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## **Title IX: Perceptions and Utilization on U.S. College Campuses**

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TITLE IX: PERCEPTIONS AN UTILIZATION ON U.S. COLLEGE CAMPUSES

**Title IX: Perceptions and Utilization on U.S. College Campuses**

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### **Abstract**

The research study investigated student perceptions and utilization of Title IX services on U.S. university and college campuses, testing the hypothesis that if students hold negative perceptions of Title IX offices, then they will not report campus sexual violence they experience to Title IX offices. There are currently high rates of sexual violence on college campuses but very low rates of reporting. Current or former U.S. college students aged 18-30 (N = 47) completed a mixed methods anonymous survey composed of Likert scale and open response questions. Participants were asked about prior interactions with Title IX offices and their perceptions of Title IX investigations (adequacy of resources for victims, helpfulness of Title IX, fairness of Title IX investigations, likelihood of Title IX complaints resulting in consequences for perpetrators). Lastly, participants were asked if they would feel comfortable referring a friend and personally reporting to Title IX, then asked to expand on their answers in an open response format. Participants expressed negative perceptions of and unwillingness to report to Title IX, citing the high perceived consequences and low perceived rewards of undergoing a Title IX investigation. Based on these findings, six recommendations were made to federal, state, and campus policy makers to improve the quality of resource available to victims of campus sexual violence, included repealing recent federal restrictions on Title IX, implementing increased victim safety measures, requiring colleges to release Title IX data, conducting campus climate surveys, increasing inter-resource collaboration, and providing accommodations outside of Title IX investigations.

*Keywords:* Title IX, campus sexual violence, college sexual violence

## Chapter 1: Introduction

### 1a. General Introduction to the Research Project

This research project is designed to investigate the perception, utilization and quality of college Title IX services in the United States. On paper, Title IX of the 1972 Education Amendment mandates all federally funded educational institutions investigate and respond to discrimination on the basis of sex. In practice, an absence of consequences for noncompliant institutions gives little federal incentive to meaningfully address campus sexual violence. The hypothesis for this research project is that if students hold negative perceptions of Title IX offices, then they will not report campus sexual violence they experience to Title IX offices. To test this hypothesis, an anonymous survey was conducted on current and recently graduated college students ages 18-30 years. The outcome of this project will be a series of evidence-based recommendations to policy makers in order to improve their response to college sexual violence.

### 1b. Research Problem

Sexual violence is endemic on college campuses, but rarely reported (Khan, Greene, Mellins, & Hirsch, 2020). According to a national survey conducted by the Association of American Universities (AAU), 26.4% of undergraduate females reported experiencing a sexual assault while at college (Cantor et al., 2020, p. 34). Strikingly, out of **all** the students who experienced a sexual violence at college, only 15.0% contacted **any** resources as a result of the assault and only 3.04% contacted their school's Title IX Coordinator (Cantor et al., 2020, pp. 58-59).

Experiencing an act of sexual violence is a traumatic and disruptive life event — especially when coupled with the heightened stressors of college. The Title IX coordinator's office serves as the only formal resource dedicated to address sexual violence on college

campuses. However, despite purported federal oversight of campus sexual violence, there has been little actual enforcement. In the 48 years since the Title IX amendment was passed, **none** of the over 7,000 colleges and universities it applies to have lost federal funding for failing to ensure an educational environment free of sex-based discrimination (Karlan, 2020; U.S. Department of Education, 2020; RAINN, 2020). Additionally, despite the significant role that Title IX offices play, there is limited research and literature evaluating if college students utilize or benefit from Title IX services.

The research shows establishes that experiencing sexual violence in college is associated with serious and long-term physical, economic, academic, social, and psychological consequences (Khan et al., 2020; Banyard et al., 2017; Potter et al., 2018). Specifically, survivors of sexual violence in college demonstrate lowered academic performance, higher incidence of mental illness, higher rates of substance use disorder, lower average life-time earnings, and lower rates of college graduation (Banyard et al., 2017; Potter et al., 2018). The economic losses incurred by college sexual violence also fall on educational institutions and society as a whole, in the form of decreased revenues from high attrition, decreased productivity, and increased medical expenses (Smith, White, & Holland, 2003; Amar, & Gennaro, 2005; Jordan, Combs, & Smith, 2014; Potter et al., 2018). Beyond economic costs and legal compliance, schools have an ethical responsibility to ensure a safe and equitable education for its student body (Stanwick & Stanwick, 2016).

Some college students have expressed their displeasure with Title IX services via social media, protests, and numerous law-suits (ACLU, 2010; Suran, 2014; New, 2016; Potter et al., 2018). In recent decades, students have shared outrage at the lack of accountability alleged sexual predators have faced and state their school has failed survivors (Suran, 2014). A



contemporary study found that victims of campus sexual violence reported leaving school, as “they felt abandoned by the institution they attended because they perceived their reports of abuse were not believed” (Jordan et al., 2014, p. 193). This study serves as further evidence that college students do not believe their colleges take sexual violence seriously.

To summarize the research problem: Sexual violence on college campuses is incredibly prevalence and harmful, yet students have limited trust in their schools’ response to sexual violence and rarely report sexual violence to their school’s Title IX coordinators.

### **1c. Rationale for Research Project**

Students’ perceptions and trust of their campus Title IX coordinators appear be significant mediators of whether they report campus sexual violence. Without formal Title IX complaints, schools often lack the jurisdiction to investigate and respond to campus sexual violence (U.S. Department of Education, 2020). Additionally, student’s perception of how seriously their school takes sexual violence has been found to mediate whether or not students drop out in the aftermath of sexual violence (Jordan et al., 2014).

Campus sexual violence has devastating physical, psychological, academic, and economic consequences for individuals. Furthermore, campus sexual violence also harms educational institutions and society at large (Smith et al., 2003; Amar & Gennaro, 2005; Jordan et al., 2014; Potter et al., 2018). Based on these findings, there is a clear need to investigate 1) students’ perceptions of campus Title IX services and 2) student’s utilization of campus Title IX services. While in recent decades sexual violence has become the focus of mainstream research attention, there is a glaring gap in research when it comes specifically to Title IX.

This research thesis is intended to fill this gap, focusing not only sexual violence in the population of U.S. college students, but specifically investigating their perceptions of Title IX.

College students deserve accessible, trauma-informed, and quality Title IX services, and this thesis is the first step in assessing current services and identifying areas of improvement. By conducting an anonymous survey, university students will be empowered to share their experiences with, and beliefs about, Title IX. The anonymous survey will consist of primarily bipolar Likert scale questions to collect ordinal data on student's perception. The data will be supplemented with a few open-ended questions, allowing students to provide more detailed feedback on Title IX.

Finally, a key benefit of this project will be its ability to provide information to better inform college, local, state, and federal policy makers the needed campus sexual assault policies, procedures, and resources for survivors of sexual assault. This anonymous survey empowers students to share their experiences and opinions about Title IX resources, helping to normalize the discussion and study of the heavily stigmatized topic of sexual violence. Title IX. Ideally, a long-term outcome of this thesis will be to improve student wellbeing by offering evidence-based policy recommendations to better support survivors of campus sexual violence.

### **1d. Definition and Explanation of Key Terminology**

**Campus Sexual Violence** = Any act of sexual violence perpetrated by or against a student, faculty, or staff member of a college or university. For the purposes of this thesis, it extends to sexual violence occurring in off-campus apartments so long as it meets the former criteria.

**Complainant** = The procedural term used to refer to an individual who has reported an alleged incident of sexual violence to their campus's Title IX Coordinator.

**Office of Civil Rights (OCR)** = Refers to the office under the U.S. Department of Education tasked with enforcing civil rights in U.S. schools. Students who believe their school is in violation of the Title IX Education Amendment of 1972 can file a complaint with the OCR.

**Respondent** = The procedural term used to refer to an individual who has been accused of an alleged incident of sexual violence in a complaint to their campus's Title IX Coordinator

**Sexual Assault** = Any sexual contact or sexual behavior that occurs without explicit consent. Includes rape and groping.

**Sex Based Discrimination** = Treating someone unfairly because of their sex.

**Sexual Harassment** = Behavior including unwanted sexual advances, requests for sexual favors, and other explicit or implicit verbal or physical harassment of a sexual nature

**Sexual Misconduct** = Non-consensual behavior of a sexual nature that violates an institutions policy on appropriate conduct (i.e. non-consensually exposing one's genitals to another student)

**Sexual Violence** = A range of non-consensual sex-based offenses, including sexual assault, sexual harassment, domestic violence, rape, and stalking

**Survivor** = An individual who was harmed by an act of sexual violence. Sometimes used to denote that the sexual violence occurred a long time in the past. Viewed as a more empowering term than "victim" as it highlights resiliency instead of suffering.

**Title IX** = Colloquial term used to refer to the college and un processes resulting from Title IX of the Education Amendments of 1972 and protects against sex-based discrimination in any federally funded "education program or activities" (U.S. Department of Education, 2020, p.1). The exact wording of the U.S. Department of Education's Title IX statute reads: "*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*" (U.S. Department of Education, 2020, p.1)

**Title IX Coordinator** = The employee(s) appointed by a college or university as responsible for overseeing institutional compliance with the Title IX Amendment and investigations into complaints of campus sexual violence.

**Victim** = An individual who was harmed by an act of sexual violence. Sometime used to convey that the sexual violence occurred recently. Frequently, this term is replaced with the more empowering term "survivor".

## Chapter 2: Review of Theory & Literature

### 2a. Overview of Theoretical Foundations Utilized in the Research Study

This research study utilized four theoretical foundations: Armstrong's theory of health care distrust, social risk theory, Marx's conflict theory, and ethical theory as the conceptual basis for this study.

***2ai. Theory of Health Care Distrust***

The 2006 study by Armstrong et al. on distrust in the U.S. healthcare system found that reported distrust in the healthcare system was strongly associated with worse self-reported health (Armstrong, Rose, Peters, Long, McMurphy, & Shea, 2006). Data from 961 interviews found the association between distrust in the U.S. healthcare system and worse self-reported health “persisted after adjustment for age, gender, race, educational attainment, household income, health care access, and trust in physicians” (Armstrong et al., 2006, p. 6). Armstrong’s theory of healthcare distrust applies to this study’s hypothesis, which asserts that distrust in Title IX results in lack of utilization.

One limitation is that the directionality of the association was not established - that is if distrust in the U.S. healthcare system predicts worse health, or if worse health predicts distrust in the U.S. healthcare system (Armstrong et al., 2006). Regardless of the direction of the association, it is highly theoretically relevant to the central hypothesis in this research study. Applying this to Title IX, the research study will investigate if distrust in Title IX is correlated with worsened well-being (mediated by not reporting sexual violence), as well as if negative experiences with Title IX are correlated with distrust in the system.

***2aii. Social Risk Theory***

The second applied theoretical framework is social risk theory, a sociological theory that explains why people engage in seemingly illogical behavior in order to protect themselves from perceived social consequences (Khan, Hirsch, Wamboldt, & Mellins, 2018). This has clear application to the study, as the decision to not report sexual violence is sometimes viewed as irrational and against a victim’s best interests. The work by Khan et al., (2018) applied social risk theory to campus sexual violence, specifically examining why an individual might choose

not to label themselves as a victim of sexual violence as well as choose not to report sexual violence to campus authorities.

Labeling and reporting sexual violence can help connect victims of campus sexual violence with supportive resources, such as “administrative aid with classes or housing” (Khan et al., 2018, p. 435). However, just as labeling and reporting carry potential benefits, they also carry potential social risks (Khan et al., 2018). The social risks of labeling and reporting sexual assault can be divided into three categories: 1) damage to current and future identities, 2) risk to social relationships and group identities, and 3) disruption of current or future college goals (Khan et al., 2018, p. 434). College and universities are a delicate social ecosystem, and labeling and reporting sexual assault poses a perceived threat to social identities and relationships (Khan et al., 2018). This theory will help to better understand the process of how and why individuals decide whether or not to report campus sexual violence to Title IX.

### ***2a.iii. Conflict Theory***

Karl Marx’s conflict theory posits that those with wealth and power use social institutions to maintain their dominance over other members of society (Gould & Lewis, 2018, p. 35). Under conflict theory, social and political institutions — such as college administrations and Title IX — are tools used to maintain this unequal social order (Hayes, 2020). A conflict theory analysis can readily be applied to sexual violence on college campuses. Sexual violence itself is understood not to be a crime of sexual gratification, but rather a crime of power and intimidation (Yonak, 2017). Power imbalances in gender, class, and social status also play out both in informal social settings and formal institutional practices around campus sexual violence.

