy and Legislation</td>
<td>Developing strategies to change laws and policies to influence outcomes</td>
</tr>
</tbody>
</table>

In addition to using a comprehensive, public health approach to sexual assault prevention, evidence also indicates there are principles of effective prevention programs. In the canonical article outlining the principles of effective prevention programs, Nation et al. (2003) highlights nine principles (p. 452), organized into three categories:

Category 1: Program Characteristics

- Comprehensive (i.e. multiple interventions, multiple settings);
- Utilize varied teaching methods (i.e. active, skill-based component);
- Have sufficient dosage (i.e. quality and quantity; multiple sessions tend to be better than single sessions);
- Driven by theory (i.e. theoretical “justification” and empirically based);
- Promotes positive relationships (i.e. exposure to positive relationships between participants and adults that increase positive outcomes).
Category 2: Matching the Program with a Target Population

- Appropriately timed in development;
- Socio-culturally relevant (i.e. participants’ cultural and community norms shape programming).

Category 3: Implementation and Evaluation of Prevention Programs

- Outcome evaluation (i.e. defined goals and systematic documentation of evaluation results);
- Administered by well-trained staff.

Figure 3 provides an example of what a comprehensive, coordinated campus-based prevention strategy may look like (DeGue, 2014). It recognizes the various levels of influence, the campus sources of risk, and the consistent messaging required to reinforce positive behavioral norms. Each campus should employ a combination of strategies suiting their specific environment.

**Figure 3: Example of a Comprehensive Campus Based Primary Prevention Strategy for Sexual Violence Perpetration (DeGue, 2014)**

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**KU Prevention Efforts**

Several offices and organizations are implementing various prevention programs at the University of Kansas. Efforts are underway in the following: Institutional Opportunity & Access; Office of the Vice Provost for Student Affairs; Student Health Services; Campus Police; Student Senate; Student...
Groups (Students United for Reproductive and Gender Equity; Spectrum KU; Select Fraternities and Sororities); Emily Taylor Center for Women & Gender Equity; Athletics; and Student Housing.

Deficiencies in Prevention Approach and Efforts

As presently configured, the prevention efforts at KU are limited in a variety of key ways. First, the University’s sexual assault prevention efforts are not conceptualized as a comprehensive approach. Instead, efforts by individual campus units are decentralized, uncoordinated, and often result in implementing programs in isolation. These disjointed efforts do not communicate a cohesive clear message about sexual assault prevention. In addition, there is not currently a robust relationship with the community, such as local bars and other stakeholders, with which to coordinate the dissemination of a cohesive message, or address problems that transcend the University’s boundaries.

Second, current prevention efforts are largely reactive, short-term, and narrow in their scope. From many conversations, the Task Force learned that students have been given information about sexual assault services along with some prevention education. However, it is not clear that all students on campus receive sexual assault services information and prevention education, and if so, with what dosage (i.e. exposure to program, such as frequency and intensity). Additionally, sexual assault prevention efforts at KU are short-term, typically limited to a one-time, hour-long session. This limited intervention will not bring about long-lasting change (DeGue et al., under review, as cited in DeGue, 2014).

Instead, KU’s prevention goal should be in line with that of the Centers for Disease Control and Prevention, which is “to stop it from happening in the first place” (CDC, 2015). The CDC (2015) also recommends prevention programing that examines the interrelatedness between individuals, relationships, community, and society. KU’s current efforts seem to be overly focused on individual attitudes and behavior, while neglecting to examine the impact that sexual violence has on the KU community and society as a whole. Further, it is important to examine the ways in which society, institutions, communities, and individuals can reinforce norms that contribute to sexual violence.

Third, the sexual assault prevention programs or efforts are not rigorously evaluated to determine their efficacy. Finally, current prevention efforts often lack evidence-based programs. The data collection process is uncoordinated and lacks methodological rigor, which limits its utility in informing prevention efforts.

Examining Cultural & Social Norms

In addition to the disparate nature and deficiencies in sexual assault prevention programs on the KU campus, there are cultural and social norms that need to be examined in the context of addressing sexual violence from a comprehensive prevention approach. In the past two years, certain negative aspects of undergraduate culture at the University of Kansas have been displayed nationally. Al Jazeera featured a video of KU students drinking excessively and discussing a problematic idea of sexual consent, which generated a considerable amount of negative media attention for the KU community (Gordon, 2013). Although KU condemned the students’ behavior featured in the video, the exposé underscored the need to examine the social norms that contribute to sexual violence on campus.

More recently, KU placed the Kappa Sigma fraternity on probation for two years following allegations of multiple sexual assaults during a gathering at the residence in September 2014. In light of these negative events and publicity, KU has also been discussing social norms and the culture of
Greek life. In October 2014, the Greek community developed its own Sexual Assault Task Force to discuss and address issues related to sexual assault. The Greek Task Force is recommending campus prevention efforts, and according to Stephonn Alcorn, Director of Leadership and Development of the University Interfraternity Council, “having some painful conversations about our community, being real about what’s going on, even though it might suck to admit” (Rolstal, 2015).

