

**THE LAKE EFFECT**

APRIL 1, 2011

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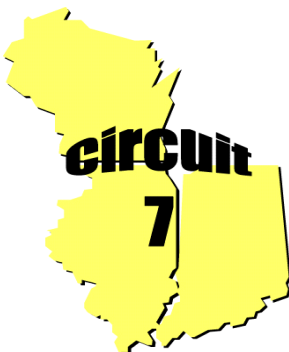
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**GREETINGS FROM YOUR DIRECTOR-AT-LARGE**

**BY: SUZETTE WALDEN, DIRECTOR AT LARGE FOR CIRCUITS 7 & 8**

First and foremost, congratulations to you all for winning Circuit of the Year for the 2<sup>nd</sup> year in a row! I want to share with you that it is truly my honor to serve as your new Director-at-Large for Circuits 7 and 8. I officially took office during the Business meeting at the 2011 Conference. It was great to have so many of you in attendance at the Circuit meeting during the Conference in February. As I stated in your Circuit meeting, I hope to see you achieve new heights this year. I am excited to see that several individuals have taken on leadership positions within the Circuit, but I know that Ellen will be looking for assistance from everyone to make this year a success!

I have served ASCA through numerous roles including, but not limited to, Circuit 7 Representative, Board Co-Liaison to the National Association for Campus Activities, Faculty member for the Student Organization Institute, and presenter for the Association for Fraternity/Sorority Advisors Annual Meeting. I believe that ASCA must continue to advance as an association for both the members we serve and the profession as a whole. When I ran for the Director-at-Large position, I offered the following goals:

- Increasing outreach efforts to underserved populations within our membership (i.e., graduate students, private institutions, HBCUs, HSIs, and two-year institutions).
- Expanding membership recruitment efforts to include fraternity-sorority and student activities professionals responsible for student organization conduct.
- Responding to the economic condition our members find themselves in by retooling our circuits to ensure there are regional professional development opportunities.

- Restructuring our circuit’s leadership structures to provide for leadership teams to provide increased involvement opportunities.
- Identifying “hot topic” concerns for the membership to address via “white papers” or means of exploring and sharing best practices.
- Codifying processes for “checking in” with the membership on quarterly basis to ensure they are abreast of issues and concerns within the field.

As your new Director, I will continue to try to stay focused on the larger issues at hand for the membership and the Association. I am open to your feedback, ideas and concerns; and, I would ask that should you have thoughts you would like to share that you not hesitate to contact me at [swalden@ilstu.edu](mailto:swalden@ilstu.edu) or 309-438-8621. Additionally, I will be holding monthly conference calls with your Circuit Representative to identify ways that the Board may better serve you. I will also share with her what the Board is discussing, new initiatives that are surfacing, and issues we are addressing.

I challenge you to connect and reconnect with your colleagues at other institutions through Circuit activities, including this newsletter, and other student affairs opportunity to strengthen our Association.



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## CIRCUIT 7 REPRESENTATIVE UPDATE

BY: ELLEN HERION



As Circuit Representative, my goal is to create and sustain quality professional development opportunities for our membership. I firmly believe that we have set the bar high for model programs, events and communication amongst the Association and it is absolutely imperative that it continue as well as continue to improve. Specifically, one of the key areas I articulated focusing our team efforts is towards our newsletter and website.

The Lake Effect will be moving to quarterly publications with general updates, events, member highlights, etc. but will also include a specific content focus. This issue of the Lake Effect fo-

cuses on working through sexual assault and sexual violence incidents on our campuses. Peter Paquette, who serves as the Assistant Dean of Students at Dickinson College, is a guest author for this issue of the Lake Effect. Peter has provided a brief reflection on the recent student sit in regarding their campuses' sexual assault response and policies. I hope you all enjoy reading this issue and consider submitting to the newsletter in the future. Our membership has tremendous knowledge and skill that we look forward to highlighting not only in our Lake Effect but in other forms of professional development opportunities.

I am truly honored and grateful to serve the membership, as being a part of the Circuit and the greater Association these past years has been truly rewarding for me personally and professionally. I hope you all can share in my excitement for the events and connections our team is planning for our membership throughout the year. As always, let me know if you have any ideas or suggestions for Circuit 7!

## LEGISLATIVE UPDATE FOR CIRCUIT 7

BY: BRIAN GLICK

As this month's *Lake Effect* focuses on sexual assault issues, here is what is going on at the Federal level and within the circuit as it relates to legislation and sexual assault. In November 2010, Representative Thomas Perriello introduced H.R. 6461, the Campus SaVE Act in Congress. With the transition from the 111<sup>th</sup> to the 112<sup>th</sup> Congress, the bill died in committee. It is widely anticipated this bill, or one similar will be introduced during the 112<sup>th</sup> Congress. As of March 15<sup>th</sup>, this bill has not been introduced. Additionally, there have been several decision letters issued by the Office of Civil Rights, from the Department of Education to institutions around the country. These letters are available on the OCR website and can provide guidance responding to sexual misconduct incidents on your campus.

There are states around the country which are addressing the registration of sexual offenders on college campuses. These states include Washington, Texas, and Illinois.

What's happening on the circuit

level? Basically at this point, the legislatures in each of our states are trying to sort out the budget issues. Higher education's name keeps popping up as the legislatures talk about cuts and pensions. Each state is working on this matter independently.

There is legislation which focuses on sexual assault, but it focuses mainly on the criminal code in a state, not higher education. Generally where the two items are intersecting now is the mandatory registration of a sexual offender when he or she works at an institution of higher education.

Below are some links to the various legislatures if you are interested in following or keeping up with legislation.

U.S. Congress-  
<http://thomas.loc.gov>  
U.S. Department of Education-  
<http://www.ed.gov>  
Illinois-  
<http://www.ilga.gov>  
Indiana-  
<http://www.in.gov/legislative>  
Wisconsin-  
<http://www.legis.state.wi.us>

**ILLINOIS STATE REPRESENTATIVE UPDATE**

**BY: CAROLYN GOLZ**

Hey there, Illinois! I am excited to continue my involvement with ASCA by serving as the Illinois state rep for Circuit 7. I am the Associate Dean of Students for Community Standards at Lake Forest College, just north of Chicago, and previously worked in Residence Life at the University of Illinois at Chicago.



Before serving as the co-editor for the *Lake Effect*, I felt really disconnected from ASCA. I knew a few people in student conduct at other schools, but we rarely found opportunities to connect and learn from each other. However, once I was able to get involved within the circuit, I found that we work with so many fantastic colleagues and we all benefit when we make the time to get together, chat on the phone, or exchange emails. As a result, my main goal for this year is to create opportunities for interaction and

engagement among ASCA members within the state of Illinois. Social media provides an excellent forum for connections, but I know that social media merely adds to the strong ties we develop when we meet each other in real life.

As the end of the school year quickly approaches, I know we'll all be busy wrapping up our caseloads and beginning to make plans for next year. I hope you'll add Circuit 7 events to your calendar as you start making future plans; let's connect with and learn from each other this year.

If you're on Twitter, Facebook, or LinkedIn, let's connect.