According to the United Educators Insurance analysis of Title IX data, 99% of alleged perpetrators were male, and 94% of victims were female, showing the gendered imbalance in

campus sexual violence (Keehan, Caputo, Pettigrew, & Bennet, 2015, p. 3; Yonak, 2017). Additionally, disgruntled perpetrators were more likely than victims to pursue legal action against their educational institutions -- 17% of all litigation vs. 11% of all litigations (Keehan et al., 2015, p. 16). Egregiously, 73% of perpetrators who sued their schools also sued their victim for defamation or slander, evidence of how perpetrators utilize the legal system as a tool to retaliate against their victims (Keehan et al., 2015, p. 18).

Furthermore, accused perpetrators claimed violations of Title IX in over half of their lawsuits against their colleges and universities, arguing that by holding majority male perpetrators of Title IX accountable, schools are discriminating against males on the basis of their sex (Keehan et al., 2015, p. 18). The attempts of perpetrators of campus sexual violence to warp the Title IX amendment and legal system to defend their acts of sexual violence embodies a conflict perspective, where institutions and processes are used to maintain an unequal social order (Hayes, 2020). A conflict perspective will be central to interpreting the survey's findings about college students' perceptions and utilization of Title IX.

#### ***2aiv. Ethical Theories***

The ethical theories of Lynne Sharpe Paine and Archie Carroll on organizational culture and moral management respectively, have a significant bearing on educational institutions' response to campus sexual violence. Lynne Sharp Paine's theory uses organizational integrity to link corporate culture to corporate compliance. Paine argues that an ethical corporate culture fosters all employees to consider the organization's "values, aspirations, and decision making-process," and has clearly articulated and enforced accountability measures (Stanwick & Stanwick, 2016, p. 118). Simply training employees not to break the law discourages deeper ethical considerations and leaves employees ill-equipped to deal with dynamic, emerging issues.

Former SEC chairman Richard Breeden, seconds this, stating that “it is not an ethical standard to aspire to get through the day without being indicted” (as cited in Stanwick & Stanwick, 2016, p. 118).

Another applied ethical theory will be Archie Carroll’s theory of moral management. In 1991, Carroll wrote about the importance of the moral values of an organization’s manager, classifying managers as either moral, amoral, or immoral. An immoral manager acts against legal and ethical norms, unconcerned about the harm they cause to those affected by their actions. In contrast, a moral manager adheres to all laws and considers the ethical implications of their actions on others (Stanwick & Stanwick, 2016). The third category, the amoral manager, is what Carroll refers to as “ethically neutral” (Stanwick & Stanwick, 2016, p. 41). Carroll’s theory of moral managers emphasizes that even without being malicious, managers can harm others by being indifferent to ethical concerns. By failing to consider the ethical implications of their actions, amoral managers can still cause immense harm (Stanwick & Stanwick, 2016).

The US Department of Education’s Office of Civil Rights (OCR) is tasked with ensuring any educational institution receiving federal funding in compliance with the Title IX amendment, but in practice, this is enforcement has been lax. Currently, there are 1,360 open OCR complaints against colleges and universities for sex discrimination, including OCR investigations that have been open for over a decade (U.S. Department of Education, 2021). The duration of OCR investigations means they offer limited support for victims who reported institutional mishandling of Title IX. As established earlier, no post-secondary institution has ever lost federal funding for failing to comply with Title IX (Karlan, 2020).

In the absence of robust federal enforcement, educational institutions require organizational cultures that incorporates ethics into day to day decision making to meet the needs

of survivors of campus sexual violence in the absence of legal oversight. Furthermore, colleges or universities with amoral management can deeply harm their students by being indifferent to ethical concerns (Stanwick & Stanwick, 2016). It is a guiding assumption in this research project that most colleges and universities lack a robust ethical approach to campus sexual assault, and students suffer because of this.

## **2b. Overview of Literature Reviewed**

### ***2bi. History of Title IX***

In 1972, President Nixon signed the Title IX of the 1972 Education Amendments which required schools accepting federal funding to ensure an educational environment free of sex-based discrimination (U.S. Department of Education, 2010). This amendment was intended to ensure that women – who had historically been excluded from pursuing post-secondary education – could secure seats at universities, and also enabled the formation of women’s collegiate sports (Karlan, 2020). In the 1990s, federal courts ruled the language of Title IX must be interpreted to extend to sexual violence and gendered based discrimination, as campus sexual violence prevents women from obtaining equal educational opportunities (Melnick, 2020). The Title IX amendment requires schools to designate a Title IX coordinator, ensuring colleges and schools have a staff member and process dedicated to investigating and responding to allegations of campus sexual violence (U.S. Department of Education, 2010).

In 2011, under the Obama presidential administration, the Department of Education released specific guidelines on Title IX enforcement, mandating the use of the evidentiary standard of a preponderance of the evidence (Melnick, 2020). A preponderance of the evidence requires that it is more likely than not that sexual assault occurred, sometimes explained as “50% plus a feather” (Melnick, 2020, p. 2). Additionally, the Office of Civil Rights (OCR) stated that



Title IX investigations should not to exceed 60 and discouraged the allowance of cross examinations. Under Obama, the OCR tasked post-secondary educational institutions with the responsibility “to take effective action to prevent, eliminate, and remedy sexual harassment” (Melnick, 2020, p. 3). The Obama era OCR guidelines were applauded by survivor groups, as they provided specific guidelines for colleges to take a proactive, robust ethical approach to campus sexual violence (Melnick, 2020).

During the Trump presidency, the Department of Education drastically repealed Obama era changes to Title IX, and drastically limited the scope and mandate of Title IX (Anderson, 2020). Secretary of Education Betsy DeVos claimed that the previous Title IX policies were unfair to alleged perpetrators of campus sexual violence, despite research indicating that campus sexual violence in extremely underreported, with only 3.04% of victims of campus sexual violence reporting to Title IX (Cantor et al., 2020). The DeVos led Department of Education published several changes to federal Title IX guidance in 2018, limiting the jurisdiction of Title IX to misconduct occurring on the physical campus, permitting a higher evidentiary standard, requiring cross-examination of victims, and reducing the OCR’s responsibility to investigate in colleges’ handling of Title IX (Anderson, 2020).

These changes were deemed as a “devastating” blow to survivors of campus sexual violence by survivor groups (Anderson, 2020, p. 1). Research of major colleges found that they receive twice as many reports of off-campus sexual violence than on campus reports, meaning the new guidance excludes the majority of assaults from college’s Title IX jurisdiction (Associated Press, 2019). Next, colleges were permitted to use the higher “clear and convincing” evidentiary standard, and required any evidence admitted in Title IX investigations to undergo cross-examination (Anderson, 2020, p. 2). This guidance requires victims undergo traumatic

cross-examination that would be required in a criminal investigation (Wernz & Tulloch, 2020; Anderson 2020).

Finally, the new guidance states that schools can only be held accountable by the OCR if they display “deliberate indifference” in the face of sexual violence “so severe, pervasive, and objectively offensive that it effectively bars the victim’s access to an educational opportunity or benefit” (Wernz & Tulloch, 2020, p. 1). The DeVos led changes published in 2018 and implemented in 2020 represents a significant departure from the ethical requirements under Obama’s OCR. The 2011 Title IX federal guidance required colleges to take a proactive approach to all campus sexual violence, while the updated guidance limits OCR enforcement to only the most egregious cases of institutional noncompliance. This means colleges face very limited liability for mishandling sexual violence (Anderson, 2020; Wernz & Tulloch, 2020).

The recent DeVos Department of Education guidelines not only makes the Title IX process more hostile to victims, but decreases the ability for colleges to utilize an ethical response to campus sexual violence (Anderson, 2020). For example, colleges must mandate the cross-examination of all victims even if they feel this process is unnecessarily harmful, and colleges cannot investigate rampant off campus sexual violence under Title IX. The federal government’s changes demonstrate a conflict perspective, with the federal government using its power over Title IX processes to further disadvantage victims of campus sexual violence while shielding perpetrators from consequences (Hayes, 2020). The recent Department of Education changes to Title IX strips away prior progress, and harms survivors while restricting the agency of educational institutions to respond to sexual violence in a comprehensive and compassionate manner (Anderson 2020; Hayes, 2020; Wernz & Tulloch, 2020).

***2bii. State Legislation on Campus Sexual Violence***

When the federal government fails to mandate sufficient school responses campus sexual violence, state governments have an opportunity to step up and fill the gap in enforcement. California, Minnesota, New York, and Massachusetts are examples of states that have passed laws governing post-secondary institutions responses to sexual violence that go beyond the federal Title IX mandate (Bauer-Wolf, 2017; MA S.B. 2979, 2021).

New York's "Enough is Enough" Act, known as Article 129.B, required all New York colleges and universities to adopt consistent policies across all state post-secondary institutions, "including a uniform definition of affirmative consent, a statewide amnesty policy, and expanded access to law enforcement" (New York State Government, n.d., p. 1). The act also requires the interim suspension of any accused individual who is believed to pose a threat to the campus community. Additionally, the act mandates all New York colleges and universities conduct campus climate surveys every other year to assess students understanding of the law and experience with reporting sexual violence (Article 129.B, 2015). The campus climate surveys offered an opportunity for students to share their experiences with Title IX, just as this survey did.

In 2014, California's senate passed several bills pertaining to campus sexual violence, including CA SB-967 which created a definition of affirmative consent on all California college and university campuses and requires all post-secondary institutions in state to use the preponderance of the evidence standard (Bauer-Wolf, 2017). California affirmative consent law requires all "parties affirm their willingness to participate in a sexual encounter – rather than stop when they hear no" (Bauer-Wolf, 2017, p. 2). The second bill required California colleges and universities use the preponderance of evidence standard is especially important after the recent

federal changes to Title IX, which permit colleges to select the higher (Bauer-Wolf, 2017; Anderson 2020).

Lastly, two recent and particularly promising state laws governing campus sexual violence come from Minnesota and Massachusetts. These laws both require schools to report data on the sexual misconduct reporting and consequences, including how many reports of sexual misconduct were made, how many were investigated, how many reported perpetrators were found responsible, and what consequences were levied against reported perpetrators found responsible (Sexual Harassment and Violence Policy, 2020; Lannon, McKendall, & Nolan, 2021). Minnesota legislature's 2020 revision section 135A.15 of its post-secondary education statute also allowed students to report sexual misconduct online and required schools track the number of online reports (Sexual Harassment and Violence Policy, 2020). Additionally, the landmark Massachusetts Senate Bill 2979 required schools enter into a Memorandum of Understanding (MOU) with local law enforcement and community crisis centers. Furthermore, the Massachusetts law requires all schools in the state conduct campus climate surveys every four years on sexual misconduct as well as "'perceptions' of campus safety and 'confidence' in the institution's effort at protection" (Lannon et al., 2021, p. 3).

These laws in California, New York, Minnesota, and Massachusetts exemplify how states can use their legislative power to strengthen protection for victims of campus sexual assault through a variety of statewide requirements. State laws requiring drug amnesty, campus climate surveys, affirmative consent definitions, reasonable evidentiary standards, MOUs with local resources, interim safety measures, and the release of data on Title IX outcomes all serve to better support survivors of campus sexual violence, create uniform policies and accountability for schools across the state, and fill the gulf in recent federal Title IX policy (Bauer-Wolf, 2017).

***2biii. The Role of Social Media in Survivor Expression and Organizing***

Social media has enabled survivors of campus violence to voice their displeasure with their colleges' response, as well as receive support, seek accountability, and advocate for policy changes (Suran, 2014; New, 2016; Langone, 2018; Ott, 2020). Students can share their experiences with millions of people and push for action from their schools by creating viral hashtags and social media posts. For example, after a viral Facebook post about a bloody rape at Kenyon college that the Title IX office failed to find the accused perpetrator responsible of, Kenyon College announced they would review their sexual assault policies (New, 2016). In contrast, after the tweets from two Howard University students revealed they had been sexually assaulted by the same resident assistant (RA) who remained enrolled at the school were retweeted thousands of times, Howard University put out a statement that reports of sexual assault were being investigated, but that "these cases cannot be adjudicated through social media without compromising the integrity of the investigation" (New, 2016, p. 2).

