



# BREAKING THE SILENCE

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*Addressing Sexual Assault & Consent*

# PRESENTERS

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# AGENDA

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- Current Landscape of Sexual Assault
- Protections & Legal Overview
- Prevention
- Support & Dealing with Occurrences
- Resources
- Table Discussion
- Q & A

# CURRENT LANDSCAPE OF SEXUAL ASSAULT

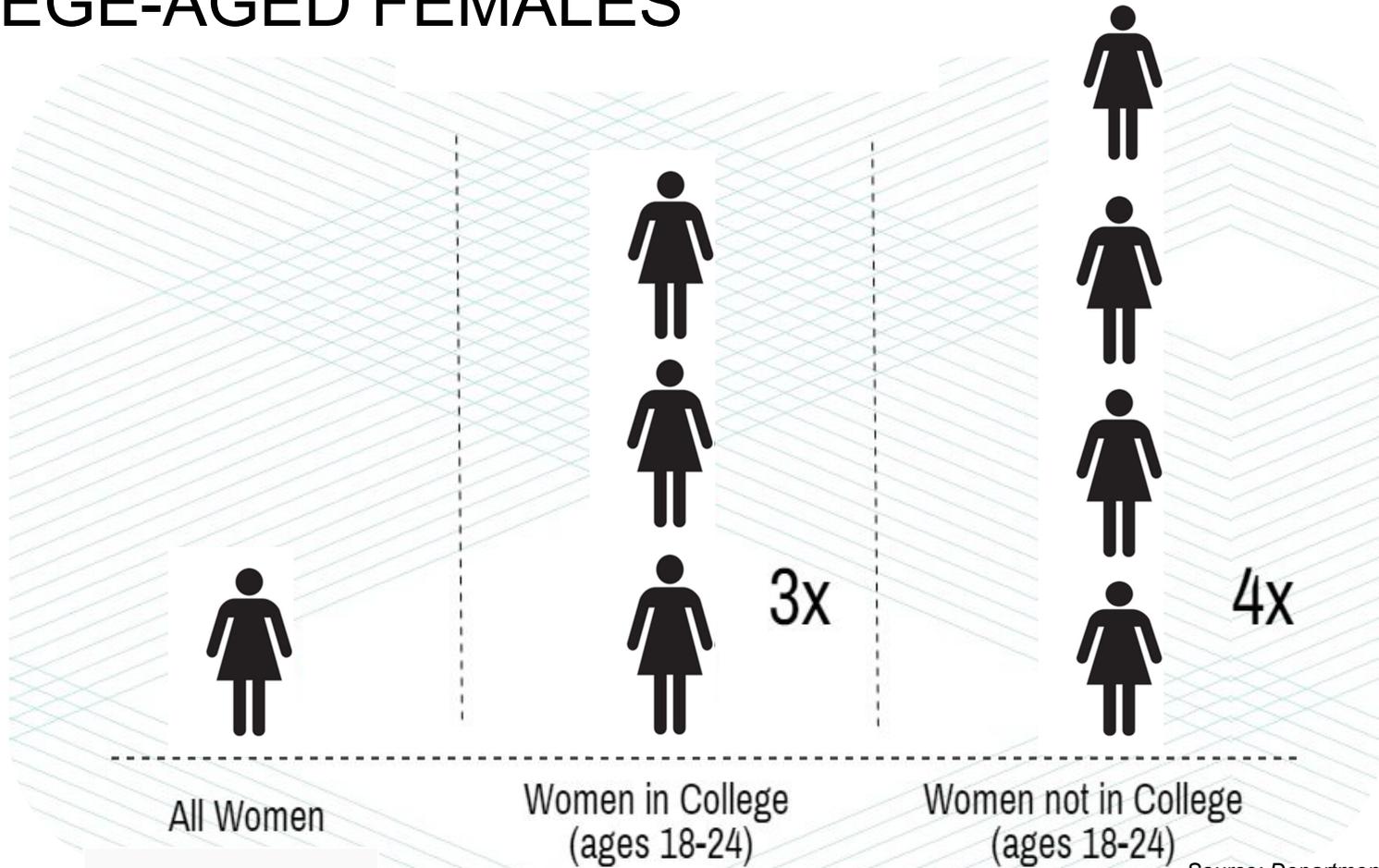
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**30%** of women have experienced physical and/or sexual violence in their lives

