Going Beyond Compliance to Dismantling Rape Culture: A Feminist Phenomenological Study of Title IX Administrators

A Dissertation

SUBMITTED TO THE FACULTY OF THE

UNIVERSITY OF MINNESOTA

BY

Jennifer P. Steiner

IN PARTIAL FULFILLMENT OF THE REQUIREMENTS

FOR THE DEGREE OF

DOCTOR OF PHILOSOPHY

Adviser: Karen Miksch

May 2019

Acknowledgements

Thank you to those who have supported me through this PhD journey, most notably my partner, Bill Dumas. You endured many days and evenings without me as I plugged away at the library, or coffee shop. Thank you for always supporting me and believing in me, I love you.

To my mom and dad, Mark and Denise Steiner. Your support over my entire academic career is incredible. You've always encouraged me to strive for greatness and have been my biggest cheerleaders. I love you both.

Thank you to the amazing women in my life, specifically: The Corps, Kelly Collins, and Elizabeth Dunens. Without your support over these past few years, I do not know what I would have done. You have been there to process aloud with me and even took the time to read pages upon pages of my work. Thank you endlessly.

To Student Counseling Services, particularly the SASS team, you have been my home for my final three years of this program. Thank you for seeing this work as professional development and for cheering me on the entire way to the finish line.

To my committee: Dr. Joshua Collins, Dr. Tania Mitchell, and Dr. David Weerts – your feedback has made me a better scholar and researcher. Thank you. And to my adviser, Dr. Karen Miksch: thank you for always being a positive force throughout this process. Our meetings always filled me with joy and I appreciated our conversations about Title IX, the complexities, and realizing how much we've done and how far we still have to go.

Dedication

This dissertation is dedicated to the strong women who came before me: my great-grandmother Sophia Hoffer, my grandmother Mary Catherine Steiner, and my Godmother Diane Kieras.

And to all of those who have experienced sexual assault. I believe you, I support you, and I stand with you.

Abstract

Data collected over the past 30+ years consistently show one in five women are sexually assaulted on college campuses (Mccauley & Casler, 2015), and that the occurrence may be even higher due to serious underreporting on campuses (Palmer & Alda, 2016). To better combat sexual assault on campus, universities are charged through federal law and policy (i.e., Title IX of the Educational Amendments of 1972) to create systems for the prevention, education, investigation, and adjudication of sexual misconduct. While these policies resulted in significant advances, the continuing rates of sexual assault on college campuses demonstrate that policy alone is not enough. One issue of a policy-focused approach is the focus on individual complainants as opposed to addressing the greater campus culture and climate.

According to feminist theory, to solve a complex issue (like sexual assault), institutions must examine the systems that permit oppression to exist on our campuses (Ahmed, 2012). Feminist theory suggests that approaches to sexual assault focused on addressing the entire campus community may have better outcomes for decreasing occurrence of sexual assault while dismantling oppressive systems, such as rape culture, that have historically prevented progress on this issue. This study, using a feminist phenomenological approach (Gardiner, 2017), looked to campus administrators who enact Title IX on their campus to gain a deepened understanding of how college practitioners approach Title IX work. The study had 13 college administrators participate, representing institutions across the U.S. to uncover: How do those responsible for enacting Title IX understand their work as an effort to dismantle rape culture on university campuses?

The overarching goal of the study was to identify methods of supporting college administrators in shifting from compliance-focused approaches to more holistic, preventative, culture-focused efforts. What was uncovered was that college campuses are locked within a compliance frame, limiting any potential progress for dismantling campus rape culture and declining rates of campus sexual assault. The study found to break this cycle, college administrators must not move quickly to action, but must focus first on the process of learning, unlearning, and relearning (Tlostanova & Mignolo, 2012). Promising practices for practitioners, policymakers, and further areas for research are also discussed.

Table of Contents

List of Tables

Chapter 1: Introduction to the Problem

Allison

Allison (pseudonym), a first-year college student, decides to go out to a party with some friends. As she leaves her residence hall, a friend says, "Let's stop at O'Malley's first. They don't check IDs." Allison agrees, and their night begins.

After O'Malley's, the group goes to a house party at an apartment complex near campus. Allison meets a man at the party and learns that he is one of the hosts. The two chat in the living room, and after an hour of talking and drinking, they make their way up to his bedroom. He shuts the door, and Allison feels slightly nervous; she barely knows him, but she's having fun, so she decides to stay. The two begin to kiss, and the man becomes more aggressive, sexually forcing himself on Allison. When he finishes, he goes to the bathroom, and Allison remains frozen in his bed. Someone suddenly opens the bedroom door, and Allison leaves before the man returns. Disheveled and shoeless, Allison returns to her residence hall and immediately calls upon hall staff.

Following the report to campus police, the residence hall director takes Allison to the local hospital to complete a rape kit test. Police arrive and ask the hall director, "Didn't Allison drink alcohol? Isn't that why this happened?" And, "If she was assaulted, why did she say she probably would have spent the night if someone didn't get her out of the room?"

The next morning, Allison speaks again with campus police and the hall director. She cannot remember where the apartment was; she knows the complex but isn't certain of the exact apartment where the incident happened. Her friends aren't sure either. Allison is given on and off-campus resources for counseling and victim advocacy, but the

university never determines where the apartment was located, or who may have sexually assaulted Allison. The case is never resolved.

Allison's story is based on memory – my memory. I was the hall director during this incident. I stayed up all night with Allison in the hospital as she received her rape kit. I was the one who told police they were victim blaming her while she sat in another room, crying from the night's events. Although the fine details of this account are not precisely as they were, the feelings and flow of Allison's account are real. Several years following this event, I ran into Allison at a local coffee shop. She smiled at me and thanked me for believing her story.

Allison's Story: A Complex Problem

I chose to highlight the story of Allison to demonstrate the complexities within a single case of sexual assault, starting at the individual story and sharing how complicated the case became as it involved campus and city police, institutional agents, and reinforced cultural norms. As Allison's story illustrates, "sexual violence is a complex problem with social, structural, cultural, and individual roots" (DeGue, Valle, Holt, Massetti, Matjasko, & Tharp, 2014, p. 346). Sexual violence is a pervasive issue in the college environment, with an early study indicating one in four women have experienced sexual violence during their time in college (Koss, Gidycz, & Wisniewski, 1987). Much of the response and prevention work on college campuses after the Koss et al. (1987) study has focused significantly on the individual student. For example, campus policies have often relied on an individual making a complaint to initiate the campus protocol. Campuses have also trained students to serve as active bystanders, encouraging individual students to step in and prevent an incident of sexual assault from occurring. Other programs have focused

on abuse of alcohol, promoted going to a party with a group of friends – again, focused on changing individual behavior.

Colleges and universities are required by law to have someone on campus responsible for overseeing Title IX, which includes supervision of sexual assault reporting processes, investigations, and training (Title IX of the Educational Amendments of 1972). On many campuses, sexual assault work falls under offices that represent equal opportunity or diversity initiatives, or within student affairs. In the same vein, universities have created offices for diversity to demonstrate that work is being done to create equity and justice on our campuses. Research has found that this is where universities may end their responsibility for equity work (Ahmed, 2012). One study found that organizations may claim they are achieving outcomes through action (for example, hiring staff to increase diversity work on campus), without the outcome being met (increased diversity). It is here that "diversity work often takes place in the gap between words and deeds" (Ahmed, 2012, p. 3).

Sexual assault work can operate similarly on our campuses. Institutions may say they have an aim to decrease sexual assault on campus, but do not mean it to be an actual goal of the institution. The concept of non-performativity resonates with this view of campus sexual assault work. Non-performativity can be defined as “how institutions can reproduce themselves at the very moments they appear not to be reproducing themselves” (Ahmed, 2012, p. 2). Further, it is “…the words we use [that] can be ways of not doing things – we are complicit and compromised because of where we work” (Ahmed, 2012, p. 3). Essentially, leadership at universities can hire someone to be responsible for sexual assault work, and that is where the work ends. Simply putting an office on campus that is

responsible for taking reports and rolling out sexual assault education may meet a campus' legal obligation, without really doing anything to implement structural changes. The "compliance protocol" is yet another way where "the words we use can be ways of not doing things" (Ahmed, 2012, p. 3). We "comply" but do not prevent or transform.

Another way to conceptualize the idea of non-performativity is through the diffusion of innovation theory. Leaders in organizations know before an initiative rolls out if it will serve in an enclave (a space of non-performativity) or it will be diffused throughout the organization (Levine, 1980). Meeting compliance standards does not mean that an institution is intending to permeate these innovations into the culture. As Ahmed (2012) elaborates, "organizations can be considered as modes of attention: what is attended to can be thought of as what is valued; attention is how some things come into view (and other things do not)" (p. 30). A postsecondary institution can call attention to sexual assault work by pointing out where the sexual assault work is conducted. Showcasing where sexual assault work is performed does not necessarily mean the work is infused in other areas of the institution.

Although policy work helps protect individual student rights, more work has to be done. As DeGue et al. (2014) suggested, the real solution to lower rates of sexual assault come from social, structural, and cultural practices within larger systems and organizations. As in the case of Allison, nothing happened outside of her complaint because nothing was warranted to do so within the compliance framework. The university could have taken further action instead of stopping their work when Allison was unable to identify a respondent. Compliance was the work of choice in the case of Allison, prompted by the law and policies that universities must follow when alerted

about an alleged incident of sexual assault. In the next section, I have started the task of breaking down aspects of navigating campus sexual assault, starting with the guidelines and laws in place that mandate institutional compliance.

Federal Guidance on Campus Sexual Assault

Laws and policies on American campuses serve as a way to protect the individual rights of students. Understanding the federal guidance that has directly affected postsecondary institutional policies is essential to understanding campus policy on sexual assault. The U.S. Department of Education enacted legislation to guide postsecondary institutional policy in providing equal access to education for all students. Three pieces of law have led the conversation and most directly influence postsecondary institutions' current policies and protocol on sexual assault: Title IX, the Clery Act, and the Campus SaVE Act.

Title IX. The official fight in the academy against patriarchal policy came through the passing of Title IX in 1972. Title IX prohibited discrimination based on “sex” in the educational environment (Title IX of the Educational Amendments of 1972) and, for the first time, brought to light the discrimination many women were facing. For the past 40+ years, Title IX has acted as the guiding document for addressing sexual violence on campuses (Dunn, 2016).

However, in spite almost half a century of attention on this issue, the rate of sexual assault on campuses has not declined significantly. In 2001, to strengthen sexual assault prevention efforts under Title IX, the Bush Administration issued a Title IX guidance document (U.S. Department of Education Office for Civil Rights, 2001) to more directly name the role of colleges and universities regarding sexual assault work. In

addition to naming institutions as responsible for preventing and remedying sexual violence-related behavior on their campuses, the report also raised public awareness of the issue and universities' role in protecting students from sexual and gender-based violence (Jones, 2010).

In April 2011, the Obama administration added to the 2001 guidance requirements through a *Dear Colleague Letter*. Most notably, the letter called on universities to more rapidly address events of sexual assault, granting institutions a 60-day timeframe from a student's report through the end of adjudication (U.S. Department of Education Office of Civil Rights, 2011). The 2011 letter also outlined several critical components for college practices regarding complaints; specifically, the Obama administration emphasized the discontinuation of formal mediation as an approach and asserted that universities are obligated to investigate complaints separate from law enforcement (U.S. Department of Education Office of Civil Rights, 2011). In 2014, a subsequent letter clarified prevention efforts as part of the compliance regimen and asked universities to focus on these efforts, which included mandated training for students (U.S. Department of Education Office of Civil Rights, 2014).

Just as universities were settling into the 2011 and 2014 guidance, the Trump administration issued their changes to Title IX guidance and undid much of the work of the previous administration. In September of 2017, the U.S. Department of Education rescinded the letters from 2011 and 2014 and also reinstated mediation as an approved method for resolving a campus sexual violence complaint (U.S. Department of Education Office of Civil Rights, 2017).

In the fall of 2018, the U.S. Department of Education released another round of guidance that (as of May 2019) are under revision, following an open comment period. Given the tentative status of this new guidance, this study focused on the work of campus administrators following the guidance from September 2017, as data was collected before the release of the new guidance in fall of 2018.

Jeanne Clery act. The second guiding document for sexual assault policy is the Jeanne Clery Act. Signed in 1990, the Clery Act requires college campuses to publicly report statistics for crimes occurring on or near their campus. This act charges institutions to create and share an annual security report on rates of reported sexual assault, domestic violence, relationship violence, and stalking (Summary of the Jeanne Clery Act, n.d.). Campus reports must include crime statistics from the past year and three years prior, as well as the institution's response to the event and efforts to improve campus safety.

Although Clery is a law of good intent, it is not without shortcomings. In particular, there can be a disconnect between the number of sexual assault cases recorded in the campus report and the actual number of instances. I once worked on a campus where the annual Clery reported zero incidents of sexual assault. Later that year, students at the institution staged a protest, asserting that there was intentional under-reporting by the university and that this supported rape culture. According to Lisak, Gardinier, Nicksa, and Cote (2010), this phenomenon of institutions underreporting was not unique to that college.

Campus SaVe act. The third piece of legislation guiding campuses is the Campus SaVe Act, amends elements of the Clery Act (S.834-112th Congress, 2013). The most recent piece of federal legislation related to sexual assault on college campuses, the

Campus SaVe Act (2013) requires institutions to have written policies on handling instances of sexual assault. In particular, the following must be addressed: reporting of sexual assault to law enforcement; methods for avoiding hostile environments; steps for obtaining no contact orders; a clear description of the institution's disciplinary process; information about both on and off-campus services for mental health, victim advocacy, and legal assistance. This law also created mandatory requirements around sexual violence education and prevention training for students, and in effect, shifted the burden of reporting sexual assault from the individual to the community. Although the act intended to create pathways for changing community culture, many campuses created individual-oriented sexual assault training that rely on an individual stepping in to prevent sexual assault as opposed to organizing a more substantial, community-based effort (DeGue et al., 2014). Despite the efforts of the SaVe Act to place responsibility on the community, most federal mandates pertaining to sexual assault focus primarily on the individual. As a result, institutional training, response, investigations, and adjudications are designed with a focus on individual responsibility versus the community.

Summary. Federal guidance for campus sexual assault is important to note, as it established campus protocol and procedures around an incident of sexual assault. And yet, "the implementation challenge is how to align federal… expectations with institutional administrative and contextual realities" (Clay, Pederson, Seebeck, & Simmons, 2019, p. 683). As I shared in the case of Allison, the campus protocol was initiated, but because she was unable to name the person who assaulted her, the campus protocol ended. The university did what they were asked to do and complied. The guidelines, on paper, seem to be working to end campus sexual assault, but in practice,

have limitations and flaws in their ability to transform campus culture. Furthermore, federal legislation may even be creating barriers to developing new, effective methods of tackling sexual assault as institutional concern focuses on designing policy according to the law as opposed to designing a policy to meet the needs of their specific student population and context.

Definition of Terms

To fully understand sexual assault on college campuses, it is helpful to define the language used. The current language used in practice on college campuses and through federal guidance is inconsistent. There are a variety of definitions from postsecondary institutional policy, federal mandates, and state laws around “rape,” “sexual assault,” and “sexual misconduct” (Koss, Wilgus, & Williamson, 2014). Language provides clues to who is in power; historically, there is a lack of use of the term "rape" in campus sexual assault policy (Koss et al., 2014). Not naming rape in campus policy can lessen the severity of the offense within the policy as rape has a connotation with dominance and power. Instead, policies have used terms like "sexual assault" to include definitions of unwanted sexual contact that would include what is commonly known as rape (Iverson, 2016).

Throughout the dissertation, I used the term *sexual assault* to address any incident of unwanted sexual contact, including rape. This terminology aligns with the language used in many campus sexual assault policies, although I believe this does not fully capture the severity of instances of rape. To stay consistent with other policy, postsecondary institutions have changed their forced-rape policy to *affirmative consent*, shifting the responsibility from the victim to the person initiating the sexual contact

(ATIXA, 2016). Affirmative consent reshaped the burden of responsibility from the idea that one person needed to say "no" to sexual contact to the other needing to confirm they have consent.

When reporting the findings of a particular study, I used the terminology of that study, which may vary in terminologies such as gender violence, sexual violence, sexual assault, and sexual misconduct. Using the language from a particular study captured the meanings and definitions selected by the study's researcher instead of replacing the words with a term I deem to be a suitable alternative. When discussing a student who brings a claim of sexual assault forward, I used the term *complainant* and the term *respondent* as those who are responding to a policy complaint against them, as they are widely used in sexual misconduct policies on college campuses (Koss et al., 2014).

Throughout the dissertation, I have voiced the work of college campus administrators and their role in sexual violence work. When speaking about an organization, particularly in higher education, I used the term *institution.* The term does not mean one campus but speaks broadly to the institution of higher education that is comprised of community colleges, colleges, and universities. The term institution is also used at times to point to the larger systems that operate within an organization, often with a large number of conflicting goals (Gross & Grambsch, 1974). I also used the term *systems*. “Systems are hierarchical; they make up of smaller systems and are themselves parts of larger systems” (Birnbaum, 1988, p. 30). When I think of systems, I often think of the hierarchical structures in society in which we derive cultural norms and understandings around power, privilege, and oppression. Systems are large and complex and exist within the frame of higher education institutions. As I speak to institutions and

systems, I also used the term *tension.* Tension is defined as "policy implementation consist[ing] of multiple tradeoffs with a range of positive and negative outcomes" (Clay et al., 2019, p. 683). Tensions exist with implementing campus sexual assault policy as it competes with other institutional priorities.

My Positionality

My interest in sexual assault on college campuses stems from my work with students like Allison, and others who were brave enough to come forward only to end up more disappointed and broken by their universities' flawed compliance protocol. Through my lived experience, I witnessed the complexity of campus sexual assault cases on the ground. This viewpoint is important as much of the research conducted on sexual assault on college campuses has focused on the individual student through reporting or training (DeGue et al., 2014). Many of the students I supported experienced shame around what happened; furthermore, after months of speaking to campus police, attending hearings, encountering systems causing post-traumatic stress, many were told the respondent was found not responsible. Again, and again this pattern occurred. I did everything in my capacity to support students; however, as an entry-level professional, my power was limited.

I have used stories, like the one of Allison, to highlight the complexities of campus sexual assault. Stories are what help me create a deepened sense of meaning, and I have illustrated several stories throughout the dissertation first of Allison, then of Lupita (pseudonym), next of Sam (pseudonym), followed by the study participants, and finally my own story. I have used the stories to highlight not only my understanding but also to

raise the voices of the committed administrators who have also been frustrated (at times) doing campus sexual assault work.

My experiences as an administrator created my interest in this particular topic, but as I have been reading, reflecting, and writing about campus sexual assault, I have found a deepened sense of commitment to this work, particularly within my identity as a woman. I am able, through this identity to observe places and spaces where policy and practice were created and enacted from a place where the intention was not to support women but to uphold the current systems of power. I am also a white woman and know that these systems stem from the patriarchy and also white supremacy. As a white woman, I need to be mindful to understand my oppressed identities, but also how I benefit from white supremacy. These lenses have helped me think about how I have navigated this work and ultimately brought me to the research question: How do those responsible for enacting Title IX understand their work as an effort to dismantle rape culture on university campuses?

Conclusion

Federal guidance plays an essential role in addressing sexual assault on college campuses; however, current laws and policies are not enough, especially given their perpetuation of focus on individual complaints and responses. As we witnessed in the case of Allison, it was because she was unable to name *the individual* assailant that she could not file an official complaint with the university, and her case was never officially resolved. In her case, university leadership and administrative procedures served as a barrier to justice for Allison. Few studies have examined the role of the Title IX coordinators and other upper-level administrators responsible for implementing the

federal compliance efforts on their respective campus, let alone and even further, efforts on going beyond compliance and working to lower the rates of sexual assault on their college campuses. This study asserts that the only way to understand and equitably address the persistence of sexual assault on U.S. college campuses is to examine existing practices and policy, and then deconstruct the patriarchal and rape-supportive elements of campus cultures (Bass, 2015).

Chapter 2: Review of the Literature

Lupita

Lupita lives in a residence hall community with over 700 first-year students. Like her peers, Lupita is excited for her first semester of college with new learning opportunities and a new level of freedom and autonomy. As part of her university's response to the 2011 Dear Colleague Letter and a very public incident of sexual assault on campus the previous school year, all students at Lupita's university are required to complete an online module on sexual assault before beginning the school year. The module focuses on alcohol consumption, followed by information relating to campus sexual assault. When the school year begins, students in Lupita's residence are also invited to a one-time training offered by university staff members. The training focuses on student values, discerning normal sexual intimacy from sexual assault, and bystander intervention. Although the training is comprehensive, throughout the year, case after case of sexual assault is reported within the residence hall community. Lupita's is among the cases.

Lupita kept the incident to herself for several months. When she finally told her family what happened, they encouraged her to report to the police. The police turned her away for lack of evidence, so she decided to report the incident to her residence hall director in February, three months after the assault occurred.

In many ways, Lupita's experience presents as a very "textbook" assault. Lupita was at a party off campus. Lupita met a young man, started dancing with him, and the next thing she knew, they were alone in a bedroom, kissing. The man asked Lupita if she

had a boyfriend and she said "no." It was clear the man wanted to engage with her sexually. "It all went so quickly," Lupita tells her residence hall director. "I was OK with him taking off my shirt, but all of a sudden we were having sex." Lupita shares that she had been drinking pretty heavily that evening, and it all feels unclear to her now.

With the assistance of the residence hall director, Lupita decides to pursue a case within the university's conduct system. Lupita can name the student who assaulted her, and the university moves forward with the investigation. Over the next several months, Lupita experiences a number of incidents. She is hospitalized once for mental health. She is found wandering a mile off campus without shoes, clearly disoriented.

In April, Lupita learns that the university's hearing panel for her case has found the respondent not responsible. The panel cited two reasons for their ruling: 1) When asked if she had a boyfriend, Lupita said "no;" 2) Lupita had lifted her arms to take off her shirt. The panel believed these actions supported the respondent's perception of consent for sex, and therefore, did not violate university policy. However, the training Lupita had received months earlier taught that consent needed to be given at each level of increasing intimacy, and that consuming alcohol underage violated the state law of being able to legally provide consent while intoxicated.

Lupita goes to her residence hall director's office, crying. "Can we do anything else?" she asks and cites her mandatory fall training as the primary education resource informing her understanding of the experience as sexual assault. Together they call the head of student conduct, who informs Lupita that she can appeal the case. Several weeks later, Lupita and the residence hall director meet with the appeals officer, who is also a vice president at the university. The appeals officer chooses to also include an associate

vice president at the meeting. The VP and AVP inform the student and first-year hall director that the outcome will be upheld. At one point, the VP says, "If we had a larger story from multiple people, this might have provided more information on this student. But you're the only one. We can't change the outcome of this hearing based on one report." Lupita looks the appeals officer in the eye and says, "But there are more women. I'm just the only one to come forward." Several months later, the respondent graduates in good standing. Lupita continues to exhibit signs of trauma.

The university's decision to not act was influenced by several factors. There was the perceived need for a "stronger" case with more clear evidence of sexual assault and multiple claims naming the respondent. There was a system of investigation and hearing that was not designed to protect the complainant and prevent additional trauma. Not even a year after the 2011 Dear Colleague Letter, the university was still pulling together their procedures. Then there was the limited education and information provided to the students. Lupita had only gone through a couple of brief training sessions about sexual assault and consent. It was unclear what kind of understanding the respondent had of sexual intimacy from an institutional policy perspective, or what training he had received (if any) during his four years at the institution.

As the residence hall director in this story, to this day I am disappointed in the outcome of this case. I believe it contradicted the university's espoused values. Months earlier, the university had 50 professional staff members complete hours of training on this very issue. That summer and fall, the university administration supported multiple pieces of training across campus for students on the topic of sexual assault. The enacted values, however, looked different in practice. Yes, there was support from upper-level

leadership to hold this training, but that support seemed only to go so far. I began to understand how individual outcomes are a direct reflection of organizational cultural norms. My experience with Lupita strengthened my interest in serving as an advocate for students and made me determined to understand how campus leadership understands their responsibility for shifting campus culture around sexual assault.

Lupita's Story in the Context of Sexual Assault Literature

Lupita's story demonstrates how institutions and their various offices might respond to a case of sexual assault. It follows a particular process, beginning with the campus prevention education, the initiation of the investigation, and ending with the rationale to demonstrate whether or not there was a violation of Title IX. These steps were the ways which, at the time, Lupita's institution had decided to respond to a case of sexual assault. I used Lupita's story throughout this review as a way to deepen understanding of what we can learn about people who have gone through a process of reporting an instance of campus sexual assault.

To understand the impact of college campus sexual assault prevention, education, and adjudication work, it is essential to understand the complexity of the issue of institutional response. The literature review was conducted to gain a deepened understanding of campus protocol, to highlight research conducted, and use these studies to highlight the gaps in the literature. I examine legislative, sociocultural and organizational factors influencing institutional approaches to the issue. Finally, I address existing literature on the experience and perspectives of campus enactors of Title IX and how the study at hand advances understanding of this population and efforts to dismantle rape culture on college campuses.

Institutional Response: From Prevention to Case Outcomes

Campuses are charged with several mandates on how to navigate campus sexual assault. First, colleges are asked to lead prevention efforts for their campus. These efforts can be done in person, or an online context. Next, institutions have been charged to investigate claims of sexual assault that could violate a student's rights under Title IX. Once an investigation is completed, some form of adjudication occurs followed by the issuing of the outcome or determination of the case. In this section, I have highlighted the literature that has informed institutional response across the U.S.

Campus Sexual Assault Prevention and Education

Under the Obama era guidance, the Office of Civil Rights (OCR) mandated universities to have some form of prevention program (U.S. Department of Education Office of Civil Rights, 2014). Typically, these programs are created and administered to new students as they enter postsecondary institutions. Sexual assault prevention efforts for first-year students, although admirable, have been introduced during a time of information overload and have served, in some cases, as a one-time brief intervention. One-time behavioral interventions have not effectively shifted students' attitudes and behaviors, whereas, long term interventions have been proven to be more effective (Anderson & Whiston, 2005). Not only have long term interventions been more successful, the time in human development for the interventions has also been described as a component of their success. For example, a comprehensive review of sexual violence prevention interventions described the most effective long-term programs, *Safe Dates* and *Shifting Boundaries*, to serve middle schoolers (DeGue et al., 2014). This has added a

layer of complexity to an institution's role in sexual violence prevention education as college students most likely did not receive comprehensive sexual health and sexual violence education before attending the institution. Colleges are tasked with educating their students on sexual assault education and prevention and have not been able to figure out a meaningful way to have students engage with the information for longer than one training when they arrive at their institution.

In Lupita's story, she participated in a bystander intervention training that educated her not only on how to stop an instance of sexual assault, but also the differences between a healthy relationship and sexual coercion. The goal of the education team was to begin with Lupita's class, and within four years, every student who entered the university would have the same foundational knowledge. This institutional approach drew upon the idea that the root of sexual assault is embedded into the culture and to eradicate the problem, significant devotion must be placed on prevention efforts.

There have several prevention studies conducted, particularly with the campus student population. Using health behavior theories, studies examined prevention programs aimed at creating an attitude and behavior change around sexual violence (Banyard, 2014). As in the prevention program I helped to lead, we looked to the socio-ecological model as a framework for stopping sexual assaults; we started with the individual, trying to change their behavior with the hope that it would lead to shifting culture on the community level (Centers for Disease Control and Prevention, n.d.). Although the design of many prevention programs is admirable, the ability to change attitudes and behaviors of an individual is not an easy task.

Principles of effective programs. As postsecondary institutions attempt to create and implement prevention programming, it is important to note the ways these programs are most effective. Nation, Crusto, Wandersman, Kumpfer, Seybolt, Morrissey-Kane, and Davino (2003) noted nine principles that make for effective prevention programs: they must be comprehensive; have varied teaching methods; have sufficient dosage; be theory driven; demonstrate positive relationships; are appropriately timed; are socioculturally relevant; have some form of outcome evaluation; and are provided by well-trained staff (p. 452). As universities develop their prevention programming, it is essential to keep these nine principles in mind. I have shared each principle in relation to the training that was offered to Lupita.

Postsecondary institutions must think about ways to create comprehensive programming through "multicomponent interventions… that influence the development and perpetuation of the behaviors to be prevented" (Nation et al., 2003, p. 452). When I think of the training that was offered to Lupita, it did not simply cover the definition of sexual assault, but also shared the definition of normal sexual intimacy and provided several "red flags" that could lead to perpetration of sexual assault. It is important for programs to have information beyond definitions for sexual assault as it allows for greater learning opportunities in identifying and naming ways in which an incident could occur.

Prevention programs must also provide various teaching methods "that focus on increasing awareness and understanding of the problem behaviors and on acquiring or enhancing skills" (Nation et al., 2003, p. 452). When I think of varied methods of teaching, I think about allowing space for activities and dialogue. Lupita's training was

primarily presented in a lecture-based format with a variety of videos shown to emphasize points from the presentation. There were some opportunities for students to use a red, yellow, or green card in response to some case scenarios around consent. As I reflect on this training, there were very few moments of active learning infused throughout the training, and this may have had an impact on the training's effectiveness.

Prevention programs should also provide sufficient dosage – “enough intervention to produce the desired results” (Nation et al., 2003, p. 452). As mentioned, brief intervention strategies are not effective compared to long term efforts (Anderson & Whiston, 2005). Also, training is more effective if it were four hours or more and should be conducted in a face to face setting (National Academies of Sciences, Engineering, and Medicine, 2018). Lupita experienced two interventions regarding sexual assault: an online program before arriving at the campus and the one-hour program presented during the first six weeks of the school year. At most, Lupita's training lasted for about two hours across the two interventions. Following Lupita's early training in fall, there was no additional training mandated for students.

Prevention programs should also be driven by theory (Nation et al., 2003). There are a variety of reviews conducted that explain what sexual assault prevention programs have been the most effective. Understanding how theory in practice impacts student learning is essential to finding what interventions are most successful (Ford, Bachman, Friend, & Meloy, 2002). The program that Lupita attended was informed by theory, and that information was shared with the student audiences.

Institutions should also consider positive relationships where "programs provide exposure to… peers in a way that promotes strong relationships and supports positive

outcomes" (Nation et al., 2003, p. 452). Examples of this were demonstrated to Lupita through the portion of her training that covered how to intervene as a bystander and that not intervening would go against campus norms. The messaging attempted to say that sexual assault behavior is not tolerated, as it damages the positive relationships built through the current campus culture.