To prevent accused students from overturning responsible Title IX findings in appeals. it is essential that educational institutions maintain the appearance of neutrality for the finding to stand (Keehan et al., 2015). However, taking an ethical neutral stance in the face of campus sexual violence can cause immense harm (Stanwick & Stanwick, 2016). Additionally, many individuals have pointed out on social media that schools have taken rapid action in response to violations of campus COVID-19 safety while displaying ethically indifference when it comes to violations of campus sexual misconduct policy. For example, the user @gmtrespalacios tweeted "universities have suspended more students for not social distancing in the past month than for sexual assault in the past 10 years," which received over 377,000 likes ([@gmtrespalacios], 2020).

The creation of anonymous social media accounts to publicize multiple accounts of sexual violence at educational institutions have taken off in recent years. For example, a twitter account was created called @RapedAtSpelman, which shared how after being raped by four students, a student left the school because “when she tried reporting the crime to campus officials, she was met with indifference and hostility” (New, 2016, p.1). Instagram accounts for survivors have popped up at 17 major colleges and universities; these accounts collectively illuminate a pattern of unchecked sexual violence and chronicle the devastating effects sexual violence has had on the lives of students (Ott, 2020).

Even if schools don’t respond to these social media posts, they can spur action, collaboration, and advocacy between survivors. The feelings of societal shame experienced by survivors in the aftermath of an assault lead many to remain silent, further empowering perpetrators (Suran, 2014; Yonak, 2017; Khan et al., 2018). As one researcher on sexual violence wrote “social networks have changed the sexual violence story from one that is about private shame to one about public outrage” (Suran, 2014, p. 304). In 2013, the New York Times found that students at the University of North Carolina at Chapel Hill (UNC) used social media to connect with survivors at Amherst College and Yale University prior to filing an OCR complaint. In addition to receiving advice via social media, some survivors founded “Know Your IX” and organization that educates and empowers college students in the U.S. about their rights under Title IX (Suran, 2014, p. 303). An outcome of online organizing is Know Your IX h evidence-based policy recommendations, including: the requirement that schools to share data on Title IX responses, the ability for victims to access accommodations while remaining anonymous, the extension of investigation to off-campus spaces connected to the school, and the creation of more state level laws about campus sexual violence (Know Your IX, n.d.).

***2biv. Student Distrust in Title IX & Their Institutions***

The final section of this literature review will examine the distrust students express towards their institution's response to Title IX, both through their low utilization of campus resources and their stated confidence in their university. The American Association of Universities (AAU) conducted a survey of nearly 200,000 U.S. undergraduate and graduate students nationwide, and found that only 15% of survivors of sexual violence utilized any campus resources in the aftermath of the incident (Cantor et al., 2020, p. 59). Counseling services was the most commonly utilized resource, contact by 7.07% of survivors, followed by health centers that were contacted by 3.54% survivors (Cantor et al., 2020, p. 59). The Title IX office was only the third most frequently utilized campus service, with 3.09% of survivors contacting this office (Cantor et al., 2020, p. 59). The extremely low utilization of Title IX suggests the vast majority of survivors of campus sexual violence (96.91%) do not perceive contacting Title IX as beneficial, either due to distrust in Title IX or perceived social risk (Armstrong et al., 2006; Khan et al., 2018; Cantor et al., 2020).

To better understand why post-secondary students utilized some campus resources over others, the AAU surveyed students about their trust in resources and if the resources were helpful. While 65.6% of all students responded they believed it was “very” or “extremely” likely that campus officials would take reports of sexual assault seriously, only 53.0% of women respondents and 45.0% of students who were victims of sexual assault indicated they believed it was “very” or “extremely” likely that campus official would take reports of sexual violence seriously (Cantor et al., 2020, p. 60). In contrast, 50.5% of all students reported believing that campus officials were “very” or “extremely likely” to conduct a fair investigation of sexual assault, and only 40.0% of women and 29.6% of victims of sexual violence reported that it was

“very” or “extremely” likely that campus officials would conduct a fair investigation into sexual assault (Cantor et al., 2020, p. 60).

These findings suggest that all members of the campus community -- regardless of gender or victim status -- are 15% less likely believe that Title IX investigations will be fair than they are to believe that campus officials take sexual assault seriously (Cantor et al., 2020, p. 60). This indicates there may be something structurally flawed with Title IX processes. Additionally, it is noteworthy that women and victims of sexual assault reported significant less trust in both campus officials and investigation than the general student population, with women indicating 10% less trust in their responses than the general student population and victims of sexual violence indicating 20% less trust in their responses than the general student population (Cantor et al., 2020, p. 60).

Applying conflict theory, it makes sense that if institutional processes help maintain the power of majority male perpetrators over majority female victims, then women display measurably less trust in institutions than men (Gould & Lewis, 2018; Hayes, 2020). Applying Armstrong’s theory of health care distrust, victim status predicting future distrust in these institutions suggests that victims have had negative experiences with institutions and processes (Armstrong et al., 2006). The AAU findings suggest there is low utilization and relatively low trust in institutional responses to sexual violence -- especially among women and victims of sexual violence (Cantor et al., 2020). This current study seeks to expand on these findings by further investigating students’ perceptions, utilization, and experiences with Title IX on U.S. college and university campuses, and will therefore model some of the same Likert scale questions as the AAU campus climate survey in methodology.



## Chapter 3: Methods

### 3a. Survey Methods and Study Design

To investigate student's perception and utilization of Title IX services, an online anonymous survey was conducted on current and recently graduated college students ages 18 - 30 years in age. The survey utilized mixed methods, collecting qualitative data in the form of multiple-choice demographic questions, multi-selection multiple choice questions, Likert scale questions, and open-ended responses. Participants had the ability to skip any question or select that they "prefer not to answer" and were asked to indicate their consent at the beginning of the survey.

The first set of questions gathered basic demographic information about participants, such as gender, current educational status, age, ethnicity, and sexuality. Additionally, participants were asked if they had ever been involved in a Title IX investigation, and if so, in what capacity: complainant, respondent, or witness (See section 1d for definitions). They were then asked if they knew anyone who had shared their involvement in a Title IX investigation with them, and, if so, in what capacity (i.e. complainant, respondent, witness). The purpose of asking these questions was that being personally involved or knowing someone who was involved in Title IX investigation could influence perceptions of the process.

Next, participants were asked if they had experienced sexual harassment or sexual assault while at college. If they selected yes, they were asked if they had reported the incident to Title IX, and if so, if they were satisfied with the response from Title IX. The purpose of these questions was to gauge how many survey participants reported experiencing sexual harassment or sexual assault, what percentage of those who experienced campus sexual violence chose to

utilize Title IX, and how many of the students who utilized Title IX were satisfied with the quality of the services.

The next section of the survey contained Likert scale questions intended to measure the survey participants' perceptions of Title IX based on their level of agreement with a series of statements. Participants were asked if they believed sexual violence was a serious problem on college campuses in the U.S. as well as on their campus. Next, they were asked if colleges in general and their specific college take sexual violence seriously, as well and if they provide adequate resources to victims of sexual assault. The questions were posed about colleges in general and the participant's particular college to measure if participants think their college is better or worse than all U.S. colleges in general.

Additional Likert scale questions asked if: Title IX offices make colleges/universities safer, Title IX investigations are fair, Title IX investigations favor victims, Title IX investigations favor perpetrators, Title IX investigations prioritize the mental wellbeing of victims of sexual assault, Title IX investigations are re-traumatizing to victims of sexual assault, being accused of sexual assault will ruin someone's life, Title IX complaints rarely result in any consequences for perpetrators of sexual violence, Title IX complaints rarely result in any serious consequences for perpetrators of sexual violence, and filing a Title IX complaint helps victims of sexual assault on college/university campuses. These questions measured participants' perceptions of the fairness, effectiveness, and negative or positive consequences of the Title IX process.

The final Likert scale questions ask if the participant would feel comfortable referring a friend who had been sexually assaulted to Title IX and if they would feel comfortable reporting to Title IX if they themselves were sexually assaulted. These questions moved beyond

perceptions of Title IX to measure the likelihood of utilization of Title IX. Following these questions are two open-ended responses asking participants to explain why they said they would or would not utilize Title IX, enabling individuals to share what experiences and reasoning explain why they would or would not refer a friend to or personally utilize Title IX.

Lastly, one of the final questions asks participants to select from campus and off campus resources which they might utilize instead of Title IX, selecting as many as application. Next, participants were asked to select as many words that describe the response to sexual assault on their campus as applicable from a list of positive and negative adjectives. Finally, participants were asked in an open response format if there was anything else they'd like to share about their perception of Title IX services on their college campus.

### **3b. Overview of the Sample Used in the Study**

The sample used in this survey was not fully randomized or representative of the population of college students at large because of time constraints and the recruitment methods. As will be discussed later, the majority of the sample was white, female, and attended Clark which does not reflect the diversity of college experiences. Any person who had attended college or university in the U.S. and was between the ages of 18 to 30 years of age. The age range was designed to exclude any minors, and ensure current or relatively recent graduates could be included in the sample.

Participants were recruited from posts on a personal Facebook and Instagram pages, as well as from posts within the Clark University student body page and the Clark University Class of 2020 pages, meaning participants were more likely to have attended Clark and have self-selection bias due to their interest in Title IX. In total, 68 individuals responded to the survey, but the final sample that was used was only composed of 47 individuals. This is because the

responses of any individual who did not click yes on the consent question could not be used, and were discarded. Additionally, for the purpose of analysis, any individual who completed less than 75% of the survey questions were left out of the analysis, resulting in a final sample size of 47 individuals.

### **3c. Explanation of Measurements, Definitions, Indexes, and Reliability and Validity of the Survey Methods and Design**

In order to measure perceptions of Title IX services, a seven-point di-polar Likert Scale was utilized. This refers to the fact that the scale allowed for participants to select from answers that expressed both agreement and disagreement. The seven-point scale refers to the seven potential responses participants could choose from: Strongly Agree, Agree, Somewhat Agree, Neither Agree or Disagree, Somewhat Disagree, Disagree, Strongly Disagree. A seven-point scale enables a participant to express nuance, differentiating between partial agreement (somewhat agree) vs. full agreement (agree). Likert scale questions are designed to effectively measure attitudes and perceptions in a standardized way (McLeod, 2019).

Four definitions were provided in the survey: complainant, respondent, sexual harassment, and sexual assault. Complainant was defined as “the person who filed the Title IX complaint” and respondent was defined as “the person who the Title IX complaint was filed against.” The Clark University Title IX definition was provided for sexual harassment:

Sexual Harassment consists of any unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature.

This includes, but is not limited to: submission to, or rejection of, such conduct that is made either implicitly or explicitly a term or condition of employment or participation in an education program; submission to, or rejection of, such

conduct that is used as the basis for employment or academic decisions affecting a student; such conduct that has the purpose or effect of interfering with a student's work or academic performance; or such conduct that creates a hostile or intimidating work or academic environment. (Clark University, 2021)

The Clark University Title IX definition was also used for sexual assault:

Sexual Assault is any sexual penetration (anal, oral or vaginal), however slight, with any object or sexual intercourse by one or more persons upon another without effective consent. Sexual penetration includes vaginal or anal penetration by a penis, object, tongue or finger and oral copulation by mouth to genital to mouth contact. (Clark University, 2021)

No indexes were used in the study. If replicated, the survey would likely result in the same responses, making the survey measures and design reliable. Additionally, 19 Likert scale questions were used to measure the participant's perceptions and utilization of Title IX services. Likert scale questions are designed to effectively measure attitudes, making the Likert survey measures and design valid.

### **3d. Description and Justification of Analytical Techniques Utilized**

The qualitative demographic data will be analyzed based on the percentage of participants answering a certain category (i.e. percentage of male and female participants). Pie charts containing this data can be found in **Appendix B**. Likert scale data is ordinal and can only be appropriately analyzed in certain ways. For example, the mode and median of the Likert responses can be calculated, but the mean cannot, because "somewhat agree" is not equidistant from both "agree" and "neither agree or disagree" (McLeod, 2019). Accordingly, the Likert scale data was analyzed to determine the median and mode which can be found in **Table 1** (See

**Appendix A**), as well as the data being presented in the form of bar charts to show the distribution of the responses. (See **Appendix B**). As the data is not quantitative, no causal statistical analysis could be conducted. The answers to the open-ended responses were coded into common themes that occurring in five or more responses. Responses could be coded under multiple themes, responses that didn't fall under any other themes were coded as "Other."