<http://twitter.com/carolyngolz>  
<http://www.facebook.com/carolyn.golz>  
<http://www.linkedin.com/in/carolyngolz>

**INDIANA STATE REPRESENTATIVE UPDATE**

**BY: KOURTNEY EASTHAM**



Representative and look forward to representing the Hoosier state the best I can. If there is anything I can do to assist you in your membership in Circuit 7 or the Association, please contact me at [kbeastham@usi.edu](mailto:kbeastham@usi.edu).

Updates:  
 -Beginning preparations for the Indiana State Meeting, details coming soon  
 -ASCA Indiana goes social!!  
 Follow Me @ASCA\_Indiana

Hi, I am Kourtney B. Eastham. Currently, I serve as an Area Coordinator at the University of Southern Indiana in the department of Housing and Residence Life. I have been a member of ASCA for three years, and have continued to become more invested and involved with every aspect of the Association. I am thrilled to serve as the Indiana State

*"You can work miracles by having faith in others. By choosing to think and believe the best about people, you are able to bring out the best in them."*  
 -Bob Moawad

**WISCONSIN STATE REPRESENTATIVE UPDATE**

**BY: TONYA SCHMIDT**

Hello. I'm Tonya Schmidt and this is my third year as the Wisconsin State Representative. I'm thrilled to continue in this capacity and my goal is to keep conduct administrators in Wisconsin connected with great resources from ASCA and the wide range of knowledge we each have to offer. I am currently serving as an Assistant Dean of Students at the University of Wisconsin-Madison. I obtained my Masters in Counseling with a Higher Education and Community emphasis from the University of Wisconsin-Whitewater. I have worked in higher education for over 12 years in the areas of residence life, counseling, and judicial affairs. I am passionate about working with students and have specific experiences and expertise in student issue areas such as alcohol,

sexual assault, dating/domestic violence, stalking, and eating disorders.

A few of the ways Wisconsin Conduct Administrators stay in touch is through a listserv and an annual meeting in October. The October meeting is always held in the Wisconsin Dells and coordinates with the Wisconsin College Student Personnel Association (WCPA) conference. This fall, one of our Wisconsin schools is hosting our Circuit 7 Drive in Conference. Please mark your calendars for October 3-4, 2011 at Concordia University in Mequon, WI. We will focus on Constitutional First Amendment topics such as freedom of speech and religion.



## **WELCOME TO ASCA'S CIRCUIT 7 BY: JESSICA IMPALLARIA, ILLINOIS STATE UNIVERSITY**

Welcome to all of the new members of ASCA and Circuit7! In my opinion, you have just taken a giant leap into the pool of professional development and camaraderie that is this wonderful group. You have given yourself the opportunity to grow as a professional, make connections with colleagues in Illinois, Indiana and Wisconsin, and to truly have your voice heard as a member of ASCA.

As a current second year graduate student, this circuit has given me numerous opportunities to learn more about the web that is student conduct administration through the Circuit's annual signature event series. These events, such as the Graduate Assistant Meeting and the Fall Conference, provide opportunities for those new to the profession to learn the foundation of student conduct while allowing for networking and idea sharing among circuit members. All levels of professionals benefit from these events by passing on their wisdom in the form of conference presentations or candid conversations. One of the most enjoyable parts of any Circuit 7 event is the opportunity to grow your personal and professional

circle by making connections with other members.

Within my first year as a member of the circuit, I was able to take on a leadership role as the New Professional/Graduate Education Chair to coordinate the Graduate Assistant Meeting and the Circuit 7 Mentor Program. Through my work on the leadership team I was able to extend a welcoming hand to many new members and connect professionals together from various levels to form meaningful mentor/mentee relationships. The Circuit 7 Mentor Program was created to assist new members of the circuit in creating a culture for themselves which is conducive to their own professional growth and happiness. I can honestly say that my participation in this program and in all of the Circuit events I have attended has done exactly that!

I sincerely hope that each of you take advantage of all of the wonderful opportunities that Circuit 7 has to offer. The members of Circuit 7 are some of the most genuine and welcoming people I have ever met. I am proud to say that I am a member of Circuit 7 and I hope that soon each of you will feel the same way. Welcome to ASCA and to Circuit 7; we are glad you are here!

## **FEATURED MEMBER: DR. MATTHEW GREGORY RECENT WINNER OF THE ASCA 2011 INDIVIDUAL AWARD OF EXCELLENCE**

### *Short Bio:*

I have been back in higher education administration for approximately five years following five years in law enforcement at both the state and federal levels. Prior to my career in law enforcement, I worked within housing as an administrator at Southern Illinois University Carbondale, The College of William & Mary, and Western Kentucky University. During my tenure in housing, I frequently found myself assigned to high conduct environments and handling large conduct caseloads as a housing-based hearing officer. It was this experience and the mentorship of Dr. David W. Parrott that originally encouraged me to consider student conduct administration as a career choice. I enjoyed the challenge of meeting with students under somewhat negative auspices but seeing them leave my office with hope and a desire to achieve both academically and personally.

Since 2006, I have worked within student conduct at the University of Southern Indiana where my primary responsibilities involve the adjudication of a wide range of behavior-related cases, facilitation of the housing-based mediation and restorative justice programs, and as chair of the university hearing board. I completed my doctor of philosophy in August of 2009 from Southern Illinois University Carbondale in Education Administration with a concen-

tration on Higher Education administration. My partner, Ashley, and I have been married for 12 years this June and have three children: Madison (age 5), Alexis (age 2), and Trenton (age 2). We are expecting our fourth child, Savannah, late March or early April 2011.

### *Please share your student conduct philosophy:*

I see each student as a unique individual. Each student has a story to tell that certainly informs his/her values, ethics, choices, and ultimately his/her behavior. For me, the value of my interaction with each student is learning what story they have to share when answering the question, "who are you?" As a student conduct administrator, it is my purpose to engage each student and to see how I may offer a balance of both challenge and support toward what will hopefully be a positive and productive educational journey.

### *Tell us why you do student conduct work:*

It has always fascinated me when others would say, "I could not do what you do" upon learning of my role as a student conduct administrator. For me, it is a challenge and a pleasure to meet with and guide students during what may be the darkest of times in their academic career. I am intrinsically rewarded time and time again when I see students I have encountered walk across the stage at graduation. These success stories drive me to enthusiastically continue to serve my current institution and the students as a conduct professional.

*(Continued on page 5)*

**FEATURED MEMBER: DR. MATTHEW GREGORY (CONTINUED)****RECENT WINNER OF THE ASCA 2011 INDIVIDUAL AWARD OF EXCELLENCE***Advice to new professionals in student conduct:*

My advice to new professionals would be comparable to my advice for new law enforcement officers; we are not here to kick butt, take names, and to make them wish they never met us. We are here to engage each student we come into contact with and to ensure each student continues to be a positive and contributing member of our campus community. We accomplish this through education, self awareness, and the reparation of harm. We do not accomplish this by means of force, punishment, and humiliation. Actively seek fairness in all aspects of your position. Challenge yourself to talk less and to listen more.