Postsecondary institutions must also consider the timing of any prevention strategy. Making sure prevention is appropriately timed and presented early enough to address the behavior (Nation et al., 2003). “Interventions should be timed to occur in a [student’s] life when they will have maximal impact. Unfortunately, many programs tend to be implemented when [students] are already exhibiting the unwanted behavior” (Nation et al., 2003, p. 453). Lupita's training occurred during the first six weeks of the school year, which is a very vulnerable time for college students regarding sexual assault (Althouse, 2013). Multiple reports have illuminated the time sensitivity of prevention efforts as many first-year students are sexually assaulted within the first few months of their first year (Bureau of Justice Statistics & RTI International, 2016). As a result, campuses have placed their focus on implementing interventions during early events, such as first-year orientation. Colleges struggle with the appropriate timing of sexual assault interventions because of the vulnerable time in the first six weeks of the fall semester. Some institutions have used their campus orientation as the time for the intervention, but that serves as a time of extreme information overload and may not be as relevant to students.

Prevention programming must also be socioculturally relevant by being "tailored to the community and cultural norms of the participants and make efforts to include the

target group in program planning and implementation" (Nation et al., 2003, p. 452). Students were not involved in the creation of Lupita's training program and the videos presented were from a general company versus the videos made by Lupita's campus. Not including specific examples from campus or voices from students could have impacted student engagement with the training.

There also is a need for an outcome evaluation following a prevention program as a way to document the outcomes concerning the program goals (Nation et al., 2003). Lupita and her peers took a pre and posttest before the start of the prevention program and at the end of the prevention program. The data showed that students had a stronger understanding of the information immediately following the training. Informed by the data, there were some adjustments made to the program the following academic year.

Finally, an effective prevention program is provided by well-trained staff who understand how the training is implemented (Nation et al., 2003). There was a staff training I attended with about 50 colleagues across campus to prepare us for presenting the program that was shared with Lupita and her peers. This training was nearly half of a day-long where we got a "train the trainer" experience and at the end of the training, signed up for our presentation dates. Following this training, the staff was responsible for following up with their co-presenter. Although each presenter volunteered to attend training, consistency of presentations to each group varied due to the level of comfort with public speaking and level of knowledge and familiarity with the training content. Consistency of presentations could have impacted Lupita's experience in receiving her training and understanding the material presented.

The training that Lupita received in the fall of her first year of college did meet several of the principles of effective prevention programming. The training fell short in providing sufficient dosage, varied teaching methods, and well-trained staff. Not meeting several principles impacted Lupita's understanding of sexual assault and possibly impacted her ability to recognize several "red flags" the night of the incident until it was too late, and she found herself secluded and alone with the respondent. As universities consider prevention programming, thinking through each principle concerning campus community and culture is critical.

Bystander intervention models. One prevention strategy adopted by colleges is the bystander intervention model. Bystander intervention has become a popular prevention tool because of its ability to challenge social norms between peer groups, especially around sexual violence (McMahon, Hoffman, McMahon, Zucker, & Koenick, 2013). There have been several benefits to having a bystander intervention model on campus: It has highlighted the importance of community responsibility around sexual violence and encouraged students to behave in positive behavior that could have an impact on a student's development (McMahon et al., 2013).

To have a deepened understanding of behavior change over time, researchers have conducted studies evaluating campus bystander intervention programs to determine effectiveness. There have been many bystander approaches, each complex with different types of intervention possible (McMahon et al., 2013). One bystander intervention method implemented on U.S. college campuses is the *Green Dot* program, a program that attempts to increase the proactive behavior of college students to be active bystanders, thus reducing dating and sexual violence on campus (Cocker, Cook-Craig, William,

Fisher, Clear, Garcia, & Hegge, 2011). *Green Dot* has used an approach with "the three D's" to help students intervene: delegate, distract, and be direct (Cocker et al., 2011). One study aimed to compare the frequency of intervention behaviors from college students who received the *Green Dot* training versus those that did not receive any training and found that those who received some training had a better understanding of how to be an active bystander than their peers with no training (Cocker et al., 2011).

Other studies have found that there are some benefits to providing training to students who have been living on the same residence hall floor and found there was short-term behavior change, yet there were no long-term behavioral impacts (Gidycz, Orchowski, & Berkowitz, 2011). The research conducted asked students about their experiences directly to understand why they chose to change their behavior. Students have shared they decide to intervene based on comfort level and their ability to have a plan based on conversations with peers, as opposed to having it be solely placed on the individual (McMahon et al., 2013). Ultimately, what bystander research discovered is students who change their behavior tend to be students who already have a connection to someone who was sexually assaulted, or they have been invested in the work before their intervention (Cocker et al., 2011).

As I think back to the intervention program we offered to Lupita, I have mixed feelings toward the program. I think it was effective, to a point. For me as a practitioner, it opened my eyes that much more to the issues facing our college campuses. And yet, I was naive to believe that the program would have a long-lasting behavioral impact. Lupita was probably not thinking of her training when she was out at that November party. And I cannot blame her; we did not set her up for success in how to realize she was

experiencing isolation and coercive behavior. Our one-time, hour-long training had failed, and as the literature illuminated, rightly so.

The future of prevention programming. Although there has not been a prevention program that has proven to shift the behavior of college students, there is still a strong need to educate the campus community about sexual violence and bystander intervention. As there is continued research regarding intervention programs, the following details should be kept in mind: Different genders hear and interpret the training information distinctly, and universities should be intentional about how they have been designing their programs, thinking about their student audience and how they have received bystander messaging (Burn, 2009). Not only this, but training should also address systemic gender inequalities (Daykin & Naidoo, 1995). Of the literature reviewed, very few mentioned how the prevention program design addressed sexual assault from a comprehensive, gender inclusive frame. Not being inclusive of gender is concerning as "sexual violence rates among *trans** individuals are as high or higher than those of cisgender populations, and yet the media continues to tell us that rape is something that (only) cisgender men do to (only) cisgender women" (Marine, 2018, p. 83). Also, "men who have identities that are underrepresented along dimensions of race, gender identity, or sexual orientation are at increased risk for sexual violence" (Tillapaugh, 2018, p. 101).

Prevention programs should consider intersectional identities of students and go beyond the gender binary as "these studies focus on only one or two groups at a time rather than assessing whether and how a program is effective for different subcommunities on campus or how programs should be tailored to these groups"

(Banyard, 2014, p. 343). Title IX covers any incident of gender discrimination and institutions must consider ways they have educated their community to support students of all gender, a-gender, and gender non-conforming identities.

From the literature reviewed, I also was not able to identify studies that address the levels of existing knowledge of incoming students. Future research should consider the level of understanding and awareness students have around sexual violence (Moynihan, Banyard, Cares, Potter, & Stapleton, 2015). Some students have entered their postsecondary institution with no experience of sexual assault education, especially if their high school's sexual health education was abstinence-only. Perhaps colleges and universities need also to stop having a single intervention program to educate all of their new students. Institutions could, instead, consider developing several program tracks to engage students who need more education around the basics of sexuality and sexual assault and a more advanced track for building upon skills, making a knowledgeable student a more effective bystander.

One other implication for further study has to be on the timing of the intervention. Much of the research focused on first-year students, as they have historically been a very vulnerable population. More research should be conducted evaluating programs that have been introduced to students at different points in their undergraduate experience and compare intervention effectiveness from one class to another. Changing the timing could better inform college administrators about how students understand concepts and increase their level of awareness around the issue (Nation et al., 2003). When I think back to Lupita's respondent, he was a senior who did not have the same educational programming as the first-year class. If there was an effort to provide training to each class in some way,

could that have impacted the behaviors of upper-class students? The creation of a four-year student curriculum could be one way to bring about a heightened awareness of preventing sexual assault.

And why stop with a four-year student curriculum? There is little to no research on the impacts of sexual assault prevention training to faculty and staff. Not addressing all members of the campus community as active members in culture creation is detrimental as “the lack of community- and societal-level prevention approaches for sexual violence perpetration also remains a critical gap in this field” (DeGue et al., 2014, p. 360). Institutions must consider how they have not only approached this work with students but also how they have engaged staff. Lack of community-based approaches point to more significant questions around the organizational structures and campus leadership's role in campus sexual assault work.

Investigation

The campus response protocol initiates when a student reports an instance of sexual assault. The response must be transparent "for both the student who reports an assault and the accused perpetrator. This includes clarity around sexual misconduct definitions, investigation protocols, and policies" (McNair, Collins Fantasia, & Harris, 2018, p. 245). Investigation of campus sexual assault is modeled from the legal framework, ensuring there is equal treatment of all parties involved with an emphasis on due process as "the Fifth and Fourteenth Amendments to the U.S. Constitution requires that the alleged offender has the right to due process… tak[ing] the needs of all students into consideration, including the victim, the alleged offender, and the greater campus community" (Clay et al., 2019, p. 683). While the ask is clear, "the mechanics of how to

fulfill the legal and moral obligations are more elusive" (Smith & Gomez, 2016, p. 978). Many institutions charge student affairs practitioners to be the ones to lead the investigations where "many errors can slip through the cracks, unnecessarily exposing the college or university to increased legal risk and liability" (McCarthy, 2018, p. 1). Errors occur merely because of the complexity of the issue as,

> investigations require a thorough exploration of the facts, consideration of medical and forensic information, the ability to access relevant evidence, and compel the cooperation of witnesses. Most educational institutions do not have access to the same toolkit as law enforcement professionals… Colleges often find themselves investigating sexual assaults without the requisite tools and evaluating allegations with only partial information (Smith & Gomez, 2016, p. 995).

Because of the potential errors during the investigation process, there have been efforts to provide information to practitioners, attempting to mitigate potential risk for the institution. Some of the ways institutions can lower their risk in the investigation process while maintaining compliance is to use clear, simple language in reports, utilize credibility assessments, utilize citations of quotations, utilize cross-examination, provide policy and consent analysis, and share the report with the individuals involved (McCarthy, 2018). Before these investigatory reports are shared, it is also encouraged to have someone else read the report to ensure the information presented is relevant. Following the creation of the investigatory report, it is then handed off to the adjudicating board or person responsible for determining the case.

Adjudication

Campus adjudication of sexual assault cases has been under debate for some time. When the 2011 *Dear Colleague Letter* was released, two points strengthened the reasoning for universities to adjudicate their cases utilizing the preponderance of the evidence standard for sexual assault: 1) the postsecondary institution's responsibility to prevent sexual violence on campus, which includes responding to incidents and 2) universities must protect the complainants who have reported sexual violence to allow continual participation in their educational process (Chmielewski, 2013).

When OCR's 2011 mandates were released, there was some criticism for the preponderance standard, the more likely than not standard of responsibility. The criticism for some is that the preponderance standard is too weak. Others believe the standard should be closer to the without a reasonable doubt standard, mirroring the U.S. criminal justice system. "By drawing parallels between school disciplinary procedures and the criminal justice system, opponents of the preponderance of the evidence standard ignore the relationship between such adjudications and Title IX—a federal *civil rights* statute" (Chmielewski, 2013, p. 146).

Postsecondary institutions have been positioned to address sexual assault in ways that the criminal justice system has not. Instead, institutions have the opportunity to approach a situation with the flexibility to the specific needs of the institution and its students. Postsecondary institutions have not examined a case from criminality standpoint, but rather, they have been charged to determine if the case involved discriminatory behavior that led to a student not having access to their education. The work of the college's administration to adjudicate cases came out of a civil rights

approach, making the preponderance of the evidence a clear choice for how these cases are determined (Chmielewski, 2013). Therefore, there has not been the need for evidence to criminalize a student, but that the evidence provided enough information to determine a student's civil rights were, more likely than not, violated.

In 2014, an OCR investigation found that Princeton University was using a higher standard of proof, one similar to the criminal justice system, to determine responsibility for sexual violence (New, 2014). The outcome demonstrated how challenging it would be to find someone responsible if an institution held the same standard as the court of law – there would be little evidence to prove without a reasonable doubt that the respondent was responsible. Instances like this would help the university image remain pristine because the adjudication process likely would find no one responsible for sexual assault, creating perceived safety on the campus. The mandate for the preponderance of the evidence from the Obama era was to prevent hostile environments on campus with the hope that more students would come forward to report sexual assault (Chmielewski, 2013). Whereas, a higher standard of proof could deter students from coming forward and reporting an incident of sexual assault.

In Lupita's case, she went to the university because she believed she provided enough evidence of a policy violation under the preponderance standard. The criminal justice system had not wanted to pursue her case, at least according to what Lupita shared in her campus report. And although she was able to share her experience and argue places she felt a clear violation of the policy, university officials deemed there was not enough evidence to find the respondent responsible, maintaining a perceived sense of safety on campus, according to the reported numbers. Perhaps this points to the identities that

Lupita holds as a woman and a person of color and that "... responses to sexual violence are influenced by systems of domination that work to further minoritize, isolate, and oppress women of color survivors" (Scott, Singh, & Harris, 2018, p. 122). By the end of the entire process, Lupita felt alone and misunderstood.

Although there are some strong arguments for the preponderance of the evidence, other research examined additional strategies for deciding cases. One alternative method for hearing these cases is through the use of restorative justice (Koss et al., 2014). Restorative justice can be defined as: The community experienced harm and someone has the responsibility to repair it (Umbreit, Coates, Vos, & Brown, 2002). This approach would serve as an alternative or a partner to the traditional adjudication process. The option for restorative justice would be offered to students throughout the process, and if the students decline, they would continue through the conventional conduct hearing process. Restorative justice serves as one alternative method and has the potential to create a sense of closure during the resolution process compared to a traditional educational sanction.

Outcomes

Nothing in Title IX guidance prohibits the use of restorative justice as a way to approach these cases, yet campuses should not jump into the process unless they were ready and have anticipated potential challenges along the way (Koss et al., 2014). Through restorative justice, practitioners would be able to have the formal resolve to a sexual misconduct incident on campus. The traditional sanctioning process of campus conduct has left students not feeling a sense of closure from the event, or has resulted in someone being removed from campus, but not addressing how that student harmed the

community. Allowing students to understand the harm they have caused in their community could serve as a method for addressing the broader systemic issues of campus sexual assault.

Ultimately, the outcomes of each Title IX case are issued by someone representing the postsecondary institution. These outcomes can result in having students meet with various offices as a requirement to stay enrolled and in some cases, end in expulsion. Outcomes vary from institution to institution, and this has caused challenges working within the compliance frameworks mandated through both federal and (sometimes) state law.

Institutional Response: Maintaining Compliance

College campuses have created their procedures, with an eye on compliance guidance, for responding to a complaint of sexual assault. Some universities have chosen to offer the formal adjudication process whereas others have begun to examine other methods, such as restorative justice. Regardless of the process, institutions begin each investigation when they are approached with an individual complaint. These processes serve as essential components to meeting compliance standards, primarily as reactive methods when working with campus sexual assault.

Legislation: Implementing Federal and State Policy on Campus

Title IX is interpreted on college campuses in conjunction with the Clery and Campus SaVE Act. Not complying with what is asked of the institution through compliance mandates can lead to more significant implications for a college campus: an investigation from the Office of Civil Rights (OCR) or a lawsuit against the college from either a respondent or complainant. Knowing that violating Title IX could lead to legal

implications, colleges and universities struggled to interpret the *Dear Colleague Letter* guidelines within their institution. To address guideline complexities, several states have created their own set of laws to clarify guidance and inform institutions in how they should be conducting their campus sexual assault work.

Federal Policy

The history of Title IX has always been a little unclear and complicated. Many institutions were not sure that Title IX should also encompass any report of sexual assault until the release of the 2001 OCR mandates (McMahon, 2008). After the Obama era mandates were released, focus shifted to compliance of the federal policy and led to less emphasis on other aspects of campus policy, including education and prevention efforts (Napolitano, 2015). With heightened attention on federal compliance, universities have spent a lot of time and effort understanding and adhering to compliance. As a way to strengthen understanding of the federal mandates, many states have adopted new laws addressing campus sexual assault.

State Law

State laws have emerged as the federal mandates have proven to be challenging to understand and enact. College leadership has turned to their state governments, calling for more accurate interpretation through new state laws and ordinances (Morse, Sponsler, & Fulton, 2015). A policy review conducted by Richards and Kafonek (2016) looked to the state legislation proposed during the 2014-2015 legislative session. The review found that 28 states proposed approximately 70 bills and of those, only 22 were enacted, and only 24% of those were brought to their respective state floors (Richards & Kafonek, 2016). Ten themes emerged from the pieces of legislation brought to state floor that year:

victim support, reporting, training, information, task force/workgroup, policy, disciplinary action, amnesty, criminal justice system partnerships, and due process.

State legislation has supported sexual assault efforts as a means of increasing the reach of community awareness of the issue and how it has impacted the college student experience. And yet, I have concerns about the remaining states who have not brought forth additional legislation to help interpret federal mandates. It begs the questions: Where are the others? How can institutions of higher education lobby for increased attention on college sexual assault from their state legislator? And what is at stake if we do not have a shared understanding of core principles in handling sexual assault cases across states?

Affirmative Consent

A prime example of the consequences of state law is the current issue of inconsistent interpretation of affirmative consent. Affirmative consent can be defined as the practice of giving a clear "yes" to sexual contact and requires college students to provide explicit consent at any level of sexual activity (Marciniak, 2015). These policies

> are often praised for the improved sexual culture they will produce among those who comply, the increased leverage they will give women in sexual encounters ranging from unwanted solicitations to rape, and the social incentives they will generate for men to make sure women have provided consent before they initiate or continue sexual contact (Halley, 2016, p. 258).

The intention of the affirmative consent policy is positive, but the policy in practice, at times, has missed the mark. Some states strengthened their stance on the idea of affirmative consent and passed it into law, which required all campuses within the

state to include this policy as part of their institutional practice. The law is flawed in that it fails to elaborate on what level of incapacitation would lead to a person's inability to truly understand the ‘nature or extent’ of a partner's behavior. Moreover, the bill fails to help universities to evaluate what weight to give to an accused's accusation that they believed their partner consented to a sexual act (Marciniak, 2015).

The law has given a broadened definition of sexual activity that qualifies consent as opposed to a more unambiguous indication of when sexual assault has occurred (Marciniak, 2015). Trying to qualify consent was evidenced in the case of Lupita, demonstrating another flaw within the law, that if someone consumed any substance, it would be determined that they were unable to give consent. Lupita reported her intoxication, claiming she could not give consent, but as the outcome letter indicated, the respondent to the assault perceived that Lupita had consented to sex. It would be unrealistic to assume that every college student who engaged in sexual contact would need to always be in a state of complete sobriety. Alcohol use has led to increased tension within the adjudication processes for universities in cases of sexual assault, with increased difficulty in determining how much of a substance would constitute the inability to provide consent. Because of the complexities imposed by policy, colleges are still grappling with determining the best procedures for their respective campuses.

Federal and State Law: Strengths and Limitations

As noted, law and policy have served as a foundation for sexual assault work at colleges and universities. Institutional leadership is charged to uphold laws brought forward by federal and state government to meet compliance standards that should create a safer campus environment. In writing, law and policy have served this function. In

practice, policies have fallen short in implementing change or effectively protecting the rights of students. This is due to institutional "focus on symbolic compliance with current law and avoiding liability" (National Academies of Sciences, Engineering, and Medicine, 2018, p. 2). Campus administration processes do not begin unless there is a named respondent. These processes have only served one part of the entire sexual assault process: compliance. Federal and state law does serve a foundational purpose in the attention to sexual assault on college campuses, but they do not answer how campus response resolves issues within campus culture.

Sociocultural Influences on Approaches to Sexual Violence Work

To strengthen a campus' approach in combating sexual assault, greater attention must be placed on the organization and systems that have prevented a shift in campus climate. Our universities were founded in patriarchal systems that have been in existence for hundreds of years and have benefitted men in academia. With this comes greater power from those who identify as man, which I believe, in turn, has permitted sexual assault to exist on our nation’s campuses.

Out of frustration of the patriarchal systems came the critical work of feminism. Feminism can be defined as critical consciousness in understanding patriarchy as a system of domination institutionalized and maintained in our environment (hooks, 2000). Feminists named sexual violence prevention as a tenant to the feminist movement and also called attention to the intersectionality of sexual violence and the marginalization of race, class, sexuality, and disability (Pease, 2014). Intersectionality was a term coined by Crenshaw (1991) that denoted ways in which race and gender act together to impact women of color’s experience. As Davis (1981) stated, “if we do not comprehend the

nature of sexual violence as it is mediated by racial, class, and governmental violence and power, we cannot hope to develop strategies that will allow us eventually to purge our society of oppressive misogynist violence" (p. 47). What emerged from the feminist movement were women dedicated to being feminist activists and scholars, developing theories and texts grappling to explain the systems of misogynist oppression. Not only does feminist theory focus on interpersonal identities and intersectionality, but it also has drawn attention to the broader social systems in which sexual violence is situated.

Rape Culture

To understand how sexual violence has operated within larger social systems, it is imperative to name ways in which there is adherence to patriarchal structures. A common term to describe the adherence to these structures is "rape culture." Rape culture can be defined as a culture that normalizes the act of rape, while also addressing it as trivial, and condemning it (Wilhelm, 2015). Bass (2015) further elaborated, "in a rape culture, violence is sexy and sexuality is equated to violence. Women (and some men) live in a constant threat of sexual violence by men and both women and men enact behaviors influenced by this culture" (p. 11). Rape culture in the U.S. has prevented any real systemic solution (Brownmiller, 1975). Yet, out of naming rape culture has come a resiliency to keep working toward change.

Rape culture is embedded into the social, structural and cultural fabrics of life. One area that has perpetuated rape culture is through official policy and law (Davis, 1981). The language of policy has shaped ways in which sexual assault is interpreted and enacted. For example, the gendered language in many campus sexual assault policies was framed in a way that never actually names the perpetrator (Bass, 2015). A "gender

neutral" policy such as this informs the community of both the institutional culture and practices. The language used in policies could also strengthen or reinforce existing rape culture on a college campus as "language develops under patriarchy and patriarchy organizes, creates and is sustained through language" (Bass, 2015, p. 31). Often, these policies have drawn heavily on gender roles and result in a language that mirrors internalized expectations about the behavior of men (Pease, 2014). Sexual misconduct and consent policies also produce and reproduce gender inequities that lie at the cause of injustice (Young, 2006). As in the example with the campus sexual assault policies not naming the perpetrator, it allows room for interpretation in the policy that could ultimately benefit a student of dominant social identities.

Policy is only one place where rape culture influences campus processes and prevention practices. Universities have been called out for supporting rape culture due to their very public mishandlings of campus sexual assault. In 2014, student Emma Sulkowicz led a protest, carrying a mattress like the one she was sexually assaulted on, around Columbia University, telling the administration she would not stop carrying it until her rapist was expelled (Kingkade, 2014). Emma was not the only student to report her alleged rapist, and still, the university did not find him responsible. Emma's protest led to a greater movement on campus where students wrote to the administration asking for increased education around consent and bystander intervention. Emma's call to action was influenced by the lack of action by the administration to address the deeper issues that underlie the root causes of sexual violence on a college campus.

In 2014 at the University of Kansas, a student admitted to having sex with a student without her consent; she even stated "stop" and "no" (Kingkade, 2014). The

student was found responsible, but not expelled for his actions. Instead, he had to attend counseling, was put on probation, was ejected from campus housing, and had to write a four-page paper. Even the chancellor's response to the campus about the incident implied that it is up to students to protect one another from sexual assault, causing heightened media attention.

In 2014 at James Madison University, three students were expelled from the institution for sexual assault *after* graduation, which prompted a federal investigation (Kingkade, 2014). The three men involved in the case had sexually assaulted a girl on spring break in 2013 and filmed a video of the incident. Even with the video evidence and the number of people who had watched the video (due to it being shared) online, it still led to the decision from the institution to allow the students to remain on campus until they graduated. The institution allowed the three men to graduate knowing there was a possibility that they could perpetrate another assault before graduation. These students would also hold a college degree, granting immediate access to employment opportunities in the professional world.

Rape culture exists not only through individual acts of students, but also within various groups. Greek life has served as a perfect storm for the enactment of campus rape culture, particularly surfacing within cases around negotiating consent (Jozkowski, 2015). There have been several very public cases highlighting examples of this across American higher education. At Yale University in 2010, members of the Delta Kappa Epsilon (DKE) fraternity chanted, “No means yes” and, “Yes means anal” while walking around women’s residence halls (Bonus, 2010). The university’s response to the obscene chants was to hold a campus conversation with mostly members of DKE and students involved

within the Women's Center. The university explicitly shared that all conduct processes were confidential, leading to heightened scrutiny and media attention.

The examples above demonstrate how rape culture is overtly displayed on our nation's campuses. Yet, rape culture permeates in ways that are often difficult to name or quantify and may feel more like sexism or gender discrimination. I believe strongly that these covert operationalizations of rape culture do fall within the broader term and need to be addressed at the same level of severity as more obvious examples. Normalizing covert behaviors could have an impact on emboldening some to operate in a more public manner. One study noted, "if the university allows [sexism] to be defined as a personal problem, it will legitimate the systemic exclusion of women, women's experiences, and women's value orientation from the body of knowledge it disseminates to students and the community" (Kauffman & Perry, 1989, p. 659).

Further, universities have failed to name patriarchy as this would pose a threat to the dominant systems and structures in place. As a way to stop the advancement of women, men have created "formal and informal methods of social control (including the act of rape and the neglect of rape cases) to counter the growing threat posed by women" (Johnson, 2014, 1123). The culturally derived constraints and norms have existed in the patriarchal academy and have served as examples of rape culture living and breathing on our campuses.

With an increased focus on the societal and social levels of sexual assault, it is clear that there is a wealth of complexity with understanding how to end sexual assault, especially on our college campuses. Exploring rape culture serves as an essential step in making strides toward changing campus culture and gain a stronger understanding of how

campus administrators perceive strategies that aim to dismantle rape culture on their campuses.

Power. Postsecondary education was created for men, where conforming to societal notions of power subjugates those who are not men. Power can be defined as an imbalance of control over resources in social relationships (Magee & Galinsky, 2008). Further, power can "produce change in others, to influence them so that they will be more likely to act in accordance with one's own preferences" (Birnbaum, 1988, p. 12). In regard to gender equity, power is presented through the embodiment of naturalized heterosexuality which regulates gender as a binary (Butler, 2006). And sexuality has derived from discourse and power of heterosexuality, one where women have masked their femininity to obtain masculinity and the ability to engage with men (Butler, 2006). The academy was created for men and women who have entered the academy acting most like the male ideal have historically been able to participate more fully in the patriarchal environment.

Power has remained the way the system intended it. Dismantling systems of oppression is no easy task. Universities could begin by "implement[ing] policy changes that codify an institution’s refusal to tolerate sexual violence. For example, universities should specifically name rape and sexual assault as offenses in student codes of conduct. More importantly, universities need to enforce these policies” (Stoll, Lilley, & Pinter, 2017, p. 40). Enforcing policy is a challenge as a response to sexual assault often "prioritizes whiteness, heteronormativity, and masculinity in ways that lead to lower numbers of reports than actual incidents of sexual violence" (Harris, 2017, p. 264). Prioritization of power is made evident through ways women do or do not report sexual

assault on campus. Lack of reporting stems from unclear lines between consensual sex and rape (Nguyen, 2013). Those assaulted have sometimes chosen not to report because "the current rape culture blurs the line between sex and rape, leaving rapists empowered and justified in perpetrating acts of violence" (Bass, 2015, p. 8). Victims have not come forward and informed the institution of a case of sexual assault because they have lacked confidence in knowing if they will be believed.

Provoking the systems at play may bring about greater understanding of dismantling power. "A critical approach to power asks questions such as: Whose values guide our decisions? Whose priorities do organizational members pursue? In whose voice or interests are members speaking? Who benefits the most by an organization's taken-for-granted views and practices?" (Lyon & Chesebro, 2011, p. 71). Examining these questions comes as no easy task as colleges are in constant tension with competing institutional priorities.

The neoliberal university. Embedded within societal structures lies a greater complexity when tackling a campus rape culture: neoliberalism. Neoliberalism "'governs without governing,' with an agenda that would facilitate, protect, and make possible competition in all aspects of being" (Cannella & Koro-Ljungberg, 2017, p. 155). The competitive nature of neoliberalism has served as the perfect environment for rape culture to exist. A study conducted by Phipps and Young (2015), found that this was demonstrated best in the idea of 'laddish' culture – a culture shaped by social structures, and through real or perceived threats to male privilege. This culture is situated in future economic gains of the dominant gender identity and has created a system that continues to 'put women in their place.' Phipps and Young (2015) argued that the solution to

eradicating sexual violence on campuses would be locked within this neoliberal frame, and elaborated, “neoliberalising institutions themselves are complicit in overlooking the harassment and violence which can be part of ‘lad cultures’ … institutions have been criticized for covering these up, or encouraging students to drop complaints, in order to preserve reputation in a competitive field” (p. 317). The laddish culture not only relates to the competitiveness of our male students but is also evidenced in the work of our faculty. Power and privilege exist within the faculty and student relationship, and at times has manifested into cases of sexual misconduct or harassment. There have been cases where universities have been complicit to these allegations, especially when the men accused of harassment bring in millions of dollars in grant funding (Emmel-Duke, 2018).

Neoliberalism is in direct tension with organizational culture and change. If universities choose to focus on the culture, it disrupts the competitive spaces on campus. If there was an emphasis on creating an equitable environment, it threatens those who hold dominant identities in what they perceive to be "rightly theirs" upon graduation from their institution. Navigating the neoliberal framework makes it challenging to know how to begin tackling the cultural change work.

Colleges as Complex Organizations: Where Do We Start the Work?

"As colleges and universities become more diverse, fragmented, specialized, and connected with other social systems, institutional missions do not become clearer; rather, they multiply and become sources of stress and conflict rather than integration" (Birnbaum, 1988, p. 11). This is evidenced in how institutions try to implement campus sexual assault work. As federal and state laws impose stronger sexual assault policy mandates, increased strain is placed on postsecondary institutions. As a result, the federal

mandates have tasked universities to "implement procedures that will pass judicial tests of equitable treatment" (Birnbaum, 1988, p. 17). If organizations have answered appropriately to state and federal agencies, does that mean they too are appropriately responding to students and other stakeholders? And if the institution has proven they have passed the test, does this mean that they have changed the culture? Because of the competing interests within a college system, it is difficult to know how to be most effective when implementing Title IX work across the institution.