### **3e. Reliability and Validity of Internal/External Design**

The survey design should have high internal reliability, as the Likert questions are designed to consistently measure perceptions of Title IX. Additionally, the open-ended responses were coded three times to ensure the reliability. As the survey was designed for the specific population of current or recent college students on Title IX, it would not have high external reliability if applied to other populations. The survey design has high internal validity, because Likert scale questions are effective at measuring perceptions, and the questions probe a range of Title IX related topics. The lack of a randomized, representative sample prevents its results from being generalized to other population means the survey design would have low external validity.

### **3f. Assumptions and Applied Limitations of Study Method and Design**

The survey utilized qualitative Likert type questions and while the data has a high level of validity, a limitation is that a causal relationship between variables cannot be established. Therefore, while it can be assumed that having a negative perception of Title IX would make an individual less likely to utilize Title IX services, it cannot be statistically shown that there is a causal relationship between the two variables (perception and utilization). An additional limitation of the study is that the sample was not representative, random, or large in size, however given the semester long duration of this study and the fact that the findings won't be generalized, this is acceptable.

## Chapter 4: Findings

### 4a. Brief Overview of Research Project

This research study was designed to investigate the perception, utilization and quality of college Title IX services in the United States. It also seeks to build off of prior academic work studying the dynamics of sexual violence on college campuses, with a focus on the policies, procedures, and administration of Title IX. While post-secondary institutions are required to release annual campus crime statistics including rape and stalking under the Clery Act, there is no federal requirement for schools to release statistics about the number of Title IX reports and the outcomes of these Title IX investigations (RAINN, 2021). The review of the literature revealed that recent changes to federal guidelines have greatly limited the effectiveness of Title IX, but states have the ability to support survivors through targeted legislation (Bauer-Wolf, 2017; Anderson, 2020).

In the past decade, students have used social media to shatter the stigma around surviving sexual violence and call for institutional accountability and changes to state and federal policy (Suran, 2014; New, 2016; Langone, 2018; Otto, 2020). The nationwide AAU Campus Climate Survey revealed high rates of campus sexual violence but very low rates of reporting to Title IX, as well as student distrust of their schools' investigations of campus sexual violence (Cantor et al., 2020). The hypothesis for this research project is that if students hold negative perceptions of Title IX offices, then they will not report campus sexual violence they experience to Title IX offices. To test this hypothesis, an anonymous survey was designed to measure perceptions, involvement, and utilization of Title IX through both Likert Scale multiple choice and open-ended responses. After two weeks of survey recruitment on social media, the anonymous response of 47 current and former US college students ages 18 – 30 were analyzed.

## **4b. Results and Any Unplanned Situations that Occurred**

### ***4bi. Demographics***

The demographic data revealed that the gender identity of the majority of the participants (78.3%) were female, while only 10.9% were male and 8.7% were non-binary. 2.2% of study participants indicated that they preferred not to answer (See *Appendix B, Fig. 1*). Just under half (48.9%) of the participants had graduated and 21.3% of participants were enrolled in a Master's program (21.3%). 19.1% of participants were seniors in a 4-year college or university, 6.4% of participants were juniors, and 4.3% of participants were sophomores. No participants were enrolled in a PhD program, a 2-year community college, or a certificate program (See *Appendix B, Fig. 2*).

The sample was majority White: 83% of participants were White, 12.8% of participants were Asian, and 4.3% of participants selected "Other" (See *Appendix B, Fig. 3*). In terms of the sexuality, nearly 40% of the participants (38.3%) reported being bisexual, with the next most common sexuality being straight (29.8%). 12.8% of participants were pansexual, 6.4% of participants were asexual, 8.5% of participants reported "Other," and 4.3% of participants were gay (See *Appendix B, Fig. 4*). The age range of the sample was from 20 - 26 years of age. The median and mode of the ages was 23, which was the age of just over a third (34%) of all participants (See *Appendix B, Fig. 5*).

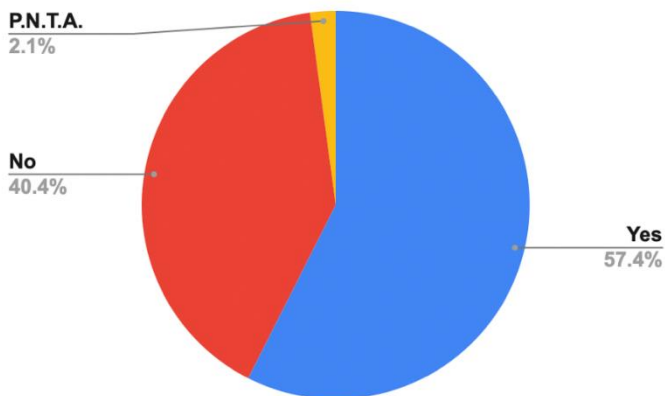
### ***4bii. Participant Interaction with Title IX & Experiences of Campus Sexual Violence***

The study found that most of the survey participants had not been personally involved in a Title IX investigation, but 17% of participants had (See *Appendix B, Fig. 6A*). When asked to elaborate on their involvement, 75% of participants who were personally involved in a Title IX investigation as a complainant, and 25% have been involved as a witness (See *Appendix B, Fig.*



**6B).** Two-thirds (68.1%) of participants knew someone who had been involved in a Title IX investigation (See *Appendix B, Fig. 7A*); the vast majority (90.6%) of involved individuals who participants knew were complainants. Two participants (6.3%) skipped this question and one participant (3.1%) indicated they knew a respondent (See *Appendix B, Fig. 7B*).

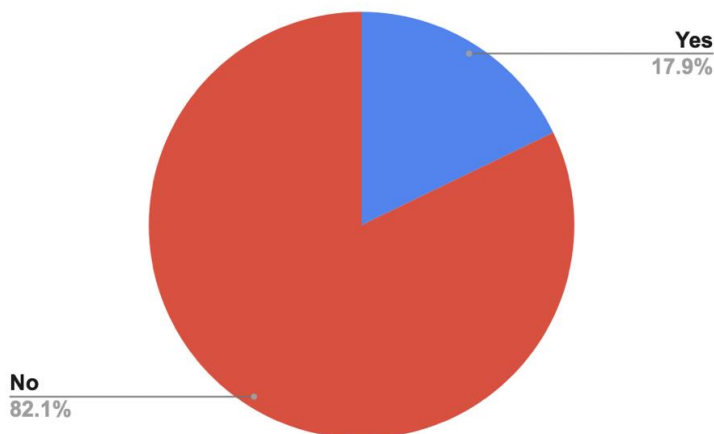
**Figure 8A: Had the Participant Ever Experienced Sexual Harassment While at College/University?**



*Fig 8A: The pie chart shows that over half of survey participants reported experiencing sexual harassment while at college, while 2.1% reported they preferred not to answer (P.N.T.A.)*

As shown in *Fig. 8A* to the left, 57.4% of participants shared they had experienced sexual harassment in college or university, while 2.1% of participants indicated they preferred not to answer the question. 40.4% of

**Figure 8B: If a Participant Experienced Sexual Harassment, Did They Report it to Title IX?**



*Fig 8B: The pie chart shows that of the 57.4% of participants who experienced sexual harassment, less than 1 in 5 reported the sexual harassment to Title IX.*

participants responded that they had not experienced sexual harassment while at college or university.

**Fig. 8B** shows that of the participants who experienced sexual harassment, 82.1% answered that they did not report the sexual harassment

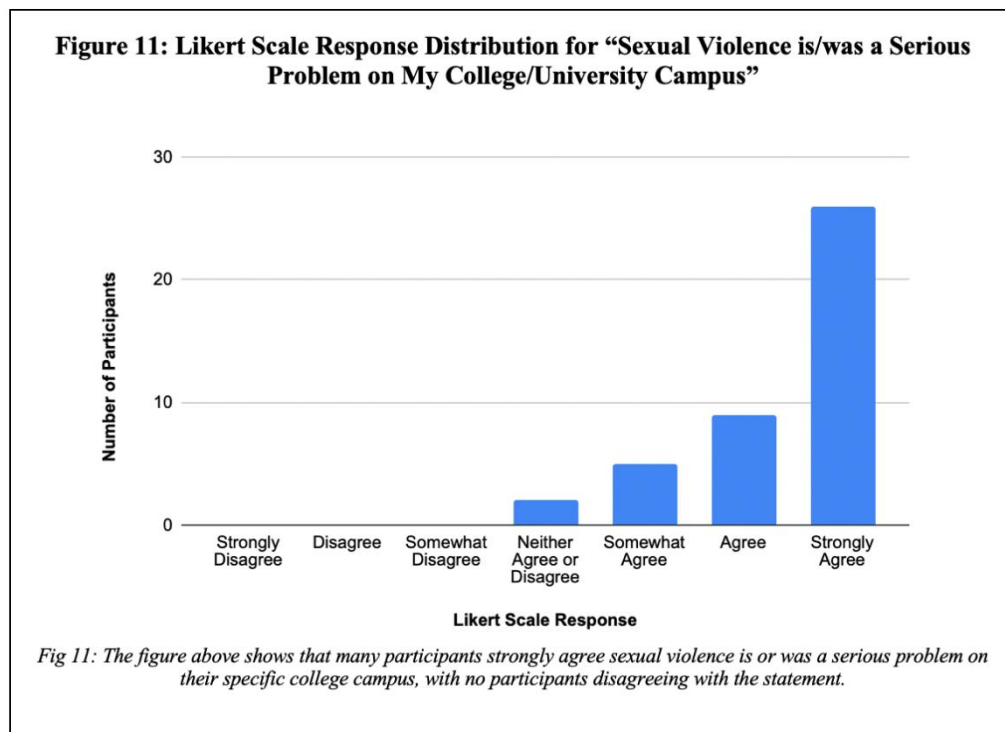
to Title IX and 17.9% (5 participants) did report the sexual harassment to Title IX.

Crucially, of the 5 participants reported sexual harassment to Title IX, **100%** reported they were not satisfied with Title IX's response (See *Appendix B, Fig. 8C*).

Additionally, 31.9% of participants responded that they had experienced sexual assault while at college or university, while 68.1% of participants responded that they hadn't experienced a sexual assault (See *Appendix B, Fig. 9A*). Of the participants who shared they had been sexually assaulted, exactly 20% (3 participants) said they reported it to Title IX, and 80% said they did not report it to Title IX (See *Appendix B, Fig. 9B*). Saliiently, of the 3 participants who experienced sexual assault and reported it to Title IX, **100%** reported that they were not satisfied with Title IX's response (See *Appendix B, Fig. 9C*).

#### ***4biii. Perceptions of Title IX***

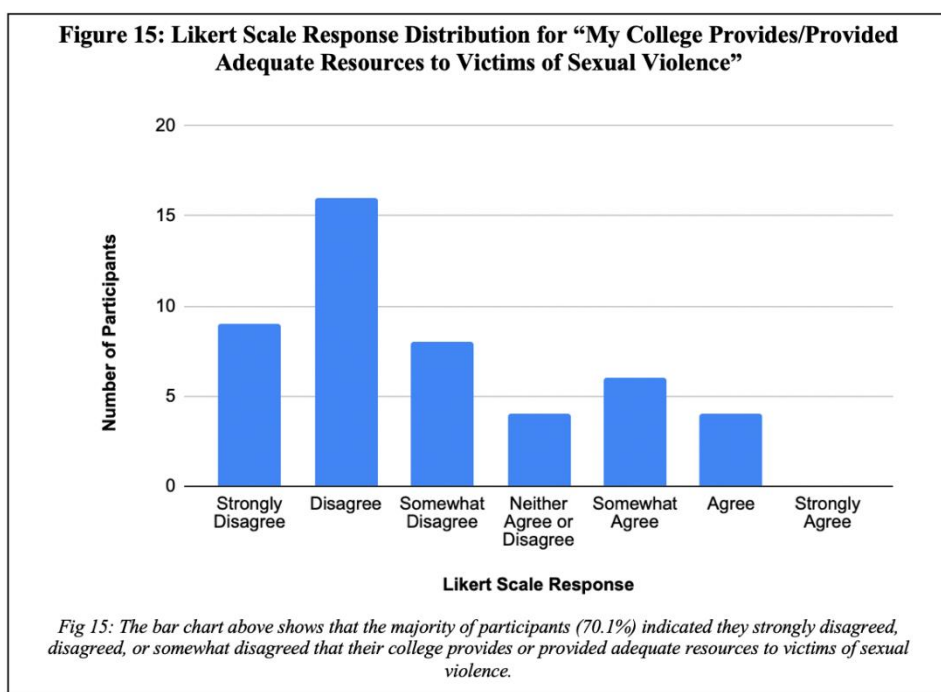
When presented with the statement that "Sexual violence is a serious problem on college/universities and campuses in the US" participants almost unanimously (93.3%) responded that they "strongly agree" (See *Appendix B, Fig. 10*).