A frank conversation about social norms that support gender inequality and condone rape-supportive attitudes and beliefs must be central to the discussion of effective sexual assault prevention on campus. The White House Not Alone Report (2014) highlights the need to “engage men” in prevention programming. Engaging men does not translate into identifying them as potential perpetrators, but recognizing that men can be invested as gender equality advocates, prevention activists (i.e. peer educators), and active bystanders (Flood, 2011). At the same time, it is important to recognize the particular risk factors for college men’s sexual aggression (Carr & VanDeusen, 2004) and to address those risk factors within a prevention framework (Flood, 2011).

There are multiple sources of risk factors for campus sexual assault including alcohol abuse, freshman or sophomore status, prior sexual victimization or perpetration, association with sexually aggressive hyper masculine peers, lack of institutional support, and societal norms that support heteronormative male superiority, among others (DeGue, 2014; Krebs et al., 2007). Close examination and understanding of risk and protective factors for sexual assault perpetration (Tharp et al., 2013) and victimization (Kaukinen, 2014) is necessary for effective prevention programming.

While some of these risk factors are seen across the student body, research indicates that the first and second year of Greek life is when young men and women are particularly vulnerable to risk factors compared to their non-Greek counterparts (Krebs et al., 2007). Moreover, several of the risk factors for campus sexual assault also have negative spillover effects on other important areas of campus life that disproportionately affect members of the Greek community, including alcohol abuse and poor academic performance (DeBard et al., 2006; Pascarella et al., 2001; Wechsler et al., 2009).

Within this context, two particular Greek life practices at KU have been identified as counterproductive to prevention efforts and fostering positive social norms. First, although residency in sorority chapter houses is not permitted until sophomore year, current practices allow freshmen men to reside in fraternity chapter houses during their first year at KU. Second, fraternity recruitment often begins while young men are completing their senior year of high school and recruitment/membership intake of all first-year students takes place on campus during the fall semester for both fraternities and sororities. Research demonstrates that the demands of the pledging process interfere with a student’s ability to adjust to the unfamiliar and rigorous academic demands of the first year. Deferring membership from the first to second semester improves these negative effects (Pascarella et al., 2001).
Recommendations for Prevention Practices

In order to address the specific issues described above, the SATF suggests the following reforms to create a comprehensive prevention approach to sexual violence at KU:

Recommendation 1. Create a Central Prevention and Education Research Center

The Center will serve as an overarching structure through which campus-wide prevention and education efforts can be coordinated, evaluated, and revised. This Center will also serve a dual purpose of fostering collaboration and coordination among the faculty who conduct research on sexual violence. These KU scholars are currently dispersed throughout the campus including the College of Liberal Arts & Sciences; School of Social Welfare; School of Law; and School of Medicine.

The Prevention and Education Research Center will require staffing for a director and two assistant directors. Positions would require a search for qualified professionals with public health expertise in sexual violence prevention, program development, and research and evaluation. Based on consultation with other campus Sexual Assault Prevention Centers, as well as expertise from the field, this Center should not be housed within offices related to investigation or gender issues such as the Office of Institutional Opportunity & Access or the Emily Taylor Center for Women & Gender Equity, respectively.

Recommendation 2. Implement Multiple Prevention Programs to All First-Year Students

Prevention programs should deliver multiple educational interventions throughout the academic year to all students, beginning their freshman year, which consists of multiple exposures beginning with freshman orientation. These interventions should be inclusive of all students, regardless of their sexual orientation, and modeled after the approach developed by the University of Michigan’s Sexual Assault Prevention and Awareness Center (see Appendix A), or other best practice campuses such as the University of North Carolina-Chapel Hill.

Recommendation 3. Address the Gaps in Services, Resources, Education, Planning and Prevention for All Students Regardless of Gender Identity or Sexual Orientation

All units should review current prevention programming and survivor materials to assess the level of competency related to gender and sexuality diversity. Specifically, the review should examine case examples/scenarios, messages and general framework that reinforces the gender binary and heterosexism. KU staff in the Student Involvement & Leadership Center’s Sexuality and Gender Diversity Program could provide expertise in this review process, as well as make useful suggestions to increase capacity. Following this review, units should make changes to be reflective of the diverse student body and appropriate to the unique risk of sexual violence victimization of LGBTQ individuals (Todahl et al., 2009).

Recommendation 4. Develop and Utilize List of Community Resources for Alleged Perpetrators

A list of credible licensed professionals with expertise in sexual assault perpetration, violence prevention, and social norms theory should be distributed to all alleged perpetrators. Considering the research documenting the likelihood of repeat offenses by individuals (most likely males) who perpetrate sexual assault (Lisak & Miller, 2002), this is particularly important to overall campus safety, and individual level change.
Recommendation 5. Improve Data Collection, Evaluation and Assessment Process

Prevention-related data collection efforts need to be overhauled to reflect best data collection practices. To provide transparency to the University community, and to document the effectiveness of the sexual assault prevention and response efforts, data on a number of fronts must be collected on a regular basis (e.g. annually). These include: 1) the University sexual assault climate; 2) evaluations of sexual assault programming; and 3) prevalence of sexual violence victimization and perpetration. All methods should be rigorous.