Colleges are also gendered, bureaucratic structures (Bird, 2011). While we work toward progress, gendering and discrimination often continue to take a subtle form within the institutional system. As Benschop, Mills, Mills, and Tienari (2012) stated, "gender and change do not go together well, and the quest for effective strategies and interventions that can bring about systemic change in organizations and societies continues" (p. 2). Gender and change do not go together because we do not live in a post-sexist society. We have operated in what Stoll et al. (2017) calls "gender-blind sexism," where there is a clear rejection of blatant sexism, but sexist policies and practices have remained. Gender-blind sexism makes it that much more challenging to identify where to begin the work toward cultural change.

Organizational Climate and Campus Sexual Assault

Postsecondary institutions have served as complicated systems that need to be responsive to their institutional environments (Birnbaum, 1988). One way of being responsive is to understand organizational climate as it impacts the rate of sexual violence (The National Academies of Sciences, Engineering, and Medicine, 2018). Organizational climate can be defined as how those within the organization have shared

perceptions regarding organizational policies, practices, and procedures (Schneider, Ehrhart, & Macey, 2013). Organizations that have a climate permitting sexual harassment and assault have the following characteristics: a level of risk perceived by victims if they were to report, a dearth in sanctions for complainants, and the belief that a complaint would not be taken seriously (Hulin, Fitzgerald, & Drasgow, 1996).

To better examine the organizational climate, we need to be looking at those who directly work within the organization: campus administrators. And yet, there is a lack of research and information regarding ways upper-level leadership and other campus administrators conduct their work regarding college sexual assault policy and practice. I argue that exploring the work of administrators could identify the gaps as to why we have not decreased the rates of sexual violence on college campuses.

Program implementation and success in large part is due to "well-trained staff and clearly articulated goals and objectives to facilitate evaluation" (Banyard, 2014, p. 340). Additionally, having strong staff support is the key to creating organizational and cultural change:

> Sustainable prevention of sexual violence requires organizational and cultural change that is supported by senior leadership, including presidents, boards, vice-president, and deans. Title IX Coordinators should report directly to the president of the institution to garner organizational access, authority, and unencumbered lines of communication, but also have close working relationships, or a joint reporting line, to the senior student affairs officer. Avenues should also be created for consistent communication and collaboration with all units on campus who are

> charged with sexual violence prevention and response (Jessup-Anger & Edwards, n.d., p. 18).

If indeed the route for creating cultural change begins with the upper-level leaders and staff, we must have a greater understanding of the experiences of those who are responsible for Title IX work.

Also, prior research has not focused on the prevention with faculty, staff, and administrators; instead, the research has focused on student prevention (Cares, Banyard, Moynihan, Williams, Potter, & Stapleton, 2015). Also, there is little research to understand how the advocacy and prevention professionals aid in the shifting of campus culture (Klein, Dunlap, & Rizzo, 2016). If the staff has been well trained, it would also strengthen the argument made by Stoll et al. (2017), that sexual violence policies would be enforced. It was found that administrators who understand sexual assault work on their campuses find the issue of sexual assault to be of great concern, attempting to find best practices for their campus (Amar, Strout, Simpson, Cardiello, & Beckford, 2014). Klein et al. (2016) found that a lack of support of prevention and education individuals at institutions demonstrated a negative relationship to institutional culture change. Ensuring staff has been trained around sexual assault policy and practice would allow greater understanding across the organization and have the potential to ignite change throughout multiple levels within the institutional system.

"To prevent and effectively address sexual harassment [and assault], systemwide changes are needed to the organizational climate and culture in higher education" (National Academies of Sciences, Engineering, and Medicine, 2018, p. 123). One way to situate the work is to address community prevention for sexual violence (DeGue et al.,

2014). Additionally, administrations have not achieved broad community change to the levels that they should (Casey & Lindhorst, 2009). A shift in institutional culture has to depend upon the leadership invested in this work, including victim advocates, Title IX coordinators, student affairs administrators and other stakeholders (Taylor & Varner, 2009). To shift institutional culture, innovative practices need to be diffused throughout the organization, examining how a team adopts and implements ideas and practices that are then seen as new by the community (Rogers, 2003).

Applying the diffusion of innovation theory could bring about a stronger understanding of sexual assault initiatives that are deemed successful by the campus community. The diffusion of innovation theory also has claimed that "some innovations… are planned only as innovative enclaves. There is never an intention of diffusing the innovation. Other innovations… are intended for diffusion" (Levine, 1980, p. 156). If the campus community perceives an initiative to be more effective, would it be more formalized and organized? Would that also mean that the initiative is diffused into the culture?

I believe this is where we need to be devoting our energy: exploring the effectiveness of Title IX work and if it has diffused throughout the organization. In a bureaucratic institution, leadership would serve as the initiators in diffusing the work throughout the organization. This brings me back to the appeal room with Lupita, sitting with those in power when they chose to uphold the case. Following the first year of rolling out the bystander intervention program, only a slightly updated prevention program followed. There were opportunities to examine the effectiveness of the

interventions and, from my perspective, it did not seem to be a high priority for the institutional leaders.

Conclusion

Sexual violence research on college campuses has served to be an essential contribution to the field of higher education. My time reading and reviewing studies and thought pieces on Title IX work found there is a continued need to learn about the experiences of those in campus administration who are responsible for their campus' sexual assault work. The complexity of sexual assault has masked ways to uncover systemic issues of lowering rates of sexual assault on campuses. Prevention models have informed campus administration how they can be proactive. Law has advised the administration on how to interpret and implement policies and adjudication efforts from an individual complaint. Very few studies have looked to how the administration interprets sexual assault work as necessary to the overall campus culture and climate.

Instead, many studies have focused on the individual student and their behavior as it relates to campus policy and practice. Examining student outcomes is essential, but prevention and intervention efforts have failed, in part, due to administrative and organizational barriers. Stronger partnerships with researchers, practitioners, and policymakers have to be essential in the next few years; "gender-based violence experts [have needed to] assume the responsibility of educating policymakers regarding best practices and ensure that legislators understand the importance and urgency of their integration into legislative action" (Banyard, 2014, p. 123). Investigating the work of the administration in vital in understanding ways to best protect the rights of all students.

As the first report from the White House Task Force to Protect Students from Sexual Assault (2014) stated, “and in all too many instances, survivors of sexual violence are not at the heart of an institution’s response” (p. 7). And I think that's how I felt about the case of Lupita. I felt like she was centered in my practice and when we presented it to leadership, she was turned away again, and again.

Campus leadership must keep students at the center of their work around sexual assault prevention and education through a community approach to sexual assault education and prevention work. Leadership must stand up and share their values to end sexual assault within their campus community. This is where I see the most significant gap in the literature: There are 30+ years of research on campus sexual assault, yet, none have investigated how those enacting Title IX understand their work regarding compliance and rape culture. If rates have not changed by the issue of legal mandates, if rates have not changed by having students attend prevention education, if rates have not changed by creating affirmative consent policies, then we need to examine those who are enacting Title IX work to identify better ways in which to make incremental change in the rates of campus sexual assault.

Chapter 3: Methodology

Sam

Sam is a first-year student living on campus. He is very bright and was accepted immediately into the engineering college at his university. From the start, he was excited about his coursework and new community. Only one semester in, he has already connected with many students in his residence hall that are also in the engineering college. One, a girl named Jacklyn, happens to live only one floor away from Sam. They have become fast friends.

One night, Sam and Jacklyn are out at a party. Sam doesn't feel like drinking, but Jacklyn is having so much fun, she decides to consume a little more alcohol than she usually does. As the night progresses, they decide to leave together, and Sam walks Jacklyn back to her room. She asks him to come inside and once inside, kisses Sam. Sam is elated; he knows Jacklyn is drunk but has wanted to kiss her for a while now. They continue to make out, although Jacklyn is so intoxicated that she passes in and out of consciousness. She continues to respond to Sam's kissing, so he continues to be intimate with her, and they have sex. At the point that he leaves her room, Jacklyn has completely passed out.

The next day, Jacklyn wakes to find that she isn't wearing clothes and has the feeling something happened with Sam. She can't fully remember anything from the night after they left the party. She decides to report what happened to the university and names Sam as the person she believes sexually assaulted her.

The investigation initiates a campus protocol; this includes campus police monitoring Sam while he packs to move to another residence hall, and a no-contact order

prohibiting Sam from interacting with Jacklyn. Sam is devastated. Not only has he lost Jacklyn, but he has also lost their mutual friends, and he feels isolated and alone.

During the investigation, Sam admits to having sex with Jacklyn. He claims that he did not realize until after the fact that it was sexual assault. He is ashamed and knows there will be consequences for his decisions. Following the investigation, the university finds Sam responsible and issues a suspension from the university at the end of the academic year. Although the incident between Sam and Jacklyn happened in February, Sam is allowed to stay through move-out in May. Although he is technically suspended, it doesn't impact his current academic standing at the university until the term has concluded. During the investigation, Sam's family identified other institutions where Sam could attend school the following fall semester. Sam is accepted at one institution, despite his record, and plans to transfer and start fresh in the fall of his sophomore year at a new campus, continuing his pursuit of an engineering degree.

Sam and the Research Purpose

Sam did not realize that he had committed sexual assault until after Jacklyn reported it to the university. How can this be? Sam was socialized through media, education, and peers to think what occurred was a consensual intimate relationship. That is, Sam internalized (is a product of) rape culture. The purpose of this dissertation is to provide a new approach to addressing the issue of sexual assault on college campuses, with an emphasis on dismantling rape culture. By focusing on dismantling rape culture as a means to achieving equity, this study aimed to provide guidance for upper-level college practitioners to understand how to tackle the intricacies of sexual assault better and make significant change to the culture of their campus communities. This study answers the

following overarching research question: How do people responsible for enacting Title IX on their campus understand their work as an effort to dismantle rape culture on university campuses?

Pilot Study

My interest in researching sexual assault on college campuses stemmed from my professional work as a university administrator. As a doctoral student, I wanted to delve deeper into research methodologies that would best support what I was trying to uncover. From the fall of 2016 through the spring of 2017, I conducted a pilot case study (Appendix A), following a Sexual Assault Prevention Team (SAPT) at a private, women's institution (Steiner, 2017). The pilot study strived for a better understanding of the team's perception of the impact of their work on the overall campus community. The SAPT was initially formed over 10 years ago as a response to the death of an alumna by the hands of her partner. The team was comprised of entry, mid, and director-level administrators across the university's department of student affairs, except for one member who was on the faculty. The SAPT operated on a mission-driven campus that empowered young women to go out into their communities to serve others through acts of social justice.

The pilot study found that although SAPT was creative in their programming efforts through campus collaboration, working with students, and performing work outside of their paid responsibilities, the university administration created too many roadblocks for the work of SAPT to change campus culture. The lack of formalization of SAPT resulted in a lack of funding, visibility, and staffing (Steiner, 2017). Although

members perceived some success, overall, they found their impact on campus change to be minimal. As one participant described:

> I would like to see [SAPT] be more well known around campus. It is my observation that some people know about us, but then others have never heard of us and have no idea that we, that we exist. While we do have a really good group, there's a lot more people that we can and should be networking with and collaborating with.

The lack of impact was strongly tied to the administrative roadblocks in place from senior-level administration. Although there was passion from SAPT's group members, there was no clear direction or charge from upper-level university administration to guide the group to success and implement change across campus (Steiner, 2017). Yet, as the pressure from the federal government increased to show sexual assault work was being done on campuses, senior-level administration looked to SAPT to provide updates on programs and events to prove that the university was "in compliance" with the federal and state laws. As one participant noted:

> I will say, nobody asks what's going on with [SAPT]. Nobody has asked what's going on with [SAPT] until Title IX. In the past two years, I've been having to write a summary… of what the group is doing and in turn, I have to provide a summary to [the Dean of Students] of what we've been doing ...I kind of inform [them] about practices and then the same with public safety. They also ask what we're doing with that group. So, before then, nobody asked what we were doing.

The SAPT operated in an environment that did not legitimate their work. For change to occur, the pilot study found that upper-level administration needed to

authentically examine campus culture and elevate the issue of sexual assault on campus (Steiner, 2017). In this case, the administration utilized SAPT's programmatic efforts for compliance purposes alone; SAPT members believed they should have been officially supported through financial support as well as designations within job descriptions. Reflecting on the pilot study, the missing link to shift campus culture became clear: sincere upper-level leadership support, along with passionate staff, may have the power to disrupt campus rape culture. To uncover the work required of campus leadership, a subsequent study on how college campus administrators make meaning of sexual assault and Title IX work was necessary.

Theoretical Framework

This dissertation study draws from the work of feminist and organizational theorists to better understand how meaning-making happens around campus sexual assault work by campus leadership. Gendered organizations theory (Acker, 1990) provided theoretical inspiration for the study, informed the research question, and helped to inform the research throughout the entirety of the process. As previously stated, much of sexual assault research on college campuses has focused on the experiences of students. Turning the attention to leadership and administration provides new insight.

Gendered Organizations

The theory of gendered organizations states that organizations are sites of gendered structures and processes (Acker, 1990), and many organizations, including higher education, were created by those that identify as men. Thus, organizations and their very structures incorporate policies and practices that perpetuate gender inequality (Nichols, 2011), and universities have historically accommodated a male value system

(Kauffman & Perry, 1989). This is summarized best by Belinky, Blythe, Goldberger, and Tarule (1986):

> Conceptions of knowledge and truth that are accepted and articulated today have been shaped through history by the male-dominated majority culture… our major educational institutions - particularly our secondary and postsecondary schools - were originally founded by men for the education of men. Even girls' schools and women's colleges have been modeled after male institutions to give women an education 'equivalent' to men's (pp. 5-6).

Our universities were founded in patriarchal systems that have been in existence for hundreds of years, and as Ahmed (2010) noted, "even the category of women refers us back to a male genealogy" (p. 572). These patriarchal systems have benefitted and continue to benefit men, mainly white, heteronormative, cisgender, affluent men in academia.

Universities are gendered organizations that give power to those who belong to the dominant gender. Even with legislation that prohibits sex discrimination, like Title IX in place, women in academia battle against an environment molded to benefit men. For example, Schwartz and DeKeseredy (1997) argue that university administrations are primarily male-dominated, and some of these men are uncomfortable or uninterested in creating policies to benefit women and other marginalized groups that are victimized by men on campus. Like other organizations, higher education perpetuates sexism, and there is a heightened need to "account for how institutional discourses fail to deal with inequalities…to foster systemic change" (Gardiner, 2017, p. 11). Within these

institutional environments, cultures have emerged where practices continue to uphold the power of the dominant gender.

The roots of the gendered organization run throughout higher education. The case of Sam illustrates how dominant identities can influence how a university responds. As a white man, Sam was suspended after the academic year was complete. He was allowed to continue his educational journey without interruption. I wonder whether the ruling would have been different for him if he did not hold these dominant identities. I wonder how his family influenced the university to "go easy" on their son who felt isolated. I wonder how Sam was pitched to his new institution, that he was just a "nice boy" who made a simple mistake. Gendered organization theory serves as one possible explanation for sexual assault continuing to exist on today's campuses and a foundational starting point for uprooting the problem.

Methods and Design

Feminist Phenomenology

I designed this study in consultation with my adviser and committee (Appendix B & Appendix C) and was inspired by the framework of Ahmed (2012) who conducted a phenomenological study with diversity practitioners in the UK and Australia. Ahmed's study explored a 2001 law that required diversity practitioners to be employed on campuses in the UK and Australia. The 2001 law she studied is similar to the heightened compliance-focused work on US campuses regarding Title IX and the 2011 *Dear Colleague Letter*, requiring U.S. campuses to achieve the appropriate staffing to stay in compliance with what is being asked by the federal and state governments. In her study, Ahmed (2012) noted,

> diversity work could be described as a phenomenological practice: a way of attending to what gets passed over as routine or ordinary feature of institutional life...Diversity practitioners do not simply work at institutions, they also work on them, given that their explicit remit is to redress existing institutional goals or priorities (p. 22).

I believe those working with Title IX hold parallel experiences to those at the head of diversity work and aimed to deepen our understanding of their practices through feminist methodological practices. Feminist methodology is used as a way to problematize institutions and demonstrate the ability to transform existing patriarchal structures (Fonow & Cook, 2005). A feminist methodology has an ultimate goal of deepening understanding and making change (Ropers-Huilman & Winters, 2011).

Within the realm of feminist methodology, I chose feminist phenomenology to explore how campus administrators made sense of sexual assault prevention, investigation, and adjudication. Phenomenology can be defined as, "simply the 'subjective turn' which characterizes all modern thinking and brings clearly into awareness the insight that human consciousness is trapped in an endlessly self-referential system of representations; that consciousness is a system of *signs*" (Ferguson, 2001, p. 232). Also, phenomenology can look to ways in which problems are impacted by the complexities of the world (Klenke, 2016). Often, how we have access to understanding this phenomenon is through human consciousness (Simms & Stawarska, 2013). By adding a feminist lens to this work, I hoped to enrich the findings of the study.

I grounded this study in feminist phenomenology to uncover ways of increasing understanding of Title IX administrators in an attempt to make change. Feminist phenomenology explores "questions related to gendered experience and sexual difference" (Simms & Stawarska, 2013, p. 6). Therefore, "feminist phenomenologists combine rich phenomenological descriptions with an analysis of structural issues, engaging with feminist theory to investigate how ideology, power, and language affect lived experience" (Gardiner, 2017, p. 5). In this particular study, feminist phenomenology served as a tool to "enrich theorizing about gender and leadership" (Gardiner, 2017, p. 2). Focused on campus administrators and upper-level leadership, the goal of the study was to learn more about leadership by considering multiple ways to lead and that "places and spaces construct and perform leadership" (Ropo, Sauer, & Salovaara, 2013, p. 378). Further, feminist "phenomenology helps us understand how space, both physical and intellectual, serves to produce and reproduce particular leadership bodies" (Gardiner, 2017, p. 11).

As we look to understand why rates of sexual assault have not decreased on college campuses,

> phenomenology allows us to theorize how a reality is given by becoming background, as that which is taken for granted... a phenomenological approach is well suited to the study of institutions because of the emphasis on how something becomes given by not being the object of perception (Ahmed, 2012, p. 21).

It is through this methodology that the phenomenologist can find a pattern to better understand what is often looked over by those doing the work. "Feminist phenomenology offers a theoretical approach to help us understand how gender hierarchies and power

imbalances operate on micro and macro levels" (Gardiner, 2017, p. 12). The dissertation study examined how sexual assault continues to exist in higher education, but also attempts to uncover processes that could ultimately lead to change.

Participants and Setting

Before recruiting participants, I created my materials and submitted them to the Institutional Review Board (IRB) office at the University of Minnesota. The IRB office determined the study was not a human subjects study given the focus on policy and policy implementation (Appendix D). Although this allowed me to move forward more quickly in my data collection process, it did make me consider how I would discuss maintaining confidentiality with my potential participants. Although I did not have to get official IRB approval, I decided to treat the study as if it had required approval, creating consent forms and promising confidentiality for participating in the study (Appendix E). I needed to think of how I would deliver this information to participants and altered my consent form appropriately. Yes, we talked about policy, but the work that people do when enacting Title IX is far more convoluted than what IRB reasoned in my proposal. I knew it was possible for participants to call out upper-level leadership or speak to frustrations with Title IX work on their respective campus. Therefore, confidentiality was an essential component of the entire process.

Participants in the study were recruited through a snowballing technique. I first gathered a list of administrators in my professional network at public and private higher education institutions and sent an email requesting names of people they knew worked as college and university administrators that have been tasked to implement Title IX on their respective campus. The resulting list of potential participants included 38 individuals in

the following positions at research intensive, private liberal arts institutions, and community colleges: Title IX coordinators, deputy Title IX coordinators, deans of students, directors of campus conduct, directors of sexual violence education and training, lead investigators, and campus victim advocates. Administrators were recruited from several campus settings to better address the phenomenon across institutional types, i.e., research intensive institutions, liberal arts institutions, and community colleges. The purpose of recruiting across institutional types was to demonstrate the common thread around this phenomenon. As previously mentioned, Ahmed's (2012) study served as inspiration. Specifically, her process of speaking with diversity administrators at many different campuses across the UK and Australia resonated with me because of the potential that non-performativity was a phenomenon that might be salient to Title IX leaders. The study was conducted not to generalize the experiences of the administrators, but rather, to look for the common phenomenon. There indeed were differences of experiences expressed by each participant on each campus, but many common themes emerged from our conversations.

Recruitment letters were emailed to 23 individuals from the list requesting an interview (Appendix F). The recruitment letter explained the study and offered an opportunity to ask questions before consenting to the interview. Participants were able to review the study's consent protocol on the day of the scheduled interview before deciding to be part of the semi-structured interview process (Appendix E). If they consented, participants completed a two-hour semi-structured interview addressing their work with sexual assault and dismantling rape culture on their campuses (Appendix G). Following

their interview, several participants were receptive to providing additional names of people I should speak to, securing other participants for the study.

The intent for this study was to recruit and interview 12-20 campus administrators who enacted Title IX in some way on their respective campus. I was able to speak with 13 campus administrators representing 13 different institutions including six private liberal arts colleges, five research intensive institutions, one professional school and one community college. To qualify for participation in the study, participants needed to have at least two years, in one or multiple roles, of professional experience working with sexual misconduct and Title IX at a U.S. postsecondary institution. The requirement of a minimum of two years of experience allowed administrators to report on this work in the cycle of a typical school year. They were also better able to identify more substantial work times and comment on the strategies for any prevention and education work. I also hoped to speak to a combination of individuals who had started this work before and after the release of the 2011 *Dear Colleague Letter* as well as the #MeToo movement which emerged via social media in 2017. Of the participants, two were responsible for some level of Title IX work before 2011 – well before the social media movements – and able to comment on the shifts that happened in 2011 up until the present day.

Ideally, interviews were conducted in person, and three participants were able to meet in that format. However, because I was examining perspectives from a variety of institutions across the U.S., some participants were not able to meet in person. In these instances, we spoke via a video chat platform, such as Skype. One participant had a major technical issue, and we held the interview via phone after not being able to connect our audio via a video chat platform.

Interview Protocol

During interviews, participants were guided through a semi-structured interview with questions from the protocol attempting to answer the overarching research question (Appendix G). Question categories and structure were informed by my question to uncover patterns and themes. For example, I grouped a series of questions together to gain a deepened understanding of participants' experiences with non-performativity, and another to rape culture. My main research question rose from the literature I read and also aimed to uncover the lived experiences of those tasked to implement sexual assault work within a gendered organization all while navigating campus rape culture.

Analysis

Interviews from participants were transcribed, and then coded and analyzed for emergent themes (Corbin & Strauss, 2008). This method allowed for the identification of patterns in each question response, followed by the identification of themes across multiple responses. This method specifically served as a robust analysis tool for feminist phenomenology, as much of the phenomenological approach is looking at the ordinary to see how moments are often reproducing themselves (Ahmed, 2012). This analysis approach allowed an openness to the data to really uncover the work "in-between" – the work that often is inexplicit – in an attempt to answer the research question. From the analysis, I aimed to decipher the explicit knowledge of participants through their embodied experience in doing sexual assault work (Ropo, et al., 2013).

Further, the analysis allowed me to compile a description that "presents the ‘essence' of the phenomenon" (Creswell, 2013, p. 82). Interviews were transcribed during the data collection process, which allowed me to make some minor adjustments to the

interview questions to improve the structure of my time with participants. Also, campus policies and materials from each participant's campus were reviewed to triangulate findings from participant interviews. Triangulating data deepened understanding of how participants' perceptions of their work are formed through interaction with others and cultural norms (Creswell, 2013).

Timeline

The timeline of the project interview portion of the study was from June 2018 until October 2018. During these few months, I contacted participants, interviewed, and transcribed the data. In November and December of 2018, I analyzed the data using the tool NVivo. I spent the late portion of December 2018 into early 2019 writing up my initial findings and discussion. I spent February 2019 until May 2019 conducting member-checking, writing my analysis, final results, and making final edits.

Limitations

Some limitations presented themselves throughout the data collection. As we began the 2018-2019 academic year, it became more challenging to speak with participants within the two-hour time block offered given work-related time constraints. In one instance, a participant was only able to talk for about 30 minutes as they were pulled into a meeting regarding a Title IX related incident. Also, the goal of qualitative research is not generalizability; as such, another limitation of this study is that findings may not apply or be relevant to all institutions. I am looking to learn from people's stories to better capture their experiences in navigating sexual assault work. Participants' experiences were not the same at each campus and in each role, but I believe I identified

several emergent themes that demonstrated the phenomenon of why this work is so challenging.

Trustworthiness

Each interviewed participant received a copy of their interview transcript to ensure accuracy of information and representation. At the close of the interview, a few participants shared their interest in member checking. When I sent transcripts out, I confirmed interest in member checking again with three participants. I then reached out to these three participants to take part in member checking. Each participant worked in a different role and lived in different regions throughout the U.S. Two participants responded and offered their thoughts and feedback to ensure findings were on track with their experiences.

Data was also triangulated from materials and documents from each participant's institution. The primary materials reviewed were the websites of the institutions where participants worked. Websites were reviewed to find see how information about Title IX is shared to the broader community, ease of finding out information about response and prevention, and a full list of who is conducting the Title IX work on each participant's campus.

Conclusion

As sexual assault continues to serve as a primary issue on college campuses, examining this phenomenon continues to be of great importance to the field of higher education. Using feminist phenomenological methodology and gendered organization theory, this study examined campus administrators and their work in sexual assault prevention, compliance, investigation, and training. This study intended to explore how

"organizational context offers insight into organizational norms that structure our special environment and influence how some bodies are marginalized while others are privileged" (Gardiner, 2017, p. 5). Sexual assault marginalizes certain communities on our college campuses and grants continued power to others. Specifically, the aim of the study was an attempt to understand how those doing sexual assault work perceive current strategies to dismantle rape culture on university campuses. If administrators can identify ways to dismantle the systems causing marginalization on their campuses, it may move us towards more actionable solutions for decreasing sexual assaults at colleges and universities across the nation.

Chapter 4: Findings

Stories are a powerful tool for deepening understanding of how people interpret their work. Over the course of this study, I was privileged to hear the stories of 13 college administrators who have experience enacting Title IX at a variety of institutional types, located in regions across the U.S. They shared stories of being thrown into the work or being called to the work; stories of pride and stories of burnout. As I listened to each participant, it was clear that their stories shared common themes with the other participants. They did not know who else I was speaking to, but it was as if I was speaking to people who were connected by a common invisible thread. I have done my best to share their stories, and to capture the essence of this work. Although attention to Title IX and campus sexual assault has heightened since the 2011 *Dear Colleague Letter*, campus administrators are still trying to figure out how to navigate Title IX, while also navigating campus culture (and doing so with limited staffing and resources).

I begin sharing the findings with an overview of each participant's story, highlighting their work and unique experiences enacting Title IX. I conclude this chapter with the emergent themes that arose across all participant interviews to demonstrate how they experience and reflect on their intricate work, what is supporting their work, and what stands as an ever-present barrier.

Participant Profiles

Thirteen people agreed to participate in the dissertation study. These 13 people share one thing in common: they have spent at least two years working in some professional capacity with the Title IX efforts at their current or previous institution. The participants serve as Title IX coordinators, deputy Title IX coordinators, education and

prevention specialists, and lead investigators (Table 1). At other points in their career, some participants got into this work initially as a campus advocate or adviser to students who have to go through the sexual misconduct campus process. I have removed any identifying information about each participant in the findings and share a broad job title for each person to maintain confidentiality. Some participants held roles in conjunction with their Title IX work; although I mention these roles, I have kept them vague to not identify them or their institution. I also have given pseudonyms to each participant. When I sent the final transcripts to each participant, I asked if they would also like to have a pseudonym and some of the names used were given by the participant; others I selected for the participants. As previously shared, the study was not deemed to be a human subjects study by IRB (Appendix C); however, participants shared very personal information about their experiences. Keeping the information shared confidential was my strongest commitment throughout this process.

The study included participants from a variety of institutional types: research intensive, community college, private liberal arts, and professional schools (Table 1). Participants reside in the Midwest, South, East Coast, and West Coast of the United States. Demographic information for participants included the following: two men, 11 women; five women of color, six white women, two white men; one Ph.D. holding participant, 12 masters-level participants. It was important that the participant pool represented a variety of institutional types and experiences to demonstrate the commonalities and complexities of Title IX work. Thus, the study included participants who began in the field of higher education around or before the early 2000s and some who started following the issuing of the *Dear Colleague Letter* of 2011.

Table 1

Participant Information: Names, Roles, Institutional Types, and Regions

Participant	Title	Reports to...	Division	Type	Size	Region
Lilian	Title IX Coordinator	VPSA	Student Affairs	Private Liberal Arts	Under 5,000	Midwest
Anna	Title IX Coordinator	President	Office of the President	Private Liberal Arts	Under 5,000	Midwest
Jessica	Title IX Coordinator	Dean of Equity and Diversity	Equity and Diversity	Community College	10,000+	West Coast
Charlotte	Title IX Coordinator	VPSA	Student Affairs	Private Liberal Arts	Under 5,000	Midwest
Sofia	Title IX Coordinator	VPSA	Student Affairs	Private Liberal Arts	Under 5,000	Midwest
Henry	Deputy Title IX Coordinator	Dean of Students and Title IX Coordinator	Student Affairs	Research Intensive	25,000+	Midwest
Olivia	Deputy Title IX Coordinator	VPSA	Student Affairs	Private Liberal Arts	Under 5,000	West Coast
Gwen	Deputy Title IX Coordinator	VPSA	Student Affairs	Research Intensive	40,000+	Midwest
Francis	Deputy Title IX Coordinator	Title IX Coordinator	Academic Affairs	Professional School	Under 5,000	Midwest
Thomas	Title IX Investigator	Dean of Students	Student Affairs	Private Liberal Arts	Under 5,000	East Coast
Julia	Education Prevention	VPSA	Student Affairs	Research Intensive	40,000+	Midwest
Amelia	Education Prevention	Title IX Office	Equity and Diversity	Research Intensive	15,000+	West Coast
Melanie	Education Prevention	Dean of Students	Student Affairs	Research Intensive	40,000 +	South

Note: Type and size refer to institutional type and institutional size.

Participants have rich professional experience influenced by their own personal narratives and lived experiences. This is evident through the transcripts of each participant, which on average were about 20 pages long. From these transcripts, there were over 85 codes identified across all interviews; and from these, nine salient themes

emerged: compliance, lack of resources, mitigating risk, non-performativity, policy, prevention, socialization, training, and upper-level leadership.