As shown in *Fig. 11 to the left* above, 61.9% of participants responded they "strongly agree" that "Sexual

violence is a serious problem on my campus/university.”

The median and mode response to both “Colleges/universities take sexual violence seriously” and “My college/university takes sexual violence seriously” was “Disagree.” 72.4% of participants disagreed to some extent that U.S. colleges and universities take sexual violence seriously, while 65.2% of participants disagreed to some extent that their colleges takes sexual violence seriously (See *Appendix B, Figs. 12-13*). Additionally, the median and mode response for “Colleges provide adequate resources for victims of sexual violence” was “Disagree,” with 80.4% of participants disagreeing to some extent (See *Appendix B, Fig. 14*).



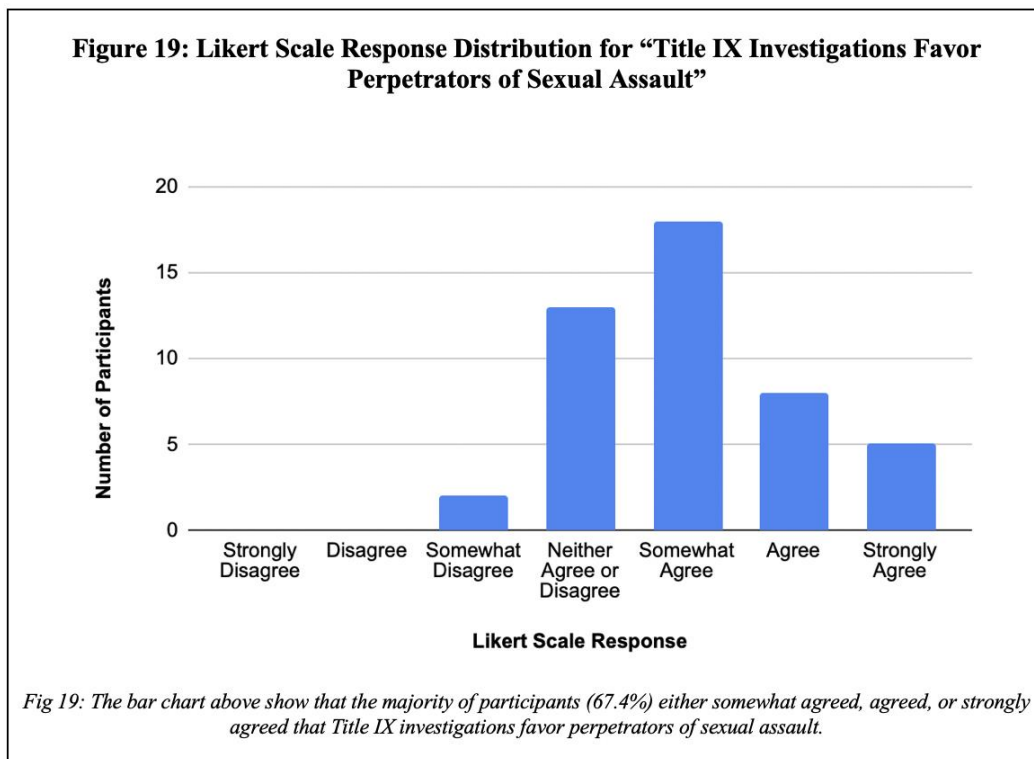
As shown in **Fig. 15** to the left, the mode and median response to “My college provides adequate resources for sexual violence” was “Disagree,” and 70.1% of participants indicated they disagreed with the

statement to some extent.

Moving to the survey questions asking specifically about Title IX offices and investigations, the median and mode response for “Title IX offices make colleges/universities safer” was “Somewhat Agree,” with 71.5% of participants agreeing to some extent with this statement (See *Appendix B, Fig. 16*). When asked if “Title IX investigations are fair processes,”

63.1% of participants disagreed to some extent (See *Appendix A, Fig. 17*). When asked to elaborate, the median and mode response to “Title IX Investigations favor victims of sexual assault” was “Disagree,” with 80.5% of participants disagreeing with the statement to some extent (See *Appendix B, Fig. 18*).

In contrast, as shown in **Fig. 19** below, 67.4% of participants indicated some level

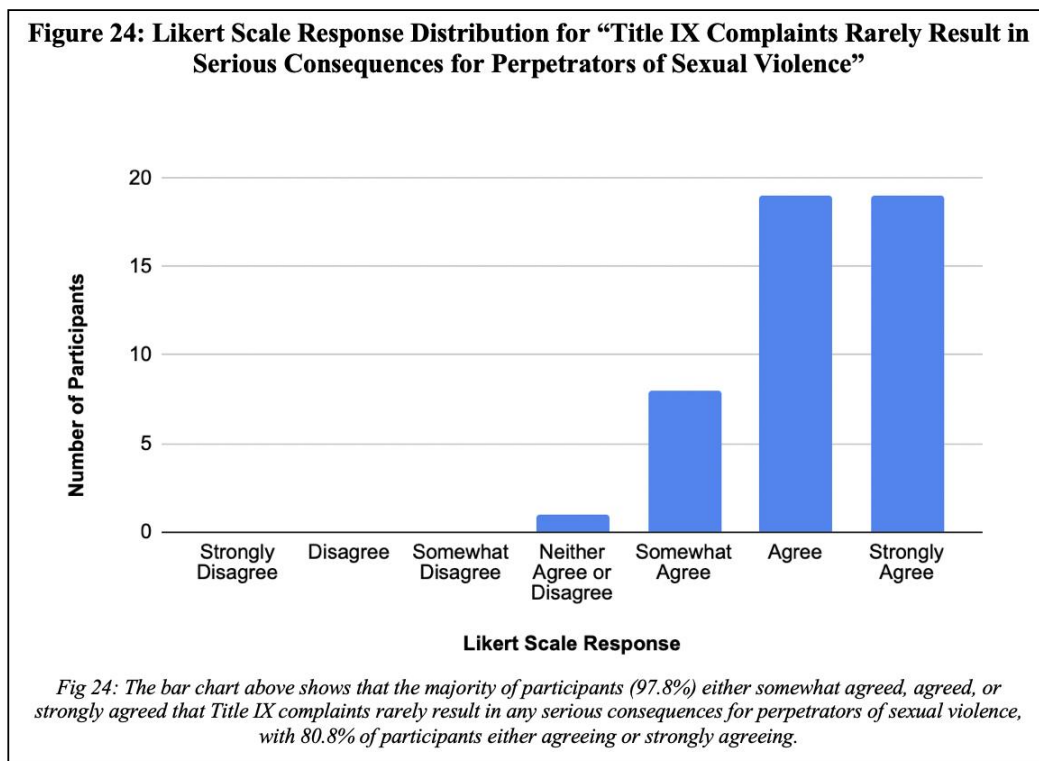


agreement with the statement that “Title IX investigations favor perpetrators of sexual assault,” with the mode response being “Somewhat Agree.”

Next, 89.4% of participants indicated some level of disagreement with the statement that “Title IX investigations prioritize the mental wellbeing of victims of sexual assault,” with a median response of “Disagree” and a mode response of “Strongly Agree” (See *Appendix B, Fig. 20*). Similarly, the median and mode responses to “Title IX investigations are retraumatizing to victims of sexual assault” were “Agree,” and 88.9% of participants indicated some level of agreement (See *Appendix B, Fig. 21*).

Additionally, 73.8% of participants indicated some level of disagreement with the statement that “Being accused of sexual assault will ruin someone’s life,” with a median and mode response of “Somewhat Disagree” (See *Appendix B, Fig. 22*). 93.6% of participants indicated some level of agreement with the statement “Title IX complaints rarely result in any consequences for perpetrators of sexual violence” with a median and mode response of “Somewhat Agree (See *Appendix B, Fig. 23*).

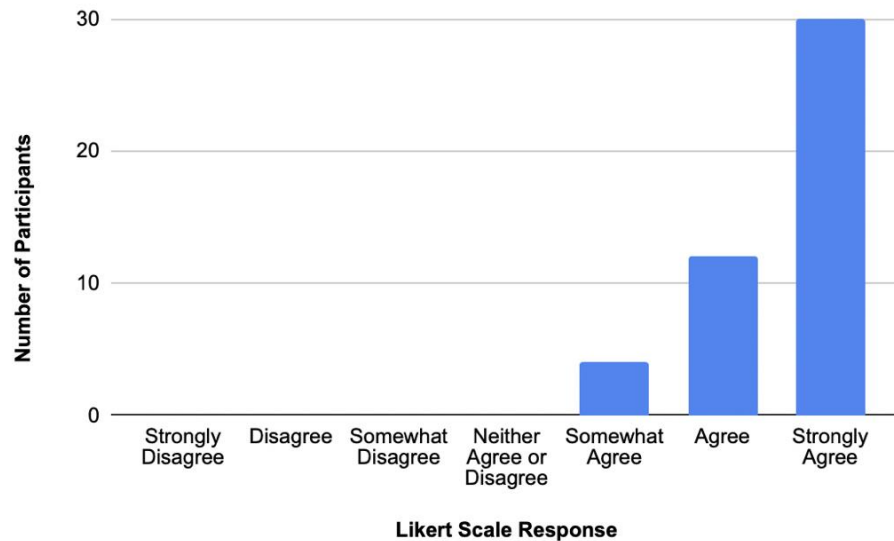
As shown in *Fig. 24* below, when the statement was modified to “Title IX complaints rarely result in any **serious** consequences for perpetrators of sexual assault, 97.8% of participants



indicated some level of agreement, with a median response of “Agree” and dual modes of “Agree” and “Strongly Agree.”

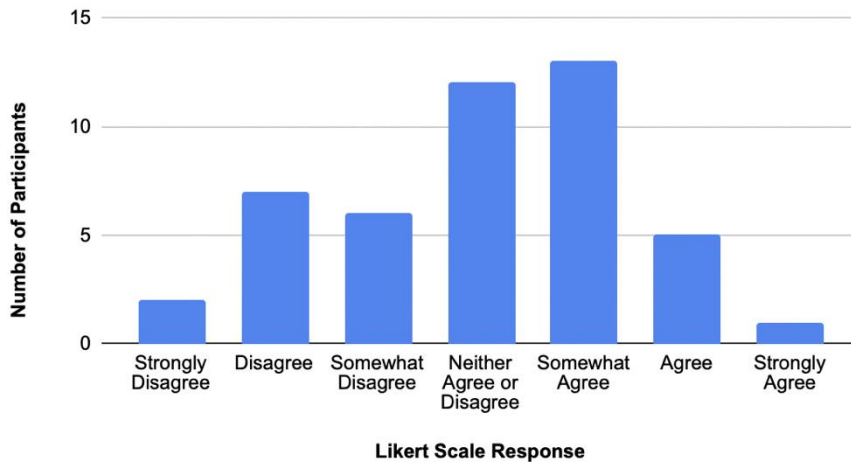
As shown in *Fig. 25* on the following page, **all** participants indicated some level of agreement with the statement “Many victims of sexual assault choose not to report to their college or university’s Title IX office,” with a median and mode response of “Strongly Agree.” Specifically, 65.2% of participants gave a response of “Strongly Agree” to this statement.