*Where do you think the field of student conduct is headed?:*

As the profile of a typical student continues to become more complex and multi-faceted, so will the profession of student conduct administration. Student conduct professionals will no longer be the person who addresses misconduct in the purest sense. We will become a behavior generalist. Student conduct professionals will serve on behavior intervention teams, crisis management teams, threat assessment teams, and will offer a wide array of education-based means to address and resolve conflict on campus. We will continue to be consulted on the special and unique needs of various members of our campus community to include veterans, students with disabilities, students exhibiting mental health conditions, students with substance abuse issues, international students, and non-traditional students to name a few. I believe student conduct professionals will be called upon to take a more active role in the advancement of campus expectations of academic integrity, respect, civility, and the resolution of conflict on campus.

*Share a difficult case & lesson learned that has shaped you professionally:*

Early on in my career I had the opportunity to respond to a communal concern involving vandalism, harassment, and general disregard directed at one member of the residential community. With little information as to who may be responsible for the various acts of incivility, the only option I had was to dialogue with the student who appeared to be the target of the acts. After developing a relationship of trust with the student, I learned that the student had a condition known as autism. While the student was brilliant especially in math, science and computer science, the student had enormous difficulty with adjusting to social norms of the floor and college environment. Initially, I was of the mind set to find and punish the persons who were instigating the disrespectful acts. However, I asked the student how I may be able to assist him with the situation, the student said two things: help me fit in and find the people who are doing this and allow me to teach them about me and about autism. It took months but both objectives were accomplished and without the initiation of any formal conduct action. The student adopted a routine schedule to include when to go to class, when to eat, when to shower, when to clean the room, and when to do laundry. Social programs became more frequent on the floor and the student with autism would display card tricks, recollection from the campus phonebook, or solve higher level mathematics to everyone's amazement. The student was asked to go to lunch or sporting events with more regularity and was even asked to tutor fellow students in math and science. The student with autism did everything, I did next to nothing. The community on the floor improved greatly and the acts of incivility completely stopped. This situation helped me grow as a professional and taught me two valuable lessons that have continued to serve me throughout my career: we all have a story to tell and formal adjudication is not always what is best for the individual or for the community.

**Upcoming Circuit 7 Events— please see website for more information**

- **Brown Bag Event, April 26, 2011 at Danville Area Community College**
- **Circuit VII and AFA Region III Drive in Conference, June 3, 2011 at IUPUI**
- **Resident Director Training Institute, June 27-28, 2011 at SIU-Carbondale**

## A REFLECTION ON THE STUDENT SIT-IN AT DICKINSON COLLEGE

BY: PETER PAQUETTE, ASSISTANT DEAN OF STUDENTS AT DICKINSON COLLEGE

*Brief history:* On March 2, 2011, more than 200 Dickinson College students participated in a sit-in to protest the college's handling of sexual assault cases. The students urged the school to be more transparent about campus sexual assault policies, as well as being more forthright when assaults occur on campus. Below is an interview with Peter Paquette, the Assistant Dean of Students at Dickinson who shares his thoughts and insights on this recent student protest.



*It seems that there had been ongoing frustration vocalized by students before the sit-in. What do you feel fueled the recent protest?*

There had been a similar protest in 2008 with about fifty students involved. Since that time a number of changes have been made to take steps forward as a campus in how we respond to sexual misconduct. Most notably, those include acquiring a \$300,000 grant from the Department of Justice to increase efforts and commissioning of a full review of the policies and procedures regarding sexual misconduct. However, the protest made it clear that communication with the campus community about what had been occurring was not sufficient. In addition, a recent case incident of sexual misconduct on campus occurred where despite their limited access to information, many students felt the outcome was not severe enough. I believe this served as an impetus for the most recent protest, but it was clear the protesters had long-term change as their priority and not the specifics of the case in question.

*What were the student's demands? More transparency in policy and specific notification? Do you feel students were aware of what was already in place?*

(see insert of student's demands in appendix p.16-17)

I do not believe students understood what had been occurring and it was clear they felt the timeline was too lengthy. Specifically, in May of 2010 the all-college governing committee for Enrollment and Student Life approved that a sub-committee be formed for 2010-2011 to do a thorough review of our Sexual Misconduct Process and Policy. The committee was comprised of students, faculty, and administrators. That committee met throughout the Fall and did an internal review that was complete in late November. They then had a consultant on campus in early December to do an external review. Our consultant submitted her report and recommendations to us in early February. Students were involved in that process while the consultant was on campus, but I don't believe they were provided enough context, or a clear timeline of what was occurring, and how and why it was occurring. They viewed their interactions with the consultant simply as talking with someone about concerns with the current policy not as information gathering for writing a new policy.

*What changes occurred as a result of the protest?*

There were some immediate changes approved by the President that resulted from the student demands, and the bigger, more systemic changes will be in Fall of 2011 when the new policy is complete. Immediate changes include noting in the 2010-2011 Community Standards that any student found responsible for rape would receive a standard sanction of expulsion and could not appeal on the grounds of excessive sanction (but could still appeal on new info or process not followed), utilizing the campus red alert system to notify the campus when a sexual assault occurs on campus, and adding four more students to the committee that is reviewing/rewriting the policy for 2011-2012 who were active members of the protest to ensure that other concerns that the students raised are appropriately addressed in the new policy. That policy is being written now and will be submitted for faculty vote during their May meeting. The immediate chang-



## A REFLECTION ON THE STUDENT SIT-IN AT DICKINSON COLLEGE (CONTINUED)

BY: PETER PAQUETTE, ASSISTANT DEAN OF STUDENTS

es that the President approved were faced with opposition but ultimately trust and transparency in the process was of primary concern, so the senior leadership on campus felt these were necessary steps.

*It sounds like the sit-in was well organized by the students and created a great avenue for dialogue with administration. What do you feel are the “takeaways” or lessons learned that are important for our membership to know?*

The protest was extremely well organized and our students have been commended a number of times for standing up for what they believed in. The second day of the protest was an admitted students day hosted by Admissions, which led to much discussion on campus about how to manage that with the protest occurring. The President made a conscious effort to do nothing—he felt it was important that incoming students saw current students taking action. This speaks to how seriously the students were taken by the senior leadership on campus.

As a conduct officer, the biggest success was that a number of the changes we had been preparing to begin campus wide discussion on have now been fast forwarded greatly due to the student efforts. They helped impact change in a way that would have taken much longer without their assistance.

On that point, one of the biggest takeaways is to be very clear and public in reviewing sexual misconduct policies. We advertised for sessions while our consultant was on campus but didn't actively inform about the overall review process and what its goals were. I believe if we had done a more public campaign throughout the year that we were in process of reviewing and changing the policy we may have avoided the protest. However, I also believe the protest was very important for our campus. I think it helped students feel heard and began to build trust in administrative processes—something that is lacking on our campus.

I think one of the challenges was that many students involved had been hurt in a number of ways by sexual misconduct in some form, either directly or assisting a friend. The difficult part is the fine line between student privacy and the campus's need to know. In addition, no policy will ever remove pain—and helping students understand and work through that is a difficult challenge. We have a lot of work ahead of us, and we are excited for the next steps. I think one of the biggest successes is that as a campus we are much more on the same page now and ready to take collective steps forward.