I have raised the voices of each participant through a short narrative introduction. I have divided participant narratives by the category of work responsibility that they discussed in our interview: Title IX coordinators, deputy Title IX coordinators, Title IX investigators, and education and prevention administrators. The names shared are pseudonyms, some have been chosen by the participants while others were given to the participants. I have de-identified all information from the interviews to maintain confidentiality for all participants.

Title IX Coordinators

When I decided to conduct a study related to Title IX, it was essential to be able to speak with those holding the Title IX coordinator role. This is essential to understanding the broad context of Title IX work within a university setting. Of my 13 participants, five of them held this role at their institution. Of the five, three report to their vice president for student affairs (VPSA), one to their president, and one to the vice president of equity and diversity. The following profiles are overviews of each Title IX coordinator, and I have shared some stories to highlight the ways they understand their work.

Lilian. Lilian is a Title IX coordinator at a small, liberal arts college in the Midwest (Table 1). Although very student-centered in her work, she described her work being bogged down at times from her student case management, where Lillian devotes most of her energy. The prevention work she has also been responsible for, often falls to

default mode, following what was done in the past versus building out a comprehensive plan across campus.

Lilian described the inability to focus on prevention as the most frustrating aspect of the job. Part of this frustration stems from the fact that Lilian is the sole full-time employee in Title IX and was awaiting word about a grant proposal that could fund someone to do the prevention work full time at her institution. Her biggest concerns have also stemmed from campus leadership, where at times the upper-level administrators have publicly supported the work but make inaccurate or contradictory comments behind the scenes.

The reason Lilian has remained positive about her work is because of her focus: the students. Lillian started her work with sexual assault support as an adviser to students who were going through the conduct process. Lilian has students at the center of her work, driving her and motivating her to come in day after day. She stated,

> I mean, for me, it was just having that caseload, having constant students coming in and reporting and needing support. It was my number one priority in my first year to make sure I was giving a really quick and helpful response to students… I even created an evaluation... for all students who went through our informal process and got some great data about what students are thinking about the support that I'm providing, which is really positive. Students are saying things like, “I didn't even know this was a Title IX issue. [Lilian] helped me and got this situation straightened out in 48 hours. I'm so grateful she made it possible for me to stay here as a student.” Like just really affirming feedback. So that was helpful.

Lilian's response rate for students is a successful step in her work and getting an increase of reports into her office. And ultimately, this is why she does this work, to support students.

Anna. Anna is a Title IX coordinator at a small private liberal arts college in the Midwest (Table 1). She was the only participant that reports in a direct line to the president at her university. Anna felt called to the work and has spent a lot of her life engaged with sexual assault work in a variety of settings, specifically with advocacy work. She too has served as the only full-time Title IX person on her campus. Thankfully, a multidisciplinary team was created on her campus that is in frequent communication to discuss Title IX from a variety of perspectives – general counsel, residence life and athletics. Even with this administrative support, compliance, processes, and procedures have taken a stronger hold of her work versus that of prevention. She stated,

> When you have new people reporting all the time, more and more investigations coming up, that's what takes my attention because it has to, and it should. But then I feel like I never get to put in the amount of time that I should for prevention. So, that part's really hard. And the more prevention you're doing and the more effective prevention you're doing, fewer people get harmed and there are less people asking to report to me theoretically. So, everyone sees the value in that and the need, but it just feels like it's progressing really slowly.

One thing Anna is proud of is the work that she can do with her campus process. With institution liability in mind, they have moved to utilizing external investigators to do the investigating and from there, determining responsibility from the report. She shared, "so this outside person, does the investigation, meets with everyone does interviews, collects

evidence, and then that investigator actually makes the decision about responsibility." For her campus environment, this process has allowed her to focus on the other components that arise on a weekly, or daily basis.

Jessica. Jessica is a Title IX coordinator at a community college on the West Coast (Table 1). She has worked with Title IX at other institutions and is excited to bring this knowledge to the community college. Community colleges have different needs compared to that of a residential college, but Jessica knows that this does not mean that Title IX work should take a back seat. The thing that has fueled her most is the student programming, and although the prevention framework is still being fleshed out, she relishes in the moments of being able to create survivor-centered programming.

Jessica sits within the equity and diversity office of her college and has found this to help work with her direct supervisor. Yet, there are some challenges with upper-level leadership and work-life flexibility. The current president has no flexible work from home policy. To write reports without getting interrupted or allowing some time to get caught up at home if it is a long week would support her overall work. She stated,

> I think flexibility with Title IX coordinators is so important… if a case is happening and they need to do case writing that they don't have to come to the office… At [my previous university] I didn't have an office, so we had an open format. And so, to try to write an investigation report when you have an open format, it's just ridiculous. And so those resources and those are things, they're resources, but they're not financial. It's just yes, we're giving you the ability to do so. But I don't think as Title IX coordinators, we ask for that and folks don't understand the benefit of what that can do.

Jessica shared that having the right tools in place, in addition to the work-life flexibility, is an essential component to the job. She shared that tools like appropriate reporting software in place are vital to ensuring the campus community can be alerted of a report and initiate their various processes. Jessica also highlighted how training is essential to move this work forward.

Charlotte. Charlotte is the Title IX coordinator at a small, private liberal arts college in the Midwest and reports to the VPSA at her college (Table 1). She currently serves as the only full-time staff member devoted to Title IX, and it frustrates her that she can never spend any time on prevention efforts at her university and that it's "a real shame." Charlotte started her work with campus sexual assault in the advocacy role, and now, her responsibilities differ primarily from the work she was doing, as she had previous professional experience in health and wellness. Her previous work experience has prepared her for the responsibility that comes with the role. She shared,

> I'm kind of used to flipping from crisis to crisis, and you do have to do that in this work to a certain degree. Like you get a report or someone's looking for you or there's a situation escalating, and I have to remind myself to pause and think about Title IX from a due process standpoint all of the time and making sure that we're responding in a fair and equitable manner and that we're not missing anything… and remind myself to not get comfortable. You can't get comfortable in this work because every situation has a little bit of a different twist to it… just being very careful and respectful and knowing why we're doing the work that we're doing and making sure our process is there and that it's equitable and that we're following our policy, following our procedure and not wavering in any way.

Charlotte emphasized the always shifting nature of Title IX work and that no complaint or investigation is exactly the same. She does her best to approach each case carefully, meeting the campus procedures and providing due process rights for all students involved in the incident.

Sofia. Sofia last served in a Title IX role as the Title IX coordinator at a small private college in the Midwest (Table 1). Sofia recently moved onto a new position but spent over five years working in a variety of roles with Title IX at a previous university before becoming the coordinator at the private college. Sofia has a passion for the training and education of administrators supporting the Title IX work on her campuses. In her role, she reported to the VPSA and found this to, at times, be frustrating in allowing the work actually to make any lasting changes on her campus. She spoke very strongly about leadership's role in supporting Title IX efforts, stating,

> I would say the biggest solution to all of this is leadership. Vice presidents and presidents and cabinet members who really, really can understand this work and send very strong messaging of what we will not tolerate on our campuses and remove people who are in our way.

Part of leadership's role is also to determine how the Title IX processes are structured. Sofia mentioned the level of burnout in her experience as a Title IX coordinator in handling all the student reports. She shared that she is aware of some models where a Title IX coordinator did not have this as part of their charge, rather a deputy would be responsible for this work. Sofia ultimately decided to remove herself from the role because of the minutiae of the case management work she was being tasked with and the barriers to change presented by upper-level leadership.

Deputy Title IX Coordinators

College campuses are intricate systems, and Title IX work has its own set of intricacies that need attention from more than one person within the institution. As a way to manage compliance, deputy Title IX coordinators have been named on college campuses to assist with rolling out a variety of compliance tasks or have been charged with rolling out certain aspects of the Title IX guidance for their respective campus. I was able to speak with four deputy Title IX coordinators and learn about the unique variety of tasks completed by these administrators. Some, although in the deputy role, have Title IX infused throughout their current work. Others have it as part of their responsibilities, but it is not a significant component of their work life. Of the four deputies, three report to the VPSA/dean of students equivalent on their campus and one to the Title IX coordinator. As participants explained, it is common practice to place someone in the deputy role in the spaces where administrators have historically had a lot of student facing interactions. Each of the deputies I spoke with has a position that is heavily student-focused and because of this, has a large responsibility in the sexual assault work that is conducted on their campus.

Henry. Henry served as a deputy Title IX coordinator at a large research intensive university in the Midwest (Table 1). His institution is part of a larger system, and although he has the designation of deputy, assumes much of the Title IX responsibilities on his system campus and dual reports to the dean of students on his campus and the Title IX coordinator for the system. Because of this reporting structure, Henry has to be very keen on the knowledge of compliance and investigatory practices. He believed training is

vital and that we need to be knowledgeable of how other fields are conducting investigatory practices – like law enforcement, to get a sense of how to do it.

Henry has come to an understanding that student affairs does not train people in how to do this work and yet, student affairs asks for administrators to manage several convoluted tasks. Because of this, Henry was seen as a huge asset at his institution and provided a large number of resources, especially following the guidance from the early 2010s. And although there's been support, the budget tides have shifted and he's finding the office being under-resourced, on the brink of new guidance from the federal government. Henry explained,

> The more we can convince people that our numbers are going to increase, the more we're out there telling people you can come to us. The more we have to demonstrate that this is well funded. And that, that worked really, really well for four years and then because we're in this sort of system of things, there was a high-level decision made to take about a million and a half dollars from the student affairs budget and send it over to the IT department… So, the decision was made to reallocate the funds, and everyone had a complete freeze on training, travel for training. We literally lost all autonomy over our financial resources… We can make cuts a lot of places, but the university cannot manage the risk of not training these people… you've got to have trained people here. But there's this institutional push and pull, you know, they have to cut funding.

Henry's experience with funding and budgetary constraints is not isolated to his experience. Other participants shared their frustrations with budgets regarding training and the possibility of increasing human capital.

Olivia. Olivia is the deputy Title IX coordinator at a private liberal arts college on the West Coast (Table 1). Olivia holds deputy duties with another role that is also heavy in its student-facing responsibilities. Because of this, she is charged with developing the prevention work on her campus. This work feels vital to Olivia, and she is happy to take this on. Most of her deputy duties involved conducting investigations in addition to doing prevention work. And although she's pleased to lead their prevention work, it is in addition to other responsibilities within the student affairs division at her institution. She elaborated,

> I think in terms of actually devoting resources to it, we need one or two more people. So, if I were to say my part of my job as deputy was prevention, then I would say I need less work in my other job, so I really could give a quarter of my time to doing more education campaigns or initiatives or having discussions with students. Right now, some of that's happening organically with different student groups, but none of it in a focused way on campus.

Olivia's experience echoes many other participants in the ways they have been thinking about prevention work. It is something participants are aware of, but there has not been the opportunity to expand the work beyond what they have done each year: a new student training and an optional bystander intervention program for new and returning students. Olivia's college has also made the decision to move to an external investigator model, which has allowed some more dedicated time to focus on prevention efforts, although she still does not believe it has provided the time to expand the program.

Gwen. Gwen is the deputy Title IX coordinator at a large research intensive university in the Midwest (Table 1). Her work primarily is through supporting the

investigations of sexual misconduct on her campus and doing this portion of the work, reporting to the Title IX coordinator and the VPSA. She oversees a team of investigators and has invested a lot in their training, developing processes that make sense for her team to navigate their campus response process successfully. Gwen has admitted that because she is on a large campus, there are over 10 administrators that have Title IX work as a written part of their job description. She is pleased with the level of communication at her institution on Title IX work, and this is strengthened through weekly meetings of the Title IX team. These meetings have become invaluable for Gwen, allowing her to know what is happening across campus and any sort of trends happening within other colleague's offices.

Gwen also believes that the investigations are essential to ensuring the best outcome in a Title IX situation initiated by a student. At her campus, they have moved away from the hearing panel model and strictly use investigations as a tool to then write up their policy analysis as a way to best demonstrate if a student was or was not in violation of their campus policy. Gwen was very open that this is a positive element of the newest federal guidance stating,

> One of my favorite shifts in guidance has been the requirement to issue a rationale. The practice of really articulating why the policy was or was not violated and not just on a, here's the fact pattern, but on a level where you're showing the full analysis. So, if I'm doing consent analysis, if I'm doing a capacity analysis, if I'm doing a forced coercion analysis, there are different questions within each of those, and I think the practice of doing that has led to better hearing officers. And has led to a better understanding among our students about

> what specifically they did that lead to a finding or created no findings. So, when we're trying to adjust for those expectations, we can better articulate it… I think it's going well.

Gwen's keen eye toward guidance has allowed her to feel confident in the investigative work and it ultimately provides transparency at multiple levels to demonstrate how they have conducted the work on her campus.

Francis. Francis is a deputy Title IX coordinator at a professional school in the Midwest (Table 1). In her current role, Francis' work has not had a lot of emphasis on Title IX, as a professional school student body has a lot of distinct differences from the traditional first-year experiences of undergraduate students. Because of this, Francis was able to pull more information and knowledge of her Title IX experience from previous Title IX work in student conduct and her masters' thesis research. Francis was a great example of how many of the participants described their experiences getting into the work in Title IX – I liked the work, and therefore, I stepped into this role. What Francis appreciated most about her current work is that there has not been an emphasis for her to do any sort of investigatory work. She has served, instead, as a place where students can report, and she can use more of an advising and advocacy approach in getting students connected to the proper channels on campus. She stated,

> I like being a point of contact for the students, but I definitely like that is not my main focus. I also like that I'm not responsible, as a deputy, for the outcome. We don't investigate, I'm not an adjudicator. You came to me first. I'm almost a little level higher than a responsible employee where you came to me. I'll parcel information and will bring it to the Title IX coordinator, which takes a lot of onus

> off of me, which sounds terrible. I like to hand it off and let the experts adjudicate, and I don't mind not being in that role of adjudicator… I feel like I can be a little bit more sympathetic then I felt like I could be as an adjudicator… especially as a female… I just felt for them, and it was hard not to have an emotional response and be able to do your job appropriately. You really shouldn't have had emotional [response] to their situation… you're supposed to be a neutral party, which I think neutral is just ridiculous. I don't think anyone is ever neutral, but that's a whole other thing.

Francis brought up a lot of those intricate pieces, some are shared later in this chapter. She has felt called to this work but recognizes some of the investigatory pieces are really convoluted and challenging, especially when it comes to the idea of remaining impartial and neutral to every case. She feels happy to have a hand in the work without having to be the one to ultimately make the outcome decisions for her campus.

Title IX Investigator

A critical element to the work of enacting Title IX on a college campus is the campus response to a claim of sexual assault. This then triggers the university's investigation process to determine if someone violated the university policy. One participant in the study previously held the role as the lead investigator on his campus.

Thomas. Thomas served as the lead investigator at a small liberal arts college on the East Coast for over five years (Table 1). With having a passion for working with men on topics of domestic and sexual violence, Thomas stepped up to the task of the lead investigator at his institution following the *Dear Colleague Letter* of 2011. Thomas was already reporting to the dean of students in his full-time role and agreed to take on the

additional responsibility of investigating cases on their campus. Although he received support to go to several professional development trainings on how to investigate, the support when working on campus was different. He shared that when the guidance provided the timeline of 60 days, he would sometimes spend over 60 hours at work that week, doing investigative interviews in addition to his full-time role and shared,

> There were career perks doing that work because it was something I was passionate about and allowed me to get additional training and meet folks but in the grand scheme... I worked 60-hour weeks because I had to squeeze in all of these investigations and then do my actual job and being in a four-person department, I couldn't just not do my job for a week and weeks at a time. So, there was an investigation I did one year where I think I interviewed 25 people and many of them multiple interviews, and we did it over 30 days. So, it was seven interviews a week for three weeks straight. And then we had to write the report, do follow up reports and you know, it was an in-depth process, and every interview is scheduled for two hours. So, you know, a long, arduous process that needed to be done but we didn't have the resources or folks to manage it.

Thomas served as an example that many of the participants discussed: He was part of a team of folks at his university who did Title IX work for no additional compensation. Because Thomas felt called to the work, he continued to do it, but he also did it because someone needed to be the investigator, and very few others on his campus were willing to take on additional work. In addition to this, he was tasked with training the volunteer staff on investigations and often shared that when people learned the level of detail and complexities of the work, ultimately decided not to volunteer their time.

Thomas has recently moved on from his institution to another where Title IX has not been officially in his role but would like to find ways to get more involved in prevention education, going back to his work speaking with men about domestic and sexual violence.

Education and Prevention

Part of Title IX guidance has required universities to provide education and prevention initiatives on campus as a way of educating students, faculty, and staff around campus sexual assault policy, consent, and how to intervene if a witness to a potential act of sexual assault or harassment. For the study, I was able to speak with three education and prevention specialists who have been trying to educate their campus communities all while supporting students. The participants who do this work were the most vocal as seeing this work as anti-oppression work and spoke openly and eloquently about the intricacies of systemic issues and how they were trying to tackle this work, often in very different ways than how the university would like to receive the information.

Julia. Julia works in sexual assault education and prevention at a large, research-intensive institution in the Midwest (Table 1). Her office is situated within student affairs, a separate division from the Title IX office on campus. She views this work as anti-oppression work, spending much of her time trying to convince upper-level administrators that the work on their campus needs to be more than simple "treatment." She stated,

> The way I explain it: it's like having cancer, and your solution is putting on a wig, so we've checked back to change the policies. We're doing some of these programming things. We've put a wig on it, we bring in speakers, right? But have

> we actually gone after the tumor because if not, we're still going to be sick and that tumor is related to the earlier conversation about oppression and power and control… When you have cancer, you have to go after it and pretty aggressively and it makes you sick. It weakens you. And we live in a society and in institutions that don't like to be weak, and so we continue to add wigs and sunglasses and accessories and say, look at how healthy we are.

This quote highlights how Julia has wanted to approach the work on her campus but often ran into barriers that impeded her ability to make change. And although this would seem to be the biggest challenge, where Julia is placed in the institution provides her own unique barriers to the work.

Julia reported to the VPSA on her campus, and the Title IX office operates out of equity and diversity. The separation of the two units is interesting as it is expected that Julia has a hand in educating the broader campus community, not just students, on consent and reporting process. One area where Julia's been tasked with education is to work on creating and implementing mandated training for faculty, staff, and students. This work, although important, is a challenge for Julia as she was placed on a larger campus committee to discuss how to roll training out. Those on her committee have expressed their passion for the work, but many do not have prevention education as their primary role and have a lot of opinions on how the work should be conducted, often having Julia take a back seat in the conversations.

Amelia. Amelia worked with sexual assault prevention and education at a variety of institutions for several years and is currently working at a mid-sized research-intensive university on the West Coast (Table 1). Amelia's office sits within her institution's equity

and diversity office and they are in direct reporting with the Title IX office. Although there are still some challenges, Amelia described it as being helpful to have the two teams fall within the same division. Amelia also views this work as anti-oppression but runs up against time constraints imposed by those that want her to come in to do training. She shared,

> I feel like I have an adequate amount of support across the campus to be able to actually get into the departments, get into the communities. And so that's awesome. I think that the challenge is always time though. Even though people were supportive when it comes to actually implementation or allowing that time, it becomes like, yeah, come in, we hear about this, you get 30 minutes. So, sometimes I think the support is like multilayered where it's like... of course we care and then the follow through sometimes is not like the best where I've experienced it.

Amelia would like to be able to talk about the systemic issues of the work, but with the time constraints often being imposed on her, she needs to share the most critical information, which usually relates to talking through policy and procedures.

Melanie. Melanie oversees education and prevention initiatives on her large, research intensive university in the South (Table 1). Melanie is situated within student affairs at her institution and reports to the dean of students. Although Melanie is located within student affairs, she is tasked to lead a lot of training for faculty and staff, in addition to the student education and training. Part of this responsibility is to build mandatory training for faculty and staff. The training was a shortened version of another training on campus and rolled out to the entire university faculty and staff over only a few

months. Although this training was successful, the mandate has not been given for the 2018-2019 academic year. Melanie reflected,

> I think in some ways I've been very fortunate to work in an area where now this is like really supported, and you know, our administration is putting like resources and stuff into it, which is great. I just personally worry about if it's going to continue or where we're going. I wish that things were different socially within our country right now as it relates to this topic. But I try to remain positive and hopeful that there are enough people who care and care to support others that we'll try to make a change that will speak up for those who feel silenced or can't speak up for themselves or don't feel confident enough to. And, you know, I hope that if it's not too troubling or too traumatic that more people will speak out and that there will be people on the other end of that that are there to support them in that kind of thing.

Melanie has hope guiding her through this work, and even though there may not be consistency this year from last year's mandated training, she still expects her work will continue to be supported and elevated.

Summary

The participants in the study have a variety of experiences working with Title IX on their campuses. The brief profiles provide a glimpse into some of the things each participant struggles with in navigating sexual assault work. The 11 women and two men who participated in the study were able to share their experiences and how they have understood their work. As this work sits within gendered organizations (Acker, 1990), it was interesting to hear the stories from a majority of women who carry out Title IX work.

Although this might not be entirely representative of who is doing this work in the field of higher education, their stories help to bring about understanding the persistent challenges with sexual assault work. I also shared stories about each participant within their job title grouping as a way to demonstrate the common threads that connect administrators in their experiences. I now turn to the next level of findings to the salient themes that emerged across all participants.

Emergent Themes Across Participants: Common Threads and Connections

As I met with each participant and discussed their experiences enacting Title IX, there were a lot of similarities with their stories and how they discussed their experiences. After I transcribed the data, I began an open coding process, coding anything that stood out as significant. After reviewing each interview individually, I had over 85 unique codes emerge. I was able to see the codes, the frequency of the codes, and how many of the participants described experiences that were categorized into a particular code. I noticed that of the 85 codes, nine were discussed by all 13 participants. The codes were: compliance, lack of resources, mitigating risk, non-performativity, policy, prevention, socialization, training, and upper-level leadership.

I then took the nine codes and ran a word search for the top 25 words shared by all participants. When running the query, I eliminated words that had little meaning in what participants discussed (for example -- "people," "things," "happening," and "actually" were some of the words eliminated). When these were added to the stop words list, the following words emerged as those spoken the most in my conversations with participants: students, training, policy, investigators, campus, sexual, report, process, faculty, and educators (Table 2). Although I spoke with several people who do work with

prevention and education, the words that were spoken the most draw from compliance-based language. What I mean by compliance-based language is that participants most used language that tied back to processes, policies, or meeting standards asked of the colleges by the federal and sometimes state mandates.

Table 2

Top 10 Words from Emergent Interview Themes

Word	Count
Students	754
Trainings	514
Policy	437
Investigators	367
Campus	333
Sexual	277
Report	273
Process	230
Faculty	220
Educators	218

Note: Word query was run using NViVO program, running top words from the nine themes spoken by all 13 participants.

The words from Table 2 mirror a number of the codes that emerged through the analyzing process: policy, compliance-focused, mitigating risk, and training. Compliance, policy, training – these words that emerged point toward participants all describing their experiences and challenges working with Title IX and it was made clear that even with many years of discussing Title IX on our college campuses that the emphasis still rests in compliance. As I was speaking with participants, our conversations about rape culture or

systemic issues, although discussed, were not salient experiences for everyone. Everyone, however, had an understanding that their role was based on compliance with student processes, faculty, and staff. Their experiences involved doing work to lower the risk for the institution; sometimes this was strongly encouraged by upper-level leadership, like a president, to do things to mitigate risk because the institution was under OCR investigation, or they do not want OCR to open an investigation about their campus.

As some of these nine themes are related to one another, I have chosen to describe the findings, highlighting the three common threads: compliance, prevention, and barriers. I have examined the nine themes to share how participants have been thinking about their work. The themes also relate to the information shared through materials that are available on institution's websites. Much of what's available to view focuses on how the institution operates within a compliance framework – how students or staff can report an incident, places off and on campus that support victim/survivors, sometimes information on prevention programming, and links to various campus policies. I have chosen to share participants' stories and details in themed groupings to show the shared experiences of administrators conducting work that relates to Title IX.

Thread One: Compliance

Compliance is a large part of the work of universities in enacting Title IX. Title IX states that institutions that receive federal funding must provide an equal learning environment based on "sex" (Title IX of the Educational Amendments of 1972). Elements of meeting compliance include: having a policy, enacting some form of training for staff and/or students, and ultimately mitigating risk for the university. Each participant had a role in compliance-based work at their institution, but most also had

prevention and education built into their job description. Emphasis on compliance was apparent with the most common words used by participants were: “training, investigators, policy, and process.” This language highlighted the lived experience of working in compliance-focused culture. Participants were connected by a common thread – thinking about compliance and mitigating risk throughout their work enacting policing and conducting training.

Investigations. When a report is made about a student being sexually assaulted, it starts the compliance process of working with the student. If the case is egregious enough, or if the student wants to move forward with a formal complaint, the campus response is initiated. The campus response always included some form of the investigation process to determine if any campus policy regarding sexual assault was violated.

How investigations are conducted across the participants' campuses vary. Investigations are meant to be a fair and equal process for both the complainant and the respondent. Some participants oversee their investigator staff and ensure they are trained and follow a particular protocol. Others have begun to utilize external investigators to take on this responsibility for the campus. Participants had a lot of thoughts around investigations, especially when it came to training, staying neutral, and eliminating bias.

Eliminating bias and staying neutral through the investigatory process were salient for all participants. Some participants think it is challenging to ask university administrators to remain neutral. As Francis stated, "You can make an opinion very quickly when you meet with people. It's hard to be a neutral third-party investigating…these kinds of emotional situations." One way that some of the

participants have thought through eliminating bias in their process is through how they conduct the actual investigation interviews. Gwen elaborated,

> I think for us having two investigators in the room has been invaluable…it has enabled us to check biases, to check language, to check meaning to ensure that we're capturing what the student really intended to say in their own words in a way that when you've got one person who's trying to focus on asking the questions and writing down the notes.

Having two investigators in the room was a common practice shared with the participant group. Several participants actually have paid staff to conduct investigations, while others have volunteers from across campus who have been trained to be investigators. This can also make it more challenging when it comes to ensuring there is no bias in the room as some of these volunteer investigators may not be conducting investigations regularly.

When it comes to training for investigations, participants discussed the importance of receiving strong training in this area. Multiple participants completed some form of training with the Association of Title IX Administrators (ATIXA). ATIXA is the starting place for getting trained on policy and practice, but not always on an investigation. Because of this, some participants discussed how they have done a lot of research and have developed their own training on proper investigation of a sexual assault case. Henry explained this best by sharing,

> I know that my job is to be a fair, thorough, neutral investigator for the student in front of me. I know that in order for me to be an effective investigator and what I train on this an awful lot with other folks to make sure they understand too…But one thing that we have to do is we have to be able to train investigators to ask

> effective questions and to have effective strategies for arranging an investigation. And again, it could be something as simple as just saying, tell me more. But, our investigators have to be trained to be truly complex thinkers. Let me rephrase it. Truly critical thinkers about extraordinarily complex issues and they have to be very effective.

Henry highlights the fact that investigations are incredibly complex. And as investigators navigate these intricate pieces and details, need to remain neutral and unbiased.

From my conversations with participants, it seemed that some campuses have chosen to hire external investigators to limit the perception of bias and demonstrate neutrality to the students who are part of the investigation. It is also a strategy in mitigating risk for the institution, as this requires less training and on-boarding of institutional staff, limiting opportunities for biased-based practices. Many of the participants that are using external investigators explained they have usually retired lawyers with knowledge in how to ask good questions relating to the campus policy. As Olivia explained, "This outside person does the investigation, meets with everyone, does interviews, collects evidence, and then that investigator actually makes the decision about responsibility – whether there's enough evidence…I think it helps us demonstrate that the investigation isn't biased." Of the participants that I spoke with, almost half have moved to external investigators on their campuses.

Universities are willing to pay an enormous amount of money to these firms to limit the liability, and there is less of a need for someone to have been adequately trained to do an investigation. Olivia has worked with external investigators for over a year and shared that it is a positive experience overall:

> I think using external investigators and adjudicators has pluses and minuses. Overall, I think it is a best practice because then you get people who are professionally trained to know what kind of questions to ask to know how to ask follow-up questions. They know how to navigate those really awful conversations. How do you get good information out of someone when they're crying? I've talked to a respondent who's accused of something, and they're crying in my office, and the compassionate student affairs person in me is like, how do I get questions from you? And I have to choose to believe you or take you at face value in this moment. But I also have to do my job and ask these hard questions and having an external investigator who was trained is key. The way we do it is the external investigator gets paired with an on-campus staff member to do the sessions together.

Investigations are one area where those enacting Title IX have been trying to perfect the work for their institution. There were some commonalities in how participants conducted investigations, as many were trying to figure out practices for investigating without bias. Ultimately, the investigatory process has remained an essential component in Title IX work as a way to maintain compliance standards and ultimately ensures universities do not find themselves in a lawsuit or under investigation from OCR.

Policy. Policy was a central theme that emerged from the conversations with participants, and policy is informed by the federal guidance and state law. Policy is created as a way to educate the campus community but ultimately is created with the mandates strongly in the minds of those writing the policy. I spent time asking each

participant about their consent policies on campus and if they knew the history of the creation of the policy as well as how they viewed that policy.

The first element of our policy conversation revolved around the history of creating affirmative consent policy on the participants' campuses and to also get a sense of who had a hand in creating the policy. Several participants talked about the general counsel or outside law groups having a large hand in the policy drafting. Having a legal eye on the policy is one-way institutions have been choosing to approach policy in a compliance-focused fashion and a way to mitigate potential risk for the institution. As Francis shared,

> Our [sexual assault] policy is 32 pages long…and you can tell a bunch of lawyers made it…they say that you should use respondent and not wrong-doer, they give you another kind of neutral term for the wrong-doer, I forget what it is, but you shouldn't use the word like victim ever in your policy. So again, we had a bunch of lawyers draft our policy. I also think we approach everything in a very legalistic way.

Even though the question about policy was about consent, every participant discussed how they have worked with their general counsel or a legal group to ensure the policy met compliance standards.

Another complexity in the creation of the policies was the time it would take for it to be developed and implemented due to the more legalistic approach to the work. Thomas shared his experience with the process:

> The big fear for a long time was the legal ramifications of making [a decision] that was not supported by your general counsel. Everything had to get vetted

> multiple times through different venues before it can be put into the handbook…The nice thing is there were very open conversations about it. The difficult thing is it should have been taken care of in a week through the legal team and the president, but it was handed off to the Title IX coordinator who was the dean, and that was handled through committees and educational groups…We sat down and looked at the definition of consent at various universities throughout the country to figure out what was the best fit for our institution. I was happy to be a part of it, but it was something that I know took a long time to create.