Data collection and oversight should reside in the Prevention and Education Research Center and be performed or closely supervised by trained methodologists. Currently, the sexual assault climate survey is a key source of data at KU, and it needs to be revised. The sexual assault climate survey should use an evidenced-based method modeled after the survey being piloted at Rutgers University, which is based upon the White House draft survey (McMahon et al., 2014; Rutgers University, 2015). In addition, the sexual violence climate survey items (i.e. questions) and content should be selected with the main goal, as identified in the Not Alone Climate Survey toolkit (2014), “to measure the sexual assault problem at a given school” (p. 1).

Recommendation 6. Develop College Course for Student Leadership and Peer Educators

A comprehensive, three-hour college course should be developed and required for student leaders and peer educators. This should be an evidence-based course that includes comprehensive education about the individual, relational, and societal causes of sexual assault using a public health/social framework. Practical training in evidence-based prevention practices, such as bystander intervention training, should be a component of the course. Examples of such courses are available and being implemented across the country (e.g. University of North Carolina-Chapel Hill). At the end of the course, peer educators should have the skills to facilitate discussions, provide resources, and educate students in their communities such as residence halls, sororities, fraternities, and student groups and organizations. Peer educators trained through completing this course could help facilitate prevention efforts.

Recommendation 7. Develop Comprehensive University Messaging

A unified, comprehensive and coordinated campus-wide sexual violence prevention messaging and dissemination strategy should be developed. The strategy should be multifaceted and utilize various modes of communication (e.g. social media, text-based, interpersonal communication, small group communication) that are appropriate to the different levels of intervention. This message should be created by the (recommended) Sexual Violence Prevention Advisory Board and the Director of the Prevention and Education Research Center in partnership with communication practitioners from either the School of Journalism and Mass Communication, or the Department of Design who are experts in the theory and application of campaign messaging strategy development, design and dissemination. We recognize that prevention efforts across campus may have varying foci; developers of the programs must work in concert to ensure messaging efforts contain elements in both content and visual presentation of the overall campus messaging strategy.

Recommendation 8. Create a Sexual Violence Prevention Advisory Board

A Sexual Violence Prevention Advisory Board should be created. The primary focus of the Board should be to collaborate and coordinate efforts and resources across campus. Additionally, the Board should be tasked with reviewing and assessing prevention efforts. The Advisory Board should meet once per semester and include representatives from the campus and the Lawrence community. The Prevention and Education Research Center should be charged with the organization and oversight of the meetings.
Campus board members could include undergraduate and graduate students, representatives from units such as IOA, Title IX Roundtable, KU Medical Center, Emily Taylor Center for Women & Gender Equity, Student Involvement & Leadership Center (SILC), Health Center, Counseling and Psychological Services (CAPS), Student Affairs, Athletics, Office of First-Year Experience, Student Housing, Office of Public Safety, Human Resources, and General Counsel. Community board members may include organizations such as GaDuGi SafeCenter, Willow Domestic Violence Center, Bert Nash Community Health Center, Lawrence Police Department, and Lawrence Memorial Hospital.

**Recommendation 9. Becoming a Jayhawk First: Institute First-Year Student Campus Residency in Campus Housing**

Prevention programming within student housing is a critical aspect of a multi-level prevention approach and facilitates a consistent delivery of prevention programming. Freshmen students should be required to live in campus housing for their first year. This includes deferring new fraternity members’ residency in chapter houses to sophomore year, consistent with existing sorority chapter house residency. These residency changes will also assist students’ transition from high school into college life. KU’s *Bold Aspirations* (2011) prioritized initiatives to support and challenge first-year students. The Office of the First-Year Experience opened in 2012 to bring more intentionality to student transitions.

Living in campus housing builds on and reinforces first-year programming, cultivates an environment where students become Jayhawks first, and provides them with the opportunity to: (1) learn KU’s core values and positive social norms such as respect, consent, responsibility, leadership, and doing the right thing; (2) navigate KU; and (3) become aware of and surrounded by campus and community resources.

**Recommendation 10. Modify Fraternity and Sorority Recruitment/Membership Intake Practices**

The practices governing fraternity and sorority recruitment/membership intake of new members needs to be examined and modified. In particular, the SATF recommends eliminating recruitment of high school seniors into fraternities, and moving the recruitment/membership intake of all first-year students into fraternities and sororities until spring semester. Sophomore, junior, and senior students would still be permitted to go through recruitment/membership intake processes in the fall semester.

**Recommendation 11. Support Greek Collaboration with Overall Prevention Programming**

The efforts of the Greek community, in particular the Greek Sexual Assault Task Force (GSATF), must be supported. Participation in the overall prevention plan for the campus is needed. Likewise, Greek student leaders, together with SILC/Greek Life staff, should conduct assessments of all aspects of recruitment, housing, and social norms promotion in relation to the known victimization and perpetration sexual assault risk factors, including alcohol consumption. Following these assessments, recommendations from the GSATF and other members should be drafted and shared with the Chancellor, and other appropriate units, particularly the (recommended) Prevention and Education Research Center Director. In addition, Greek student leaders should participate in the sexual assault prevention course, described in Prevention Recommendation 6, to help increase knowledge and skills.
**CHARGE 3: SUPPORT AND ADVOCACY FOR STUDENT VICTIMS OF CRIME**

**Deficiencies in Support Services**

Student victims of crime are presently tasked with seeking out mental health resources and support, as well as navigating a complex bureaucratic process if they (or a mandated reporter) initiate a complaint at the Office of Institutional Opportunity & Access. These practices place an incredible burden on victims, which may delay their pursuit of support services and/or affect their willingness to participate in the investigation. College age students have difficulty identifying the relevant offices and resources because they are not readily apparent, nor easy to navigate (Walsh et al., 2010; Hayes-Smith & Levett, 2010). Even if students are aware of certain resources, initiating contact can be problematic if the student does not know which services are confidential. Moreover, an absence of confidential services may stifle a student's willingness to disclose sexual assault (Walsh et al., 2010).