**Figure 25: Likert Scale Response Distribution for “Many Victims of Sexual Assault Choose Not to Report to Their College’s/University’s Title IX Office”**



*Fig 25: The bar chart above shows that participants unanimously agreed that many victims of sexual assault choose not to report to their college’s or university’s Title IX office, with 65.2% strongly agreeing.*

**Figure 26: Likert Scale Response Distribution for “Filing a Title IX Complaint Helps Victims of Sexual Assault on College/University Campuses”**



*Fig 26: The bar chart above shows that participants indicated a normal distribution to whether filing a Title IX complaint helps victims of sexual assault, with over half of participants (54.4%) indicating they somewhat agreed or neither agreed or disagreed.*

Next, as shown in **Fig. 26** in the bottom left, participants indicated mixed responses to the statement “Filing a Title IX complaint helps victims of sexual assault on

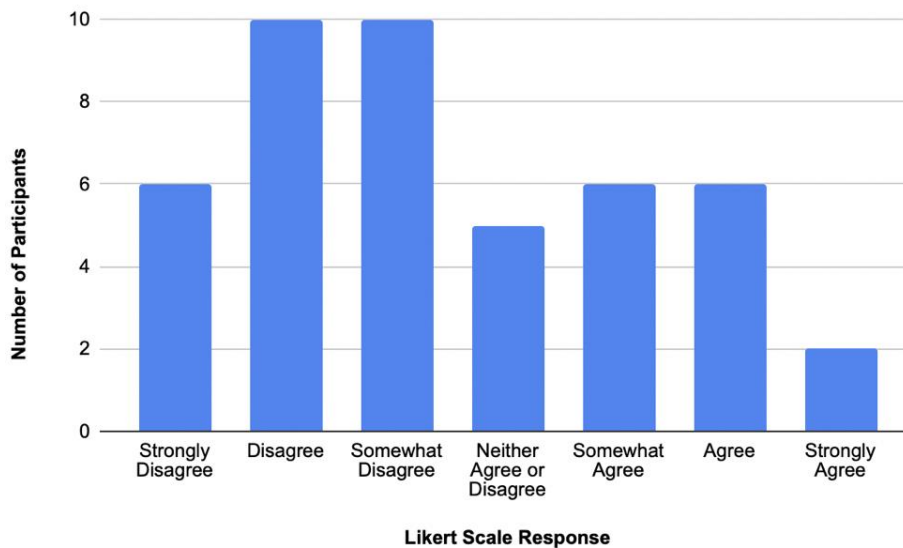
college/university campuses”. The figure shows a normal distribution of responses, with the median response was “Neither Agree or Disagree”, and the mode response of

“Somewhat Agree.”

The final two Likert questions asked participants about if they would feel comfortable referring a friend to Title IX or personally reporting to Title IX in the aftermath of a sexual assault. When posed the statement “If my friend experienced a sexual assault while at college/university, I would feel comfortable referring them to my college’s Title IX Office,” the median of the responses was “Neither Agree or Disagree” and the mode of the responses was “Somewhat Agree.” Overall the distribution of responses was relatively normal, with 4.3% more participants indicating some level of agreement than disagreement (See *Appendix B, Fig. 27*)

Alternatively, *Fig. 28* below shows that 57.7% of participants indicated some level of disagreement with the statement “If I experienced a sexual assault while at college/university, I

**Figure 28: Likert Scale Response Distribution for “If I Experienced A Sexual Assault While at College/University, I Would Feel Comfortable Reporting It to My College’s Title IX Office”**



*Fig 28: The bar chart above shows that the majority of participants (57.7%) either strongly disagreed, disagreed, or somewhat disagreed that they would feel comfortable reporting a sexual assault to their college’s Title IX office, while just under a third of participants (31%) indicated they either somewhat agreed, agreed, or strongly agreed.*

would feel comfortable reporting it to my college’s Title IX office.” Less than a third (31.4%) of participants indicated

some level of agreement with the same statement. The median response to the question was “Somewhat Disagree” and the dual modes were “Somewhat Disagree” and “Disagree.”



***4biv. Open Responses***

Participants were given three chance to elaborate on their perceptions of Title IX, in an open response form; first to explain why they would or would not feel comfortable referring a friend to Title IX, next to explain why they would or would not feel comfortable personally reporting to Title IX, and lastly to share anything else about their perceptions of Title IX. In total there were 85 open responses submitted out of a possible 141 (47 participants x 3 open responses), indicating many responses. As the responses were similar in nature, they were coded into 10 core themes shown in *Table 2* below:

<b>Table 2: 10 Main Themes in Open Responses and the Number of Responses Falling Under those Themes</b>	
<u>Theme</u>	<u>Number of Responses</u>
Title IX is unhelpful and does nothing	21
Title IX causes harm/makes things worse for victims who report	10
Negative social consequences/not being believed/being victim blamed	12
Title IX investigations retraumatize victims	6
Perception informed by a friend's experience with Title IX/word of mouth	17
Perception informed by personal experience with Title IX	10
Title IX is intended to protect college's image & profitability, not students	5
Investment required in a Title IX investigation is not worth the outcome	13
Desire for justice/consequences/accountability	13
Other	16



The vast majority of responses reflected negative perceptions of Title IX, and the negative responses were highly negative, while the positive examples were fairly restrained or superficial in nature. Of the 17 responses coded under theme “5) Perception informed by a friend’s experience with Title IX/word of mouth”, 15 of the responses reflected negative perceptions of Title IX, 1 reflected a positive perception of Title IX, and 1 reflected a neutral perception of Title IX. All of the 10 responses coded under theme “Perception informed by personal experience with Title IX” reflected negative perceptions of Title IX.

Example negative response:

*“I’ve heard way too many horror stories. A girl getting slut shamed at my school for what she was wearing while raped even though the rapist BROKE INTO HER SINGLE DORM ROOM AND RAPED HER THERE. My other friend’s rapist confessed in writing and he still goes to our school. I’m not going through that.”*

Example positive response:

*“I would because in the past Clark’s title IX was able to get justice for a friend”*

A handful of responses were neutral. Some of these neutral responses included not knowing much about Title IX and seeing reporting to Title IX as not harmful but also not having a clear benefit.

Example neutral response:

*“I would feel comfortable [referring a friend to Title IX] because it’s better than nothing, but I wouldn’t be surprised if they didn’t do anything”*

**Table 3** on the following page contains a selection of relevant open responses that will be used for later discussion and policy recommendations.

<b>Table 3: Selection of Open Responses about Title IX</b>
<i>“Friends of mine who have filed with the title ix office were not helped or treated well”</i>
<i>“I have seen MANY occasions at Clark in which victims are either blamed and made to feel worse, or there is no actual investigation at all and the perpetrator has no, or insignificant consequences”</i>
<i>“Past experiences of friends feeling invalidated, ignored, and triggered by those working in the Title IX office.”</i>
<i>“When I was at Clark I, and most of my friends, were under the impression that Clark didn’t have a cut off for people who were constantly accused by different people. How many Title IX complaints do you have to rack up before you get kicked out? You can only rearrange so many schedules and there are only so many classes”</i>
<i>“I know so many people they didn’t help. I don’t want my friends to go through a brutal investigation only to have absolutely nothing happen, they would just be labeled a bitch who talks too much. it’s not worth it.”</i>
<i>“I personally did not have the mental or emotional capacity to continue focusing on the experience, because I predicted an investigation would be lengthy and I was a full time student and employee.”</i>
<i>“Reporting usually means going through some amount of trauma again, and to go through that and potentially the entire trial process would probably not seem worth the effort for the consequences a perpetrator would (or really wouldn’t) receive”</i>
<i>“It’s not an easy decision to make (to seek their services, or make a formal complaint), and it can mean putting your own well-being further in danger. Which is the exact opposite of what should be happening. I hope it changes but it feels like that’ll never happen.”</i>
<i>“If the person who sexually assaults is an athlete or popular / well known member of their campus community then it is almost inconsequential to report them due to fear of repercussions even if they’re just social.”</i>
<i>“I would want the perpetrator to be known, but I’d have fear of being judged/not believed. So I would have to think about reporting and the effect process would have on my education and mental health. I think outing the perpetrator to the school is important but the standards for consequences are low.”</i>
<i>“I would want to weigh the pros and cons, potential consequences, and look at the office’s track record before referring”</i>
<i>“Colleges are only concerned about the safety of their students to the extent that it is profitable for them”</i>

*“It feels like more of a formality for the school rather than something they actually care about”*

*“Reporting an assault to the Title IX office is the best way to create a paper trail and advocate for relevant accommodations after the event.”*

*“Because there has to be a few people who are trained to handle it well, like knowing who to go up the ladder, how to press charges.”*

*“I would believe their story and I wouldn’t want them to have to go through such a long process. Often the outcomes were limited of the scope for what the university would do to handle the situations, ie just a class change for the perpetrator. But I would have them report to increase statistics, to have more access to mental health resources.”*

#### ***4bv. Data Excluded for Purposes of Length & Time***

The full results from two questions were excluded for the purposes of length and time. The first question asked participants to “Select all resources that you might utilize instead of Title IX” and listed on and off-campus resources such as Friends, Non-School Affiliated Therapist, Crisis Hotline, Dean of Students Office, and School Counseling Center. Most participants selected numerous answers, indicating there were many other resources that students would turn to prior to using Title IX. The most commonly selected resources were social support from friends, roommates, and family, as well as mental health support from either the school’s counseling center or a non-school affiliated therapist, and victim’s resources from a crisis hotline.

The second question omitted from the full results and analysis asked to “Select ALL the following options you would use to describe the response to sexual violence on your college/university campus” from a series of positive and negative adjectives. Almost all of the participants selected negative adjectives to describe the process, such as “Alarming” “Bad” and “Exhausting.”

***4bvi. Unexpected Situations that Occurred***

An unplanned situation that occurred was that several survey participants did not click “I agree” on the first question indicating their consent. This meant that the responses of several participants who completed the entire survey could not be ethically used, and were discarded. A week into the survey being opened to responses, it was noticed that the consent question was not mandatory and the survey was edited to require participants’ consent to proceed with the survey.

**4c. Brief Descriptive Analysis**

The demographic data of the survey further indicates that the sampling was not random or representative of college students at large. The sample was majority white and female, which reflects only a subset of experiences. The prevalence of sexual violence experienced by the sample was high; over half (57.4%) of participants indicated experiencing sexual harassment and just under a third (31.7%) of participants indicated that they experienced sexual assault. Less than 20% of participants who experienced sexual harassment or sexual assault indicated that they reported it to Title IX, but all of the 8 participants who reported sexual assault or sexual harassment indicated they were not satisfied with Title IX’s response.

While only 17% of participants indicated being involved in a Title IX investigation personally, 68.1% of participants indicated knowing someone who had shared their involvement in a Title IX investigation, most of whom were complainants. This is mirrored in the open responses, where the second most common theme was that a friend’s experience or word of mouth influenced the participant’s perception of Title IX. The findings from the Likert scale questions indicate that participants believe that sexual violence is a serious problem on college campuses, colleges do not take sexual violence seriously, and colleges do not provide

adequate resources to victims of sexual violence. Participants also indicated that they did not believe that Title IX investigations were fair, and that they somewhat favored perpetrators.

The Likert scale findings also indicated that participants perceived Title IX to be retraumatizing to victims and that the process did not prioritize the mental well-being of victims. Not only did participants indicate that they perceived undergoing a Title IX investigation carried these negative consequences for victims, they also indicated they perceived Title IX investigations rarely result in consequences, especially serious consequences, for perpetrators of sexual assault. The open responses reinforced these findings, with the common themes being that Title IX investigations retraumatize victims, make things worse for victims, lead to social consequences for victims, do nothing, and that the outcomes are not worth the investment. The highly negative adjectives also supported the negative perception of Title IX. Interestingly, despite these findings, participants also somewhat agreed that Title IX offices make college and university campuses safer, which will be discussed further later.

Next, participants strongly agreed that many victims of sexual assault choose not to report to Title IX. A significant finding was that the vast majority of the open responses indicated highly negative perceptions of Title IX, most being based on stories or experiences of friends, as well as personal encounters. Lastly, while most participants indicated they somewhat agreed they were comfortable referring a friend to Title IX, many responses indicated they did not have high hopes for how helpful Title IX would be. In contrast, most participants indicated that they would not be personally comfortable reporting Title IX. Overall, these findings indicate that participants held negative perceptions of Title IX, and expressed unwillingness to report sexual violence to Title IX offices that they justified in the open response by these negative perceptions.

#### **4d. Reliability & Validity of the Analysis**

The qualitative methods utilized for designing and conducting the study do not allow for the same level of reliability and validity as the statistical analysis of quantitative data. To improve the reliability of the data, the open responses were coded three times to ensure the responses were consistently coded. Taking both the median and the mode of the Likert scale data ensured validity of the analysis, as it measured not only the most common response but also the middle of all responses.

#### **4e. Explanation of the Hypothesis and Precise and Accurate Data**

The central hypothesis in this research project was that if students hold negative perceptions of Title IX offices, then they will not report campus sexual violence they experience to Title IX offices. Without analytical methods, a correlation between perceptions of Title IX and likelihood to report sexual violence to Title IX cannot be established. There was, however, a clear, recurring finding of negative perceptions of Title IX and an unwillingness to report to Title IX, shown in the Likert scale questions, multi-choice selections, and open responses. Furthermore, participants specifically referred to negative perceptions when justifying why they would not report to Title IX, supporting the hypothesis that negative perceptions of Title IX result in lower rates of reporting

While the Likert scale data was relatively accurate, it lacked precision. Though the median and mode response for each Likert question was often the same response, there was a range of participants responses. This range of responses makes sense, as human perceptions vary. Therefore, it was expected that this data would be accurate but not precise due to the Likert scale measurement of human perceptions (McLeod, 2019).