Olivia walked me through their process:

> My understanding is part of it came from the guidance from the *Dear Colleague Letter* around lowering the standard of evidence and then needing to talk about what consent is. And then, I don't know what year it was, but at some point, the [state] legislature actually passed a law that said this is the policy you have to use.

This participant, as many others described using the compliance guidance and if they had it, state law, to create a firm campus affirmative consent policy. And for extra measure, some participants leaned on external organizations, like ATIXA, to help craft their policy. Jessica shared:

> Well, what we've all done is hire outside consulting to help us write our policy and nine times out of 10, most people are using ATIXA. And so, at [my previous institution] that's where we started, and we hired…ATIXA to help us create our policy. And I think most people's policies, I look at them like, yup, ATIXA wrote this because they're all pretty similar. Which is great though because students can

> go to whatever college – they can be visiting another college. So, it's nice that there are some similarities in many of the policies.

Once the policy is created, the administrators have to implement the policy and interpret it when a report comes through stating it was violated. This seems relatively straightforward, but for multiple participants, it served as a challenge. For example, Julia discussed how early on, right after the 2011 *Dear Colleague Letter* was released, they would get calls from their student conduct office asking for clarification of the policy, "I was like, oh my gosh, these are the people enforcing the policy and they don't even understand the policy…They would call me to consult about consent, and I'm like, you are the enforcers of this policy." Julia was not the only one to express some concerns about educating the campus community solely on policy basics, and sometimes it was making sure policy was clear for those who have to interpret it the most on campus. As Olivia shared,

> When our own policies and procedures aren't followed perfectly, we obviously open ourselves up for lawsuits and criticism and treating students unfairly, and that's not okay. And then students get frustrated, and then they don't trust us, and we bring that on ourselves sometimes. When our policy says we're going to do a certain thing and we don't. And sometimes it's because people are human and we have one person processing all of these things with all these different deadlines, and sometimes it's a simple administrative oversight and no one's perfect. But there are times where I think right now, at least in our Title IX role, like a Title IX coordinator person or even me, if I get pulled into something, has to respond in a

> timely fashion and has to be on their shit. Like you can't let stuff fall through the cracks because the stakes are high and that's stressful and hard.

Olivia was not alone in her feelings, as Amelia also spent time going into similar detail:

> I think that it's been the unclarity of how policies are actually interpreted or implemented. I think that a lot of times, you know, educators and administrators, essentially everyone that's trying to implement policy is never involved in the actual policy creation or policy discussion or policy updates. Then it ends up sometimes being that I don't have the most accurate information, or I don't have the most updated language or the most updated actions are coming from this policy update. And I sometimes feel like at a loss because A) I communicated something completely wrong; B) I communicated something so vague because I'm confused; or C) I've communicated something, where it's like, I was so sure about some things, and then later, I realized that I was wrong and then I have to backtrack something. So, it's totally hurt my credibility sometimes. I'm accidentally communicating misinformation, or I'm also communicating something so vague because I realize in that question of my policy, I actually don't know exactly.

Because of the high-level stress that is associated with not following policy, or getting clear on policy, it could impact the ability for people doing education and prevention work to focus on that aspect of their job. Several participants in the area of education and prevention discussed how they are asked to come in and speak to a particular department or team and given only 30 minutes. So, based on time, they have to decide on what needs to be shared with that particular department. More often than not, it

is a decision to educate on policy basics. Melanie was part of an initiative where they were asked to make a full day, eight-hour training program into a 45-minute program. The benefit of this program was it was a mandatory training for all of the full-time employees at the institution, the challenge was condensing the training down into what would be the "essential" information. She shared, "a lot of people walked away with, okay, so now I know all the things that I need to report, I know who to report to, and I know that it's required."

It seems the essential components of a policy is to get the campus to understand expectations of the policy, but that this information sharing can take up a lot of time. In my additional viewing of information for each campus, it was clear that each participant's campus website provided information for the policy. This was evident at each school about what the policy in on campus and where students can seek resources if they experience an assault. Each website had heightened information regarding the compliance and response-based practices. There was some information on prevention, but a few websites had me clicking multiple times before finding an essential video about prevention practices on the particular campus. So, outside of places where policies are posted in the written form, how are students and staff learning about the policy rather than learning once accused of a potential violation?

Training. Training is a broad term, but the way that I think about training when it comes to Title IX is to think about how campuses have been informing themselves, their students, and faculty and staff about campus sexual assault. Training practices are often reliant on one another. If a staff member has received training from the Title IX office,

the Title IX office got their training from somewhere else and the Title IX office's training most likely informed the training provided to the campus community.

Since the release of the *Dear Colleague Letter* of 2011, the amount of training for those enacting Title IX has grown immensely. The first major organization that provided training was ATIXA. This training seems to be a foundational strategy for many of the participants. Those who run the organization ATIXA have legal backgrounds, and therefore, the training has an emphasis on policy and compliance. As Sofia shared, "If you think back to 2011, we really only had ATIXA. Now everyone and their mom is presenting on Title IX, so you have your selection of who, which brand do you want to listen to."

With training available outside of ATIXA, there are a variety of ways participants received their training. Some shared that they use professional development funds to attend various training. Others live in larger urban areas where consortiums have been put together by the Title IX offices at other area institutions. This has allowed for not only further training but opportunities to talk about the work with others. With many of the participants having few full-time staff within their office, outside groups have become essential in keeping up to date with their work and, at times, using one another as sounding boards.

Others shared that more training is needed around how to investigate appropriately while being trauma-informed. Henry was able to share more about a training that was designed for those conducting investigations on campus and shared,

> We've trained them how to identify proper investigative strategies, how to identify the impact of someone who's experienced actual trauma. But I had to

> limit that, that desire to quote-unquote diagnose trauma, how to be a fairer, thorough, emphasis on the thorough, and neutral investigator every time they're in a room with the different parties. So, very specific training on dealing with the respondent, dealing with the complainant, dealing with witnesses…there's a lot of training you can do, like I said, on all those topics, but then never that sort of insulated lab to do that work, to practice it and to actually train on it, and to be coached.

And although some of these brands exist, some participants have struggled to find the training that prepared best prepared them to conduct their work. For some participants, they felt following the release of the 2011 *Dear Colleague Letter* that they were not being set up for success to lead investigations. Francis reflected on another role she held within Title IX before her current position,

> I feel like there's people who spend a lifetime getting trained on how to speak to survivors or how to investigate, how to tell if someone's lying in an investigation. I mean, I don't know any of that, you're throwing me into the lion's den without giving me the right tools to know what I'm doing. And then putting high stakes on it if I don't know what I'm doing, the school could be on a list, I could lose my job. You know? So, there's high risk to be in this situation, both for the administration, the school and for the students.

Those who get Title IX training externally have been asked to train the campus community, particularly faculty and staff on policy and practice. Some participants have offices of one and need volunteers, who work full time in another department, to come and participate in training to support the investigation or hearing panel (if the campus

used this process). For some participants, they have seen a fair amount of progress on their campus from their training efforts. As Lilian shared,

> I was pleasantly surprised in my first year by the number of faculty who reached out to me with questions or reporting issues or things like that. I think part of that is that we start our year with a ton of training. One of the trainings that the investigator and I did together last year was a training for all new faculty: here's our policy, here's our process, and also here are things that you should call us about.

The training objectives are to educate the community around the processes rather than prevention components, even though they have labeled this work to be prevention. Mislabeling process training as prevention can be one way that universities perform non-performativity (Ahmed, 2012). Institutions say they are doing prevention and labeling the training as such, where in reality, there is very little time to actually talk about prevention. As Jessica shared,

> When I'm doing prevention efforts, I'm always starting with faculty and staff first because they are really the individuals who are having that contact with students more than administrators, more than staff. And so, one, they need to understand what Title IX is…I think that's the number one issue is folks don't recognize what falls under Title IX. In order for us to prevent these issues from occurring, we must make sure people are aware of what is the definition of what falls under Title IX.

Several participants discussed training the entire community of faculty and staff through mandatory training. These have been tremendous efforts put together, usually by

a charge of the president and then implemented by a campus committee. And although campuses have implemented these practices, they have been brief training and interventions. Multiple participants believe they can do more with training on their campus, but with such an enormous undertaking, a lot of human capital is needed to launch large initiatives with few people responsible for rolling out the work. Some though, have been seeing the fruits of their labor, as Gwen shared,

> We have upped our game as far as accessibility for responsible employee training. We have made ourselves kind of front and center, and we have gotten in front of chairs and deans and holding them accountable helps hold faculty accountable for missteps or failures to report. But the attitude I think has also shifted…we've had a process that's been open to having faculty on our panels for years, and nobody would do it, but in the last few years, they have. So, we have people coming forward applying to be panelists, which has been wonderful because their research or their perspective sometimes just give us a whole different lens…as this being a campus community issue, not just a student administrative issue.

Others discussed the frustration that comes from trying to train staff within a limited time. Departments have said they want to be trained, but then give only an hour for the training to take place. And sometimes, participants did not have an opportunity to share their opinion on the training, as the request came from a higher authority at the institution. As Amelia reflected,

> I get called in to do a training by someone that has a higher authority than me, but I'm not set up for success, and I'm essentially like the one that's supposed to fix the problem. And I'm not necessarily able to do that because I think A) not

> enough information; B) one-hour training is not going to help your departmental culture actually shift a little bit, but the onus has been placed on me to come and do that because essentially, I'm like the training monkey…the way people have talked to me has been very much around, it feels like I'm the implementer sometimes, but not necessarily the one that people consult with. When people are consulting it is usually with people that are higher in positionality than I am, but then when it comes to actually implementing what was actually happening in the previous conversation, I'm the one expected to be doing the work.

College campuses have always been complex organizations and the statement above, feeling like your role is to be the "training monkey," demonstrated the external pressures felt when asked to conduct the work in a certain way without the ability to provide input. I later elaborate in this chapter on the roles of upper-level leadership and the concept of non-performativity. Both of these elements have been alluded to in the quote above, and I share more on how that has impacted the work of participants.

Also, several participants have been made responsible for the training for students. Campuses have struggled to figure out ways to have the training extend beyond the mandated training when admitting new students. One campus has decided to create their training timeline for their new students and Olivia shared more about their process:

> [The university] went mandatory for all of our incoming students, so every fall for the last three years, this will be my fourth year doing it. And within the first two months of school we coordinate, I think we have 11 different sections, three-hour sessions in the evenings or on the weekends or times when students are in a class,

> and every first-year student is required to sign up and attend one within the first two months of school. So that's a big, that's intense.

Having a timeline in place for training is essential, and as mentioned, brief intervention strategies have been proven not to be as effective (Anderson & Whiston, 2005).

Even with all of the discussion on proper training, there were a lot of comments around not being adequately trained, or feeling that resources were sometimes constrained to getting the appropriate training. Jessica highlighted that for many institutions, they have noticed the trend for placing someone into a Title IX role may be more of a strategy of adding this work to their job description,

> [There are] people not being trained and saying, "oh, you're the dean, you can do Title IX…You do student conduct, you can do Title IX." And not giving people the foundation because if you don't give people a foundation, that's when lawsuits come in and that's when there's distrust in the process. I think that's why they're having so many issues, once Title IX did become a federal mandate. Now we have to do this *Dear Colleague Letter* as people were just throwing people into these roles, saying do this. And they were doing it. It doesn't mean they're doing it right. It doesn't mean they're doing it well.

The comment "doing it well" ties back to the concept of compliance-focused work. If people know where to get training or have the proper access to training, the outcome would be that they are at the very least, able to meet compliance guidelines.

Training, ultimately, is a tool for the staff enacting Title IX to know how to stay in compliance. It is a tool to understand ways to mitigate risk for the institution and ensure a reliable process guided by campus policy. Training is conducted with faculty,

staff, and students. And although training is happening, it is one of the only tools to try to get people on campuses to have a better understanding of Title IX.

Summary. Ways in which participants perceive their work from a compliance-based lens was evident throughout each participant interview. Although I anticipated that compliance would be discussed, I was surprised how salient it would be for all participants as they made meaning of their work. The focus on compliance may be due to, as Gardiner (2017) alludes, power imbalances within the institution. Although there have been efforts by participants to train and educate their campus community, the ultimate focus falls back to institutional priorities – ensuring the institution is maintaining compliance, mitigating risk from lawsuits or an OCR investigation.

Thread Two: Prevention

I was clear when reaching out to administrators that I was trying to understand how they experience their work, and how they understand their work as a means to go beyond compliance. As I was speaking with participants, I found that it is a challenge for many institutions to build strong prevention programs. Part of this was already shared: staying in compliance has still been a massive priority for institutions. Yet, participants shared that they would like to expand and grow their prevention efforts, there have been other barriers or organizational challenges that have slowed the growth of their progress. Many participants are aware that if prevention efforts were strong, it would lead to some sort of resolve to the work. As Gwen shared,

> I'm really fond of saying prevention is everybody's work and in an ideal world, if we're doing the prevention education, I will be out of the job and that will be great…it'd be a great place to be in.

I spent time in each interview specifically asking participants for their definition of prevention. Some participants were able to capture their definition through a theoretical framework, where others have not crafted their interpretation in such a detailed, conceptual manner. When I asked Oliva that questions, she shared,

> That's an interesting question. I saw that on the list of questions. What's your definition of prevention? I was like, well, I don't know. That doesn't sound very profound, right? Like, what does that mean or look like? I think, you know, I think it's more around reducing instances of sexual violence. Right? We want to see our numbers go down, right. Obviously eliminating it is ideal.

Some, like Thomas, were able to articulate a short, concise way of thinking about prevention,

> I would define prevention as a purposeful effort for not only creating educational opportunities but in changing the campus culture around sexual assault and violence.

And others were able to share a broader view of prevention in terms of what it means from a socio-cultural lens, like Melanie,

> So, I think prevention and education because I put those together…it starts with the basic understanding of self and understanding of relationships and what healthy relationships look like, but a lot of self-work and self-confidence. And then I think the other piece of it is understanding sex and sexuality…it's all those things combined with understanding what it means to have respect for yourself and what it means to have respect for other people as well and how those relationships and interactions that you have can continue to be respectful…I don't

> think that there's ever unfortunately not going to be a need for the work, but I definitely think it's going to look different based on your student population and where you are, what's happening in society.

Every participant I spoke with has someone who oversees Title IX at their institution. Not everyone I spoke with has a full-time staff member dedicated to prevention work. Each participant also discussed one of the biggest challenges when it comes to doing this work: college students are individuals who have been socialized for many years before they enter the campus community. This makes the work that higher education institutions are charged with very complicated. Institutions are inheriting students who have varying understanding of sexual health and intimacy, and sexual assault. Because of the diverse knowledge of entering students, it can be challenging to identify a prevention plan that meets the needs of each student. Regardless of this challenge, institutions of higher education have attempted to provide prevention programming efforts for their students. In this section, I have broken down prevention successes and challenges, and then share more about socialization and how participants viewed it as a challenge to their work.

Positive prevention efforts. Part of the Title IX mandates requires universities to provide some form of education and training for all incoming students. This is a practice on campuses for several years, and several participants shared the success of this work. Some of the work was established for years at some of the participants' campus. As Olivia shared,

> We focused more on the tools and getting these tools in the hands of students that we hope in a small community already care about protecting one another. It's a

> little bit less like help out random stranger because it's not random stranger. It's the kid in my class because we're a small campus. So, I've been working on that initiative here for the last five years.

Some participants were able to give a full view of their prevention work and were able to name their philosophical approach in how they developed their program. Amelia shared,

> We always think about prevention in more of a holistic way…when we're thinking about prevention, we don't just think about, talking about violence or violence raising awareness. We certainly do that, but we also think about like, so what do we actually need to do to prevent violence from actually occurring? We actually think a lot about healthy relationships, how do we actually communicate around our boundaries? We do a lot of the definitions, policy consent, definitions talk as well, but then we also talk about agency. Empowerment. Boundaries. How do you actually communicate your sexual desires? We talk a lot about healthy sexuality boundaries as well as healthy relationships as well as policy definitions and things like that.

It became evident in my conversations with participants that prevention was happening at some level on their campuses. Yet, participants have been trying to figure out the best practices in the field that lead to long term behavior change. Two participants named the program, *Flip the Script* as one possible prevention program that could impact their campus,

> *Flip the Script*…It's the only sexual assault proven prevention program that has been actually measured to be actually having results of preventing and reducing

> the rates of victimization. And so that is something that is really exciting for us to deploy. It is women-specific, women identified specific program…there's definitely some gaps in there as well. But I think with any program, there will always be gaps.

This participant highlights that there is no one program created that is the perfect fit for each campus, but this does not stop participants from trying to figure out what would be the best program for their campus.

Although each participant shared some successes with prevention, and many have knowledge of some long-standing initiatives, a lot of the work is still being conducted on a short-term basis. For example, incoming students may have to attend a session during orientation or take a one-time online training. Others shared that programming is most active during the months that have been dedicated to sexual assault or domestic violence awareness and may include some large-scale program. These prevention programs serve as brief intervention strategies. There are clear evidence and data to say that these practices have not been found to impact long term behavior change (Anderson & Whiston, 2005). As Gwen noted,

> I don't think an online consent education module's enough, I don't. I think something else has to supplement it and whether or not it becomes best practice, I hope that it continues to be on the forefront of our minds with our different student populations. To get in front of them by any means possible to talk about this topic.

This comment leads to some of the challenges when trying to roll out prevention work on a college campus.

Challenges implementing prevention. I was able to get a sense from all participants that they did indeed implement prevention practices on their campuses. This is where the similarities ended. Many participants were able to share their mandatory training practices but were not always able to share how they were going to expand the work for the campus community. Some shared they were looking to institutions like Dartmouth who have created a four-year prevention curriculum (Sexual Violence Prevention Project, n.d.) but a program like this was not yet fully developed and implemented on any participant's campuses at the time of our interviews.

Several factors arose in our conversations that provided insight as to why implementing these programs is a challenge. Some of these factors include staffing for prevention efforts, lack of evaluations and data to determine effective practices, spending time reacting to cases, and experiencing some challenges with others in the administration to move the work forward.

I have spent some time in the next portion of this chapter sharing more about staffing needs across the board for participants. One thing that kept coming up in conversations about prevention work was the fact that many participants were responsible for the prevention work on their campus but were not able to dedicate the appropriate time, due to staffing constraints. As Charlotte shared, "Prevention is in my job description, and I do not do a good job of doing prevention work because I don't have time. And that's frustrating to me. It's very frustrating to me." Charlotte resides in an office of one, and they do not have a centralized space on campus for rolling out prevention efforts. This comment also strengthens the findings around compliance

focused work. The prevention work has not been as prominent because other competing factors take up more time and energy. As Lilian noted,

> When you're the one who's doing the work on the ground, prevention always takes a backseat, but we know that's what we need to work on it in order to really reduce what's happening on our campus. So, it's a catch 22.

Another component as to why prevention takes a back seat is due to funding, and what aspects of Title IX are funded. I share more on these findings later in the chapter but believe it is worth noting here. As Anna shared,

> What do you not need? Which is just kind of an interesting conversation with Title IX stuff because so much of it it's like we're legally required to have this and it can't really be cut, which is a good thing, but trying to make my case to those folks about why if anything, our budget should increase rather than decrease. But again, even if even by increasing my budget I doubt it would be in a significant way that would allow me to hire someone else and it's really the staff time that's needed, and everyone at [my institution] and most institutions are already strapped for time.

Part of not having the staff dedicated to prevention work also impacts other initiatives offices would be able to implement. For example, some participants talked about gathering data on campus, but sometimes never actually implementing it because of the lack of time, or lack of staff. Anna also spoke about the lack of data gathering to figure out if the prevention efforts are what should actually be implemented on that particular campus stating,

> I think evaluation is a big piece of that and why are we wasting our time doing things that aren't actually effective?…I mean, it speaks to how deeply rooted this stuff is in our culture and just how challenging it is to start to shift that narrative. Which is sad, depressing.

Another challenge noted by participants was around a vision and plan for implementing prevention initiatives on campus. Some participants were able to name where they would like prevention to go but shared there were some barriers in getting the work started. As Julia shared,

> It would be great to be able to expand our prevention services. Our organization has a very clear vision of where we want to go with…but something that happens a lot is that people who are doing the work regularly, then the work gets hijacked by others.

Charlotte highlighted that although prevention is implemented over and over again, the number of cases on their campus have remained the same and that maybe the time has come to implement a new prevention strategy. They shared,

> I would love to see some sort of, like a tiered approach…we need to have a continuum of prevention work. The most frustrating thing to me is in the 10 to 12 years that I've been doing this work, there really hasn't been that much of a change…People are doing a lot of good work, there's a lot of good things happening, but the numbers don't change.

Prevention work continues to be something that colleges focus on, but the study's participants had a great deal more to share about the challenges rather than the successes

of doing the work. Many pointed to one other factor that impacts prevention work on our college campuses, and that has to do with the idea of socialization.

Socialization. Socialization (based on the conversations with participants) is defined as how a person is taught the culture and normative behavior within their society. As I spoke with participants, over and over again, each shared how our students have been socialized before entering college provides its own unique set of challenges when aiming to do prevention work. As I spoke with each participant, they were each able to name that sexual assault prevention work could and should happen at an earlier age. As Henry shared, "we have the ability to reduce these rates significantly if we are finding better ways to engage in early education and prevention in the K-12 level." Amelia shared, "I mean it starts with both K-12, but also parents. I think there needs to be more parent understanding of how to educate your child around consent and how to actually practice body autonomy at a very young age." And Sofia shared, "We really need to flip this messaging on its head and teach people not to rape, you know, it comes out to that. So that would be my biggest thing. I think that it's what our K-12 programs are starting to do."

This is something that is shared over and over again, that our students are not blank slates, they have years of memories and experiences that have reinforced what they know and believe. Henry shared this best by saying,

> I really do think that that starts before they ever even get to our doors. I do think that there's effective prevention work we can do in higher education. But it's, it's barely a band-aid on a gaping wound for a lot of these students who come in…I think there are an awful lot of people though, who because of their socialization

> truly do believe that it's within their right to go and treat someone else and take something like that from somebody. And that's not wrong. And they don't identify it being wrong until they have been removed from that environment and properly educated. And I do think that a good number of those people can learn that what they did is wrong. But we have so many young people who've come up in systems that they teach them it's okay to treat someone, you know, different as less than, and to somehow use them to meet their own quote-unquote needs to take power over them somehow. And then that's enforced. And even reemphasize by some of the people that they would identify as the best leaders in their life.

And similarly, Lilian shared, "and then we all kind of recognize we're getting students to our campus when they're 17 or 18, and they've been steeped in this culture for that amount of time. It's not like we just start getting these great blank slates." And Charlotte shared that work "needs to be hit long before they're freshman in college…by the time they get to us, it's embedded, and that's a lot of work to start to change because they've come from a culture of attitudes, language, and behaviors that's been accepted." This culture of attitudes and behaviors is rooted in every fabric of our patriarchal society. As Olivia elaborated,

> I think so much of the roots of sexual violence, are around misogyny, not entirely, right because we know that women aren't the only ones who are assaulted, but I think this sense of like over-sexualized culture that leads mostly men to feel entitled to something and that goes deep, right into like what is deep into American culture, masculinity issues, right? So, I think really unpacking that is important.

Olivia was not the only one to note how hypermasculinity and misogyny have historically played a role in the socialization process. Gwen shared,

> And then I think of the number of cases that we see where that probably isn't the case where it's either a first sexual encounter for this person, and it is a complete lack of understanding of consent of role, and there's still a hypermasculinization around this idea of what I'm owed or what my role is in ignoring a no or a non-affirmative response.

When these comments were made by participants, I followed up with several of them to ask more about if they believe it is higher education's role to be taking on this work. The response, of course, was that we do need to be doing this work, but the answer to the question is not so simple. As Lilian noted,

> That's a really hard question to answer because I do think it's incredibly complex. I mean, we do a really poor job as a culture of teaching healthy sexuality, of teaching consent. And so, I just know the students that we get coming here to our campus, they are coming from so many different levels of experience and comfort with that and a lot of students, they've had no education on healthy sexuality…throw alcohol into the mix. And I think it's just a really challenging climate.

The comment above emerged similarly with several participants and reflected an idea of being charged with an impossible task. As participants have shared, students come to campus entrenched in our societal cultures. Socialization often coupled with a one-time prevention education session during orientation does not spark the unlearning process. As

Jessica shared, "In probably 30 years, I don't see our numbers changing that much unless we change how we're doing education before students get to us."

Summary. Prevention work has posed several challenges for those enacting Title IX on their campuses for many reasons. Some of the problems related to the socialization of our students and not knowing effective prevention methods to begin the unlearning process for students. The importance of prevention and the impact that it can have on a college campus often required a charge led by upper-level leadership. Upper-level leadership has urged focus on compliance efforts more than prevention efforts, causing an imbalance in the importance of prevention programming on participants' campuses. As Gardiner (2017) stated, the micro and macro ways of power imbalance are unveiled through a feminist phenomenological study. Campuses say they have both prevention and response efforts, but the attention and funding for the response efforts are more important than discovering solutions to lower rates of campus sexual assault. In the next section, I have shared participants' perceptions on how leadership has created barriers through lack of resources and support.

Thread Three: Barriers

The last set of themes that emerged throughout my conversations with participants centered around who is doing the Title IX work on their campuses. Each participant shared in their struggles around being adequately resourced to do their jobs, whether this related to needing additional staffing, not having enough money to expand the work on campus, or not being funded for professional development or training. Lack of resources has manifested into spaces of non-performativity (Ahmed, 2012) – one person is tasked with the Title IX work and it is not anyone else's responsibility. And yet,

it is someone's responsibility: Upper-level leadership has played a role in shaping the resources and performative practices on their respective campus.

Lack of resources. When I used the term resources with participants, I kept it vague. I asked if they felt they had all of the resources to do their job. Although many were able to name some resources and levels of support from their institutions, each participant was able to name ways in which they had a lack of resources that impacted their ability to do their work to the level they felt was appropriate, or what met the need of campus. Resources included the amount of staff, or any staff for that matter, who helped with the workload. Others shared frustrations about lack of financial support, and how increased resources would create opportunities for growth, especially regarding prevention and investigatory work.

Most participants shared that a significant strain on resources for their office was around staffing. Several offices have one full-time person responsible for all Title IX work on their campus, and many offices do not have any direct reports. Those that have a staff expressed that it was not sufficient to the workload and student population. Julia shared, "Well I definitely need more resources. And what I mean by that is we have two direct service staff to provide students, faculty and staff, plus [another area college] with direct service work." Julia emphasized that these staff members were being asked to provide direct service to over 55,000 individuals.

Olivia shared that it would be essential to get more resources: "On a broader scale, in order to really do the work well, I would say we need an additional full-time person, especially around prevention and education." This comment has alluded to the fact that resources are given to the other aspects of Title IX, with the prevention side

receiving less attention and support. Olivia elaborated further that “the Title IX coordinator is also tasked with prevention and education on campus, but they don't really have time to do it or develop it…because they just, it's one person and they don't have the time.” As a solution to this challenge, Jessica shared the recommendation, “I feel like there should be a budget from the institution from the president's cabinet, from your vice provost that is geared towards prevention education that's allocated every year for these efforts.”

Others felt the work for investigations needed more staffing. Gwen shared, "I could use another one to two investigators. I feel like everybody could... if I think about staffing, I would always take more investigators. I feel like any institution would." Several participants oversaw their campuses investigation procedures and highlighted that compliance work could also use additional support. Olivia shared a possible solution,

> And it goes back to that institutional support. What does that institutional support look like? Well, maybe it looks like adequately staffing these positions so that they can respond. Maybe there's [a process where] no one gets more than three cases and if the fourth one comes in, someone else gets that and we make room in their job for that. You know what I mean? That's hard with resources but responding to all the students in a timely fashion and remembering all the details…it can be hard and it can be exhausting. I just think it's high burnout work.

This participant highlights that hiring additional staff not only helps the overall institutional process but also ensures longer employee retention. Employing additional staff could also be a practice that would support people and not lead to burnout. Jessica

shared that because there was not a campus advocate, they would provide their personal contact information,

> I would check my phone all the time, I would give students my cell phone number because we didn't have an advocate, so I just felt like we don't offer these resources to our students and so somebody needs to do the work.

Other places where participants felt the lack of resources was around budgeting for training and professional development. Some participants discussed having an annual funding stream to ensure people are getting the training they need to do the work well. Other participants highlighted how annual funding streams have not been established at every institution. Henry noted, "they're not funding these people…are not empowering them to do this work well, to even go and seek the training that they need to do this work on a day to day as effectively as possible…they're still living in worlds that were way before the DCL in 2011." Thomas shared that there was funding available for their training, but it was tied to student fines from the conduct office. So, if a lot of students were fined one year, there would be a substantial amount of funding available for professional development, but if not, funding only covered one training. And Jessica shared the frustrations they have witnessed from their colleagues' experiences doing the work, "Every Title IX office should have a budget. Many Title IX offices don't. So, here's the Title IX coordinator. We have the person, be great. With what resources?"

Henry made one suggestion for solving the issue was to look to upper-level leadership,

> The point I'm trying to make with all of that is the most senior leaders, even beyond the people doing this work, they have to prioritize sustaining this in a

> systemic level as opposed to trying to be effective with the people in place at the time. And that's one thing higher ed has not figured out. They just haven't figured it out.

Support from upper-level leadership is vital in allocation of resources. Upper-level leadership's resource allocation can either cause barriers or start to move Title IX work forward.

Upper-level leadership. When I think of upper-level leadership at a college or university, I think of people at the highest level – the president, the provost, and those serving at the vice-presidential level. These folks are the physical embodiment of the campus culture and values, setting the campus agenda. As referenced in Table 1, most participants reported to a vice president or dean level and one reported directly to the president. As I spoke with participants, it was clear that upper-level leadership either directly supported or caused barriers in their Title IX work. This showed up in multiple ways, specifically in supporting Title IX work following cases that impacted institutional reputation, such as the institution being sued for mishandling a Title IX case, or an investigation by OCR. Others discussed the messaging from leadership with the campus community and how that impacts the level of knowledge or importance of the issue. As Jessica shared,

> I mean, essentially, it's everyone's responsibility on the campus. And it's truly and foremost, it's the president of that institution. It's whoever the top person because they are who we follow. They're the ones who are dictating…whether it's your chancellor, whether it's your president, they're the ones who are really going to dictate, do we need a Title IX coordinator?