Student victims of crime often disclose their victimization to friends, roommates, faculty, graduate teaching assistants, staff or other KU employees who are equally confused about where and how to seek proper resources for victims. University employees are frequently unaware of resources for student victims, and many are not aware of the responsibilities they carry as mandated reporters. Inexperience and a lack of consistent, targeted reminders to University employees about their responsibilities under federal law contributes to the overall environment of confusion and misdirection surrounding supportive services for students.

An overwhelming majority of KU mandated reporters are not trained in crisis intervention response, which far exceeds their areas of expertise and scope of responsibilities. Mandated reporters are ill-equipped to respond properly to a victim, regardless of their empathy and compassion. Lacking proper training places both a mandated reporter and a victim in a difficult position. Under KU’s current protocol, a tremendous burden is placed on mandated reporters to properly respond to a crisis situation. Additionally, an inherent conflict exists between providing survivor-centered services and fulfilling the legal obligations that are required for mandated reporters and the University under Title IX.

For victims, disclosure of their sexual trauma to a mandated reporter can leave them feeling isolated, confused, blamed, and without any resources to address their trauma. A victim’s initial experience upon disclosing sexual assault is extremely important to his or her short- and long-term well-being (Not Alone Report, 2014). Victims need a safe environment where trained professionals can provide confidential crisis intervention for them based on trauma-informed services. Additionally, victims often need important wrap-around services such as counseling, information and referral, and accompaniment to medical services (Not Alone Report, 2014). These services are not ones that a KU mandated reporter can provide.

Moreover, the recent lawsuit at the University of Oregon has revealed an education-law loophole under the Family Educational Rights and Privacy Act (FERPA) that allows universities to access students’ medical records in the case of a lawsuit initiated by a student against the university (Pryal, 2015; U.S. Department of Health and Human Services and U.S. Department of Education, 2008). Although KU cannot remedy this federal policy loophole, its existence may contribute to further erosion of trust between student victims of crime and the universities they attend. Providing student victims of crime with support services that are separate from the University is imperative for victims’ recovery and for establishing trust between students and KU. Access to these services is crucial for
student victims/survivors as they navigate reporting, investigation, adjudication, and/or criminal proceedings, while they are also trying to pursue their educational goals.

Though a Campus Assistance, Resource, and Education (CARE) Coordinator has been established at KU in conjunction with hiring additional staff at the Office of Institutional Opportunity & Access, these new staff positions are not primarily tasked with providing survivor-centered services for victims. These positions are also explicitly designed to work with both a student victim and the alleged perpetrator throughout the adjudication process. These conflicts of interest may contribute to students’ mistrust of these individuals, create an environment at the University in which student victims feel isolated from necessary resources to assist them, and preclude their ability to create and discover safe spaces in their immediate community.

Although investigations and adjudication are important aspects of student supportive services, they do not comprise a comprehensive set of necessary services. Victims/survivors need survivor-centered services that are specifically dedicated to mitigating the mental and emotional harm caused by sexual violence. These services need to be available on a 24-hour basis because sexual assaults occur at all times; and on college campuses they are more likely to take place at night (Fisher et al., 2000). KU does not have trained staff that is available after regular business hours.

In a fiscal environment of limited resources, KU should avoid unnecessarily duplicating services that can be more effectively delivered by existing community organizations (Not Alone Report, 2014). Moreover, victims/survivors of sexual assault may require long-term services that span beyond their time as a University student.

Community Resources

Community organizations, willing to partner with KU, currently exist in Lawrence and possess expertise and experience with crisis intervention. GaDuGi SafeCenter was established in 1972 to provide support services to victims of sexual violence. GaDuGi SafeCenter is a “survivor-centered, trauma informed organization” that provides sexual assault support services for individuals “regardless of race, ethnicity, religion, age, national origin, immigration status, ancestry, gender identity, sexual orientation, or ability” (GaDuGi SafeCenter, 2015). GaDuGi SafeCenter provides a 24-hour support hotline; medical and hospital advocacy; police and court advocacy; and personal advocacy. These services are staffed with trained sexual violence advocates.

The Willow Domestic Violence Center is another community organization that provides complementary services for individuals who have experienced domestic violence or human trafficking, which may be intertwined with a victim’s experience of sexual violence. Willow Domestic Violence Center provides a range of services including a 24-hour support hotline; emergency shelter; counseling; support groups; children’s services; advocacy referrals; and community education and prevention (Willow Domestic Violence Center, 2015).