# RAPE & SEXUAL VICTIMIZATION AMONG COLLEGE-AGED FEMALES

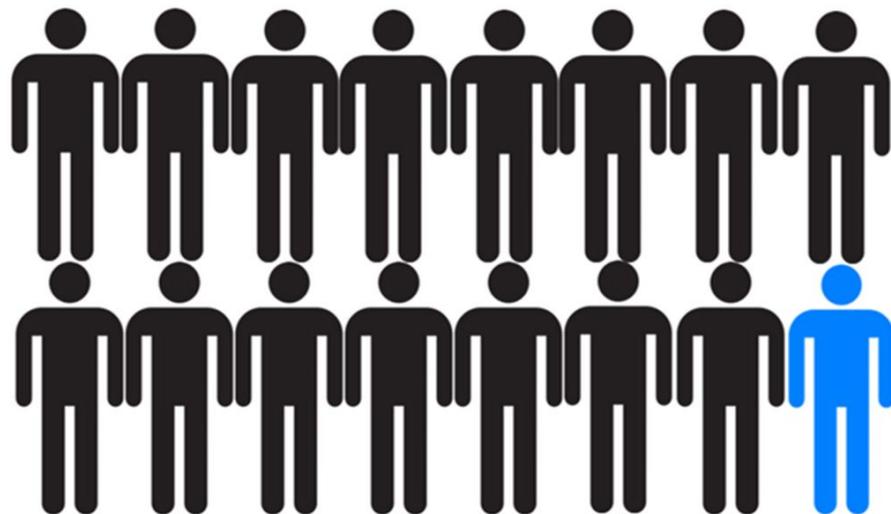


# SEXUAL ASSAULTS IN COLLEGE

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**1 in 5 women** are sexually assaulted in college



**1 in 16 men** are sexually assaulted in college

# STATISTICS ON THE SEXUAL ASSAULT OF INTERNATIONAL STUDENTS

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# PROTECTIONS & LEGAL OVERVIEW

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# FEDERAL LAWS RELATING TO SEXUAL ASSAULT

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- Student Right-to-Know and Campus Security Act of 1990 (the “Clery Act”)
  - Campus Sexual Assault Victims’ Bill of Rights of 1992
- Title IX
- Note: Individual states might also have laws that tie into your school’s compliance requirements and procedures

# TITLE IX IN A NUTSHELL

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*“No person in the United States shall, **on the basis of sex**, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”*

# SEXUAL ASSAULT DEFINED

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Sexual assault and sexual harassment can be **physical**, **verbal** or **visual**:

- Rape
- Touching
- Harassment (verbal, physical, digital)
- Exhibitionism
- Forced to pose for photos
- Voyeurism

# UNDERSTANDING CONSENT

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Consent is when sexual activity is clearly agreed upon by **both parties**

- No threats, intimidation or coercion
- Not impaired by drugs or alcohol
- Not unconscious or asleep
- Not under the legal age of consent
- The lack of “no” does not mean “yes”
- Consent is an ongoing process
- Cannot be assumed based on prior contact

# TITLE IX GUIDANCE

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- Title IX: Part of the Education Amendments of 1972,
  - Public Law No. 92-318, 86 Stat. 235 (June 23, 1972), codified at 20 U.S.C. §§ 1681–1688
- Implementing regulations (issued by: Dept of Ed. Office of Civil Rights):
  - 2001 “Revised Sexual Harassment Guidance”
  - 2011 Dear Colleague Letter
  - 2014 Q&A on Title IX and Sexual Violence
- Enforced by the Office for Civil Rights, Department of Education (working with DOJ)

# MAJOR TITLE IX REQUIREMENTS

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## Schools that receive federal funding must:

1. Make efforts to prevent sexual violence, harassment, and retaliation.
2. Have policies in place to investigate complaints and protect victims.
3. Have a Title IX Coordinator who manages sexual violence complaints and trains employees.
4. Notify victims that they have the right to report their attack to the police.
5. Independently and promptly investigate claims and have disciplinary procedures (within 60 days).
6. Use the correct standard of proof “preponderance of the evidence” not “beyond a reasonable doubt”
7. Not discourage victims from continuing their education
8. Make reasonable changes to make sure student is free of discrimination, harassment, or violence.
9. Equitable process and equal rights for attacker and victim.