Upper-level leadership sets the tone for the campus community when it comes to any initiative. Participants were keen to recognize this and were able to share several examples of how upper-level leaders were perceived by administrators who enact Title IX. There were several times where participants shared support of campus-wide initiatives for Title IX work. At Julia's institution, the president has created a committee to roll out better prevention work for faculty, staff, and students. This, in part, is due to those in the president's close circle who have encouraged this to be a stronger initiative, "I think he genuinely cares about it, but would not understand the issues in an in-depth level and have a personal connection to it without that." Others shared that the increase in presidential support for the work stemmed from wanting to protect institutional liability. As Melanie elaborated,

> I think we're supported now. I think we're supported as a reaction to not wanting to see certain things on our campus happening. Presidents have resigned over things like this or lost their job. And so, I think our president is very aware of that and sees that. But I'm just going to be honest, I don't know if the support is really because these things need to stop happening on our campus and it's important, and we need to build a culture and a community of safety and respect.

Melanie was not the only one to share concerns about how upper-level leadership is thinking about campus sexual assault and why it is or is not essential to their campus community. She continued to share an encounter with their college president during their first week on campus, and the president said to them in a firm voice, "I'm glad you're here, and I don't want to ever see, you know, this type of case happen again." This comment led Melanie to wonder if the president would hold her responsible if a very

public incident of sexual assault made its way to the media and impacted the standing of the president.

This participant was not the only one to share concerning conversations had with those in upper-level leadership. Henry noted, "I was at a meeting yesterday where a senior leader here was lamenting about how easy it used to be back in 2008 where a student could come in, and they could just kick them out, and they even talk to them about what they did. It would be so much easier if we could do that." This statement indicated that this senior-level leader did not want to have to change policy and procedures to meet the compliance standards. They also reference 2008, but there was guidance issued about Title IX in 2001 that should have been informing the institution at that time. Lilian also shared, “I think we have a president right now who maybe doesn't want to have anything to do with this issue. And so, I have struggled because numerous times, I felt differently about that…and that some of the statements he's made, not publicly, but internally are just actually not accurate.”

It was challenging to hear these stories around the lack of support from the upper-level leadership. Participants’ work is already challenging and convoluted. Lack of support from their leadership, or a misunderstanding of why the work was an important initiative on campus clearly impacted several participants. Part of the misconceptions has led to a lack of sustainability in funding. As shared earlier in the findings, budgetary constrictions have been an issue for many offices, with some offices not having an annual budget guaranteed. The people who have the power to make financial decisions work in a senior-level capacity.

The work of upper-level leadership plays a vital role in the work conducted by Title IX administrators at lower ranks within the organizational structure. To call back to a quote mentioned earlier by Sofia,

> I would say the biggest solution to all of this is leadership. Vice presidents and presidents and cabinet members who really, really can understand this work and send very strong messaging of what we will not tolerate on our campuses and remove people who are in our way.

Leaders can make decisions around how infused Title IX work is on their campus. To explore this a little more, I asked each participant to speak more about whose responsibility it is on campus to conduct this work.

Non-performativity. When I asked each participant, whose responsibility was it on campus to do Title IX, sexual assault education work, many answered saying, well, it's everyone's work. Following this comment would be a qualifier, "but in actuality, it's me." Or maybe it was them and two other people. These comments led to the findings of each participant sharing aspects of non-performativity regarding their work on campus. Non-performativity is the idea that we have demonstrated performing a role properly by merely having the role exist (Ahmed, 2012). As participants discussed the need for additional resources and staffing, in addition to many of the roadblocks caused by upper-level leadership, it was clear that participants wanted their work to be infused throughout campus culture. Ultimately, it was not.

As mentioned, compliance-based work was the most significant focus for all participants. Making sure the checkboxes were checked was a higher priority for participants because upper-level leadership has made it their priority. If we were to think

of the Title IX guidance, it asks that colleges and universities have a Title IX office. Check. Sofia elaborated,

> We're assuming that our campus is okay because we've got a Title IX office, we've got our policy, we got our procedures, cases are coming through, but you're still not really assessing the climate of the campus, because it's not a mandate anymore.

Not assessing campus climate impacts participants' work as there is no way to know the impact of their work on campus culture. But, that it does not matter because institutions are technically in compliance. Then, compliance asks that colleges universities conduct education and prevention training for all new students. Check. As Julia noted, "And that's another piece that I worry about with sexual assault prevention is we're going to think like, oh, we did all this stuff, now we're done. And that's not how it works. That's not how anything works." Although participants never outright named the concept of non-performativity, how they discussed their work made it clear that they were seen as the main (or only) person responsible for Title IX work and expected to perform that role for most, if not all of campus.

One way in which non-performativity showed up in participant's experiences was the perception from outside of their office that their work around sexual assault has nothing to do with any of the other issues happening on campus. Amelia shared, "I think that a large barrier is that we sometimes silo sexual violence as just a sexual violence issue." Part of this could be in part due to the organizational structure within a postsecondary institution, "everyone's doing so much, and everyone's doing things in

their silos, very decentralized. And so that's part of the hard effort with a larger bureaucratic institution. Some of it's because of time."

Some participants felt they not only held the job title of Title IX coordinator, or education prevention specialist, they felt as if they embodied the role and were worried if the work would sustain after they left their institution. As Henry reflected, "I am hopeful that they say, the systems that they've left here are here, and it didn't depend upon those people doing that work." This thought lingered with several folks around what makes the work happen on the campus, the person who has the title, or the title itself. Melanie summarized this best, "if nothing else happens or there is no more attention that's brought to it, then is it just going to go down? And something else becomes a priority." Melanie spoke to the notion that leadership could have another issue arise that needs their attention, putting Title IX issues to the side and simply keeping it on campus because it has to be there. Non-performativity was present in the experiences of participants.

Although participants were not able to explicitly name non-performativity, their experiences described how it is lived out on their campuses. Participants were working very hard, they perform their duties in a way where work is constant, and as each participant shared, they could use one, two, three, or more additional employees in their office. Participants are doing their work, but their work has really been happening because of the participants. The non-performative piece falls back on those holding leadership in the institutions. Institutional leaders do nothing more than say, “see, this is where Title IX work is happening on our campus. It is happening.” But, leadership is failing to explicitly share ways in which Title IX work, and particularly prevention work falls under the role of each student, faculty, and staff member.

Summary. Lack of resources and allowing non-performativity (that is, we do not do what we say (Ahmed, 2004)) to exist on our campuses regarding Title IX work reflects the support, or lack of support, from the upper-level leadership at our universities. The three themes shared in this section weave together and are interconnected in how they operate. The themes that emerged as barriers demonstrate how campuses "produce and reproduce particular leadership bodies" (Gardiner, 2017, p. 11). Having leadership not fund prevention programs ties directly to non-performativity because we say we have a prevention officer, but we do not fund the work. Perhaps this is because gender equity work has not been diffused by leadership throughout the campus culture. Instead, leadership simply reproduces compliance work over and over again, never leading to any form of systemic change.

Invisible Threads

Participants were vulnerable and shared their experiences doing sexual assault work through their stories. Participants were able to highlight how compliance focused work has impacted their ability to emphasize prevention, either due to funding or staffing constraints or due to leadership's list of priorities. With the intricate pieces of their work, participants were clouded in their ability to see how they can navigate beyond the bounds of compliance and start the task of dismantling oppressive systems (like rape culture) on their campuses. The stories shared by participants varied in some ways, but also felt very familiar, as if they were connected by an invisible thread. The themes discussed are not to generalize participant's experiences, but to demonstrate the phenomenon that people at a variety of institutions across the country are grappling with when it comes to enacting Title IX work.

Rape Culture

When I envisioned this study, I wanted to know: How do people responsible for enacting Title IX on their campus understand their work as an effort to dismantle rape culture on university campuses? I have had a heightened awareness of Title IX work since I was asked to be part of a team of administrators to do bystander intervention training following the 2011 *Dear Colleague Letter*. And although I have been more removed from this work over the past years outside of the research, I have kept up with readings and trends. I, therefore, assumed going into the study that because college campuses have had heightened attention on this work since 2011, we would be making some progress in deconstructing systems of power, unlearning ways we have been socialized to think about this work, and working toward change. I was wrong. Participants spoke very clearly about their work, but what they shared had elements of compliance-focused language throughout our conversations. That does not mean participants do not want to see rape culture dismantled, they have competing interests from the campus community (particularly upper-level leaders) that has not allowed them to think about how they can tackle the work appropriately.

When asked about the work as it relates to rape culture, participants were able to share that they knew the terminology, they knew it resonated with their work, but they failed to name how it existed on their campuses. Maybe they really do not have an overt rape culture present on their campus, but as stated in some of the literature, there is evidence of rape culture existing in our society. The main finding from this study is that administrators enacting Title IX do not perceive their work as a means to dismantle rape culture. This does not mean they do not want to dismantle ways in which patriarchy has

shaped rape culture on their campus. It means there have been too many barriers or other priorities put in place in the present moment to do so. This is because the emphasis on compliance has still been so strong from those running the organization that it has not been feasible to create a plan that would move this work forward. The participants do not hold enough institutional power to be the force that serves as the catalyst for change. As Sofia highlighted, she chose to leave their institution because the culture was so pervasive that they could not even influence the campus community to respond appropriately,

> Part of the reason why I left [my university] is because they were not doing anything about it. It was like, we'll take it case by case. As opposed to, I named a systemic problem, a systemic pattern here and you're not giving me the support to go and do something about it to make that change.

Many participants were able to name the systems at play, to be able to say, yes, I would like to put more emphasis on educating the campus about rape culture in our training, but many do not have action steps or plans yet in place to tackle this on their campus. Some shared that they were familiar with the terminology but did not feel like it was a significant issue on their current campus.

The comments about rape culture can be related back to the concept of non-performativity. If institutional leaders have focused compliance efforts in one area of the institution, Title IX administrators are unable to name how they can tackle rape culture, especially when overworked and understaffed. If those working on Title IX have been expected to run everything, especially with a keen eye on compliance, adding a project where the primary focus is to deconstruct systems of power on one's campus would seem

near impossible. Knowing this, we cannot give up hope, we just have to think of new solutions for tackling the work.

Conclusion

There were 13 themes participants each discussed throughout their interviews and the themes related to compliance focused work. Some of this work has remained compliance focused for several reasons but primarily regarding what leadership is willing to fund, supporting the response process to mitigate risk and maintain a strong institutional reputation.

When I began the study, I was hoping participants viewed their work as a means of going beyond compliance to dismantle rape culture. Although there were elements of systemic issues discussed by participants, particularly around socialization, this was not the main focus of their experiences concerning the questions asked. In the next chapter, I explain why I believe rape culture has not been the focus of Title IX work on our campuses and discuss where I think this work needs to go in the future.

Chapter 5: Discussion

Jenny

In my first year of graduate school, I connected with a student affairs professional, Louis, at a family weekend event and asked him about opportunities to serve as a practicum student in his department. Louis was very excited and open to finding some projects. Once we confirmed the practicum, he invited me to dinner to discuss further details. I agreed; I could easily get us dinner on campus given my assistantship was in housing and I had an endless amount of meal plan "swipes." I told Louis to meet me at the recreation center, where one of my favorite campus cafes was located. Shortly after arriving, he suggested we go off campus. As my future supervisor, I felt like I had no choice but to say yes. Louis drove us to a restaurant in a neighborhood just outside of campus where you would not normally see undergraduates. As we ate, I frequently brought up the practicum, but Louis continued to change the subject to unrelated topics. At one point, I distinctly remember him asking, "If you could have a celebrity play you in a movie, who would you pick?" It was at that moment I started to wonder if I had been tricked into going on a date. Louis decided to order alcohol, and I declined. He tried to pay for my meal at the end of the night, but I insisted on paying for myself.

The following Monday, I confronted Louis about the experience. I told him I felt it was inappropriate for us to eat off campus and that I didn't want to have other meetings like that in the future. From that point forward, Louis acted cold towards me and only engaged with me if he had critiques about my work. For example, I once arrived late to the office due to another work meeting running late, and Louis questioned my

commitment to the practicum site. He never shared positive praise for the rest of the term, yet, thankfully, wrote something positive enough in the final report for me to fulfill the practicum requirement. I could not put it into words then what I can now: I was experiencing some form of sexual harassment. Because I would not go out with Louis, he retaliated by being cold and critical of my work.

I have witnessed as both staff and student how campus administrators impact campus culture when it comes to Title IX. I should have reported Louis, but I did not know my options, nor did I recognize it as sexual harassment. If I had known what was expected of professional staff, or the confidential resources available to me, maybe something more would have happened. This was before the release of the 2011 Dear Colleague Letter, and so, I wrote off my story of Louis and made a point to keep my distance from him for the rest of graduate school.

How Do Those Responsible for Enacting Title IX Understand their Work as an Effort to Dismantle Rape Culture on University Campuses?

This study is about dismantling rape culture, but much of the way people spoke about the work was through compliance-based language and processes. As shared in the findings, campus administrators enacting Title IX on their campuses do not understand their work as an effort to dismantle rape culture. Some participants had a clear understanding of what rape culture was, but they did not name the culture existing on their campus. Some were able to share that they talk about rape culture in training, but with limited time, need to focus on compliance and procedural protocol.

Why are We Blind to Rape Culture?

Within rape culture, people assume that sexual assault is part of life (Buchwald, Fletcher & Roth, 2005). I chose to share my story as a way to highlight how small acts feed into a bigger rape culture. I was not able to name it as such, but as I have reflected, I now realize Louis used positional power to try to wield influence. I even assumed his good intent after going out to dinner, that he did not mean to push boundaries in our working relationship. The findings of the dissertation study indicated rape culture was something each participant was aware of, but all participants were not able to explicitly name how rape culture impacted their campus culture and environment. This is not surprising as rape culture has become normative in our society. Melanie shared,

> Rape culture has been one of the topics that's been discussed quite frequently. I don't believe that we have any kind of institutionalized challenges or issues with rape culture… I don't see it existing like through or being manifested through any of our policies or practices.

Thomas shared, "[My campus] did not necessarily have a rape culture, primarily because of a large female population and of the male population, a large percentage was LGBTQ… So just based on the numbers there… not a big culture issue." This was hard for me to hear. Not that I was expecting sweeping allegations of rape culture on campuses, but I was anticipating examples that pointed to increased attention on campuses.

One reason the participants did not have the time to think about dismantling rape culture is that they are tasked with so many other responsibilities, with the top responsibility (influenced by upper-level leadership) to remain in compliance. Several

participants talked about their prevention training efforts and how they have been trying to insert some information on rape culture. Olivia shared, "[The one rape culture slide] is a new addition that we've made to our [prevention] module… we're definitely talking about it more. I don't know if we or if I really unpacked, like how do we change that?" Administrators have started to name the term, but the ability to unpack rape culture has not been in existence on many campuses. Several participants did want to spend more time unpacking the issue but ran into time constraints. Amelia explained,

> I always want to take more of a systemic lens… I would love to do like historical context lens about where rape culture comes from. Sexual violence, especially against women of color, especially against black women… there's so much more that can be done. But sometimes I only have that one workshop for 30 minutes… and I just can't get it done.

Jessica shared,

> You're trying to get information to people. I'm doing a presentation, I have an hour. What is the most pertinent information? I have to give in an hour and many times on rape culture. That topic, it's infused, but I'm not going to be able to spend time because that's going to create a dialogue and we're going to have to deep dive, and I only have an hour.

If institutions believe addressing and unpacking rape culture is not important, the time to address the systemic issue is not provided. Not addressing systemic issues not only arises in training but also in additional efforts that have (or have not) emerged on campuses. Gwen elaborated,

> What we don't have is sort of the group coalition of men at the institution who are talking about toxic masculinity, who are talking about rape culture, who are engaging these conversations with students, where they are in ways that white women cannot. And that would be one of the things, not that it's a silver bullet, but one of the things that I wish existed.

Perhaps more substantial efforts for addressing rape culture is not where we begin. At the same time, incorporating one new slide into a training won't address rape culture in a way that allows students and staff to reflect and understand what it means. Jessica addressed this best,

> I think sometimes in higher ed we use a lot of buzzwords and I think rape culture definitely is on college campuses and not just from students but from faculty and staff as well. And so that's my biggest piece around that is the language. Language that's used in meetings, language that's used in everyday conversation and the more awareness you're doing around language and questioning and your reasoning to know things I think will help eliminate some of that rape culture.

One-way institutions can begin to make a change is through language, addressing the micro imbalances of power (Gardiner, 2017). This includes looking at language in policy that may reinforce rape culture – language used in meetings, classrooms, or campus events that can reinforce these cultural norms. This effort involves buy-in from stakeholders on campus to shift the language and has the potential in creating incremental shifts through increased campus conversation, compared to the limited impact of brief, one-time intervention strategies.

We are Blind Because We are Still in Compliance Mode

Compliance has continued to be the priority for college campuses when working with Title IX and campus sexual assault. This has blinded us and allowed us to reproduce our work over and over again without transforming the campus culture. How institutions begin to move from compliance is through dismantling systems of power on campuses by asking questions that move institutions toward gender equity. Shifting from compliance focused to equity-focused produces no simple pathway to ending campuses sexual assaults. Yet, it is worth trying if we are to begin to dismantle the cultural norms in our society.

Moving from Compliance to Equity

I chose to approach this study utilizing a feminist phenomenological framework as a way to "understand how gender hierarchies and power imbalances operate on micro and macro levels" (Gardiner, 2017, p. 12). Participants' stories highlighted their perception of their work from both the macro and micro levels of the work. They were able to share thoughts on the minutiae of their work – supporting students or planning training. But, they were also able to articulate how they see their work is part of a bigger system.

I made a very conscious choice to use a feminist lens when approaching this study. As a woman, I can identify moments where my identity is most salient to me. Therefore, I call out these moments more boldly because, as a woman, I have been directly impacted by rape culture throughout my life and in my work in higher education. I have had moments of utter disbelief when sitting with a male college who worked within a different university unit say to me, "You know these things [stories of rape] are

made up" and feeling powerless in my role (and frankly, being behind a closed door, alone) to say anything back. I have experienced moments where students have left comments on my teaching evaluations that have said, "Things your instructor does well: be gorgeous." That comment gave me chills because I knew exactly who wrote it based on his constructive feedback of the class. And so, as I thought about participants' stories, I was thinking about them through this lens, trying to identify the tension of patriarchy and power and how this upholds compliance standards. I have intentionally inserted myself throughout the discussion because, frankly, I am unable to leave myself out. Not only have I used stories, I have also called back to some of the theories used in my literature review as a way to understand how participants have attempted to put implement practices on their respective campus.

Dismantling Systems through Feminist Theory

I have approached this work with a feminist phenomenological lens (Gardiner, 2017) to understand the larger systems that have been impacting the daily practice of participants, and the subtle moments that point to a broader phenomenon. I hope that through my lens interpreting participants' perspectives, we can begin to create a pathway that deconstructs the structures on our campuses that continue to permit sexual assault.

Not all participants named feminism in how they view their work, but several highlighted the systems in which higher education is situated in. Melanie shared: "it's a patriarchal system. It's a white male dominated system, and I think it involves a lot of layers to kind of shake that up and bring about gender equity." Feminist theory highlights the complexities of systems and the intersectional identities that have formed these layers – "that the nature of sexual violence… is mediated by racial, class, and governmental

violence and power" (Davis, 1981, p. 47). Ignoring how intersectional identities are impacted by campus sexual assault slows any progress toward change.

Some participants acknowledge how feminism has framed the work in their office. Julia shared,

> Each director… [is] rooted in different levels of feminism, if that makes sense. If you're a first wave feminist or a second wave feminist or if you just don't define yourself as that kind of feminist, but … a black feminist or an indigenous feminist, that's like equity for all, not just women who are particularly white women. You'll see how [our office] has evolved in our policy, advocating in our programming and even our involvement.

And although this office used feminist theory to inform their practice, the office sits within a broader campus community steeped in a compliance-oriented culture. To name feminism as a tenant of the study also calls out the fact that we are not living in a post-sexist society. As Gwen reminded me,

> Giving women permission to say yes or no… I don't think just because we're in this paradigm that we can pretend like women have been given full autonomy over their bodies to comfortably ask for what they want or ask or set boundaries around what they don't want.

The comment above calls back to the policies on our campus, such as affirmative consent. Institutions utilize affirmative consent policies to serve as a performative practice, a place where you can tell students they have the power to give a clear "yes" or "no" to sexual contact when in reality, power dynamics and social identities are intertwined in any case of sexual assault. Could the students involved in an incident truly

believe they had full autonomy over their bodies to actually utilize this policy in the way that it is framed? The ideas of feminism and bodily autonomy differed from participant to participant. If one person believes, at their core, that all people have bodily autonomy, while another does not, this too can complicate the investigation, adjudication, and outcomes of any case of sexual assault.

Deconstructing systems of power is a challenging task and participants were not sure how their institution system could begin. Those working in prevention spoke to the power systems most often, as a lot of their work involves supporting victim/survivors and imagining optimal prevention efforts for their campus. Yet, their offices live under a compliance framework that has limited their ability to change campus culture. For institutions to begin the shift, perhaps it is not moving from compliance to gender equity, but rather, creating innovative incremental steps that could start to promote change.

Diffusing Innovations as a Way to Dismantle Systems

One way I have been thinking about this work through incremental change is through the diffusion of innovation theory (Levine, 1980). Leadership has played an important role in determining if an initiative is diffused throughout the organization. It is key to understand that with diffusion of innovation, innovations are diffused throughout the organization if they are deemed profitable (Levine, 1980). If an innovation is not seen as one where it is profitable, then it does not diffuse into the organizational culture, it exists within an enclaved space, with no intention of diffusion. Melanie shared an example where there was mandatory Title IX training for all faculty and staff. The mandate for the training came directly from the university president. The particular institution had over 8,000 staff members that needed to be trained and were able to do so

with in-person training. The training was modified from an eight-hour, full-day training, to a 45-minute training that was led by the education and prevention office. Several hours of the full-day training were devoted to trauma-informed support practices and how to better serve the community and had to be eliminated in the 45-minute training. The focus of the training was on compliance, plain and simple.

When I asked Melanie if it was mandated again for the 2018-2019 school year, she said there was not a mandate for the current year. The president has the authority to continue mandated training and chose instead not to give this topic continued attention beyond the one-time, brief intervention. If the president saw this initiative as necessary, they would be requesting various campus partners to develop a more comprehensive training that builds off of the first, and truly work to diffuse it into the institution.

Levine's (1980) theory came to my mind over and over again during the interviews. I would hear about one president who was supportive of the initiatives publicly but privately scoffs at the cause. Others shared that the solution to this is leadership and those good leaders would be able to share why this work is essential and make a strategic initiative to infuse the work into the institution. When work is diffused throughout an organization, each member of that organization knows the importance of that innovation, can speak to it and understand how their role within the organization has influence in shaping that innovation within the organization's culture.

Promoting Change to Dismantle Rape Culture

As many participants noted, change needs to be made to advance gender equity and reduce sexual assaults on our campuses. Gwen spoke to the ultimate goal of change, "...in an ideal world, if we're doing the prevention education, I will be out of the job, and

that will be great. And, you know, it'd be a great place to be in." Knowing this has ultimately been the goal of this work, how do we understand how to actually to make a change within an organization?

What does it mean to be an effective organization that creates change? The college president should be the balanced administrator and "... the administrator must be concerned with the maintenance of common values and commitments at some level and with the protection of minority interest groups" (Birnbaum, 1988, p. 226). And although this would be the ideal, many institutions remain impenetrable to change.

Institutional theory has, again and again, pointed toward the fact that those in charge of organizations would prefer compliance and risk aversion versus high performance (Kondra & Hinnings, 1998). I have interpreted this as the idea that even if there is a president who would want to be making change, often, the competing tensions within the institution, once they are in place, often stall progress to make change. It is easier to remain in compliance than try to change the norms of the organization. It is easier to maintain systems of power because trying to undo them is riskier than being complicit to them.

Pinpointing the starting place for creating change is no easy task. One-way postsecondary institutions could create incremental change is through incentivizing:

> This can be true when the changes do not appear to be necessary for the institution to achieve its goals or when individuals do not appreciate the significance of the problem. Incentive systems can be voluntary or can make use of requirements, and they can also be based on positive or negative incentives. Regardless of how they are set up, they may not be successful in creating the

> desired organizational change if they do not reach beyond those at the top of the institution—they need to incentivize change down the hierarchy of the organization (National Academies of Sciences, Engineering, and Medicine, 2018, p. 157).

Although incentivizing practices could be one strategy to start making incremental change, I argue that it is not enough. Those within the organization must believe the change should occur, and incentivizing change can continue to lock us within a compliance-focused frame. There is palpable tension between current norms and practices and taking risks to disrupt them. But, as participants noted through their stories, change is necessary.

Where Do We Start? Possible Promising Practices

As we increase focus on prevention efforts, we need to implement strategies that address each layer, from the individual to the community, that make the work so complex. In this section, I have offered some thoughts on practices participants highlighted to support their work. I call them *promising practices* because participants have implemented some of these practices on their campus. It is important to focus on the word *promising* as there is no proven solution to ending campus sexual assaults. Not only do administrators who have Title IX in their job description need to consider promising practices, but leadership must also determine how they plan to sustain the work in the long term.

Promising Practices Shared by Participants

The participants are skilled practitioners. They have been given considerable responsibilities to do their work, often times without significant support from upper-level

leadership through a variety of resources. They have found ways through their networks to think about this work and determine if there are some things out in the field that would support their overall efforts. Several of these practices are compliance-focused, but they were brought up as promising practices that would help the work, and if implemented effectively, would allow campuses time to focus on other areas that need more considerable attention (i.e., prevention).

Hiring outside investigators. One practice that several participants shared was the hiring of external investigators to do the investigatory work. To know what to do when someone makes a claim that they have been sexually assaulted, campuses spend a lot of time training staff on how to investigate cases. Several participants shared that it was possible to be adequately trained, but it may be months between their training and the first report of an alleged sexual assault. To mitigate risk and ensure neutrality, contracting outside groups (often former lawyers) has become a popular trend. This strategy has lessened institutional stress conducting investigations, and for one participant allowed them to have a greater focus on their prevention work. Some limits for institutions could be around financial restrictions in having to contract out for the work, but it does save the institution the cost of a full-time staff member, training and benefits in compliance work and could be allocated toward a full-time staff position in prevention work.

Using a policy grid. Another practice shared by multiple participants is the concept of a policy grid in developing their investigatory practice. Policy grids are tools that are created based on the institution's policy, breaking the policy down step by step and allowing the investigatory team to ask questions that relate back directly to the

policy. These policy grids enable staff to create a robust rationale following the decision determination. The investigatory team can look back and share, very clearly, where the student answered a question that is in direct violation of the policy and examples where they did not violate the policy. These practices have helped administrators as they have tried to craft rationale when making decisions based on the preponderance of the evidence standard. These practices also serve as a way to mitigate risk for the institution, having a clear and standard process.

Software tools to support victims. Participants shared their campus processes when a report was received, and some shared the number of reports had gone up due to students developing trust with the process. For some institutions, trust was built by creating innovative ways for students to begin the reporting process. Several participants worked at institutions where they have implemented the tool Callisto (Callisto, n.d.). Callisto was created to allow a student who experienced sexual assault a place to share their story without it going directly to the institution. This software has provided the opportunity for students to write their account right after something happens (any type of sexual assault, harassment, stalking, or rape) and have a choice on when to click "submit." Students have the opportunity to say that they only want a report to go forward to campus police if another student has named the complainant in another report. This tool has allowed students to share their incidents much closer to the dates of the alleged assault and provides students choices for when and how they would like to share their story.

Callisto is gaining a following from multiple institutions and has the potential to be a tool that institutions adopt to support students in the reporting process. Again, this

tool does focus more on the response aspects of the work, but if it allows reporting to go up, universities may be able to address cases of serial perpetrators better, and other patterns of behavior exhibited on campus. Using a tool like Callisto allows for better response, and therefore a better sense of what education needs to be shared with the student body, allowing for the possibility of better prevention.

Promising prevention programs. The first three practices highlighted by participants, again, demonstrates a keen awareness of remaining in compliance. Each solution above has to do with reporting or campus investigations. There were also some strategies named that related directly to prevention work. Several participants shared their interest in modeling their prevention work similarly to how Dartmouth's Sexual Violence Prevention Project (SVPP) (Sexual Violence Prevention Project, n.d.). This project was introduced by the president of Dartmouth and is aimed at addressing sexual assault education and prevention at four different times throughout the student's four years at the institution. SVPP's website describes this approach from a logic model, focused on the desired results of student behavior.

As institutions look to Dartmouth, I encourage them to consider the strategies of the campus in terms of forming a task force to create desired outcomes and map out a plan. I also believe that for a program like SVPP to really work, it needs not only to be a student-based curriculum, but there should also be a track developed for faculty and staff, including upper-level leadership. Finally, each campus should consider their unique history and programs before creating their curriculum. As SVPP has pointed out, this cannot be a "one-size fits all" curriculum.

Several participants also pointed to *Flip the Script* educational program as another prevention practice that seems to be making an impact on learning and behavior (Flip the Script, n.d). As participants shared more about this program, it does offer some different ways to approach the work. Yet, as participants noted, it is a curriculum built for women identified individuals.

As campuses think about adopting programs like *Flip the Script*, they need to think through several steps on how they could successfully implement a program like this to all of campus. The shift of these education models also needs not to be so heavily focused on students. Yes, they have been and continue to be an essential part of this prevention work, but we need to focus on how administrators and staff are also responsible in changing their behavior and language to, in turn, begin to shift the culture at the institution.

Sustaining the Work: Leadership's Responsibility

Before sharing how leadership can sustain the work of Title IX on their campus, I think it is important to begin with some context on the state of leadership in higher education. Higher education was built for and by men, specifically white men. Another way to view this idea of social control in our education systems might be through the concept of *cultural sexism*. Cultural sexism is defined as an everyday, normal event that takes place within power structures in academia (Savigny, 2014). Through the allowance of sexism, society has accepted and perpetuated violence that has made it difficult to eliminate (hooks, 2000). One example of cultural sexism that has appeared time and time again is through the systems of promotion and tenure for faculty. Kauffman and Perry (1989) discovered a phenomenon among women faculty who were bound by location.

The women in the study had doctorates but were bound to stay in one area due to prior family responsibilities and obligations, resulting in an inability at times to even be given a position beyond adjunct instructor. Women felt their failure to be promoted was due to their gender and experienced discrimination even when they were meeting, or exceeding job qualifications.