Although KU does not have a formal partnership with GaDuGi SafeCenter or Willow Domestic Violence Center, both organizations have a long history of providing services for KU students and employees. These agencies recognize that the victim has lost power, suffered trauma, and needs a safe place to talk over options, vent frustrations, and gain support (GaDuGi SafeCenter 2015; Willow Domestic Violence Center, 2015). GaDuGi SafeCenter and Willow Domestic Violence Center strive to empower the victim. Neither agency attempts to persuade or influence a survivor to choose one path or another but, rather, they strive to help the victim understand options and provide support for whatever the survivor chooses. Consequently, these agencies are uniquely positioned to provide support services that are not available at KU.
Moreover, these organizations are equipped to provide services for individuals once their status as a KU student ends. Additionally, GaDuGi SafeCenter and Willow Domestic Violence Center currently provide confidential services; 24-hour crisis response and advocacy; and flexible services provided by well-trained individuals. These three components have been identified by the White House Task Force to Protect Students from Sexual Assault as essential to victim services (Not Alone Report, 2014).

Partnering with established organizations provides victims of sexual violence with the survivor-centered services they need. These services would pair with the already established structures provided by KU that address other aspects of survivor services such as investigations, adjudication, and support navigating the bureaucratic process. Partnering with these community agencies would positively build on the unprecedented actions KU has already undertaken to formalize and extend its partnership with the Lawrence Police Department through a memorandum of understanding (KU News, 2015).

**Recommendations for Improving Support and Advocacy for Student Victims of Crime**

In order to address the specific issues described above, the SATF suggests the following reforms to support and advocacy for student victims of crime:

**Recommendation 1. Establish a Memorandum of Understanding (MOU) with Key Community Partners**

GaDuGi SafeCenter and Willow Domestic Violence Center are key organizations that have the expertise to provide survivor-centered services to KU students. A formalized memorandum of understanding with these agencies would allow services to be fluid between agencies, and the multiple services offered by each agency would be available to every student. Appendix B contains a draft memorandum that could serve as a starting template for a formalized partnership with community agencies.

**Recommendation 2. Establish a Protocol for KU Mandated Reporters**

Establishing a consistent protocol for a mandated reporter to follow would significantly improve KU’s response to victims by making confidential survivor-centered services immediately available upon disclosure. Members of the SART, described under Policy Recommendation 2 would help inform the protocol. If a student discloses an incident of sexual violence, mandated reporters should be required to make an immediate phone call to GaDuGi SafeCenter requesting an advocate be sent. GaDuGi advocates are trained in sexual assault crisis response, provide confidential services, and will be able to establish contact with victims offering support and resources that are solely dedicated to care of the victim. This protocol would eliminate the burden placed on victims to seek out services while dealing with the trauma of sexual violence. Once an advocate has arrived, mandated reporters should follow existing KU policy and report the incident to the Office of Institutional Opportunity & Access.

**Recommendation 3. Increase the Visibility of Resources for KU Students and Employees**

Students and employees often lack an awareness of the resources available to victims of crime. By embedding information in established venues such as creating a visible link to resources on departmental web pages and including information on syllabi, these resources will become more visible and easier to access. Instructors should be encouraged to incorporate Title IX language and information on their syllabi that directs students to campus and community resources, specifically
identifying confidential services and notifying students about their mandatory reporter status (Dawisha & Dawisha, 2014). These actions require minimal effort. Appendix C contains an example of language instructors could incorporate into their syllabi.

**Recommendation 4. Modify Discrimination Statement and Policy on KU Website**

Modify the current statement appearing at the bottom of KU’s website, which currently states:

“The University of Kansas prohibits discrimination on the basis of race, color, ethnicity, religion, sex, national origin, age, ancestry, disability, status as a veteran, sexual orientation, marital status, parental status, retaliation, gender identity, gender expression and genetic information in the University’s programs and activities. The following person has been designated to handle inquiries regarding the non-discrimination policies and is the University’s Title IX Coordinator: the Executive Director of the Office of Institutional Opportunity and Access, IOA@ku.edu, 1246 W. Campus Road, Room 153A, Lawrence, KS, 66045, (785)864-6414, 711 TTY.”

The new statement should include, “All employees at KU are mandated reporters and must report incidents of discrimination, which includes sexual harassment and violence.” Additionally, create a hyperlink that lists a mandated reporter’s responsibilities and any consequences of failing to comply with their mandated reporter status.

**Recommendation 5. Require Administrators to Educate Employees Regarding Their Mandatory Reporter Status**

Many KU employees are unaware of Title IX policy, campus and community resources for victims of violence, their status as mandatory reporters for incidents of discrimination, sexual harassment, and violence, and do not know how to report them. Requiring administrators and supervisors to educate their subordinates about the role and responsibilities of a mandated reporter, and how to report an incident, would help counter the misinformation and lack of awareness among KU employees. This information can be incorporated and disseminated in existing structures such as chairs and directors meetings, and departmental meetings.