# TITLE IX AND INTERNATIONAL STUDENTS

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- Protects all students regardless of national origin, immigration status or citizenship status
- April 29, 2014 Q&A Guidance from OCR addresses international students directly:
  - “Ensure that any school reporting forms, information, or training about sexual violence be provided in a manner accessible to...English language learners.”
  - Be aware of the unique issues - like reduced course load
  - Cross training recommended for DSO’s and Title IX responders on international student issues and university policies regarding sexual violence
  - Threatening or invoking immigration status to deter a Title IX complaint is retaliation

# PREVENTION: BEST PRACTICES ON EDUCATING INTERNATIONAL STUDENTS

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# CONTACTS & COLLABORATION IS KEY

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Create and foster relationships with relevant offices both on and off campus:

- Student Affairs
- Counseling Center
- Health & Wellness Center
- Title IX Coordinator
- Local Police Department
- Doctors/Hospitals
- Attorneys
- Victim Advocates



# ADDRESS TITLE IX TO INTERNATIONAL STUDENTS

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## Share during International Orientation:

- Better to share in the beginning than avoiding the conversation
- Frame as part of larger 'personal safety' session
  - Safety in U.S.
  - Health & Wellness in U.S.
  - Where to keep valuables
  - Relationships

## Bring outside experts to help educate:

- They are the experts - utilize those who know this field
  - Title IX Coordinators
  - Counselors
  - Student Affairs/Orientation Coordinator
  - Third party organizations



# KNOW YOUR AUDIENCE

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## Consider cultural and language differences:

- Introduce cultural frame of conversation
  - Why U.S. requires sexual assault as a discussion for university students
- Separate genders
  - Talk about sexual assault and consent without awkwardness
  - If inviting counseling center and/or police department reps, consider gender of facilitators



# IN SESSION

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## Be Informative:



- Give tips on how to avoid uncomfortable situations
- Reinforce the right all students have to say 'no'
- Share what to do and where to go if sexual assault occurs
- Make sure students know bystanders can help (it is our business if someone is getting hurt)
- Provide contacts who can take action

# IN SESSION

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## Tips from Experience

- Be careful with idioms
- Balance seriousness and humor (be aware of difference in humor)
- Consider pre-recorded content to facilitate Title IX (or 'Personal Safety') session



# OUT OF SESSION

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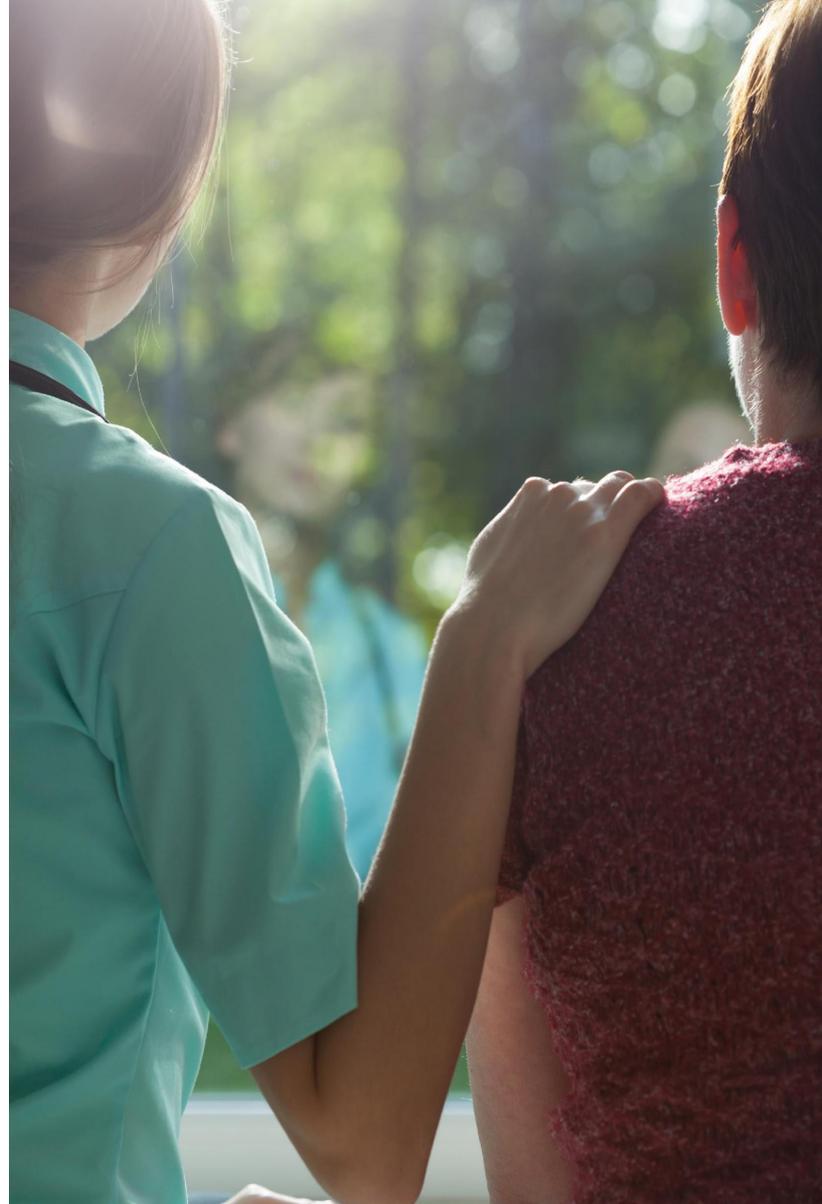
## Provide Additional Material:

