

*Paula A. Treichler
AAUP Committee W
Institute of Communications Research
University of Illinois at Urbana-Champaign
January 11, 2014*

CAMPUS SEXUAL ASSAULT: FREQUENTLY ASKED QUESTIONS

Why is campus sexual assault important?

Campus sexual assault has emerged as a serious problem at academic institutions, increasingly attracting media attention, government policy initiatives, and campus activism. Yet few campuses appear to have responded appropriately or adequately to this reality. This provides an opportunity for campuses to reconsider the problem and for faculty to take an active role in developing better understandings, policies, and procedures. Arguing that campus sexual assault is a faculty concern, a women's concern, and an AAUP concern, the AAUP's Committee W authored a statement that suggests policies and procedures for campuses. "Campus Sexual Assault: Suggested Policies and Procedures" available on the AAUP website: <http://www.aaup.org/report/campus-sexual-assault-suggested-policies-and-procedures>

What is the scope of the problem? What are its consequences?

Women in the traditional age range for college students—from eighteen to twenty-one—are four times more likely to be sexually assaulted than any other age group, and college-bound women are at greater risk than their non-college-bound peers. Between twenty and twenty-five percent of college women and four percent of college men report having been sexually assaulted during their college years. The rate for gay, lesbian, bisexual, and transgender students is estimated to be slightly higher. Studies of campus sexual assault indicate that many—perhaps most—assaults and attempted assaults are never reported, or, if reported, not consistently counted as official. The consequences of sexual assault are potentially very serious. An immediate concern is physical damage done to the victim, which may be serious enough to require medical treatment or hospitalization. Pregnancy and sexually transmitted infections including HIV are additional concerns. Emotional damage may be serious and equally necessitating treatment. Sexual assault may affect students' academic achievement as well as their capacity to contribute to the campus community. College students who have experienced a sexual assault rarely perform at their prior academic levels, are sometimes unable to carry a normal class load, and miss classes more frequently. These changes sometimes stem from social withdrawal, sometimes from a desire to avoid the perpetrator. Assaulted students regularly drop courses altogether, leave school, or transfer. Along with academic decline and social withdrawal, long-term outcomes may include increased risk of depression, substance abuse, self-harm, eating disorders, post-traumatic stress, personality disorders, and suicide.

Colleges and universities also suffer serious adverse consequences from incidents of sexual assault. Cases exposed in the national media may bring scandal to the institution and its leaders, create distrust among parents and alumni toward the administration, erode fundraising efforts as well as legislative and philanthropic support, and tarnish the institution's reputation for some

time. Even incidents that remain local are likely to damage the institution's image in the community.

Is sexual assault different from sexual harassment?

The answer to this question depends on whom you're asking. Some campuses have chosen to fold sexual assault into their existing sexual harassment policies. The federal government, for example via "Dear Colleague" letters and guidelines from the Office of Civil Rights, stipulates that sexual assault be categorized as a type of sexual harassment. After careful research, however, Committee W concluded that important distinctions exist between the two categories of sexual violence such that they merit separate treatment. Among the differences: (1) sexual harassment is largely considered to be a workplace phenomenon, with employers (campus, factory, etc.) responsible for developing policy and procedures; sexual assault can take place anywhere, and responsibility for its management is often ambiguous or contradictory; (2) sexual harassment is a category of behavior first labeled and defined in the 1970s, and despite variations in wording and scope, its definition is relatively standardized; sexual assault has an ancient history and a plethora of meanings that vary by time period, place, community, legal system, law enforcement system, and numerous other variables; (3) despite issues of adjudication for both categories of behavior, penalties for proven sexual harassment are typically handled by the employer; sexual assault—whether on campus or not—in many venues may carry criminal penalties that require the involvement of local law enforcement.

Why are words, meanings, and definitions important?