**Recommendation 6. Streamline Medical Services Billing**

Funnel all billing for medical services received at Watkins Health Services related to sexual assault through the CARE Coordinator. A number of external funds (including GaDuGi SafeCenter and the KBI Crime Victims Fund) exist that can assist victims/survivors in paying for medical expenses resulting from their sexual assault. However, navigating these resources can be difficult and confusing. If a student signs a Health Insurance Portability and Accountability Act (HIPAA) waiver allowing for billing to go first to the CARE coordinator to exhaust existing resources first, both the financial burden of sexual assault for students and the stress associated with paying for medical exams may be lessened.
**Charge 4: Evaluation of Code of Student Rights and Responsibilities**

**Background**

Student involvement in university governance can be traced back to the early 1900s under Chancellor Frank Strong. In fall 1969, the newly renamed KU Student Senate met for the first time with 95 members and began establishing rules for governance and student conduct. The Code of Student Rights and Responsibilities was adopted in 1970, and was crafted from a mutual need of the University and the student body to reasonably govern student behavior while allowing students to maintain autonomy outside of the University. In March 1972, the Rules and Regulations of Student Senate were ratified to solidify the structure of student government within the larger framework of university governance. Though it was crafted during a tumultuous time in KU’s history, the Code functions as a key pillar in student life and the Student Senate to this day. The Code is traditionally updated on a bi-annual basis through negotiation between Student Senate and Student Affairs, with final passage by the Student Senate and approval by the Chancellor.

**Deficiencies in Code**

During the 2014-2015 academic year, the University was forced to face the deficiencies in the Code of Student Rights and Responsibilities when Douglas County District Judge Robert Fairchild found that the Code as it stood did not prohibit off-campus online sexual harassment. Fairchild stated in his decision that “[t]he university can easily change its Student Conduct Code if it wishes to prohibit off-campus student conduct” (Doornbos, 2014). At the time of this decision, Article 17 (“Jurisdiction”) of the Code read “[t]he University may institute disciplinary proceedings when the alleged violation(s) occurs on University premises or at University sponsored or supervised events or as otherwise required by federal, state, or local law.” This language was first installed in the code in 2011 (Flinn, 2015). Fairchild clearly disagreed with the University as to whether degrading tweets about an individual following a no-contact directive as part of a sexual harassment investigation triggered off-campus jurisdiction “as otherwise required by federal, state, or local law.”

Subsequently, Chancellor Gray-Little sought to clarify the University’s position in regard to off-campus jurisdiction by adding the following to Article 17:

“For purposes of clarification, with respect to federal law this means and includes violations of the University’s nondiscrimination and sexual harassment policies, regardless of the location of the conduct.”

While this modification to the Student Code clarifies KU’s off-campus jurisdiction regarding nondiscrimination and sexual harassment policies, it does not clarify KU’s jurisdiction to sanction students for the related issue of intimate partner/relationship violence that may occur off-campus. Therefore, the SATF recommends strengthening the language in the Student Conduct Code to explicitly state KU’s ability to sanction students for sexual harassment, sexual assault and intimate partner/relationship violence that occurs off-campus. Many of the acts that constitute intimate partner/relationship violence also fall under the category of sexual harassment and assault: for example, rape or sexual abuse. The jurisdiction for intimate partner violence similarly must be expanded to include off-campus behavior because a victim of intimate partner violence would not have been subjected to such behavior “but for their sex,” the baseline consideration for sex discrimination claims (Strickland, 1995, 3). Title IX, the law for which the “federal, state, or local
The “nondiscrimination and sexual harassment policies,” but it does not specifically delineate intimate partner violence. Failing to specify off-campus jurisdiction for intimate partner violence opens up another avenue for litigation if a student sues for being expelled for intimate partner violence, in which the University must then in court again prove that intimate partner violence is a form of sex discrimination. Explicitly outlining the jurisdiction will circumvent costly and time-consuming litigation on this issue. Additionally, the Student Senate Rights Committee, which is the steward of the Student Code, already assented to the above changes by unanimous vote in February 2015 (Flinn, 2015).

**Recommendations for Revising the Code of Student Rights and Responsibilities**

In order to address the specific issues described above, the SATF recommends clarifying the Code of Student Rights and Responsibilities by incorporating revisions to the following sections of the Code:

**Recommendation 1. Clarify Article 19. Section A2 of the Code of Student Rights and Responsibilities by incorporating the following:**

Students may be disciplined for sexual violence and sexual harassment, regardless of whether the sexual violence or harassment occurred on or off university premises, if a victim of the sexual violence was at the time a student at the University of Kansas. The prohibition of conduct that is not on university premises in instances of sexual assault and/or sexual harassment does not imply or require such broader jurisdiction for any other provision within the Code of Student Rights and Responsibilities.

**Recommendation 2. Clarify Article 19. Section A8 of the Code of Student Rights and Responsibilities by incorporating the following:**

Students may be disciplined for intimate partner violence, regardless of whether the violence occurred on or off university premises, if a victim of the violence was at the time a student at the University of Kansas. The prohibition of conduct that is not on university premises for intimate partner violence does not imply or require such broader jurisdiction for any other provision within the Code of Student Rights and Responsibilities.
CONCLUSION

KU must send a clear message that sexual violence will not be tolerated. There can be no equivocation or uncertainty on that point. The safety of the members of the University community is paramount. We must do everything possible to ensure that rapists and sexual assaulters are not allowed to victimize members of our community.

The recommendations proposed by the SATF should be put into effect as soon as is feasible. The scourge of sexual assault within college communities in general, and at KU in particular, is too important to allow for delay. These recommendations embody a multi-faceted approach to addressing sexual violence at KU. The first step must always be preventative efforts to decrease incidences of rape and sexual assault. Nonetheless, there must also be policies and practices in place to ensure that when such wrongful acts do occur, victims are treated with respect, cases are adjudicated fairly and efficiently, and the process is transparent.