*“We won’t always know whose lives we touched and made better for our having cared, because actions can sometimes have unforeseen ramifications. What’s important is that you do care and you act.”*

*-Charlotte Lunsford*

If you have any questions, comments or concerns you can reach Peter at [paquettp@dickinson.edu](mailto:paquettp@dickinson.edu)



## THE IMPORTANCE OF TRAINING STUDENT CONDUCT BOARDS ABOUT SEXUAL VIOLENCE

BY: JIM NEUMEISTER, NORTHWESTERN UNIVERSITY

### *Why Specialized Training on Sexual Violence?*

Practical, ethical and legal obligations dictate the importance of specialized training on sexual assault and sexual violence for student conduct boards.

Practically speaking, advanced training and guidance is needed because sexual assault cases are often the most difficult cases we must resolve. Gary Pavela (2011) recently reminded us just how challenging they can be: "Colleges typically resolve sexual assault allegations no prosecutor would pursue: i.e., both parties were drinking; both may have hazy recollections of events; one of both were inhibited about verbalizing sexual wishes; words or actions were ambiguous or misconstrued."

Ethical considerations also dictate that we provide guidance to our conduct boards on issues of sexual violence. We owe an ethical duty to treat all students – both survivors and accused – "with impartiality and accept all students as individuals, each with rights and responsibilities, each with goals and needs; and seek to create and maintain a campus climate in which learning and personal growth and development" (ASCA, 1993). Further, given the potential for re-victimization in sexual violence cases, proper training helps us meet the ethical imperative to *do no harm*.

Numerous legal directives further complicate the resolution of sexual assault and sexual violence cases, thus necessitating additional training. Laws like the Campus Sexual Assault Victim's Bill of Rights require academic and housing accommodations for survivors, equal rights of all parties to witnesses or representatives in hearings, and disclosure to

victims of the final outcome of conduct proceeding. And since Title IX requires that *all* sexual violence complaints be adjudicated *promptly* (no matter how murky or factually challenging), conduct boards need to be prepared to hear these cases before a complaint is filed.

A more comprehensive set of legal requirements appears to be on the horizon, requirements that could mandate campuses to train conduct personnel and hearing boards specifically on sexual violence. In December 2010, the U.S. Department of Education's Office of Civil Rights (OCR), the agency tasked with enforcing Title IX, required two institutions (Eastern Michigan University and Notre Dame College in Ohio) to implement a comprehensive set of policies and practices to better address sexual on campus – including a number of requirements related to training of college officials who investigate and respond to sexual assault

***"Further, given the potential for re-victimization in sexual violence cases, proper training helps us meet the ethical imperative to do no harm."***

allegations. These resolutions have been touted as "a new model for how colleges, universities, and the department deal with allegations of campus sexual assault" (Center for Public Integrity, 2010) and may foreshadow additional legal advisories and guidance addressing sexual violence on campus from the Obama administration (Murphy, 2011).

Furthermore, recently introduced federal legislation, like the Campus Sexual Violence Elimination Act (Campus SaVE Act) and the Tyler Clementi Higher Education Anti-Harassment Act, would either mandate or promote training and education of campus personnel on sexual assault, intimate partner violence, and cyber-harassment.

Clearly, implementing a comprehensive training program for conduct

boards and personnel on sexual violence represents a best practice in our field – one that we may soon be a legal imperative. Thus, preparing a training program now should put institutions ahead of the curve and provide assurances that we also address the practical and ethical challenges of responding to sexual violence complaints on campus.

### *What Would Training Cover?*

Campus officials and student conduct board members who investigate, hear and resolve allegations of sexual assault and sexual violence should complete a comprehensive set of coaching, guidance, and instruction to be trained and prepared to address the complex issues in these cases.

Perhaps the most highly regarded set of conduct personnel training expectations has been established by the U.S. Department of Justice's Office of Violence against Women (OVW) as part of its Campus Grant program. These competitive grants (\$300,000 over three years) are funded through the Violence Against Women Act of 2005 (VAWA) encourage campuses to implement comprehensive, coordinated initiatives to address and combat sexual violence on campus. The VAWA grants require campuses to meet certain minimum thresholds – including training their campus disciplinary boards on sexual violence.

The VAWA Campus Grant Program mandates "expert training" for campus conduct officials and disciplinary boards that covers the following topics (with some examples from the author):

- *Reviewing the Student Code of Conduct* (e.g., understanding who can bring a complaint and the process for resolving a complaint)
- *Defining sexual violence offenses, including sexual assault, stalking, and domestic and dating violence*

(Continued on the next page)  
*ence* (e.g., how each of these are

## THE IMPORTANCE OF TRAINING STUDENT CONDUCT BOARDS ABOUT SEXUAL VIOLENCE (CONTINUED)

BY: JIM NEUMEISTER, NORTHWESTERN UNIVERSITY

defined under campus policies and state laws; other prohibited types of sexual misconduct on campus, such as exploitation, voyeurism, or cyber-bullying/cyber-stalking)

- *Learning the causes and effects of sexual violence* (e.g., deconstructing images of masculinity; understanding rape culture; distinguishing between rape myths and facts; learning about rape trauma syndrome and post-traumatic stress; differentiating between sexual desire and power/control issues)
- *Issues of consent in sexual assault cases* (e.g., the elements of effective consent; distinguishing between intoxication and incapacitation; understanding coercion)
- *Drug-facilitated sexual assaults* (e.g., learning about date-rape drugs and their signs and symptoms)
- *Judging credibility* (e.g., how to adjudicate the proverbial he-said/she-said situation)
- *Sanctioning in sexual violence cases* (e.g., the importance of considering expulsion or removal; understanding and honoring the survivor's wishes)

Other topics that would (and probably should) be addressed in a comprehensive sexual violence training regime include the following (many of these are suggested by the OVW):

- *Distinguishing between the legal/criminal process and the campus conduct process*
- *Reviewing issues of power and control*, especially in intimate partner violence
- *How the conduct process can re-traumatize victims and survivors*
- *Appropriate techniques for questioning sexual assault survivors*
- *Distinguishing between relevant and irrelevant evidence and topics*

- *The importance of avoiding victim-blaming*
- *Ensuring that board members are not biased in their decision-making*
- *Understanding the particular dynamics of sexual violence on college campuses*, where the perpetrator is likely to be known to the survivor and the campus may feel like a "closed" community
- *Sexual violence in under-represented communities*, such as students of color and LGBT students
- *Understanding male survivors*
- *Addressing the mentality and experiences of students accused of sexual violence*
- *Confidentiality issues*

Given the depth and complexity of these issues, sexual violence training is not a short nor simple effort. Here at Northwestern, our sexual assault board members received an additional 12 hours of training over and above their basic training to be a board member. We also utilize a number of on- and off-campus experts (women's center, counseling center, victim services unit, rape crisis center) to address many of these topics. Thus, training is a rigorous endeavor.

Finally, it is highly suggested that sexual violence training and education be on-going and continuous. To supplement the comprehensive training outlined above, campuses may wish to consider setting up a regular series of continuing education on sexual violence topics. These could take the form of webinars, table-top exercises, case studies, or mock hearings. Additionally, institutions may want to establish an online library (perhaps through a BlackBoard course or similar platform) that allows board members and university officials immediate and continuous to access resources and materials on sexual violence topics.