## Chapter 5: Discussion

### 5a. Discussion of Findings and Implications

There were a number of significant findings from this study that not only support the central hypothesis but also have implications on the body of knowledge of Title IX and policy recommendations. Even prior to analyzing the anonymous survey data, it was apparent that there was widespread interest in the topic of Title IX. Within 24 hours of posting the survey link, 25 individuals completed the survey. Furthermore, several individuals messaged the researcher sharing the pain they had experienced navigating Title IX. The strong, passionate response to the survey illustrates the importance of this research.

The first interesting finding based on the analysis of the data was that participants indicated that the severity and response to sexual violence was better on their **own** campuses than on U.S. college/university campuses as whole. For example, 93.3% of participants strongly agreed that sexual violence was a serious problem on college/university campuses, while only 61.9% of participants strongly agreed that sexual violence was a serious problem on their own college/university campus. Participants demonstrated a similar pattern in their responses to how seriously colleges and universities take sexual violence and if they provide adequate resources for survivors of sexual violence, displaying marginally more favorable perceptions of their school's response than schools in general. For example, despite the median and mode response for all four statements being "Disagree" no participants responded "Agree" with the Likert statements "Colleges/universities take sexual violence seriously" and "Colleges provide adequate resources to victims of sexual violence," but 6.5% and 8.5% of participants respectively responded "Agree" to the same statement phrased about their specific college or university. The implication of this finding is that while participants did not hold favorable perceptions of their

institutions' response to sexual violence, they perceived it as better than other U.S. educational institutions.

A second finding was that participants perceived the Title IX process as not only ineffective but also harmful. The study's finding showed participants did not believe Title IX complaints resulted in consequences — especially serious consequences — for accused perpetrators. This was especially evident in the open responses, where “Title IX is unhelpful and does nothing” was the most common theme, occurring in 21 responses. If a resource is not perceived to be effective, then there is little incentive for students to utilize it. Key themes from the open responses supported that participants that perceived Title IX as harmful to victims: 12 responses mentioned fear of being facing social consequences/being victim-blamed/not being believed, 10 responses indicated reporting to Title IX would make things worse or bring harm to a victim, and the 6 responses that indicated that Title IX is retraumatizing victims. Participants attributed their negative perceptions of Title IX to either the experiences of people they knew (17 responses) or their own experiences (10 responses) (see *Table 2*). The implication of this finding is that participant's negative perceptions of Title IX are informed by their own negative with Title IX or the negative experiences of people they know. Therefore, in order to improve the perceptions of Title IX, schools likely need to improve the experiences of student who choose to report to sexual violence to Title IX, specifically addressing the areas the areas of social consequences, victim-blaming, disbelief, traumatization, and increased harm.

Another finding from study was that while participants viewed Title IX investigations as carrying negative consequences for victims with limited consequences for alleged perpetrators, there were some smaller, potentially beneficial aspects of contacting Title IX coordinators. These benefits were described in open responses as the ability to gain knowledge about how to press



charges, access academic accommodations and no contact orders, and request changes in class schedules, and gain mental health support. This may explain why despite participants previously described negative perceptions of Title IX, mode participant response to “Does reporting to Title IX help victims of sexual assault” was “Somewhat Agree.” The implication is that while undergoing a full Title IX investigation is seen as requiring significant effort without offering meaningful consequences at removing perpetrators from campus (i.e. serious consequences), participants view other minor accommodations and knowledge from Title IX as beneficial. Accordingly, it is recommended that colleges provide victims with access to instrumental and emotional support regardless of whether or not they undergo a complete Title IX investigation.

Lastly, a measurable difference was found in how participants responded when asked if they feel comfortable referring a friend who had been sexually assaulted to Title IX, as opposed to if they themselves would be comfortable reporting a sexual assault they experienced to Title IX. The results showed that participants were more likely to indicate they would refer a friend to Title IX (median = neither agree or disagree, mode = somewhat agree) than report to Title IX themselves (median = somewhat disagree, modes = somewhat disagree; disagree). When explaining their reasoning referring a friend to Title IX, some participants indicated Title IX was “*better than nothing.*” However, when it came to how they would **personally** respond to a sexual assault, participants stated that they lacked the time and mental energy to go through a Title IX investigation, and that they were unwilling to risk the potential re-traumatization, harm, and social repercussions of reporting to Title IX. For example, one participant stated they would feel comfortable referring a friend to Title IX because the process was “*able to get justice for a friend,*” however they indicated they would not feel comfortable reporting themselves, stating “*personally I think it would be retraumatizing and it’s a really long process.*” The implication is

that while it feels relatively low stakes to recommend a friend use Title IX services, it feels much more daunting to decide to personally undergo a Title IX investigation.

### **5b. Application of Relevant Literature to the Findings**

Application of the relevant literature and grounding theories of this study can provide a deeper understanding of the study's implications and assist in formulating meaningful policy recommendations. Armstrong's theory of healthcare utilization posited a bi-directional correlation between distrust of the U.S. healthcare system and poor health, and there is also a potential for a bi-directional association between reporting to Title IX and negative perceptions of Title IX investigations (Armstrong et al., 2016). This would mean that negative perceptions of Title IX impact likelihood of reporting sexual violence to Title IX, but that experiences reporting sexual violence to Title IX can also influence perception of Title IX.

This bidirectionality was reflected in responses: all 8 of the participants who reported sexual assault or harassment to Title IX reported not being satisfied with the office's response and all 10 of the open responses that included personal experiences with Title IX were negative in nature. The finding that individuals who underwent Title IX investigations held negative perceptions of Title IX aligns with the AAU campus climate survey, where victims of sexual assault reported significantly lower confidence in their school's response to sexual assault (Cantor et al., 2020). The implication of this finding is the need to improve the experiences of students who report to Title IX investigation; one potential recommendation to do so is the further coordination of Title IX offices with more trauma-informed resources, such as counseling centers and community crisis centers.

Next, Paine and Carrol's ethical theories about organizational cultural moral managers explains the key open response theme that "Title IX is intended to protect college's

image & profitability, not students." The two theorists argued that organizations require managers, corporate cultures, processes, and staff that actively consider the ethical implications of their actions in day-to-day decision making (Stanwick & Stanwick, 2016). As established in the literature review, in the absence of significant federal oversight to enforce institutional compliance with Title IX, it is especially important that college and university go beyond basic compliance and strive for ethical handling of Title IX (Stanwick & Stanwick, 2016; Karlan, 2020). However, participants' responses indicated that perceive their schools only cares about Title IX to the extent that it benefits the school's image and profit margins, suggesting ethical indifference to the plights of victims of sexual violence. This finding aligns with the stories shared on social media by student who voiced their anger and pain at their schools for failing to adequately respond to reported sexual violence (Suran, 2014; New, 2016; Langone, 2018; Ott, 2020). The implication of this finding is that in the absence of robust ethical response to sexual violence, education institutions require increased accountability and guidance in the form of federal and state laws (Stanwick & Stanwick, 2016; Bauer-Wolf, 2017; Anderson 2020).

Several of the study's findings can be readily analyzed through the lens of a conflict perspective, in which institutions and institutional processes are understood as reinforcing existing power imbalances in society. For example, the response data indicated that participants disagreed that Title IX investigations favored victims, but somewhat agreed that these processes favored perpetrators (See *Table 1*). Several open responses cited the belief that Title IX staff and peers would blame a victim of sexual violence rather than the perpetrator (See *Table 2*). The Title IX process as it stands can be viewed as reinforcing existing power imbalances between perpetrators and their victims, rather than empowering victims. Secretary of Education's DeVos's recent changes to the Title IX only heightened this imbalance in power by requiring

victims to under-go retraumatizing cross-examination and removing Title IX oversight of off-campus sexual violence (Anderson 2020; Hayes, 2020; Wernz & Tulloch, 2020). The implication of this finding is the need for federal and state laws to further empower victims of campus sexual violence by mandating heightened resources and protection.

Finally, the findings from the study supported and expanded upon Khan et al.'s (2018) social risk theory, illustrating that individuals utilize a complex evaluative process when deciding whether or not to report sexual violence. A key theme found in 13 of the open responses was that "Investment required in a Title IX investigation is not worth the outcome" (See *Table 2*). Just as Khan et al. theorized, participants in the study logically weighed the perceived risk and rewards of reporting to Title IX, before concluding the risks outweighed the rewards (Khan et al., 2018). When considering the risk to academic and career projects, participants weighed the investment of time, effort, and emotional energy required to report. A response that clearly demonstrates this is: *"I personally did not have the mental or emotional capacity to continue focusing on the experience, because I predicted an investigation would be lengthy and I was a full-time student and employee."* However, participants' concerns extended beyond social and academic risks mentioned in the Khan et al. (2018) article, to fear that they might be placed in further physical danger if they reported their assailants. The implication of this finding is the need of policies that limit the perceived risk of reporting, such as interim safety measures, academic and housing accommodations, expanded counseling services, and publicly available data on Title IX reports and outcomes.

### **5c. Discussion of Hypothesis and Implications**

The research study's hypothesis was that if students hold negative perceptions of Title IX offices, then they will not report campus sexual violence they experience to Title IX offices.

While the qualitative methods utilized could not be used to establish a statistically significant, causal relationship between the perceptions of Title IX and the decision to report campus sexual violence to Title IX officials, the study did find that the majority of participants: 1) Held negative perceptions of Title IX; 2) Did not report past sexual violence they experienced to Title IX; and 3) Would not feel comfortable reporting future sexual violence they experienced to Title IX. Additionally, the open response portion of the survey provided illuminating information about why participants would or would not feeling comfortable referring a friend to Title IX or personally report a sexual assault to Title IX. Participants overwhelmingly cited negative perceptions of Title IX as their reasoning for not feeling comfortable referring or reporting to Title IX, which strongly supported the hypothesis.

The study's Likert scale question found that specific negative perceptions about Title IX included that colleges and universities do not take sexual violence seriously, do not provide adequate resources for victims of sexual violence, that Title IX investigations unfairly favor perpetrators, Title IX investigations retraumatize victims, and the Title IX process does not prioritize the mental wellbeing of victims. Negative perceptions of Title IX mentioned in the open response questions included the belief that Title IX would do nothing, reporting to Title IX would cause further harm to the victim, reporting to Title IX would lead to victim blaming and social consequences, Title IX investigations are retraumatizing, and that the investment required to undertake a Title IX investigation is not worth the outcome (see *Table 2*). The implication of this finding is that study participants held a wide range of negative perceptions about Title IX that should be targeted by policy recommendations.

Additionally, data from the sample found that less than 20% of participants who indicated experiencing sexual harassment or sexual assault at school reported it to Title IX, and **every**

participant who did report these crimes indicated that they were not satisfied with Title IX's response. Personal experience and the experiences of others were commonly cited as why comfortable reporting to Title IX. While it is likely that there was some response bias at play, meaning those participants who had strong feelings about Title IX were most likely to respond, it was surprising that no participant shared a personal, positive experience with Title IX, or satisfaction with the office's response. With widespread mentions of negative experience reporting to Title IX, it is no wonder that many participants hold negative perceptions of Title IX, and therefore are not likely to feel comfortable utilizing Title IX themselves. Lastly, there was a strong consensus among participants that many victims of sexual assault choose not to report to Title IX (median = strongly agree, mode = strongly agree).

These findings support the hypothesis that if students hold negative perceptions of Title IX offices, then they will not report campus sexual violence they experience to Title IX offices. discussed earlier, participant's negative perceptions of Title IX extend beyond just viewing the office as ineffective, to believing it can cause further harm. As theorized in the literature on social risk theory and demonstrated in this study, survivor's use a rational decision-making process of weighing the perceived risk and rewards of reporting (Khan et al., 2018). It would be counterintuitive for individuals to utilize a resource they believe will harm them. When offered a list of alternative resources, most participants indicated they would utilize a host of other resources, such as counseling, peer-support, and specialized crisis hotlines instead of Title IX. This indicates that students have a desire for support in the aftermath of sexual violence, but that they don't feel the Title IX is the right source for that support.