As just noted, the term "sexual assault" has many meanings and is defined differently from one context to another. Consider also the numerous terms that exist to identify forms that "sexual violence" may take: Sexual violence, harassment, rape, penetration, abuse, molestation, misconduct, misdeeds, suggestive or obscene language, domestic sexual violence, marital rape, stalking, abduction, kidnapping, confinement, sexting, threatening, choking, looking, staring, touching, feeling, teasing, hostile climate, hostile work environment, request for "sexual favors," quid pro quo. In some cases, "rape" has been replaced by "sexual assault" while in other cases, "rape" is retained and sometimes distinguished from "sexual assault" (e.g., depending on whether vaginal, anal, or oral penetration took place). Committee W's document contains additional examples of ambiguity, contradiction, overlap, and omission. Early in the process of developing policy and procedures, it is therefore critical to survey, discuss, and agree upon the definition of key terms and upon the specific types of behavior they designate. Likewise, there must be consensus about the criteria that define and particularize incidents of campus sexual assault. Moreover, these terms and criteria must be coordinated with existing campus policies and with the laws and regulations of the community where the campus is located.

What are the special issues concerning campus sexual assault?

Studies of campus sexual assault indicate that many—perhaps most—assaults and attempted assaults are never reported, or, if reported, not consistently counted as official. The fact that sexual assaults on campuses largely take place between acquaintances blurs understandings both of consent and of assault, and lessens the likelihood of reporting. Unlike "stranger rape,"

acquaintance rape may not even be perceived by those involved as “rape,” a perception that may discourage or delay disclosure (which may occur days, weeks, even years after the event). Then, too, academic institutions generally prefer to manage their own affairs internally. This may limit useful interaction and coordination with external law enforcement and non-campus advocacy agencies that deal with sexual assault.

Why should faculty be interested/involved in the policies and procedures for managing campus sexual assault?

As advisors, teachers, and mentors, faculty members may be among the most trusted adults in a student’s life and often the persons to whom an experience of sexual assault will be confided. A faculty member may also be the first adult who detects changes in a student’s behavior that may stem from a sexual assault and encourage the student to talk about it. Faculty members may thus find themselves in the role of “first responders” to reports of sexual assault, yet few consider themselves adequately equipped for the role—in part because they are the least likely campus constituency to receive information about sexual assault and guidance about responding and reporting. Faculty members are not expected to be trained investigators (and we do not believe they should be pressed into this role). But they can listen carefully to a student’s report and state explicitly that they take it seriously; explore whether any immediate action (such as medical attention) is wanted or needed; describe campus policy and reporting options and offer assistance in navigating the campus bureaucracy; refer the student to an experienced campus official or service provider; and carry out or encourage faculty participation in policy development and research on the problem.

What factors may influence the reporting and outcome of a charge of sexual assault?

According to the research literature, policy documents, and case studies, a great many factors may influence all aspects of the sexual assault experience and management: reporting, responding, recovering from, tracking, counting, adjudicating, classifying incidents, and managing media coverage. These include:

- sexual assault vs rape
- sexual assault vs sexual harassment
- physical, mental, verbal, or cyber harassment
- Isolated or persistent
- unwanted
- apparent or past consent
- inappropriate
- life stage
- support system
- power relationship
- against women, men, GLBT
- rape or not
- penetration or not
- oral, vaginal, or anal penetration
- threat or not

- consent or not
- weapon/object or not
- forcible or not
- physical evidence of sexual violence or not
- physical evidence of resistance and struggle
- mental, physical, verbal, or cyber violence
- alcohol, drugs, or not
- conscious or not
- HIV or STI
- on campus or not
- reported or not
- reported to whom
- reported by name, confidentially, or anonymously
- interval between assault and report
- stranger or not
- one perpetrator or more than one
- intent

What external factors influence the development of an incident or case?

- Structural issues that influence definitions and statistics
- laws, policies, regulations, definitions specific to state, institution, research methodologies, ideologies, precedents
- Social, cultural, institutional, physical, economic geographical conditions
 - that provide support for victims
 - that condone or do not hinder sexual violence
 - that punish sexual violence

What is the situation in other countries?

UN/WHO behaviors and definitions of sexual assault include acts against sexual integrity (circumcision, castration, obligatory virginity, surveillance & inspections, breast ironing, penile removal), forced sex or forced prostitution, trafficking, sexual or marital abduction, “murder of honor.”