### References:

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***"Learn everything you can, anytime you can, from anyone you can - there will always come a time when you will be grateful you did."***

***~Sarah Caldwell***

## SEXUAL ASSAULT CASES IN FRATERNITY AND SORORITY LIFE

BY: JACK KREMAN, DIRECTOR OF CHAPTER SERVICES, DELTA TAU DELTA

Sexual assault continues to be a major concern on college campuses. Those concerns only magnify when the alleged perpetrator or the alleged victim is a member of a fraternity or sorority. While fraternity or sorority membership should not affect your adjudication process, it is important to understand the allegation affects much more than just the victim and the alleged aggressor. As Greek communities tend to be more tight knit than typical residential communities, it is important to be cognizant of the potential affect on that community.

Greek communities have the potential to be leaders and advocates of change. They have massive influence among their members and on many campuses have influence on non members. They have the potential to be change agents rather than problem agents on your campus. Below I provide some important items to keep in mind as you address sexual assault among your Greek organizations.

*An ounce of prevention is worth a pound of cure.* Many international/national organizations require their member chapters to host at least one program focusing on sexual assault each year. You can help improve the quality of that programming by including campus resources in those programs. Some of

the most effective programs I have seen include both female and male participants and allow them to confront myths and biases in knowledge of sexual assault in a frank conversation.

***“Look at things, not just as they are, but as they can be.”***

***-David Schwartz***

*Homogenous groups have the potential to increase incidents of sexual assault.* A fascinating study conducted by Elizabeth A. Armstrong,

Laura Hamilton, and Brian Sweeney at Indiana University demonstrated that homogenous groups such as fraternities and sororities can encourage sexual assault. Victims often feel more comfortable at fraternity and sorority parties because the other people look like them. For example, all the men are white, clean cut or cordial. Victims don't see individuals within this crowd as problematic. Therefore, they aren't as careful and find themselves in compromising situations. Our students must be taught to be ever vigilant - even when they don't sense a threat.

*Greek chapters can be obstacles and allies in the investigation.* When a member is accused of sexual assault they can hinder the investigation. This is even more likely when the alleged violation occurs within the chapter house. Often increased education can be helpful. While the chapter president might not like to see his brother accused of sexual assault, he also doesn't want to be

associated with the “rape house” on campus. Men's groups aren't the only place to find blame. Upperclassmen in sororities can often blame underclass females for being “careless,” “naïve,” or “dressing inappropriately.” Both men and women must be educated about caring for rape victims.

*International/national organizations can help.* I'll be candid. Sometimes they don't help and I realize that. However, recent industry reports have stated that as many as 1/3 of risk management claims involve sexual assault. They are expensive to investigate and, heaven forbid, litigate. If a chapter is stonewalling an investigation, the national organization can provide assistance. Granted, this can be a double-edged sword, so each case should be taken individually.

*We are fighting an uphill battle so let's fight it together.* Investigations, sanctions, and school policies aside, sexual assault harms our students and detracts from our educational mission. We fight popular culture which perverts our students' perception of sexual maturity. We fight campus culture which in many cases encourages irresponsible sexual behavior. Finally, our students bring a host of misconceptions and poor modeling from their childhoods. If we are to even make a slight dent in the problem of sexual misconduct, we must all work together to change perceptions and affect behaviors.

***“Hope begins in the dark, the stubborn hope that if you just show up and try to do the right thing, the dawn will come. You wait and watch and work; you don't give up.”***

***-Anne Lamott***

## THE ADJUDICATION OF SEXUAL COERCION ON CAMPUS: ISSUES OF POLICY, PROTOCOL, AND POWER

BY: DR. MATTHEW GREGORY, UNIVERSITY OF SOUTHERN INDIANA

In Ann Cahill's (2001) book, *Rethinking Rape*, the topic of rape is explored from a contemporary feminist perspective. Among the many theories and ideas, Cahill discusses how societal norms and in particular how societal systems impact the social phenomenon that is rape against women (2001). From a systems approach, Cahill considers how traditionally male dominated structures such as the criminal court system, law enforcement, and political governance either help or hinder the reporting of rape and ultimately the resolution of rape crimes through the court system (2001). From a social justice perspective, one could appreciate Cahill's position that the traditionally male dominated structures associated with the criminal court system are written by and are implemented by predominantly white, heterosexual males. From both a contemporary feminist perspective and from a social justice perspective, this venue may not be the ideal setting for a female victim of a sex crime to seek justice. Cahill suggests that societal systems like the criminal justice system intentionally or unintentionally alienates women and severely limits any resemblance of power women may have had in the system (2001).

Within higher education and from a history of higher education perspective, one could pose a similar argument when considering the systems and structures in place at many American colleges and universities. With a few exceptions, much of our institutional policies, processes, and protocols are likely in place as a result of the efforts of white, heterosexual males. This fact does not automatically infer that our policies, processes, and protocols are flawed. But it should at least garner a thoughtful review to ensure that every student

has a voice in the process, that our policies are fundamentally fair, and that our protocols avoid re-victimization of students as they progress through our conduct adjudication process.

*“Possibly of more importance is to reflect on what resources are actively sought and offered in terms of support for both the alleged victim and the accused student.”*

With the issues of policy and protocol in mind, what can we as conduct administrators do to address issues of unintentional systemic oppression and to equalize issues of power within our campus conduct processes? Borrowing from Nevitt Sanford, we address these issues through both challenge and support. From a challenge perspective, we must thoroughly investigate reports of sexual coercion and we must provide a fundamentally fair process grounded in both educational tenets and in the promotion of communal ideals. Also, we need to conduct periodic reviews of our conduct system and processes and make every effort to identify and correct the potential for systemic marginalization of groups across the university community.

Possibly of more importance is to reflect on what resources are actively sought and offered in terms of support for both the alleged victim and the accused student. Toward the end of offering the fairest process as possible while minimizing the chance for re-victimization, there is the potential to offer both challenge and support to all parties involved with the adjudication of a sexually coercive act. I believe the best support may be offered by intentionally identifying campus and community resources that are positioned to be ideal resources to support parties involved in the case. University counseling centers, women's studies departments, men's advocacy groups against sexual violence, local women's shelters, trained sexual assault police officers and hospital staff, campus centers for social justice, and other local resources offering both

victim and offender support services should be identified to partner with university conduct professionals to jointly diminish the occurrence of sexual coercion on campus.

While Cahill's book focuses primarily on societal pitfalls facing women, her work serves as a good reminder that marginalization may occur at all levels of society. The very essence of the campus adjudication process as an educational process designed to address student behavior issues through the promotion of personal growth, greater awareness, civility, and respect is an ideal environment to begin a discussion on questioning campus norms, the viability of campus policies and procedures, and fundamental fairness. Whether one agrees with Cahill's tenets or not, her point that by the sheer nature of our systems and processes, careful consideration should be given toward the creation of a safe, holistic, fair, and equitable campus conduct process.

Cahill, A. J. (2001). *Rethinking rape*. Ithaca: Cornell University Press.