In examples such as the one with promotion, sexism shows up in small, micro ways that make it difficult to pinpoint and therefore, allow it to permeate throughout the structure. Targeting places and spaces where cultural sexism resides within an institutional culture is one way we can better note the imbalances of power on the micro-level (Gardiner, 2017). What is most interesting about these imbalances of power is that women should be in power, as they have been earning more undergraduate and advanced degrees than men (Semuels, 2017). And although more women are obtaining higher education degrees across the country, the make-up of higher education leadership reflects similarly to who created higher education in this country: men (specifically, white men).

Leadership in higher education. Only 30% of college presidents in our country are women, with only 5% of those women identifying as women of color (Moody, 2018). Society has made sexual assault a woman's issue as it is believed women have more responsibility when encountering a sexual assault (Untied, Orchowski, Mastroleo, & Gidez, 2012; Zinzow & Thompson, 2011). If only 30% of our college presidents reflect who society says this issue is about, it strengthens our understanding as to why we have not yet made substantial progress in shifting the rates of campus sexual assault. And although women hold the majority in numbers in the United States, they still hold less power as this "has been key to how white patriarchal structures have persisted" (Traistor,

2018, p. 196). Women have had a hard time rising to many high-profile leadership roles because they have been deemed to be unfit by the patriarchy. And this

> …gender discrepancy in high-ranking positions at universities certainly does not cause sexual violence against women; however, it does establish a backdrop of institutional sexism and a context of patriarchal control at the administration level, which complements the sexism and patriarchal control that occurs at the student level in the party culture (Jozkowski & Weirsma-Mosley, 2017, p. 95).

The reproduction of leadership locks campuses in the compliance framework due to institutional sexism. If leadership reproduces compliance, what effect might the institutional type have on upholding this framework?

Institutional type. It is also essential to think about sustaining the work broadly across all institutions. As I shared in Table 1, participants worked at many institutional types – from large research intensive to small private liberal arts. Some participants have been working at colleges with very healthy endowments while others have been savvy navigating ways to stay alive in the twenty-first century. And although there were differences in the institutional type, there were shared experiences in not feeling like enough resources were being allocated to Title IX work. Each participant noted a lack of human capital in being able to sustain the work long term. As postsecondary institutional leaders are contemplating how to ensure the success of sexual assault work, they need to consider how they have been allocating resources to Title IX and what adjustments need to be made to ensure there is continued funding, support, and person power available.

Placement of Title IX work. Sustaining the work not only means who is leading the institution, or institutional type, but also where those who lead the institution have

chosen to place Title IX work. As shared in Table 1, most of the participants worked within their division of student affairs, and many reported to the VPSA or the equivalent role. This may suggest a trend across the country where Title IX administrators are being placed on their campus. Although my background is student affairs and I am passionate about the mission of the field, this placement could have implications on the importance of Title IX work with the upper-level leadership at each institution. Yes, some of the participants were the deputy Title IX coordinator within student affairs, but a number of the participants who served as Title IX coordinators reported to the VPSA and those that primarily were responsible for the student investigations were within the student affairs reporting structure. I point this out for several reasons: 1) student affairs has always been student facing focused, so in some ways, there is a legitimate reason for placement with student facing work; 2) student affairs can often be siloed from the other units on campus.

Most U.S. institutions of higher education have both an academic affairs and student affairs unit. Academic affairs has traditionally focused on the academic side, or the classroom support and success, where student affairs is charged to focus on the emotional support of students through providing programs, wellness resources, and maintaining residence halls. And there is also the equity and diversity branch of the institution, often overseeing equal opportunity and diversity and inclusion efforts. There have been historical silos between the divisions of the institution and this too can serve as one of the barriers to make an impact on sexual assault work. If institutions have placed their Title IX coordinators in student affairs, it sends a message that it is not something that pertains to faculty. If leaders hold the work in equity and diversity, it then remains

only an issue of diversity and not something that has full responsibility within the institution, calling back to the concept of non-performativity (Ahmed, 2012).

Sustaining the work long term. As I have shared, the participants have been tasked with vital and, at times, challenging work. Several participants brought up the concept of sustaining the work long term as Title IX work is in tension with the other competing interests of the institution. Several participants did not have an annual budget guaranteed to their office. If they were to leave the institution, would the funding go with it? Several participants noted that they felt the work on the campus concerning Title IX was tied to them. They were the embodiment of the work and if they left the institution, were uncertain if it would be carried out in the same way.

Leaders must acknowledge "funding constraints and resource capacity… while navigating competing stakeholder agendas… each with a different perspective on what constitutes appropriate and inappropriate prevention and response policies" (Clay et al., 2019, p. 683). As college administrators and leadership think about Title IX work, there has to be a strategic vision set for the institution. It needs to be integrated throughout the college. This is easier said than done. Part of this has to come from leadership's commitment to the work. Leaders have to actually believe that the campus environment and community is better served when we do the hard work and create new learning and meaning, diffusing the work throughout the institution.

If leadership sustains the work, it has to think of ways to permeate the work throughout the institution. One branch of the institution cannot be the one who is deemed responsible for the work. As participants noted, doing this has allowed compliance to remain the standard and has not brought about any long-lasting change.

Promising practices do not promise change. Before administrators and leaders implement practices that may have some promise, it is imperative they take one step back before acting. Participants struggled to name long-standing promising practices because the current methods have reproduced results over and over again on our nation's campuses. Yes, it is essential to act and have practices in place for campus sexual assault, but if practices continue to show little to no progress in shifting campus culture, we continue to relive the same cycle over and over. Instead, I believe in creating sustained change on our campuses, we need to first focus on the process of unlearning before we can genuinely implement any practices that enact change.

Unlearning What We've Learned

It is comfortable for campus leaders to focus on compliance, to focus on checking the boxes to address the issues of campus sexual assaults. Compliance is the work of choice because it is definitive. Here are a set of guidelines you must follow – follow them. Shifting campus culture is much more nebulous. As one participant talked about this work with the metaphor of someone undergoing cancer treatment – we need to do the hard work, to make ourselves sick, to delve deep into conversations that maybe have not been had yet on our campuses. There are no check boxes you can check to know how your work has shifted culture until you are past the growth period. It could also lead to moments of uncertainty, tension, or instability, which again, makes compliance focused work the "safest" option, the option that current leaders believe mitigates the most institutional risk. Yet, "to gain/continue support for sexual assault programming to become/remain proactive rather than just reactive… administrators need to pay attention to the outcomes of their efforts, not just compliance" (Clay et al., 2019, p. 692). I have

reflected on this tension and have identified a few places college leaders and administrators may want to increase their understanding with the process of unlearning.

Beginning the Unlearning Process

What I mean by unlearning is "to forget what we have been taught, to break free from the thinking programs imposed on us by education, culture, and social environment" (Tlostanova & Mignolo, 2012, p. 7). Unlearning is the process of bringing attention to how you have interpreted what you have been taught, unlearning it and relearning not to continue to practice cultural norms (Tlostanova & Mignolo, 2012). Unlearning can be facilitated through workshops and educational conversations that cognitively challenge what is known by the individual person (Tawa, 2016). Part of the relearning process is to "relearn from the point of view of knowledge and understanding generated by the people and communities that have been disavowed in their participation in education, in the state and public policy" (Tlostanova & Mignolo, 2012, p. 16).

How students have been socialized around sexual assault reflects strongly on what they have learned throughout their lifetime – through media, those who raised them, their school systems, etc. Students not only have been socialized regarding sexual assault, but they have also been socialized in a neoliberal frame that values the individual (promoting rape culture) and emphasizes competition and being the best in one's field (Phipps & Young, 2015). As we unlearn, we directly threaten this framework as it aims "to feel and live beyond competition and hatred, which nourish each other… competition and hatred prevents caring for each other" (Tlostanova & Mignolo, 2012, p. 25). Higher education is locked in a framework that benefits the individual student, unlearning may shift us to look beyond ourselves to the community and create a culture of care.

To reshape the work and how we approach Title IX efforts, it is going to take a more significant mental shift with unlearning than merely saying, there should be increased focus and attention on prevention. Approaching Title IX work from a different perspective will take intentionality because those in leadership who may say we should turn our attention to prevention have been socialized in the same systems that have reinforced systems of power. It takes this level of acknowledgment by those in power to begin to shift the work. Without acknowledgment, we cannot begin to change the culture. Therefore, I echo the sentiments of Harris and Linder (2017), "in moving forward with addressing, eradicating, preventing, and responding to sexual violence I urge all of us—educators, students, survivors— activists, to unlearn just as much, if not more, than we attempt to learn about these issues" (p. 238).

This process of unlearning goes hand in hand with any systemic oppression. As I have been sitting with the data, I have deepened my reflection and understanding of how I have been reinforcing systems around sexual assault and have been trying to speak up and change my behavior. Several participants named their approach to the work as anti-oppressive. Anti-oppression work is connected to the work of decolonizing our campuses as "our minds are colonized, even when we strive to believe otherwise… and unlearn the continual, often tacit, lessons of the colonizer if we are to have any chance at eradicating sexual violence (which is grounded in colonization)" (Linder & Harris, 2017, p. 240). We cannot merely continue to do what we have been doing because it is ultimately reproducing mediocrity or compliance. Continuing to have only a one-time prevention training for new students, or not having mandatory annual training for faculty and staff,

keeps the work at our current level of operation and does nothing to address the more significant issues at hand.

Mind the gap: Unlearning socialization. Every participant spoke about socialization and how that has made the work of Title IX coordinators and education and prevention folks even more complicated. I too have been curious about this gap, as much of the data gathered about campus sexual assaults shows that most assaults happen within the first six weeks of the academic year, and a primary target audience in this statistic are first-year students (Althouse, 2013). To explore this curiosity further, I have taken interest in learning more about sexual health education in our K-12 system to understand how we can start implementing practices that support the process of unlearning behavior.

The Every Student Succeeds Act is the most recent iteration of law that provides guidance as students enter the K-12 setting (U.S. Department of Ed, n.d.). Under this law, students are required to receive K-12 education, meaning, for approximately ten months of the year, our nation's youth are together five days a week for 7-8 hours per day. It is also known that many young women, on average experience puberty at 12.4 years and young men 14 years; youth typically engage in first intercourse at 16.9 for young men and 17.4 for young women (The Alan Guttmacher Institute, 2010). If first sex is occurring during high school, sexual health education needs to be present as early as possible to prepare youth for potential risk factors that present when one chooses to engage in sexual activity. Not only does this education need to be about sex, but also about consent and healthy relationships.

This is where participants struggled to determine the best course of action. Participants were able to identify that their work is incredibly convoluted. What is asked

of them regarding sexual assault work can seem like an impossible task, with years of socialization working against their well-intentioned efforts. It could be possible that stronger focus and emphasis on one public health issue in K-12 could lead to reductions of another in the college environment. Sex education not only belongs in the schools, the most effective in reducing risky behaviors if rolled out over some time (DeGue et al., 2014). College campuses do not have the venue at this present moment to have long-term intervention strategies on campus. Although several participants spoke to creating a true four-year curriculum, it is unclear how this would be effectively implemented.

There are many competing interests when it comes to how universities interact with and have influence over K-12 education. Again, this leads me to the conversation around institutional leaders and taking sexual assault up as a crucial issue. If campus leadership were able to name this gap, perhaps it could shift the conversation to our K-12 education system, with higher education's work still remaining intact. By changing the focus to K-12, would this allow universities to be able to develop stronger prevention efforts? Could this help in the unlearning on a greater societal level?

Unlearning: Are we asking the right questions? So, how do those responsible for enacting Title IX understand their work as an effort to dismantle rape culture on university campuses? To begin to answer the question, universities must commit to doing the hard work. Colleges must, as one participant alluded to, do the intense treatment and stop solving issues of Title IX with a solution that merely serves as a "band-aid." To start moving toward gender equity, "leaders at all levels in the organization are required to make the systemwide changes to climate and culture in higher education" (National Academies of Sciences, Engineering, and Medicine, 2018, p. 164).

First, leaders, administrators, and students must go through the learn, unlearn, and relearn process (Tlostanova & Mignolo, 2012). I shared several potential promising practices that participants highlight but urge institutions not to attempt to implement any of the mentioned strategies without first reflecting on why you believe a practice would or would not support sexual assault work on your campus. We cannot simply implement promising practices, we must first understand why certain practices have been in place first, unlearn them, and then, based on what is known, create actionable steps that could begin to move sexual assault work forward.

Currently, participants are operating in a compliance framework. If we think of this work on a continuum, one end would house compliance and the other gender equity. The goal is to move our campuses closer to gender equity, through unlearning and incremental change. Incremental change starts with the relearning process. Therefore, I think the best place we can begin to have a better understanding, as upper-level leadership and administrators, is to think about our current decision-making processes regarding our understanding of aspects of Title IX. To start to unpack what you have learned to begin to think about unlearning, I offer several questions you should be asking to start this process. The questions below are not exhaustive; they are merely a starting point.

Questions for upper-level leaders. As campuses, and specifically upper-level leaders, reflect on their work addressing Title IX and campus sexual assault, I encourage them to ask the following questions of themselves to begin to unlearn and develop action toward equity:

- What is the historical context of the founding of your institution? What are the histories of oppression and exclusion at your institution? How has this history shaped your campus culture today?
- Why are you doing Title IX and sexual assault work on your campus? Is it to meet compliance standards, or is it for a larger purpose?
- What is your role in how the campus culture has been shaped? What is your role in culture change?
- What would it look like to create a campus of care around Title IX issues?

The questions above may take a great deal of time to uncover some of the hidden histories at the institution, but they may help to see patterns of how patriarchy and power have shaped the experiences at the institution. The answers to the questions can be the first step in shaping strategic planning around culture change. This can serve as an opportunity for the institution to begin to develop and implement new strategies that involve greater ownership from upper-level leadership.

Questions to move beyond non-performativity. Simply having people in place to do Title IX work on college campuses does not resolve the issues of gender inequity and sexual assault. As upper-level leaders think about who is doing the work on their campus, they should consider these questions:

- Where are your Title IX and sexual assault education staff located within your organizational structure? Map it out. Conduct staff to community ratios.

- Are you spending as much (funding, time, resources) on prevention as you are compliance? Do people who run prevention programs sit at the same organizational level as those who run compliance on your campus?
- How do you currently make budgetary decisions about Title IX efforts? Who makes those decisions? Where can additional funds be allocated into your campus efforts? What would institutional support look like?
- How has competition shaped the development of campus around hiring practices, funding, and where you choose to devote the most capital?
- Who is ultimately responsible for ending sexual assaults on your campus?

Asking questions that allow the institution to reflect on resource allocation and placement of Title IX work within the institution may cause some changes around sustained funding efforts or provide more spaces on campus that have charged people with Title IX work. As participants mentioned, prevention work had the most challenges with funding and a lot of the prevention offices were located at lower levels within student affairs, or a prevention professional did not exist on campus. Asking these questions could help with the development of where Title IX professionals are placed, who they report to, and how leadership is involved in developing a plan for involving faculty, staff and students in the work.

Questions to better understand campus procedures. The reproduction of work continues to happen on college campuses because of the lack of data collection and lack of reflective practice in understanding why certain decisions have been made. As you try to unlearn campus procedures, I encourage reflection on the following questions:

- Do you have any opportunities for students to engage in sexual assault education conversations beyond one-time intervention strategies? Are there ways to build in long-term efforts where students are required to dialogue? What about opportunities for staff and faculty?
- Do students trust the process you have on campus? Have you included students in crafting campus policy and training? How do you create trust with your student population? How do you utilize faculty and staff to be trust-building partners?
- How are you addressing this work beyond the gender binary? How is your campus including information about sexual assault impacting not only women but students across the spectrum of gender identities, including men?
- Have you conducted a language audit on your campus to identify places where the language used may reinforce rape culture? What would a language audit look like – would that involve looking at your policies, websites, other printed materials?
- Do you have a system in place to review reports and any patterns occurring? For example, are they happening in the same place on campus, within a similar community? Are alcohol or drugs a factor in each report? Are there any complaints about faculty or staff – are those happening in certain pockets of campus? Do you currently do any targeted education programs? If yes, why? If no, why not? How do these patterns influence

what prevention and education programming you will develop for all of campus?

Ultimately, asking questions about what your current campus practices can help institutions to see the patterns, with an intention to break them. If there is a pattern on your campus where the majority of reported sexual assaults are happening within your fraternities, you may want to consider targeted prevention efforts. If you are not addressing sexual assault in a more comprehensive manner and naming how sexual assault impacts *trans** students at higher rates than other students (Marine, 2018), you are not being inclusive, and you are upholding the patriarchal norm of the gender binary. If you are not looking at your policies and contemplating how some of the language is derived from power structures, you may be reinforcing certain power structures (rape culture) on your campus. If you are not getting student voice or input on any of your policies or intervention strategies, you may need to assemble not just your top student leaders, but also recruit students whose voices may not have been historically at the table. Let the answers to your questions be your starting point.

Start here. When we quickly move to action around issues embedded within systems of power, we reproduce ourselves. The questions asked may not make an immediate monumental change for our campuses, but I believe they are different questions than the ones we have been asking of our institutions. Instead of asking if something is checked off, I am proposing to think through our processes and responses a little more intentionally, to really get to the "why" behind the institutional work with campus sexual assault, to begin to unlearn our socialized behaviors and norms. I hope

that by asking questions in addition to continuing to conduct research, we will move our institutions toward gender equity.

Unlearning Through Continued Research

As I have shared from my stories and conversations with participants, sexual assault work on our nation's campuses is incredibly intricate. There is no simple solution to stop sexual assaults from happening on our campuses, but there are places we can become more honest in our practice and dare to implement change. As I concluded the study, I knew this was only the beginning for me in examining the role of campus administrators and their work regarding Title IX. I have been able to name some ideas around promising practices, but like the participants, I am not sure what will work to make the change happen. What I do know is upper-level leaders need to believe Title IX's importance to the sustainability of their organization and that they are willing to deconstruct systems of power within their institution. What I do know is through our learning, we need to unlearn. Once we unlearn, we need to relearn.

With this in mind, further studies could look to speak with campus leaders, presidents and vice presidents, to gain understanding in how they view Title IX work with the many competing interests to their time. Those on the ground doing the work have named ways their leadership has not supported the work. Could there be a bigger picture to this story when hearing about leadership's experience?

I also want to acknowledge the individualization of each college campus. No one solution works; multiple efforts need to be in place that can assist in making the campus culture shift and bring about a greater level of gender equity on campuses. Although the study was able to capture the voices and stories of administrators doing this work, I want

to continue to understand how administrators think about Title IX work and understand their work. It was made clear to me that Title IX work sits on a continuum, sometimes it is emphasized more than others, sometimes, other competing interests take higher priority. More research devoted to studying the organization, its leaders and the staff who enact Title IX can help to develop a deeper understanding of what can be unlearned, and from there, relearned and implemented on our campuses.

Conclusion

I did not intend for this study to be about compliance. Yet, the findings show that compliance continues to be the area of focus for many institutions when it comes to sexual assault response, prevention, and education. This is big work. Hard work. Sometimes, it feels like impossible work. But participants moved forward because they believe in the work. They believe that they have been making an impact – maybe not always at the institutional level, but for certain at the interpersonal level.

I could leave you all with words pointing toward the work we must do, the hard and time-consuming work. But there is something greater I have gained in this process: hope. As we began the year 2019, when this study was coming to an end, the United States experienced some extreme highs and lows. We have endured the longest government shutdown in our nation's history. We have elected the most women of any national election in history, with over 100 women serving in Congress. And following the government shutdown, new guidelines issued by the Department of Education regarding Title IX that have remained in flux. Our country is ever present in tension. Tension built by systems of power and oppression and yet, I see a glimmer of hope. We cannot stop

now, it is only time to keep moving – to keep doing the work because unlearning has never been easy, but it has always been important.

When I conducted the fall 2016 pilot study about a sexual violence prevention team, I thought the research process might inspire the team to continue to advance their work. In actuality, the study uncovered a lot of barriers in place for the work to be legitimized on their campus. Several months after the study was completed, I heard from a participant that the group had decided to dismantle. They could no longer justify doing the prevention component of compliance work for their campus without compensation or support from their administration.

My goal for embarking on this study was not to inspire participants to throw in the towel but to keep moving the work forward and be able to articulate their needs to campus leadership. My hope for this study was to demonstrate that colleges and universities, for the most part, have met compliance standards, and now need to, with the support of upper-level leadership, shift their focus to the difficult task of unlearning and dismantling systems of power within the institution.

I have learned a lot throughout the process of this study. First, I learned that people who work to enact Title IX can feel isolated in their work. Everyone was so gracious to participate because they had an opportunity to speak about their lived experiences. We need to raise the voices of those doing the most complex work at our institutions. We need to figure out how to support them and remind them that their work does matter, beyond meeting compliance standards. Second, I learned that prevention work is in constant tension: it must be thoughtful, intentional, and somehow, impactful enough to create behavior change. And third, I knew this but hearing it from participants

affirmed my worst fear in entering this study: that we have not yet been able to acknowledge the more significant systemic issues (patriarchy, white supremacy, rape culture) that play into the challenges associated with this work. On an interpersonal level, yes, we have been able to acknowledge it, but from a broader institutional level, we still have not created meaningful ways to share why this work is important. Fourth, leadership has the power in shifting the culture. This was something I thought might arise as I spoke with participants, but it was amplified so clearly throughout our conversations. Many institutions of higher education operate within a bureaucratic system. With the top-down approach, the leaders at the top have to decide what is important to them and that is what gets attention. I hope that what I have learned informs others as they tackle Title IX work.

As I think about campus sexual assaults, there is still more that has to be uncovered. We have limited literature about administrator and leadership experience understanding how Title IX impacts their work. I would like to believe that the study has provided stories that have shaped an understanding of the professionals doing this work at universities across the country. Everyone is struggling with this work in one way, through challenging cases, lack of funding, or lack of institutional support. Continued research about this population and their experiences is essential in evaluating progress. I hope this study has inspired others to examine their institutional practices to work toward unlearning and making change.

Bibliography

Acker, J. (1990). Hierarchies, jobs, bodies: A theory of gendered organizations. *Gender & Society*, *4*(2), 139-158.

Ahmed, S. (2004). Declarations of whiteness: The non-performativity of anti-racism. *Borderlands E-Journal: New Spaces in the Humanities*, *3*(2). Retrieved from http://www.borderlands.net.au/vol3no2_2004/ahmed_declarations.htm

Ahmed, S. (2010). Killing joy: Feminism and the history of happiness. *Signs*, *35*(3), 571-594. doi:10.1086/648513

Ahmed, S. (2012). *On being included: Racism and diversity in institutional life*. Durham: Duke University Press.

Althouse, J. K. (2013). What every college student needs to know about sexual assault, acquaintance rape, and the red zone [Web log post]. Retrieved from http://ccwrc.org/blog/what-every-college-student-needs-to-know-about-sexual-assault-acquaintance-rape-and-the-red-zone/

Amar, A. F., Strout, T. D., Simpson, S., Cardiello, M., & Beckford, S. (2014). Administrators' perceptions of college campus protocols, response, and student prevention efforts for sexual assault. *Violence and Victims*, *29*(4), 579-593. doi:10.1891/0886-6708

Anderson, L. A., & Whiston, S. C. (2005). Sexual assault education programs: A meta-analytic examination of their effectiveness. *Psychology of Women Quarterly*, *29*(4), 374–388.

ATIXA (Association of Title IX Administrators). (2016). *ATIXA position statement: Consent-based policy is equitable and required by Title IX*. Retrieved from

ATIXA website: https://atixa.org/wordpress/wp-content/uploads/2015/03/2016-February-ConsentATIXA-Position-Statement.pdf

Banyard, V. L. (2014). Improving college campus–based prevention of violence against women: A strategic plan for research built on multipronged practices and policies. *Trauma, Violence, & Abuse*, *15*(4), 339-351. doi:10.1177/1524838014521027

Bass, K. L. (2015). *Rape culture and sexual slang: A structured action approach* (Doctoral dissertation). Retrieved from ProQuest Digital Dissertations. (UMI No. 3689803)

Belinky, M. F., Blythe, M. C., Goldberger, N. R., & Tarule, J. M. (1986). *Women's ways of knowing: The development of self, voice, and mind.* New York: BasicBooks.

Benschop, Y., Mills, J. H., Mills, A., & Tienari, J. (2012). Editorial: Gendering change: The next step. *Gender, Work & Organization*, *19*(1), 1-9. doi:10.1111/j.1468 0432.2011.00580.x

Bird, S.R. (2011). Unsettling universities' incongruous, gendered bureaucratic structures: A case-study approach. *Gender, Work & Organization, 18*(2), 202-230. doi:0.1111/j.1468-0432.2009.00510.x

Birnbaum, R. (1988). *How colleges work: The cybernetics of academic organization and leadership*. San Francisco: Jossey-Bass.

Bonus, A. (2010, October 18). Fraternity pledges' chant raises concerns at Yale. *CNN*. Retrieved from http://www.cnn.com

Brownmiller, S. (1975). *Against our will: men, women, and rape*. New York: Simon and Schuster.

Buchwald, E., Fletcher, P., & Roth, M. (2005) in E. Buchwald, P. Fletcher, & M. Roth

(Eds.), *Transforming a rape culture* (pp. XI). Minneapolis, MN: Milkweed Editions.

Bureau of Justice Statistics, & RTI International. (2016). *Campus climate survey final validation technical report*. Washington DC: U.S. Department of Justice. Retrieved from https://www.bjs.gov/content/pub/pdf/ccsvsftr.pdf

Burn, S. M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles, 60*(11), 779-792. doi:10.1007/s11199-008-9581-5

Butler, J. (2006). *Gender trouble: Feminism and the subversion of identity*. New York and London: Routledge.

Callisto. (n.d.). *By survivors, for survivors*. Retrieved from https://www.projectcallisto.org/

Campus Sexual Violence Elimination (SaVE) Act, H.R., 2016, 112th Cong. (2013).

Cannella, G. S., & Koro-Ljungberg, M. (2017). Neoliberalism in higher education: Can we understand? Can we resist and survive? Can we become without neoliberalism? *Cultural Studies ←→ Critical Methodologies, 17*(3), 155-162. doi:10.1177/1532708617706117

Cares, A. C., Banyard, V. L., Moynihan, M. M., Williams, L. M., Potter, S. J., & Stapleton, J. G. (2015). Changing attitudes about being a bystander to violence: Translating an in-person sexual violence prevention program to a new campus. *Violence Against Women, 21*(2), 165–187. doi:10.1177/1077801214564681

Casey, E. A., & Lindhorst, T. P. (2009). Toward a multi-level, ecological approach to the primary prevention of sexual assault: Prevention in peer and community contexts. *Trauma, Violence, & Abuse, 10*(2), 91–114. doi:10.1177/1524838009334129

Centers for Disease Control and Prevention. (2019). *The social-ecological model: A framework for prevention*. Retrieved from https://www.cdc.gov/violenceprevention/publichealthissue/social-ecologicalmodel.html

Chmielewski, A. (2013). Defending the preponderance of the evidence standard in college adjudications of sexual assault. *BYU Education & Law Journal, 2013*(1), 143-174.

Clay, J. A., Pederson, A. C., Seebeck, J., & Simmons, C. A. (2019). Administrative response to campus sexual assault: Thinking through implementation tensions. *The Review of Higher Education, 42*(2), 681-706.

Cocker, A. L., Cook-Craig, P. G., Williams, C. M., Fisher, B. S., Clear, E. R., Garcia, L. S., & Hegge, L. M. (2011). Evaluation of Green Dot: An active bystander intervention to reduce sexual violence on college campuses. *Violence Against Women, 17*(6), 777-796. doi:10.1177/1077801211410264

Corbin, J. V., & Strauss, A. (2008). *Basics of qualitative research: Techniques and procedures for developing grounded theory* (3rd ed.). Los Angeles: Sage.

Crenshaw, K. (1991). Mapping the margins: Intersectionality, identity politics, and violence against women of color. *Stanford Law Review, 43*(6), 1241-1299. doi:10.2307/1229039

Creswell, J. W. (2013). *Qualitative inquiry & research design* (3rd ed). Thousand Oaks, CA: Sage.

Daykin, N., & Naidoo, J. (1995). Feminist critiques of health promotion in R. Bunton, S. Nettleton & R. Burrows (Eds.), *The sociology of health promotion: Critical*

analyses of consumption, lifestyle, and risk (pp. 59–69). London: Routledge.

Davis, A. (1981). *Women, race, & class.* New York: Random House, Inc.

DeGue, S., Valle, L. A., Holt, M. K., Massetti, G. M, Matjasko, J. L, & Tharp, A. T. (2014). A systematic review of primary prevention strategies for sexual violence perpetration. *Aggression and Violence Behavior, 19*(4), 346-362. doi:10.1016/j.avb.2014.05.004

Dunn, L. L. (2016). The anti-campus sexual assault activism movement under Title IX. In S. C. Wooten & R. W. Mitchell (Eds.), *Preventing sexual violence on campus: Challenging traditional approaches through program innovation* (pp. 185–198). New York, NY: Routledge.

Emmel-Duke, M. (2018, May 2). How the University of Minnesota hides its professors' sexual harassment. *City Pages*. Retrieved from http://www.citypages.com

Ferguson, H. (2001) Phenomenology and social theory. In G. Ritzer & B. Smart (Eds.), *Handbook of social theory* (pp. 232-248). Retrieved from http://dx.doi.org.ezp2.lib.umn.edu/10.4135/9781848608351.n18

Flip the Script. (n.d.). *Flip the script.* Retrieved from http://www.uwindsor.ca/sexual-assault/FlipTheScript

Fonow, M., & Cook, J. A. (2005). Feminist methodology: New applications in the academy and public policy. *Signs, 30*(4), 2211-2236. doi:10.1086/428417

Ford, D. A., Bachman, R., Friend, M., & Meloy, M. (2002). *Controlling violence against women: A research perspective on the 1994 VAWA's criminal justice impacts*. Final Report, grant number 2000-WT-VX-0008 (NCJRS 197137). Washington, DC: National Criminal Justice Reference Service, National Institute of Justice,

Department of Justice. Retrieved from http://www.ncjrs.gov/pdffiles/nij/grants/197137.pdf

Gardiner, R. A. (2017). Hannah and her sisters: Theorizing gender and leadership through the lens of feminist phenomenology. *Leadership, 0*(0), 1-16. doi:10.1177/1742715017729940

Gidycz, C. A., Orchowski, L. M., Berkowitz, A. D. (2011). Preventing sexual aggression among college men: An evaluation of a social norms and bystander intervention program. *Violence Against Women, 17*(6), 720-742. doi:10.1177/1077801211409727

Gross, E., & Grambsch, P. V. (1974). *Changes in university organization, 1964-1971*. New York: McGraw-Hill.