The SATF is recommending a series of substantial reforms to KU’s policies regarding sexual assault which will hopefully, if implemented, go a long way toward addressing the issue of sexual assault as it affects the KU community. However, these reforms should only be seen as the beginning of a longer process. Sexual violence is what some academics have termed, a “wicked problem” (Rittel & Webber, 1973). It stands at the confluence of historical, cultural, and social dynamics that make simple, quick-fixes unlikely to provide meaningful solutions. The problems associated with rape and sexual assault at KU did not emerge overnight, nor will they be resolved in a similar time frame. Consequently, a long-term, continual commitment by the University of Kansas is needed to prevent and address sexual violence within the community.
REFERENCES


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APPENDIX A: UNIVERSITY OF MICHIGAN PREVENTION MODEL

Figure 4. Adapted University of Michigan Four-Dose Model of Prevention Programming for All First Year Students

As the figure shows, at orientation (June-July) all incoming students attend peer theater performances that address several topics surrounding sexual violence including consent, and what one can do as a bystander. University of Michigan students are also required to complete a mandatory three-hour online sexual violence awareness course developed by SAPAC called “Community Matters.” The 45 minute online course called Haven – Understanding Sexual Assault™ is part of the online course. The online course also ensures the university’s compliance with their Campus SAVE Act requirements. Students take the online course prior to arrival on campus and again in August after orientation.

In September and October, students then participate in a mandatory 90 minute program called “Relationship Re-mix” that is held in their halls of residence. During this program, forty students are divided into small groups. Two peer leaders who are trained to have discussions on sexuality and sexual violence lead the discussion. They lead a sex positive discussion on healthy relationships and provide students with skills for requesting and providing consent.

Finally, students go through a bystander intervention program called Change It Up!, which is developed as a collaboration between SAPAC, the Diversity Office and the Health Promotion Office. This program is also delivered via the students’ halls of residence communities. During this intervention, students are provided skills on how to recognize and safely intervene for all forms of
violence not just sexual violence. The Bystander program recognizes that sexual violence thrives in an environment that allows other forms of violence and as such seeks to empower students to feel they can intervene. As previously mentioned, a fifth prevention effort that covers sexual misconduct policy but only to target groups, is also provided.
APPENDIX B: DRAFT MOU

DRAFT OF MEMORANDUM OF UNDERSTANDING BETWEEN
GaDuGi SafeCenter, Willow Domestic Violence Center, and the University of Kansas

This Memorandum of Understanding (MOU) is entered into by GaDuGi SafeCenter, Willow Domestic Violence Center, and the University of Kansas. The MOU formalizes the commitment of the parties to work together to provide trauma-informed services to student and employee victims of sexual assault and domestic violence and to improve the overall response to victims at the University of Kansas-Lawrence campus. The parties share the goal of preventing sexual assault and domestic violence on campus and in the Lawrence community, and responding appropriately to students and employees who have been victimized.

I. Description of the Partner Agencies

GaDuGi SafeCenter is a nonprofit, community-based organization dedicated to working with the community to end sexual violence in Douglas, Franklin and Jefferson Counties. GaDuGi SafeCenter provides free, confidential services including a 24-hour hotline and hospital response, therapeutic services, medical, personal and legal advocacy, community education and training for professionals. Through direct services and education, GaDuGi SafeCenter provides services to more than 2,500 individuals annually. GaDuGi SafeCenter provides survivor-centered services that focus on healing, support and justice for victims of rape, sexual assault, sexual harassment, sexual abuse and other forms of sexual violence.

The Willow Domestic Violence Center is a nonprofit dedicated to the mission of restoring the health and safety of victims of family and domestic violence. The Willow serves Franklin, Douglas and Jefferson Counties. The Willow provides services to women and men 24 hours/365 days a year. We provide a crisis line, a safe home shelter, court advocacy, a S.A.F.E dating violence curriculum, community education, and the HopeWorks program that provides healthy relationship classes and tools for restoring self-esteem and self-sufficiency. Last year, The Willow served 136 women and 111 children in our safe home shelter, provided 6,378 safe nights, answered 2,900 crisis calls and served almost 600 non-sheltered people. Our most valuable service to survivors is the education about how dating and relationship violence affects their own well-being. Given the services provided by The Willow, we see survivors build a healthy and happy life.

II. The Role of the Victim Services Agencies

GaDuGi SafeCenter and The Willow Domestic Violence Center agree to:
a) Provide a designated staff advocate to focus on making services accessible and appropriate for students and employees referred to by the University of Kansas.

b) Continue to provide 24-hour crisis hotline and GaDuGi SafeCenter will provide hospital response services to Lawrence Memorial Hospital and Watkins Health Center available to students and employees of the University of Kansas.

c) Provide confidential crisis intervention, counseling, information and referral, and accompaniment to medical and legal services as requested by students and employees.

d) Provide on-campus open support hours for students and staff that are seeking support, information and referral in a confidential space designated by University staff.

e) Provide students and employees of the University of Kansas with information about how to file a complaint with the University of Kansas and how to report a crime to campus or local law enforcement and offer to assist students and employees with filing a complaint or report.

f) Provide the University of Kansas with general information about incidents of sexual violence and other reportable offenses for inclusion in its annual Clery Act security report and to help the University identify patterns or systemic problems related to sexual violence.

g) Conduct victim satisfaction surveys or use other methods to assess the effectiveness of the services provided to students and employees.

h) Meet regularly with the Office of Institutional Opportunity & Access and Title IX coordinator and other relevant staff to share information about: the needs of victims, trends in sexual assault services provided, additional services that are needed by students and employees, and the effectiveness of the University’s sexual assault prevention and response programs.

i) Provide 3 hours of training per semester to the University of Kansas health care and student services staff, officials involved in student conduct proceedings, and campus law enforcement on the incidence and prevalence of sexual assault.