*“Have the courage to say no. Have the courage to face the truth. Do the right thing because it is right. These are the magic keys to living your life with integrity.”*

*-W. Clement Stone*

## DELIBERATELY INDIFFERENT: CRAFTING EQUITABLE AND EFFECTIVE REMEDIAL PROCESSES TO ADDRESS CAMPUS SEXUAL VIOLENCE

BY: W. SCOTT LEWIS, J.D., SAUNDRA K. SCHUSTER, J.D., AND BRETT A. SOKOLOW, J.D.

*Note from W. Scott Lewis: The following is an excerpt from the whitepaper DELIBERATELY INDIFFERENT: Crafting equitable and effective remedial processes to address campus sexual violence. For the full text of the whitepaper go to <http://www.nchem.org/whitepapers.html>*

### Does an Equitable Process Require a Victim-Centered Outcome?

Yes and no. The law requires that our outcomes protect our communities. And, if you find the respondent to be in violation for an offense governed by Title IX, we must also assure that we accord the victim the remedies required by federal law:

- 1) Bring the discriminatory conduct to an end;
- 2) Take steps reasonably calculated to prevent the future reoccurrence of the discriminatory conduct;
- 3) Restore the victim to his or her pre-deprivation status, to the extent practical and possible.

Thus, community protection and remedying discrimination must become our top priorities. Education, development and rehabilitation necessarily take a back seat in outcomes, though this may be hard to accept. The three guidelines above should make many common sanctions suspect. In satisfying Title IX, there is a very real clash with some of the typically educational and developmental sanctions of student conduct processes. (49) In fact, sanctions for serious sexual misconduct shouldn't be developmental. They should protect the victim and the community. That's the point at which development ends and a different priority must control. Why? The research of David Lisak is one of the most compelling reasons. Lisak is a forensic psychologist and professor at the University of Massachusetts, Boston. Lisak's 2002 study on undetected campus rapists(50) found that 63% of the campus offenders were

repeat offenders and that 91% of the offenses identified were committed by repeat offenders.

So, unless you can distinguish whether an offender is one of the 63% of repeat perpetrators, or one of the 37% of one-time perpetrators (and you can't), can you really afford to take a chance with the safety of your community?

When we provide conduct trainings, we find it helpful to remind the boards, committees and panels we train of a line from the movie *The Usual Suspects*, "The greatest trick the devil ever pulled was convincing the world he didn't exist." We ask those boards, committees

and panels to pull back the wool that may be covering their eyes. Despite the fact that our students are bright, or from good families, or have never been in trouble before, when they insist in the face of a conduct charge that it was just a misunderstanding, they're not a rapist, she's a woman scorned, she's just being vindictive, it's only regretted sex, and he was drunk, too, we go soft. Student development becomes offender enabling. Boards want to give the benefit of the doubt to a fresh-faced young man who has his whole life ahead of him. And, they prey on our instincts as educators, and our human sympathies, and count on our sanctions to give them the benefit of the doubt.(51) One quarter suspension. One semester. Maybe two. The student convinces the Board, so that on many campuses we won't separate them permanently until they've raped twice. Is that what our field stands for? We let them back in assuming our sanctions have somehow changed them be-

cause we are deeply invested in the bedrock belief that developmental sanctions change people.

But, in an egregious case, can anything short of separation achieve the aims of points one and two above? What about suspending for some period of time? Does time change behavior? Can we verify that it has? Suspending upon the satisfaction of conditions, or the demonstration that

return is a safe decision might be more appropriate. Suspending the offender until the victim graduates is misguided. It assumes a contextual conflict, and that no one else is at risk. The research of our field does not support that

*"Suspending the offender until the victim graduates is misguided. It assumes a contextual conflict, and that no one else is at risk."*

assumption. It is not the job of a college or university to try to rehabilitate a sex offender, and very little research supports the notion that such rehabilitation is either possible or effective.(52) And while the risk of the student moving on to another institution is very real, it is real whether the student is suspended or expelled. Don't let them withdraw when facing charges, and note the sanctions on their records or transcripts.

Sanctioning sex offenders is about protecting the community, and remedying discrimination. Educating the offender has to come second. We're fond of telling NCHERM clients, "if you're considering not separating an offender, or you're willing to let one back in, you also have to be willing to fix him up with your own daughter on a date, because by reinstating him, you're vouching for his safety." Are you that sure? You're in essence fixing him up with someone else's daughter, whose safety is your responsibility.

### Conclusion

If you read our Whitepapers, you probably get all of these ideas already. Yet many on our campuses do not. To get their attention, we need

*"...can you really afford to take a chance with the safety of your community?"*

## DELIBERATELY INDIFFERENT: CRAFTING EQUITABLE AND EFFECTIVE REMEDIAL PROCESSES TO ADDRESS CAMPUS SEXUAL VIOLENCE (CONTINUED)

BY: W. SCOTT LEWIS, J.D., SAUNDRA K. SCHUSTER, J.D., AND BRETT A. SOKOLOW, J.D.

to learn how to recast stalking, relationship violence, sexual harassment and sexual assault as issues that our presidents, vice presidents, trustees and boards can relate to. They care about retention, graduation rates, student success and alumni giving. Those today exemplify return on investment for the corporate university. According to dozens of studies, gender violence impacts 25% to 50% of our male and female college student populations. Some of those who are victimized may be able to maintain their grades and course load, but most do not. Most suffer academically. Some reschedule exams and assignments. Some reduce their academic loads. Some change majors. Some transfer. Some lose their loyalty to their school of choice. Some take their own lives. As a climate issue easily affecting half our students, why isn't addressing gender violence a cornerstone of retention and student success initiatives? Being harassed, abused, stalked or assaulted interferes with the institutional mission, the acquisition of knowledge and the academic enterprise.

Let's redouble our efforts so that our communities recognize what we already know: that meaningful prevention is essential to the academic enterprise and a vital tool of completion and retention.

48 *OCR Letter to Temple University, 2007.*

49 *We are troubled when we hear Conduct administrators ask about what "educational sanctions" we suggest instead of suspension and expulsion. This is indicative of a mindset that ignores the reality that suspension and expulsion can be very educational and developmental for an individual, particularly one still at the dichotomous stage of student development.*

50 [http://www.crisisconnectioninc.org/pdf/undetected\\_rapist.pdf](http://www.crisisconnectioninc.org/pdf/undetected_rapist.pdf)

51 *This discussion pertains only to sanctioning, not to findings. We do not believe that an offender is in violation until evidence shows that it is more likely than not (admittedly a low evidentiary threshold) that s/he has violated the policy.*

52 <http://psychservices.psychiatryonline.org/cgi/content/full/50/3/349>

## SUPPORTING STUDENTS INVOLVED IN SEXUAL MISCONDUCT CASES

BY: JEFFERY STEFANCIC, PURDUE UNIVERSITY

For Student Conduct Administrators working through an incident of sexual misconduct can be one of the most emotional and trying cases to adjudicate. Of the myriad of issues that need to be considered one of the most important is how to best provide support to not only the alleged victim of the incident, but also to the student who has been charged as the alleged violator in the incident. This article will attempt to summarize some questions that Student Conduct Administrators can keep in mind when working with both populations of students involved in these types of incidents.