Halley, J. (2016). Currents: Feminist key concepts and controversies: The move to affirmative consent. *Signs: Journal of Women in Culture and Society, 42*(1), 257-279. doi:0097-9740/2016/4201-0012

Harris, K. (2017). Re-situating organizational knowledge: Violence, intersectionality, and the privilege of partial perspective. *Human Relations, 70*(3), 263-285. doi:10.1177/0018726716654745

hooks, b. (2000). *Feminism is for everybody: Passionate politics*. Cambridge, MA: South End Press.

Hulin, C. L., Fitzgerald, L. F., & Drasgow, F. (1996). Organizational influences on sexual harassment. In M. S. Stockdale (Eds.), *Sexual harassment in the workplace: Perspectives, frontiers, and response strategies* (pp. 127–150). Thousand Oaks, CA. Sage Publications. doi:10.4135/9781483327280.n7

Iverson, S. (2016). Policy discourse analysis of sexual assault policies in higher education. In S. C. Wooten & R. W. Mitchell (Eds.), *The crisis of sexual violence: Critical perspectives on prevention and response* (pp. 15-32). New York: Routledge.

Jessup-Anger, J., & Edwards, K. (Eds.) (n.d.). *Beyond compliance: Addressing sexual violence in higher education*. ACPA - College Student Educators International. Retrieved from http://www.myacpa.org/sites/default/files/Sexual%20Violence%20Monograph%20%284%29.pdf

Johnson, R. R. (2014). Rape and gender conflict in a patriarchal state. *Crime & Delinquency, 60*(7), 1110-1128. doi:10.1177/0011128713480656

Jones, K. (2010, February 25). Lax enforcement of Title IX in campus sexual assault cases. *Center for Public Integrity.* Retrieved from http://www.publicintegrity.org

Jozkowski, K. N. (2015). "Yes means yes"? Sexual consent policy and college students. *Change: The Magazine of Higher Learning, 47*(2), 16-23. doi:10.1080/00091383.2015.1004990

Jozkowski, K. N., & Wiersma-Mosley, J. D. (2017). The Greek system: How gender inequality and class privilege perpetuate rape culture. *Family Relations, 66*(1), 89-103. doi:10.1111/fare.12229

Kauffman, D. R., & Perry, F. J. (1989). Institutionalized sexism in universities: The case of geographically bound academic women. *NWSA Journal, 1*(4), 644-659.

Kingkade, T. (2014, June 18). James Madison university punished sexual assault with 'expulsion after graduation.' *The Huffington Post*. Retrieved from https://www.huffingtonpost.com

Kingkade, T. (2014, September 4). KU students outraged over soft punishment in rape case. *The Huffington Post*. Retrieved from http://www.huffingtonpost.com

Kingkade, T. (2014, September 12). Support senior Emma Sulcowicz's rape survivor project. *The Huffington Post*. Retrieved from https://www.huffingtonpost.com

Klein, L. B., Dunlap, J., & Rizzo, A. (2016). The role of campus-based advocacy and prevention professionals in campus culture change. In S. C. Wooten & R. W. Mitchell (Eds.), *Preventing sexual violence on campus: Challenging traditional approaches through program innovation* (pp. 119-138). New York, NY: Routledge.

Klenke, K. (2016). *Qualitative research in the study of leadership* (2nd ed.). Bingley, UK: Emerald Group Publishing Limited.

Kondra, A. Z., & Hinings, C. R. (1998). Organizational diversity and change in institutional theory. *Organization Studies, 19*(5), 743-767. doi:10.1177/017084069801900502

Koss, M. P., Gidycz, C. A., & Wisniewski, N. (1987). The scope of rape: Incidence and prevalence of sexual aggression and victimization in a national sample of higher education students. *Journal of Counseling and Clinical Psychology, 55*(2), 162-170. doi:10.1037/0022-006X.55.2.162.

Koss, M. P., Wilgus, J. K., & Williamsen, K. M. (2014). Campus sexual misconduct: Restorative justice approaches to enhance compliance with Title IX guidance. *Trauma, Violence, & Abuse, 15*(3), 242-257. doi:10.1177/1524838014521500

Levine, A. (1980). *Why innovation fails.* Albany: State University of New York Press.

Linder, C., & Harris, J. C. (2017). Conclusion: History, identity, and power-conscious

strategies for addressing sexual violence on college campuses. In J. C. Harris & C. Linder (Eds.), *Intersections of identity and sexual violence on campus: Centering minoritized students' experiences* (pp. 235-250). Retrieved from http://ebookcentral.proquest.com/lib/umn/detail.action?docID=4801051

Lisak, D., Gardinier, L., Nicksa, S. C., & Cote, A. M. (2010). False allegations of sexual assault: An analysis of ten years of reported cases. *Violence Against Women, 16*(12), 1318-1334. doi:10.1177/1077801210387747

Lyon, A., & Chesebro, J. L. (2011). The politics of knowledge: A critical perspective on organizational knowledge. In H. E. Canary & R. D. McPhee (Eds.), *Communication and organizational knowledge: Contemporary issues for theory and practice* (pp. 69-86). New York, NY: Routledge.

Magee, J. C., & Galinsky, A. D. (2008). Social hierarchy: The self- reinforcing nature of power and status. *The Academy of Management Annals, 2*(1), 351-398.

Marciniak, A. L. (2015). The case against affirmative consent: Why the well-intentioned legislation dangerously misses the mark. *University of Pittsburgh Law Review, 77*(1), 51-75. doi:10.5195/lawreview.2015.383

Marine, S. B. (2018). For Brandon, for justice: Naming and ending sexual violence against trans* college students. In J. C. Harris, & C. Linder (Eds.), *Intersections of identity and sexual violence on campus: Centering minoritized students' experiences* (pp. 83-100). Retrieved from http://ebookcentral.proquest.com/lib/umn/detail.action?docID=4801051

McCarthy, C. (2018). Avoid common errors in Title IX investigations, reports. *Student Affairs Today, 21*(2), 1-5.

Mccauley, H. L., & Casler A. W. (2015). College sexual assault: A call for trauma-informed prevention. *Journal of Adolescent Health, 56*(6), 584-585. doi:10.1016/j.jadohealth.2015.03.012

McMahon, P. P. (2008). Sexual violence on the college campus: A template for compliance with federal policy. *Journal of American College Health, 57*(3), 361-365. doi:10.3200/JACH.57.3.361-366

McMahon, S., Hoffman, M. L., McMahon, S. M., Zucker, S., & Koenick, R. A. (2013). What would you do? Strategies for bystander intervention to prevent sexual violence by college students. *Journal of College and Character, 14*(2), 141-151. doi:10.1515/jcc-2013-0019

McNair, K. T., Collins Fantasia, H., & Harris, A. L. (2018). Sexual misconduct policies at institutes of higher education: An integrative review. *Journal of Forensic Nursing*, *14*(4), 238-247. doi:10.1097/JFN.0000000000000216

Moody, J. (2018, July 5). Where are all the female college presidents? *Forbes*. Retrieved from: https://www.forbes.com

Morse, A., Sponsler, B. A., & Fulton, M. (2015). *State legislative developments on campus sexual violence: Issues in the context of safety*. Retrieved from NASPA website: https://www.naspa.org/images/uploads/main/ECS_NASPA_BRIEF_ DOWNLOA D3.pdf

Moynihan, M. M., Banyard, V. L., Cares, A. C., Potter, S. J., Williams, L. M., & Stapleton, J. G. (2015). Encouraging responses in sexual and relationship violence prevention: What program effects remain 1 year later? *Journal of Interpersonal Violence*, *30*(1), 110-132. doi:10.1177/0886260514532719

Napolitano, J. (2015). “Only yes means yes”: An essay on university policies regarding sexual violence and sexual assault. *Yale Law & Policy Review, 33*(2), 387-402.

Nation, M., Crusto, C., Wandersman, A., Kumpfer, K. L., Seybolt, D., Morrissey-Kane, E., & Davino, K. (2003). What works in prevention: Principles of effective prevention programs. *American Psychologist, 58*(6/7), 449-456. doi:10.1037/0003-066X.58.6-7.449

National Academies of Sciences, Engineering, and Medicine. (2018). *Sexual harassment of women: Climate, culture, and consequences in academic sciences, engineering, and medicine*. Washington, DC: The National Academies Press. https://doi.org/10.17226/24994.

New, J. (2014, November 6). The wrong standard. *Inside Higher Ed*. Retrieved from: https://www.insidehighered.com

Nguyen, T. (2013). From slutwalks to suicidegirls: Feminist resistance in the third wave and postfeminist era. *Women's Studies Quarterly, 41*(3/4), 157-172. doi:10.1353/wsq.2013.0102

Nichols, A. (2011). Gendered organizations: Challenges for domestic violence victim advocates and feminist advocacy. *Feminist Criminology, 6*(2), 111-131. doi:10.1177/1557085111398117

Palmer, J. E., & Alda, E. (2016). Examining the impact of federal grants to reduce violent crimes against women on campus. *Review of Higher Education, 40*(1), 63-89. doi:10.1353/rhe.2016.0038

Phipps, A., & Young, I. (2015). Neoliberalisation and ‘lad cultures’ in higher education. *Sociology, 49*(2), 305-322.

Pease, B. (2014). Theorizing men's violence prevention policies: Limitations and possibilities of interventions in a patriarchal state. In N. Henry & A. Powell (Eds.), *Preventing sexual violence: Interdisciplinary approaches to overcoming a rape culture* (pp. 22-40). New York: Palgrave Macmillian.

Richards, T. N., & Kafonek, K. (2016). Reviewing state legislative agendas regarding sexual assault in higher education: Proliferation of best practices and points of caution. *Feminist Criminology, 11*(1), 91-129. doi:10.1177/1557085115621163

Rogers, E. M. (2003). *Diffusion of innovations* (5th ed.). New York, NY: Free Press.

Ropers-Huilman, R., & Winters, K. T. (2011). Feminist research in higher education. *The Journal of Higher Education, 82*(6), 667-690. doi:10.1080/00221546.2011.11777223

Ropo, A., Sauer, E., & Salovaara, P. (2013). Embodiment of leadership through material place. *Leadership, 9*(3), 378-395. doi:10.1177/1742715013485858

Savigny, H. (2014). Women, know your limits: Cultural sexism in academia. *Gender and Education, 26*(7), 794-809. doi:10.1080/09540253.2014.970977

Semuels, A. (2017, November 27). Poor girls are leaving their brothers behind. *The Atlantic*. Retrieved from https://www.theatlantic.com/

Schneider, B., Ehrhart, M. G., & Macey, W. H. (2013). Organizational climate and culture. *Annual Review of Psychology, 64*, 361–388.

Schwartz, M. D., & DeKeseredy, W. S. (1997). *Sexual assault on the college campus: The role of male peer support.* Thousand Oaks: Sage.

Scott, C. V., Singh, A. A., & Harris, J. C. (2018). The intersections of lived oppression

and resilience: Sexual violence prevention for women of color on college campuses. In J. C. Harris & C. Linder (Eds.), *Intersections of identity and sexual violence on campus: Centering minoritized students' experiences* (pp. 119-139). Retrieved from http://ebookcentral.proquest.com/lib/umn/detail.action?docID=4801051

Sexual Violence Prevention Project. (n.d.). Retrieved from https://students.dartmouth.edu/wellness-center/prevention-education/sexual-violence-prevention-project

Simms, E. M., & Stawarska, B. (2013). Introduction: Concepts and methods in interdisciplinary feminist phenomenology. *Janus Head, 13*(1), 6-16.

Smith, G. M., & Gomez, L. M. (2016). The regional center for investigation and adjudication: A proposed solution to the challenges of Title IX investigations in higher education. *Penn State Law Review, 120*(4), 977-1000.

Steiner, J. P. (2017). *Administrative roadblocks: Sexual violence prevention at a single gender university*. Unpublished manuscript.

Stoll, L. C., Lilley, T. G., & Pinter, K. (2017). Gender-blind sexism and rape myth acceptance. *Violence Against Women, 23*(1), 28-45. doi:10.1177/1077801216636239

Summary of the Jeanne Clery Act. (n.d.). *A compliance and reporting overview.* Retrieved from https://clerycenter.org/policy-resources/the-clery-act/

Tawa, J. (2016). Belief in race as biological: Early life influences, intergroup outcomes, and the process of "unlearning." *Race and Social Problems, 8*(3), 244-255. doi:10.1007/s12552-016-9176-7

Taylor, S. H., & Varner, D. T. (2009). When student learning and law merge to create educational student conflict resolution and effective conduct management programs. In J. M. Schrage & N. G. Giacomini (Eds.), *Reframing campus conflict: Student conduct practice through a social justice lens* (pp. 23-49). Sterling, VA: Stylus.

The Alan Guttmacher Institute. (2010). *In their own right: Addressing the sexual and reproductive health needs of American men*. New York: AGI

Tillapaugh, D. (2018). "The wounds of our experience": College men who experienced sexual violence. In J. C. Harris & C. Linder (Eds.), *Intersections of identity and sexual violence on campus: Centering minoritized students' experiences* (pp. 101-118). Retrieved from http://ebookcentral.proquest.com/lib/umn/detail.action?docID=4801051

Title IX of the Educational Amendments of 1972, 20 U.S.C. Â§1681.

Tlostanova, V., & Mignolo, D. (2012). *Learning to unlearn: Decolonial reflections from Eurasia and the Americas.* Columbus: The Ohio State University Press. Retrieved from https://muse.jhu.edu/

Traistor, R. (2018). *Good and mad: The revolutionary power of women's anger.* New York: Simon & Schuster.

Wilhelm, H. (2015). The 'rape culture' lie. *Commentary, 139*(3), 24-29.

White House Task Force to Protect Students from Sexual Assault. (2014). *Not alone: The first report of the White House Task Force to Protect Students from Sexual Assault*. Retrieved from http://www.whitehouse.gov/sites/default/files/docs/report_0.pdf

Umbreit, M. S., Coates, R. B., Vos, B., & Brown, K. (2002). *Executive summary: Victim offender dialogue in crimes of severe violence: A multi-site study of programs in Texas and Ohio.* Retrieved from Center for Restorative Justice and Peacemaking website: http://rjp.umn.edu/sites/g/files/pua5026/f/media/exec_sum_tx_oh_vod_csv.pdf

Untied, A., Orchowski, L., Mastroleo, N., & Gidycz, C. (2012). College students' social reactions to the victim in a hypothetical sexual assault scenario: The role of victim and perpetrator alcohol use. *Violence and Victims, 27*(6), 957– 972. doi:10.1891/0886-6708.27.6.957

U.S. Department of Education. (n.d.). *Every student succeeds act*. Retrieved from https://www.ed.gov/essa?src=rn

U.S. Department of Education Office for Civil Rights. (2011). *Dear colleague letter from: Assistant Secretary for Civil Rights Russlynn Ali*. Retrieved from http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201104.pdf

U.S. Department of Education Office for Civil Rights. (2001). *Revised sexual harassment guidance: Harassment of students by school employees, other students, or third parties.* Retrieved from https://www2.ed.gov/about/offices/list/ocr/docs/shguide.pdf

U.S. Department of Education Office for Civil Rights. (2014). *Questions and answers on Title IX and sexual violence*. Retrieved from http://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf

U.S. Department of Education Office for Civil Rights. (2017). *Q & A on*

campus sexual misconduct. Retrieved from https://www2.ed.gov/about/offices/list/ocr/docs/qa-title-ix-201709.pdf

Young, I. M. (2006). Responsibility and global justice: A social connection model. *Social Philosophy and Policy, 23*(1), 102-130. doi:10.1017/S0265052506060043

Zinzow, H., & Thompson, M. (2011). Barriers to reporting sexual victimization: Prevalence and correlates among undergraduate women. *Journal of Aggression, Maltreatment, and Trauma, 20*(7), 711– 725. doi:10.1080/10926771.2011.613447

Appendices

Appendix A

Pilot Study IRB Approval

1610E98261 - PI Steiner - IRB - Exempt Study Notification

Nov 6, 2016, 5:01 PM

irb@umn.edu

to me

TO : miksc001@umn.edu, stei1169@umn.edu,

The IRB: Human Subjects Committee determined that the referenced study is exempt from review under federal guidelines 45 CFR Part 46.101(b) category #2 SURVEYS/INTERVIEWS; STANDARDIZED EDUCATIONAL TESTS; OBSERVATION OF PUBLIC BEHAVIOR.

Study Number: 1610E98261

Principal Investigator: Jennifer Steiner

Title(s):
Case Study Analysis of Administrative Organized Sexual Violence Prevention Groups

---

This e-mail confirmation is your official University of Minnesota HRPP notification of exemption from full committee review. You will not receive a hard copy or letter.

This secure electronic notification between password protected authentications has been deemed by the University of Minnesota to constitute a legal signature.

The study number above is assigned to your research. That number and the title of your study must be used in all communication with the IRB office.

Research that involves observation can be approved under this category without obtaining consent.

SURVEY OR INTERVIEW RESEARCH APPROVED AS EXEMPT UNDER THIS CATEGORY IS LIMITED TO ADULT SUBJECTS.

This exemption is valid for five years from the date of this correspondence and will be filed inactive at that time. You will receive a notification prior to inactivation. If this research will extend beyond five years, you must submit a new application to the IRB before the study's expiration date. Please inform the IRB when you intend to close this study.

Upon receipt of this email, you may begin your research. If you have questions, please call the IRB office at (612) 626-5654.

You may go to the View Completed section of eResearch Central at http://eresearch.umn.edu/ to view further details on your study.

The IRB wishes you success with this research.

We value your feedback. We have created a short survey that will only take a couple of minutes to complete. The questions are basic, but your responses will provide us with insight regarding what we do well and areas that may need improvement. Thanks in advance for completing the survey. http://tinyurl.com/exempt-survey

Appendix B

Protocol: Leadership's Response to Campus Sexual Assault: Going Beyond Compliance to Dismantling Rape Culture

PROTOCOL TITLE:

Leadership's Response to Campus Sexual Assault: Going Beyond Compliance to Dismantling Rape Culture

PRINCIPLE INVESTIGATOR or FACULTY ADVISER:

Karen Miksch
Organizational Leadership, Policy, and Development
612-625-3398
miksch001@umn.edu

STUDENT INVESTIGATOR:

Jenny Steiner
PhD Candidate
Organizational Leadership, Policy, and Development
Student Academic Success Services
612-626-0150
stei1169@umn.edu

Appendix C

STUDY SUMMARY

Study Title	Leadership's Response to Campus Sexual Assault: Going Beyond Compliance to Dismantling Rape Culture
Study Design	Feminist Phenomenological study
Primary Objective	Explore the phenomenon of sexual assault on college campuses by the people who are responsible for rolling out the education, prevention and investigative work. Explore why sexual assault happens on college campuses and what college leadership can do to dismantle rape culture on campuses.
Secondary Objective(s)	Find patterns and themes across institutional types in their work with campus sexual assault.
Primary Study Intervention or Interaction	Semi-structured interviews and administrator narratives.
Study Population	Full time university employees who work with campus sexual assault initiatives. Population members could include: Title IX Coordinators, Prevention Coordinators, Deans of Students, Vice Presidents for Student Affairs
Sample Size (number of participants)	12 - 20
Study Duration for Individual Participants	6 Months

Appendix D

UNIVERSITY OF MINNESOTA

Twin Cities Campus

Human Research Protection Program
Office of the Vice President for Research

D528 Mayo Memorial Building
420 Delaware Street S.E.
MMC 820
Minneapolis, MN 55455

Phone: 612-626-5654
Fax: 612-626-6061
Email: irb@umn.edu
http://www.research.umn.edu/subjects/

NOT HUMAN RESEARCH

July 11, 2018

Karen Miksch

612-625-3398
miksc001@umn.edu

Dear Karen Miksch:

On 7/11/2018, the IRB reviewed the following submission:

Type of Review:	Initial Study
Title of Study:	Administration's Understanding of Campus Sexual Assault: Going Beyond Compliance and Dismantling Rape Culture
Investigator:	Karen Miksch
IRB ID:	STUDY00003283
Sponsored Funding:	None
Grant ID:	None
Internal UMN Funding:	None
Fund Management Outside University:	None
IND, IDE, or HDE:	None
Documents Reviewed with this Submission:	• Steiner Dissertation Recruitment Letter.docx, Category: Recruitment Materials; • Steiner Dissertation Recruitment Letter.docx, Category: Recruitment Materials; • Steiner Interview Protocol.docx, Category: IRB Protocol; • Steiner-Social-Behavioral-Consent-Form.docx, Category: Consent Form; • Final Steiner IRB protocol.docx, Category: IRB Protocol; • Steiner-Social-Behavioral-Consent-Form.docx, Category: Consent Form;

As study data is focused on practices and policy, not the interviewees themselves personally, the IRB determined that the proposed activity is not research involving human subjects as defined by DHHS and FDA regulations. To arrive at this determination, the IRB used "WORKSHEET: Human Research (HRP-310)." If you have any questions about this determination, please review that Worksheet in the HRPP Toolkit Library and contact the IRB office if needed.

Please do not use the forms as submitted since references to research and IRB approval are not relevant since IRB does not need to review the project.

Ongoing IRB review and approval for this activity is not required; however, this determination applies only to the activities described in the IRB submission and does not apply should any changes be made. If changes are made and there are questions about whether IRB review is required, please submit a Modification to the IRB for a determination.

Sincerely,

Jeffery P Perkey, CIP, MLS
IRB Analyst

We value feedback from the research community and would like to hear about your experience. The link below will take you to a brief survey that will take a minute or two to complete. The questions are basic, but your responses will help us better understand what we are doing well and areas that may require improvement. Thank you in advance for completing the survey.

Even if you have provided feedback in the past, we want and welcome your evaluation.

https://umn.qualtrics.com/SE/?SID=SV_5BiYrqPNMJRQSBn

Appendix E

Consent Form

Title of Research Study: Administration's Understanding of Campus Sexual Assault: Going Beyond Compliance to Dismantling Rape Culture

Investigator Team Contact Information: ***Jennifer Steiner (Student Investigator) and Karen Miksch (Faculty Adviser)***

For questions about research appointments, the research study, research results, or other concerns, call the study team at:

Faculty Adviser *Karen Miksch* *Associate Professor* *Organizational Leadership, Policy, and Development* *612-625-3398* *miksc001@umn.edu*	*Student Investigator* *Jennifer Steiner* *Ph.D. Candidate* *Organizational Leadership, Policy, and Development* *Student Academic Success Services* *612-626-1050* *stei1169@umn.edu*

Key Information About This Research Study

The following is a short summary to help you decide whether or not to be a part of this research study. More detailed information is listed later on in this form.

What is research?

- The goal of research is to learn new things in order to help people in the future. Investigators learn things by following the same plan with a number of participants, so they do not usually make changes to the plan for individual research participants. You, as an individual, may or may not be helped by volunteering for a research study.

Why am I being invited to take part in this research study?

We are asking you to take part in this research study because you are an administrator who has at least two years of professional experience supporting Title IX efforts on a university campus. You are being invited to participate in a qualitative research study that investigates ways in which college campus administrators perceive their work with campus sexual assault. This study will explore the ways in which campus administrators perform their responsibilities in prevention or response to campus sexual assault and how they conduct their work with the number of challenges that may arise in a college system. The study will in no way ask about individual cases of sexual assault, rather, I want to know more about your overall work, specifically when it comes to prevention, education, and compliance.

What should I know about a research study?

- Someone will explain this research study to you.
- Whether or not you take part is up to you.
- You can choose not to take part.
- You can agree to take part and later change your mind.
- Your decision will not be held against you.
- You can ask all the questions you want before you decide.

Why is this research being done?

The purpose of this study is to investigate ways in which college campus administrators perceive their work with campus sexual assault. This qualitative study will explore the ways in which campus
administrators perform their responsibilities in prevention or response to campus sexual assault and how they conduct their work with the number of challenges that may arise in a college system.

How long will the research last?

We expect that you will be in this research study for two to four hours, potentially over several months. We will conduct a two-hour semi-structured interview and you may be contacted for further follow-up if necessary.

What will I need to do to participate?

You will be asked to participate in one two-hour semi-structured interview.

More detailed information about the study procedures can be found under "What happens if I say yes, I want to be in this research?"

Is there any way that being in this study could be bad for me?

There are no foreseeable risks to participating in the study. Any concerns or discomforts will be discussed by the researcher through ongoing communication.

More detailed information about the risks of this study can be found under ***"What are the risks of this study? Is there any way being in this study could be bad for me? (Detailed Risks)"***

Will being in this study help me in any way?

There are no direct benefits to you from taking part in this research. However, you may indirectly experience benefits relating to your professional experience from being a part of the research process and/or being interviewed.

There are no benefits to you from your taking part in this research.

Detailed Information About This Research Study

The following is more detailed information about this study in addition to the information listed above.

How many people will be studied?

We expect about 1-2 people at your institution will be in this research study out of 12-22 people in the entire study nationally.

What happens if I say "*Yes, I want to be in this research*"?

This four-month study will be conducted at various times depending on the individual availability of the possible participants from July-October 2018. The researcher will transcribe and analyze data from interviews sessions on an ongoing basis, member-checking preliminary interpretations with several participants.

The methods for this study will be through interviews. Twelve to twenty-two two-hour interviews will be audio recorded to enable the researcher to trace patterns of administrators' narrative that emerge. The interview will be audio recorded for later transcription.

Following the completion of the interview, participants may be contacted for a follow-up interview if necessary. Follow-up interviews will take place in October of 2018.

What happens if I say "Yes", but I change my mind later?

You can leave the research study at any time up until the study materials are published, and no one will be upset by your decision.

If you decide to leave the research study, contact the investigator so that the investigator can remove your dialogue from transcriptions.

Choosing not to be in this study or to stop being in this study will not result in any penalty to you or loss of benefit to which you are entitled.

What happens to the information collected for the research?

Efforts will be made to limit the use and disclosure of your personal information, including research study, to people who have a need to review this information.

Data or Specimens Collected

Data collected in the study will include audio recordings of interview sessions and transcriptions made of these recordings. Data will be stored on a secure, encrypted cloud drive on a secure laptop in a locked office. Data will be destroyed after one year.

Your information or samples that are collected as part of this research will not be used or distributed for future research studies, even if all of your identifiers are removed.

Whom do I contact if I have questions, concerns or feedback about my experience?

This research has been reviewed and approved by Jennifer Steiner's Doctoral Committee. A copy of the study was shared with an IRB staff member within the Human Research Protections Program (HRPP). IRB deemed this study (STUDY00003283) to not be human research. To share feedback privately about your research experience, you may

contact Karen Miksch, faculty adviser, *miksc001@umn.edu* to discuss:

- Your questions, concerns, or complaints are not being answered by the research team.
- You have questions about your rights as a research participant.
- You want to get information or provide input about this research.

Your signature documents your permission to take part in this research. You will be provided a copy of this signed document.

_____ _____
Signature of Participant Date

_____
Printed Name of Participant

_____ _____
Signature of Person Obtaining Consent Date

_____
Printed Name of Person Obtaining Consent

Appendix F
Participant Letter

Dear [Administrator Name],

Greetings. I would like to invite you to take part in an interview about your experiences working on your college campus with campus sexual assault.

The interview should last no longer than two hours. The interview will provide an opportunity for you to share your experiences working with campus sexual assault. In particular, I am interested in:

- What has led you to do work with campus sexual assault on your campus; and
- Suggestions for best practices in this work.

Your views will be used to help understand how campus administration is doing this work at a variety of institutions. Please know that I will be in no way asking about individual cases of sexual assault on your campus, rather, I want to know more about your overall work, specifically when it comes to prevention, education, and compliance.

If you would like to participate in this interview, please let me know by replying to this email and providing some dates and times in which you are available to be interviewed. Please also let me know if you have any questions regarding the study.

Looking forward to hearing from you.

All the Best,

Jenny Steiner
Principle Investigator
stei1169@umn.edu

Appendix G
Interview Protocol

Thank you for agreeing to meet with me today. We are here to speak to your experience working with campus sexual assault.

The interview should last no longer than two hours. The interview will provide an opportunity
for you to share your experiences working with campus sexual assault in prevention, education, compliance, or investigation. In particular, I am interested in:

- What has led you to do work with campus sexual assault on your campus;
- How you interpret your work; and
- Suggestions for best practices in this work.

[I will hand the interview subject a consent form.] I will not use your name, or the name of your institution, in any publications of the findings. And again, I will not be asking for you to share specific cases of sexual assault that has happened on your campus, rather the work that you do in regard to education, prevention, and compliance. I would like to record the interview today, if you are willing, and will keep the digital recording on a password-protected computer in a locked office. No one else will ever listen to the tape of the recording and if I use any questions from our interview in a written publication I will ensure that the statement does not identify you and will allow you to choose a pseudonym, rather than your actual name.

[Next, I will go over each section of the consent form.] Do you have any questions?

If you are willing to be interviewed, will you please sign and date the form?

Are you ready to begin?

SEMI-STRUCTURED INTERVIEW QUESTIONS:
1. Tell me about your history at the university and why did you want to get involved in this work?

Going Beyond Compliance
2. What is your involvement with campus sexual assault work and what motivated your position to exist on your campus?
3. What is your definition of prevention?
4. Tell me more about the process for creating your campus' consent policy?
5. How have you navigated the complexities of the Title IX compliance mandates in your Work?

Organizational and systemic barriers to solving campus sexual assault

6. What are the campus supports in place for your work with sexual assault?
7. What are the biggest challenges you have encountered in your work?
8. Do you think you have all the resources you need to do your job? What would institutional support look like for your work?
9. If you could eliminate barriers, what would you do? What would be your vision for ending sexual assaults on our campuses?
10. How do we create gender equity on campuses?

Non-performativity in college sexual assault work

11. Who is responsible for sexual assault work on your campus?
12. What are the discourses for institutionalized rape culture on campus?
13. Why do you believe we haven't we seen significant changes in the rates of sexual assault on our nation's campuses?

Perceived strategies that aim to dismantle rape culture on university campuses

14. Are you familiar with rape culture? Is this something that resonates with your work?
15. How has social media attention outside of higher ed shaped the conversations on your campus?
16. What have been some of the greatest successes of your work? What has been innovative or particularly good?
17. What are the biggest missteps in campus sexual assault work and how can they be avoided?
18. What do you think are best practices in sexual assault work?
19. Who do you think is doing a particularly good job navigating this work?

20. Is there anything we did not cover that you would wish we talked about today?