- Have material about Title IX for international students available
  - Develop material in such a way students want to pick them up
    - Catchy illustrations
    - Reader/viewer friendly
    - Translations
  - Have documents and links on websites, portals, international student guidebooks, pamphlets, USB drives... anywhere you know they will have access



# SUPPORT: DEALING WITH OCCURRENCES

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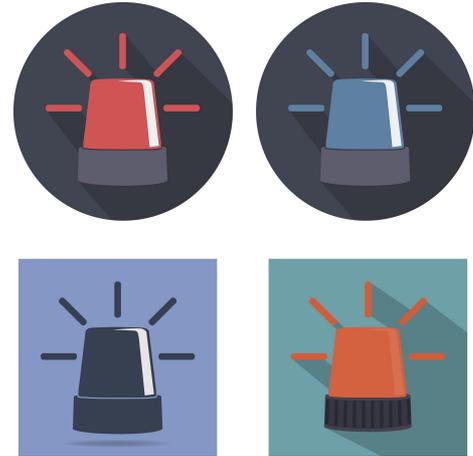
# MOST SEXUAL ASSAULTS ARE NOT REPORTED

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- Only 344 out of every 1,000 sexual assaults are reported to police.

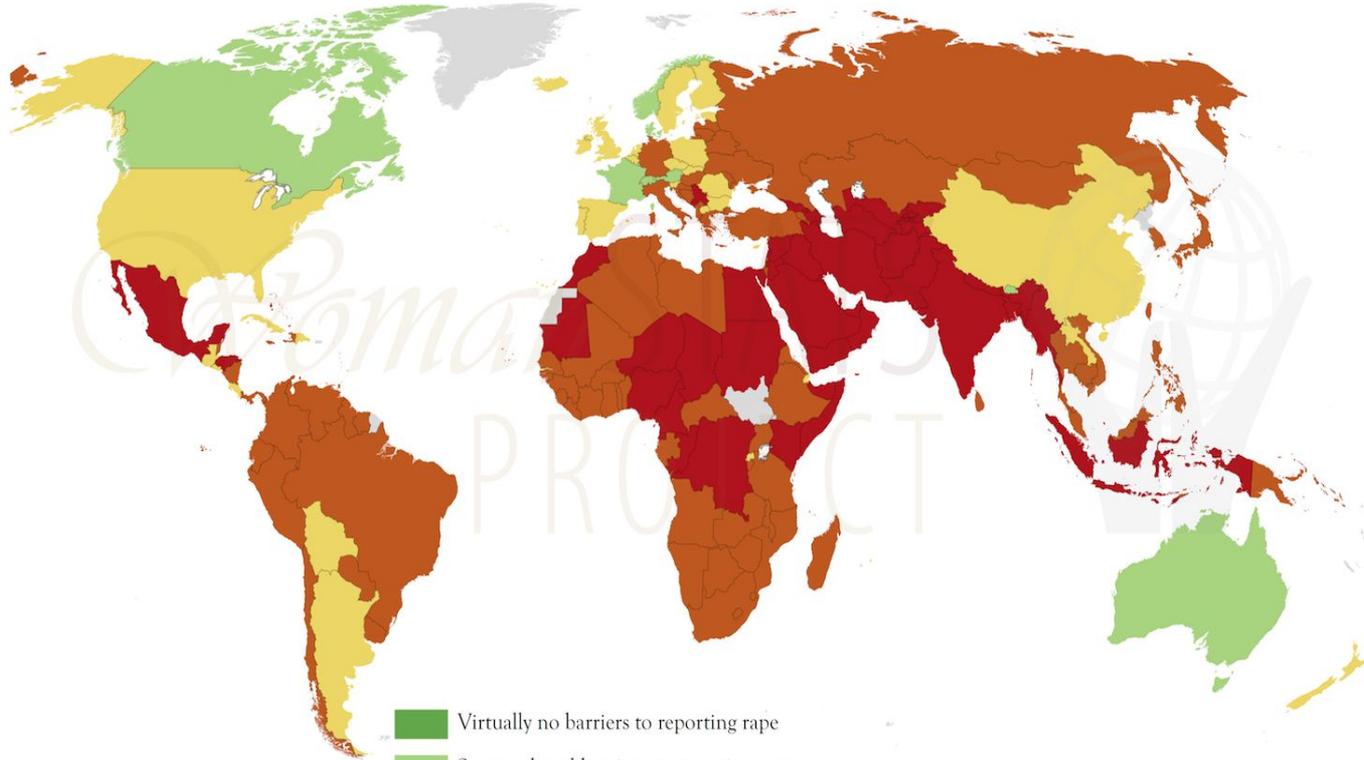
That means about **2 out of 3** go unreported.