*For the alleged victim:*

- Work with campus partners to ensure that the student feels both physically and emotionally safe on campus. Are housing relocation options needed? Have counseling and victim services information been made available? What message is communicated to faculty regarding a student's potential absences or poor academic performance?
- Has the student conduct process been fully explained to the student? Are they aware of what steps are needed to file a complaint with the office? What are their options to either participate or not participate in an on-campus student conduct proceeding? Student Conduct Administrators should not put inadvertent pressure on an alleged victim to participate in the campus process.
- If the alleged victim does choose to participate in the process, are they permitted to have a support person or advisor with them during the proceeding? Is this a person the university supplies or is the alleged victim expected to secure someone themselves?
- What support services are available to the alleged victim after the student conduct proceeding? Regardless of the outcome of the case and any potential sanctions assigned, the impact of the situation may have a long term effect on the student.

*For the alleged violator:*

- What support resources are institutionally available for a charged student? Is your on-campus counseling center equipped with staff who can assist both students who have been charged with sexual misconduct violation, as well as those who may be victims of such an act?
- Are there resources available within the university to help a student prepare to answer such an alleged violation? Are charged students permitted to have an advisor present with them during student conduct proceedings?
- Are there support services available after the hearing has concluded for the charged student? While there may be significant impact on the alleged victim in the case, there may be as large of an impact on the student who has been charged with the violation.
- Is there a place for restorative justice practices within your student conduct system? While not appropriate for all types of sexual misconduct situations, some form of facilitated dialogue with the harmed parties and others involved from the community, may assist in resolving the situation better than a traditional adjudication method.

## SEXUAL MISCONDUCT CASE STUDY

BY: EDWIN DARRELL, DEPAUL UNIVERSITY

**The Scene:** Anywhere College is a medium-sized, public institution in the Midwest. This institution has a very active campus life, with numerous clubs and organizations, including a vibrant Greek community. The school doesn't particularly excel in athletics, but the men's football team is very good. Several athletes are also involved in Greek organizations. All of the fraternities & sororities live in suites in the residence halls on campus. The Greek community is very much supported by the administration, and other than a few alcohol violations, there are not many conduct issues within the Greek community.

### The Actors:

Xavier: football player & fraternity member

Cedric: off-campus party attendee, fraternity new member

Justin: off-campus party attendee, fraternity new member

Jason: the Hall Director

Graham: alleged victim

**The Case:** It is Family weekend and the campus is active & excited for the weekend's festivities, especially after winning the football game on Thursday night. One of the college's biggest fraternities, AOK, is throwing a party on Friday night. Many students attend the party that ends up being broken up by the local police department around 3:00 am.

It is Monday morning and you (Jason, the Hall Director), are just getting into the office to start the day. You immediately have two residents, Cedric and Justin, come to your office and tell you they need to meet with you to tell you about the AOK party they attended on Friday that was put on by their fraternity at an off-campus house. They admitted to overhearing a brother, Xavier, brag to their fellow brothers about hazing a new member, Graham, before the party. Graham and Xavier both live in your hall. Apparently, Xavier was making Graham play "power hour" in the hall before they headed to the party. Cedric and Justin admit to being in the room, but thought nothing of the power hour game; they thought they were just having fun.

Later in the evening, Justin and Cedric headed upstairs to use the bathroom and smoke a cigarette by the window. Amidst the loud music and voices that were heard, they could also hear faint noises and groans. They followed the noises to the room down the hall and became more concerned. The guys looked through the peep hole and saw that Xavier was engaged in a sexual act with Graham, except Graham was crying and screaming in pain. Xavier was yelling

obscurities and telling Graham to "stop screaming like a girl." Justin and Cedric were alarmed by this sight, and didn't know what to do. They were both intimidated by Xavier and because he was a senior and they were just new members; they were scared to enter the room and stop what was happening. They went back to their room to and discussed what to do next.



Justin and Cedric tried to check up on Graham all day Sunday, but he didn't return any of their calls. They are extremely worried about Graham and this is when they came to you. The two boys are also nervous about what to do within the fraternity as they do not want to be seen as snitches. Lastly, they are nervous because they were drinking in the hall, which is also against policy.

### Questions to consider:

*How do you proceed with these multiple concerns brought to your attention?*

*What are the policy infractions and additional safety concerns?*

*Who are the other campus/community partners that should be involved? Why?*

*Who are you following up with first?*

*When do you bring in your supervisor/Dean of Students?*

## Circuit 7 Mentor Program

**This program is targeted towards aiding our new professionals and graduate assistants & their immersion into the field of student conduct administration. It is designed to take advantage of the seasoned professionals within Circuit 7 and to provide invaluable professional development opportunities for our newcomers. We have had many individuals take advantage of this program and both our mentors and mentees can attest to the limitless benefits received from their connections. If you are interested in serving as a mentor or mentee, please contact Ellen at e-herion@northwestern.edu.**

## THE POWER OF COFFEE: REFLECTIONS FROM A VICTIMS ADVOCATE

BY: KOURTNEY EASTHAM

One knows the issue is serious when a call is received from the Director of Public Safety, the Dean of Students, or the Assistant Director of Conduct and they say, "We have a sensitive matter that needs your attention, a young woman has been assaulted." The first of these phone calls for me came my senior year of undergrad, while serving as a Residence Life Coordinator for the Department of Housing and Residence Life at the University of Southern Indiana. The call came with a warning that it would not be easy. The victim had no intention or desire to talk to anyone. She wanted to be left alone. I was young, naïve, and clueless as to what I could do to help. I sat down on her couch, we ate some M&Ms and through the awkward quietness, I told her- "It's not your fault. He had no right." Other words were exchanged, none that I remember. I left feeling just as young, naïve, clueless, and ashamed that I could not do more. Three years later, this young woman is a sexual assault survivor, who speaks at prevention and awareness programs. While attending one of the programs, she spoke of the girl who shared M&Ms with her the day after and helped her realize she had done nothing wrong, and would eventually be okay. That following spring/summer of 2009, I participated in training with the Albion Fellows Bacon Center and made a commitment to help other victims.

With the exception of one, all the women I have worked with, I made my initial contact through e-mail, Facebook, or text message. My message is short and stated with, "It is my understanding you are going through a difficult situation. I don't want to make this anymore difficult, but I would like to help you if you are interested. We can chat on the phone, you can come to my office, or we can meet for coffee- let me know." Within a few days, we are drinking a cup of coffee and chatting about life, family, friends, and without any prying or forcing of conversation, she will share her story.

Victims of sexual violence do not want to feel like, let alone be, victims. They can struggle talking with family and friends. The emotions and reactions of their loved ones are ranged with heartache, rage, guilt, frustration, and often cannot help these women cope, as they are struggling to cope themselves. Victims can go to treatment facilities; hospitals or counselors; finding themselves in sterile environments, where they go through the motions of coping, of grief, and reflection; however, without feeling validation, self worth, and relief. Working with law enforcement agencies feels like



an interrogation with question after question, feeling like ammunition. For these women, the more people who want to talk about it with them are more people who can judge them. More people who know the thing they are most ashamed of. Sitting down in an unintentional and unfocused environment, that is not designed for private and confidential conversations can ease them. The comfort of a warm cup of coffee and a pair of listening ears can begin the healing they need. It is not my purpose or place to counsel them, but it is my responsibility to be real with them. I tell them that moving past this will not be easy. There will be good, bad, and ugly days ahead. Future relationships involving trust and intimacy will be challenging.