III. The Role of the University

The University of Kansas agrees to:

a) Identify a central point of contact for GaDuGi SafeCenter and Willow Domestic Violence staff to facilitate referrals for confidential services.

b) Contact GaDuGi SafeCenter and Willow Domestic Violence at the beginning of an investigation and allow staff to explain services to the victim either in person or over the
c) Provide agency materials to all primary and secondary survivors at the beginning of the investigation process.

d) Provide training to GaDuGi SafeCenter and Willow Domestic Violence staff about:
on-campus resources that are available to student and employee victims of sexual assault and domestic violence; the federal and state requirements for colleges and universities in responding to sexual assault and domestic violence; reporting procedures for victims who wish to file a report with campus law enforcement and/or a complaint with University officials; the student code of conduct and disciplinary process; and the educational accommodations that can be provided to victims of sexual assault and domestic violence.

e) Provide printed and online materials about reporting options for students and employees, including information about how to file a complaint with the University of Kansas and how to report a crime to campus or local law enforcement.

f) Inform GaDuGi SafeCenter and Willow Domestic Violence Center about the reporting obligations of University employees and identify those employees with whom students can speak confidentially (and any exceptions to that confidentiality).

g) Inform GaDuGi SafeCenter and Willow Domestic Violence Center about the University’s prohibitions on retaliation, how allegations or retaliation can be reported, and what protections are available for students who experience retaliation.

h) Ensure availability of the Office of Institutional Opportunity & Access and Title IX coordinator and designee to meet regularly with GaDuGi SafeCenter and Willow Domestic Violence Center.

i) Collaborate with GaDuGi SafeCenter and Willow Domestic Violence Center on respective violence prevention approaches and activities.

j) Compensate GaDuGi SafeCenter and Willow Domestic Violence Center for services provided.

IV. Confidentiality

GaDuGi SafeCenter, Willow Domestic Violence Center and the University of Kansas affirm the importance of providing students with options for confidential services and support. All services provided by GaDuGi SafeCenter and Willow Domestic Violence Center to students and employees of the University of Kansas will be kept confidential except in the following circumstances:

a) If the student or employee wants information shared with the University of Kansas
or campus security, campus or local law enforcement, the victim service agency will obtain informed consent for release of the information. When releases of information are required, they will be written, informed and reasonably time-limited.

b) GaDuGi SafeCenter and Willow Domestic Violence will provide the University with aggregate data about incidents of sexual violence, domestic violence and other reportable offenses to include in its annual Clery Act security report and to help the University of Kansas identify patterns or systemic problems related to sexual violence. No personally identifying information will be provided for Clery Act purposes. GaDuGi SafeCenter and Willow Domestic Violence Center will consult with victims regarding what information needs to be withheld to protect their identity.

c) If the federal or state law requires disclosure because there is an imminent risk of harm to self or others, victim services staff will determine: who will be notified; in what form; what information will be provided to the victim regarding this disclosure; and what steps will be taken to protect the victim from imminent risk.

V. General Provisions

This section can include the University’s required language for MOU’s.
**APPENDIX C: SAMPLE LANGUAGE FOR SYLLABI**

**Title IX and Sexual Assault Services for Survivors on Campus & in Lawrence**

**Mandated Reporter**

Federal law now requires faculty members to report incidents of sexual assault and sexual harassment to the University’s Title IX coordinator if we learn about them and if the perpetrator is another KU student or staff member. As an employee of the University of Kansas I am a mandated reporter.

**Title IX**

Title IX makes it clear that violence and harassment based on sex and gender is a Civil Rights offense subject to the same kinds of accountability and the same kinds of support applied to offenses against other protected categories such as race, national origin, etc. If you or someone you know has been harassed or assaulted, you can find the appropriate resources here:

**Campus and Community Resources**

- GaDuGi SafeCenter (confidential services) 785-843-8985
- KU Student Health Services (sexual assault nurse examiner (SANE) available during weekdays) 785-864-9500
- Lawrence Memorial Hospital ((SANE) available 24/7) 785-505-6162
- KU Emily Taylor Center for Women & Gender Equity, 785-864-3552
- KU Counseling and Psychological Services, 785-864-2277
- Willow Domestic Violence Center (confidential services) 785-331-2034
- KU Office of Institutional Opportunity & Access (IOA) (Title IX Coordinator) at 785-864-6414 or sexualharassment@ku.edu. IOA is the KU office responsible for investigating complaints of sexual harassment, including all forms of sexual violence (rape, sexual assault, domestic violence, dating violence, stalking, etc.). For detailed information visit sexualharassment.ku.edu or ioa.ku.edu.