The project revealed a tension between the needs of survivors of campus sexual violence and the limitations of the Title IX process. The Department of Education requires Title IX offices

to conduct neutral, compliance-based investigations, but survivors of campus of sexual violence require compassionate, individualized support. Sexual violence is a crime of power, and a neutral response to such a crime can lead victims to feel they are neither believed or supported (Yonak, 2017). Furthermore, the structure of the Title IX processes puts the responsibility on complainants (victims) to report the sexual offense and convince the investigators that the offense occurred. The changes to Title IX under the DeVos administration raised the bar of what victims must prove for perpetrators to be found responsible under Title IX, and added the intimidating requirement of undergoing cross-examination (Anderson 2020; Hayes, 2020; Wernz & Tulloch, 2020).

Low utilization of Title IX is dangerous for institutions and students, as unreported perpetrators cannot be investigated or removed from campus. This puts further students at risk for victimization by the same perpetrators, and the serious and long-term physical, economic, academic, social, and psychological consequences surviving sexual violence carries (Khan, Greene, Mellins, & Hirsh 2020; Banyard et al., 2017; Potter et al., 2018). One clear implication of this study is the need to reform Title IX at the federal level, reversing the harmful changes implemented under DeVos's leadership. However, further federal, state, and institutional policy changes are required are required to adequately meet the complex needs of survivors of campus sexual violence. A rigid, compliance-based process such as Title IX will likely not be sufficient to meet both the emotional and instrumental needs of victims on its own, leading to the recommendation that Title IX more closely coordinate other more trauma-informed resources through formulating partnership agreements. Additional recommendations based on the research study include implementing strengthened interim safety measures, mandating institutions to publish data on Title IX report and outcomes, conducting further campus climate surveys, and

providing victims accommodations independent of if they choose to undergo Title IX investigations.

## **Chapter 6: Conclusion**

### **6a. Summary of Academic Study**

This academic study set forth to test the hypothesis that if students hold negative perceptions of Title IX offices, then they will not report campus sexual violence they experience to Title IX offices. The study's hypothesis and analysis were grounded in theory of healthcare distrust, social risk theory, conflict theory and ethical theories of moral management and organizational culture. A mixed methods anonymous survey of 47 current and former U.S. college and university students ages 18-30 was conducted to investigate student perceptions of, experiences with, and utilization of Title IX offices and services. The survey consisted of demographic questions about participant identity, Likert scale questions asking about perceptions and utilization of Title IX, multi-selection questions involving a series of adjectives and resources, and open response questions asking students to justify why they would or would not feeling comfortable utilizing Title IX services.

The findings from this study supported the hypothesis, with responses indicating that participants held negative perceptions of Title IX and were generally unwilling to personally utilize Title IX in the aftermath of a sexual assault. Participants indicated that they believed sexual violence was a serious problem on college campuses, but that colleges neither took sexual violence seriously nor provided sufficient resources to victims of sexual violence. Additionally, participants indicated that they perceived Title IX investigation as favoring perpetrators and unlikely to result in serious consequences for perpetrators, while retraumatizing victims and failing to prioritize their mental health. While participants indicated they felt neutrally (median =



neither agree or disagree, mode = somewhat agree) about referring a friend who has experiences a sexual assault to Title IX, they would did not feel comfortable personally reporting a sexual assault to Title IX (median = somewhat disagree, modes = somewhat disagree & disagree).

The open responses provided a link between participant's negative perceptions of Title IX and their unwillingness to report a personal encounter of sexual assault to Title IX by asking participants to explain their reasons. Participants overwhelmingly shared negative perceptions about the Title IX process as their explanation for why they wouldn't feeling comfortable reporting sexual assault, citing the negative experiences of friends, negative personal experiences, and the perceptions that Title: does nothing, makes things worse for victims, retraumatizes victims, exposes victims to victim-blaming, disbelief, and social consequences, is more a formality for the image of the school and that the required investment is not worth the outcome (See *Table 2*).

#### **6b. Reference to Literature and Implications of Academic Study**

As previously discussed, the findings of this research study align with the theory and reviewed literature, while also contributing to the body of knowledge on Title IX. The finding that all eight participants who reported sexual harassment or sexual assault were unsatisfied with the Title IX's response suggests a bi-directionality between perceptions of Title IX and utilization of Title IX, as was posited by Armstrong's theory of healthcare distrust (Armstrong et al., 2006). Negative experiences utilizing Title IX in the aftermath of campus sexual violence not only appeared to contribute to personal distrust in Title IX, but also to other members of the campus community distrusting Title IX. The literature pointed to the rise of students who have used social media to express dissatisfaction over their college or university's response to sexual violence. The use of social media has enabled survivors to raise awareness about educational

institutions mishandling campus sexual violence, and organize to demand necessary policy changes (Suran, 2014; New, 2016; Langone, 2018; Ott, 2020). Know Your IX is a survivor led organization that has pioneered advocacy for survivors of campus sexual violence across the nation, using social media to amplify the needs of survivors and create evidence-based policy recommendations (Know Your IX, n.d.).

Federal guidelines govern how educational institutions conduct Title IX investigations on their campuses, but contemporary federal guidelines conflict with the needs of survivors of campus sexual violence. The DeVos administrations changes to federal policy made Title IX investigations more hostile to victims of sexual violence, and restricted the ability of U.S. colleges and universities to respond to campus sexual violence in an effective and ethical manner (Anderson, 2020; Stanwick & Stanwick, 2016). Furthermore, these federal changes were premised on the belief that the previous Title IX policies were unfair to alleged perpetrators, when in fact the national campus climate survey found very low rates of reporting and trust in Title IX (Cantor et al., 2020; Anderson, 2020). Participants in this academic study expressed they perceived Title IX investigations as favoring perpetrators. The overhaul of Title IX was not only unnecessary, but harmful -- reinforcing a conflict perspective of Title IX (Anderson, 2020; Hayes, 2020).

A final, significant finding of this study was the prominent role social risk theory played in the decision-making framework of survivors of sexual violence. The study's findings reinforced that in the aftermath of campus sexual violence, victims demonstrate rational decision making, weighing the perceived pros and cons of reporting to Title IX (Khan et al., 2018). A reoccurring theme in the open responses was that participants perceived the investment and risks of reporting to Title IX as strongly outweighing the rewards of reporting. In addition to the social

risk, participants cited the fear of harm, re-traumatization, mental and emotional energy, and length of time required as reasons for not reporting sexual violence to Title IX. The implication of this is the need for policy changes that decrease the perceived cons of reporting to Title IX and increase the benefits, such as more trauma-informed practices, direct partnerships with other agencies and resources, provides of accommodations outside of a complete Title IX investigation, more robust safety policies, and requirements for colleges and universities to release Title IX statistics.

### **6c. Limitations of Method of Research**

A major limitation of this academic study was the nature of the sample, which was relatively small, and homogeneous. Due to time constraints, participants were recruited on the researcher's personal social media and Clark University pages, meaning a non-randomized sample. An analysis of participant demographics indicated that the sample was overwhelmingly White (83%) and female (78.3%), which is not representative of the full gender and ethnic diversity of college students. Additionally, many participants indicated they attended Clark University in their responses, which is a singular small, private university in the Northeast with D3 sports teams and no Greek life, making it unique from other colleges. Next, longer and more widespread recruitment would have improved the size and diversity of the survey sample. Lastly, because the sampling was not random, there was likely a response bias, meaning individuals who had stronger feelings about Title IX.

Due to the non-randomized sampling methods, relatively small sample size the findings of this study cannot be generalized beyond the study participants to the population of all US college and university students as a whole. Also, the qualitative mixed methods could be used to identify themes and perceptions, but could not to be used to establish a statistically

significant, causal relationship between negative perceptions of Title IX and students not reporting to Title IX. While this study contributed to the body of research on Title IX, future research can expand on it by utilizing a larger, more representative sampling, and incorporating quantitative methods in addition to the mixed methods used in the study.

#### **6d. Policy Recommendations**

Based on the findings of this research study, in order to change negative perceptions of Title IX and increase the utilization of its services, federal, state, and college policy makers need to make meaningful changes to better support survivors of campus sexual violence. Policy changes at the federal level will enshrine support for victims of campus sexual violence nationwide, but state policy makers should also implement these recommendations. State governments can and should engage in passing laws to fill gaps in federal policy, as was pioneered in New York, Massachusetts, California, and Minnesota (Bauer-Wolf, 2017; Lannon et al., 2021).

Additionally, while college and university leaders must work within the perimeters of the federal Title IX requirements, this does not prohibit colleges from providing additional resources to students, as well as leveraging trauma-informed agencies through collaboration agreements. The recommendations are as follows:

- 1. The U.S. Department of Education should repeal the guidelines implemented under the leadership of Secretary of Education DeVos that limited the Title IX jurisdiction to the physical campus and required cross-examination of all victims.**
- 2. State and or federal laws makers should mandate universities and colleges to track and publish de-identified data about Title IX such as number of Title IX complaints, number of perpetrators found responsible, and outcomes of investigations. This data will increase transparency, serve as a measure for internal and external accountability, and aid students in weighing the risk of reporting.**

- 3. Colleges and universities should strengthen partnerships between Title IX offices and trauma-informed support-based resources, such as campus counseling services and local and state resources for survivors of sexual violence. Memorandums of Agreement (MOAs) can be used to elevate collaboration beyond referrals to engaged coordination of activities.**
- 4. Colleges and universities should strengthen their safety measures to protect victims from retaliation, such as implementing interim suspensions for alleged violent offenders during the course of the Title IX investigation.**
- 5. Title IX Offices should provide victims with the ability to access academic and housing accommodations, and emotional support services resources without having to file an official Title IX complaint and undergo an investigation.**
- 6. Colleges and universities should be required to conduct reoccurring campus climate surveys, as a means of empowering students to share their perceptions and experiences about campus resources and Title IX. The results of these campus climate surveys should be shared and campus policy makers should implement necessary changes permissible within the law based on this feedback mechanism.**

Widespread campus sexual threatens not only the safety and wellbeing of students, but their very ability to pursue an education. Title IX of the Education Amendments of 1972 mandates educational institutions receiving federal funding maintain an environment free of discrimination on the basis of sex, which extend to sexual violence. This academic study highlighted many students hold negative perceptions of Title IX investigations, and therefore refrain from reporting campus sexual violence to Title IX. Currently, post-secondary institutions are not meeting the needs of their students. It is imperative that federal, state, and college policy makers take collective action to ensure student have access to comprehensive and compassionate resources when navigating the aftermath of campus sexual violence. Surviving an act of sexual violence while at college is incredibly challenging and painful – accessing quality campus resources in the aftermath of sexual violence should not be.

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### Appendix A: Medians and Modes of Survey Responses

<b>Table 1: Median and Mode Responses from the Likert Scale Questions</b>		
<i>Anonymous Survey Question</i>	<i>Median Of Responses</i>	<i>Mode(s) Of Responses</i>
Sexual violence is a serious problem on college/university campuses in the U.S.	Strongly Agree	Strongly Agree
Serious college is a serious problem on my college/university campus	Strongly Agree	Strongly Agree
Colleges/Universities take sexual violence seriously	Disagree	Disagree
My college/university takes sexual violence seriously	Disagree	Disagree
Colleges provide adequate resources for victims of sexual violence	Disagree	Disagree
My college provides adequate resources for victims of sexual violence	Disagree	Disagree
Title IX offices make colleges/universities safer	Somewhat Agree	Somewhat Agree
Title IX investigations are fair	Somewhat Disagree	Disagree
Title IX investigations favor victims of sexual assault	Disagree	Disagree
Title IX investigations favor perpetrators of sexual assault	Somewhat Agree	Somewhat Agree
Title IX prioritizes the mental wellbeing of victims of sexual assault	Disagree	Strongly Disagree
Title IX investigations are retraumatizing to victims of sexual assault	Agree	Agree
Being accused of sexual assault will ruin someone's life	Somewhat Disagree	Somewhat Disagree
Title IX complaints rarely result in any consequences for perpetrators of sexual violence	Somewhat Agree	Somewhat Agree
Title IX complaints rarely result in any <b>serious</b> consequences for perpetrators of sexual violence	Agree	Agree & Strongly Agree
Many victims of sexual assault choose not to report to their college's/university's Title IX Office	Strongly Agree	Strongly Agree

Filing a Title IX complaint helps victims of sexual assault on college/university campuses	Neither Agree or Disagree	Somewhat Agree
If my friend experienced a sexual assault while at college/university, I would feel comfortable referring them to my college’s Title IX Office	Neither Agree or Disagree	Somewhat Agree
If I experienced a sexual assault while at college/university I would feel comfortable reporting it to my college’s Title IX Office	Somewhat Disagree	Somewhat Disagree & Disagree

**Appendix B: Complete List of Study Figures**