These women understand my role, and the delicate balance I play with representing the University and serving as their advocate. I inform those in need to know of my interactions and progress with the victims, where their welfare and mental health may be. I offer to attend their investigation interviews, walk with them to the Counseling Center, sit through the hearings, talk to their friends and family, and do whatever is within my ethical means of being their advocate.

It never gets easier, regardless of the number of stories I have heard. I always get tears in my eyes. I hug them and thank them for trusting me with their story. I continue to talk to these women today. Not every day, week, or even month; but when they need it. A few of my colleagues tend to give me a hard time about how I will meet these women at our campus Starbucks. I say, never underestimate the power of a cup of coffee.

## APPENDIX: LIST OF STUDENT DEMANDS FROM DICKINSON COLLEGE PROTEST

*While we appreciate the work of the outside consultant and the resulting document that is being released to the student body on Thursday, it must be emphasized that her work represents a series of recommendations to the College, and not actual policies that will necessarily be implemented. In addition, all of our demands are not specifically included in her list of recommendations, and we see this as a serious oversight.*

### Our Demands

Sexual violence is a serious problem on this campus that negatively impacts our health and safety as Dickinson students. For the purposes of clarification, we have edited our demands, though their intentions remain unchanged. The demands that we detail below are laid out in specific, manageable steps that will help improve Dickinson's policies on sexual misconduct. The demands came out of research into the sexual misconduct policies of several peer, aspirant, and overlap schools including Vassar College, Haverford College, Wesleyan College, Middlebury College, Trinity College, Bowdoin College, Ithaca College, Sarah Lawrence College and Connecticut College. Part of our belief that the demands we make are reasonable and can be implemented comes from our knowledge that they have been successfully implemented at many of these institutions.

#### 1. Full transparency of the mechanism of the judicial process

We deserve to know how judicial decisions are made, reviewed, and appealed. There is a marked need for wider dissemination of information on how to begin the reporting and disciplinary process, as well as the conduct of that process. This includes knowledge of how rulings are made and under what grounds appeals can be filed. **This does not mean we want access to information about particular respondents or cases, but rather that the judicial process should be clearly understandable to any Dickinson student and be accessible in its entirety in one document.**

##### *This demand will be considered sufficiently addressed when*

- *A document completely explaining the workings of the judicial process for sexual misconduct (particular attention being paid to appeals as per the above specifics) has been drafted.*
- *The document has been vetted and approved by ESLC and the Sexual Assault Policy Review Committee.*
- *The document is prominently featured on the College website, clearly and easily accessible to any student.*
- *An explanation of the process is included in the extended Orientation programming for sexual assault prevention.*

#### 2. Transmission of general knowledge regarding instances of sexual violence

Sexual assault is a public safety issue and presents an immediate danger to the student body. Thus we have a right to know when an act of sexual violence is reported. These messages will not contain names of the complainant nor of the respondent. The complainant reporting the assault will have ultimate say over the transmission of these alerts. This information will draw attention to the prevalence of this community issue and crime. We want to promote an environment that is both more aware of and intolerant of sexual violence.

##### *This demand will be considered sufficiently addressed when*

- *An official policy to send out a public announcement when sexual assaults or rapes are reported has been drafted by relevant administrators and College staffers.*
- *The policy will explain that the public announcement will be sent out via the Department of Public Safety Red Alert system. If DPS finds that the Red Alert system is not appropriate for such alerts, an alternative system must be developed that has the same features and purpose as Red Alert, but is exclusively used for reporting alleged incidents of sexual assault and rape.*
- *The message would include the gender of the respondent, the date of the report, and the date of the reported incident.*
- *The Department of Public Safety, or whichever department will be responsible for sending out the alerts, has adopted the new policy.*
- *A television screen, prominently posted in the HUB, will rotate through the aforementioned alert messages and relevant resources for complainants and respondents, as well as information regarding reporting and judicial processes.*

(continued on next page)

## APPENDIX: LIST OF STUDENT DEMANDS FROM DICKINSON COLLEGE PROTEST (CONTINUED)

### 3. A stronger stance against sexual violence in all of its forms

- The college must recognize sexual violence as existing on a spectrum: cat-calling, lewd comments, and homophobic or misogynistic slurs contribute to a culture conducive to sexual assault. This is one side of the broad spectrum of offenses that we consider sexual violence, with the most extreme end of said spectrum being rape and sexual assault. These behaviors must be dictated in the same policies that govern sexual violence and formally punished, though certainly not with the same severity as sexual assault and rape.
- The student handbook must clearly outline that failing to sufficiently discipline sexual offenders is a violation of Title IX, as it creates an unsafe campus environment and hinders students' ability to access education equally.
- The college must consolidate its policy on sexual violence, including the aforementioned spectrum of offenses, into one accessible document that is clearly available to all students.

***This demand will be considered sufficiently addressed when***

- *The above-mentioned policy changes have been incorporated into a draft of the College's Sexual Offences Policy as laid out in the Student Handbook.*
- *ESLC and the Sexual Assault Policy Review Committee have approved the draft changes and have begun taking all necessary first steps in implementing the policy changes.*
- *The formal adoption of said policies is on the agenda for the March faculty meeting. If this is not possible, an emergency faculty meeting shall be called with these policies on the agenda.*

### 4. Expulsion must be the protocol for students found guilty of rape

All students found guilty of rape will be expelled from the college. We also demand that similarly severe punishment be imposed for sexual assault and attempted rape. # No student found guilty of rape or sexual assault should be able to appeal his or her sentence on the basis of it being "excessively harsh." **This does not mean that this student will not be able to appeal on other grounds (procedural issues or introduction of new information relevant to the facts of the case).**

***This demand will be considered sufficiently addressed when***

- *Draft changes to the College's Sexual Assault Policy have been made to require a mandatory punishment of expulsion for all students found guilty of rape and/or sexual assault*
- *Changes to the judicial process have been drafted to remove the possibility of appeals grounded on the claim that the expulsion is "excessively harsh."*
- *These changes have been approved by ESLC and the Sexual Assault Policy Review Committee.*
- *The formal adoption of said policies is on the agenda for the March faculty meeting. If this is not possible, an emergency faculty meeting should be called with these policies on the agenda.*

### 5. Focus on creating a proactive education-based sexual violence prevention program

Additional programming for all class years outside of the traditional New Student Orientation Sexual Assault programming must be required. Education should entail information about college policies, the conduct process, and the full spectrum of sexual violence.

***This demand will be considered sufficiently addressed when***

- *A mandatory extended Orientation program for First-Year Students has been planned (to be implemented Fall 2011), as required under Pennsylvania House Bill 101. First-Year students who fail to complete the program will not be permitted to register for classes for the subsequent semester.*
- *Additional mandatory programs (with the purpose of continuing education) have been planned for students throughout all four years of their Dickinson College experience.*