- Individuals of college-age (18-24):
  - Female Students: 20% report
  - Female Non-Students: 32% report



# Strength of Barriers to Reporting Rape

Scaled 2011



-  Virtually no barriers to reporting rape
-  Some cultural barriers to reporting rape
-  Cultural barriers regularly keep women from reporting rape
-  Cultural barriers to reporting rape are intense, but a woman is not under risk of possible physical duress if she does report the rape
-  Cultural norms on reporting are severe (including physical punishment, exile from family, or death) and the woman may face this punishment even if innocent
-  No Data



LRWSCALE5  
Data © The WomanStats Project  
<http://womanstats.org/>

Mapped by HBL@BYU



# ENCOURAGING STUDENTS THROUGH SUPPORT

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- **Are you a confidential source? Duty to report?**
- **Listen to the student's disclosure**
  - Communicate without judgement
  - Empathetic listening (i.e. follow their lead, “that must have been really scary”)
  - Avoid “why” questions (instead, “tell me how ...”)
  - Believe and don't “blame the victim”
  - Silence is okay: “It's okay, take your time”
- **Consider whether any immediate action may be wanted or needed**
  - First concern is their well-being
  - Medical attention?

# ENCOURAGING STUDENTS THROUGH SUPPORT

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- **Describe campus policy, procedures and reporting options**
  - Do not pressure - make it clear that the decision to report is ultimately up to the student
  - Offer to accompany the student in taking any actions, if possible
  - Refer to counseling center or health center
    - Some communities also have sexual assault advocates
- **Continued support**
  - Check in periodically
  - Avoid judgement

# SUPPORT FOR INTERNATIONAL STUDENTS

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- The International Student & Scholars Office should be equipped to help if sexual assault occurs
  - Options to withdraw from academic program and how to return
  - Information on medical reduced course load options
  - Options and consequences for accompanying spouses
  - General information on changing visa status
  - General information on U and T visas
  - Referral to other university or community resources if you are the first-responder for a sexual assault survivor

# RESOURCES



# VIDEO RESOURCES

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Sexual Assault Awareness for International Students



Consent: It's as Simple as Tea



What if Bears Killed One In Five People?



TED Talk: A Call To Men



# RESOURCES

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## ***National Sexual Assault Hotline***

*(800) 656 - HOPE (4673)*

*<http://www.rainn.org/>*

The logo for RAINN (Rape, Incest, and Child Abuse National Network) consists of the word "RAINN" in a bold, blue, sans-serif font.

## ***National Sexual Violence Resource Center***

*(877) 739 - 3895*

*<http://www.nsvrc.org/>*

The logo for "KNOW YOUR IX" features the words "KNOW" and "YOUR" in black, stacked vertically. To their right, the letters "IX" are in a large, bold, red font. Below the text, the tagline "EMPOWERING STUDENTS TO STOP SEXUAL VIOLENCE" is written in a smaller, black, sans-serif font.

# TABLE DISCUSSION

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# TABLE TOPIC

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What is your responsibility to educate your international students, and what do you do on campus to execute this?

QUESTIONS?

