



# BREAKING THE SILENCE

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Addressing Sexual Assault & Consent

# PRESENTERS

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# AGENDA

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- Current landscape & sexual assault on campus
- Understanding sexual assault, consent and stigma
- Protections & legal overview
- Prevention
- Support & dealing with occurrences
- Table discussion
- Q & A

# CURRENT LANDSCAPE & SEXUAL ASSAULT ON CAMPUS

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# Worldwide Statistics

Combined Scale of the Prevalence and Sanction  
of Rape and Sexual Assault of Women

Scaled 2011



## Sexual Assault Among College Aged Women





## Sexual Assault on Campus

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1 IN 5 WOMEN ARE SEXUALLY  
ASSAULTED IN COLLEGE

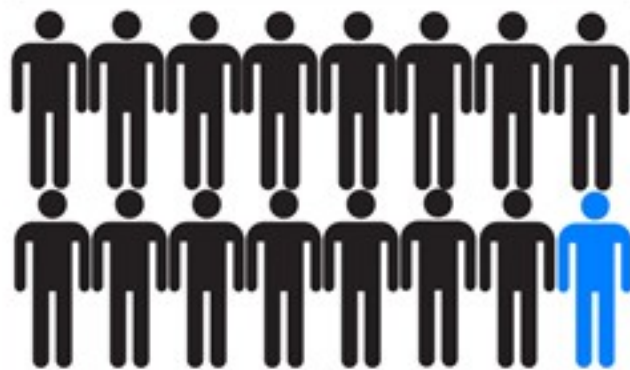
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1 IN 16 MEN ARE SEXUALLY  
ASSAULTED IN COLLEGE

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# SEXUAL ASSAULT ON CAMPUS

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11.2% of all students experience rape or sexual assault through physical force, violence, or incapacitation (among all graduate and undergraduate students)

- [RAINN.org](http://RAINN.org)





# UNDERSTANDING SEXUAL ASSAULT, CONSENT, AND STIGMAS

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# INTERNATIONAL STUDENTS & SEXUAL ASSAULT

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*There is no data about international students who have been involved in a sexual assault, but there are additional barriers including:*

- *Language*
- *Cultural barriers*
- *Lack of a support network*
- *Lack of financial resources*
- *High academic pressures*

# EXPLORING SEXUAL ASSAULT

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- *Sexual assault can be physical, verbal or visual*
  - *Rape*
  - *Touching*
  - *Harassment*
  - *Exhibitionism*
  - *Forced to pose for photos*
  - *Voyeurism*
- *Most sexual assaults are committed by someone the victim knows*
- *Sexual assault is a crime of power and control*

# UNDERSTANDING CONSENT

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“If she doesn’t consent – or can’t consent – it’s a crime. ”  
(White House PSA, 2015)

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

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

# CULTURE CAN SHAPE SEXUAL ASSAULT NORMS

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“Sexual violence is also more likely to occur where beliefs in male sexual entitlement are strong, where gender roles are more rigid, and in countries experiencing high rates of other types of violence.”  
(WHO, 2002)

- In Saudi Arabia all sexual activity outside of marriage is illegal.
- Sexual assault is still a taboo topic in China. Five females were recently arrested for trying to start a campaign against sexual harassment on public transportation and China just passed its first domestic violence law in December 2015.
- “In South Africa, only the rape of white women was prosecuted under an apartheid system, while sexual violence against black women was accepted as a part of life.” (Indian J Psychiatry, 2013)
- It wasn't until 1993 that the last state in the US (North Carolina) passed a law against marital rape.

# PROTECTIONS & LEGAL OVERVIEW

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# FEDERAL LAWS RELATING TO SEXUAL ASSAULT

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- Student Right-to-Know and Campus Security Act of 1990 (the “Clery Act.”) Since 1990, schools that receive Title IV federal student aid must report crime statistics, keep a crime log and have a warning system.
- Campus Sexual Assault Victims’ Bill of Rights of 1992. An amendment to the Clery Act requiring schools to develop prevention policies and provide certain assurances to victims. Amended again in 1998 to expand requirements.
- Title IX. Title IX prohibits discrimination on the basis of sex for any school receiving Title IV federal student aid. Implementing regulations and guidance documents clarify obligations on schools regarding sexual assault.
- U Visas. “U” visas are a special type of immigration status and related work authorization that are available to victims of sexual assault and other crimes, provided the victim reports the crime and cooperates with law enforcement in the investigation and prosecution of the crime.

# CLERY ACT AND AMENDMENT

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## Clery Act - Schools must:

- Report crimes in various categories annually: Murder, Rape, Dating Violence, Robbery, Arrests, Hate Crimes and disciplinary actions
- Keep a crime log
- Provide timely warnings to students

## Campus Sexual Assault Victims' Bill of Rights.

- Survivors shall be notified of their options to notify law enforcement
- Accuser and accused must have the same opportunity to have others present
- Both parties shall be informed of the outcome of any disciplinary proceeding
- Survivors shall be notified of counseling services
- Survivors shall be notified of options for changing academic and living situations.

# TITLE IX IN A NUTSHELL

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

# TITLE IX GUIDANCE

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

# MAJOR TITLE IX REQUIREMENTS

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Schools that receive federal funding must:

1. Make efforts to prevent sexual violence and harassment.
2. Have policies in place to investigate complaints and protect victims.
3. Have a Title IX Coordinator who manages complaints and train employees to properly handle sexual violence reports.
4. Notify victims that they have the right to report their attack to the police.
5. Must independently investigate claims and have disciplinary procedures regardless of whether the crime was reported (60 days recommended).
6. Use the correct standard of proof “preponderance of the evidence” not “beyond a reasonable doubt”
7. Not discourage victims from continuing their education (i.e., “take time off,” quit a club/team/class, etc.).
8. Make reasonable changes to make sure student is free of discrimination, harassment or violence.
9. Equitable process and equal rights for attacker and victim

# TITLE IX AND INTERNATIONAL STUDENTS

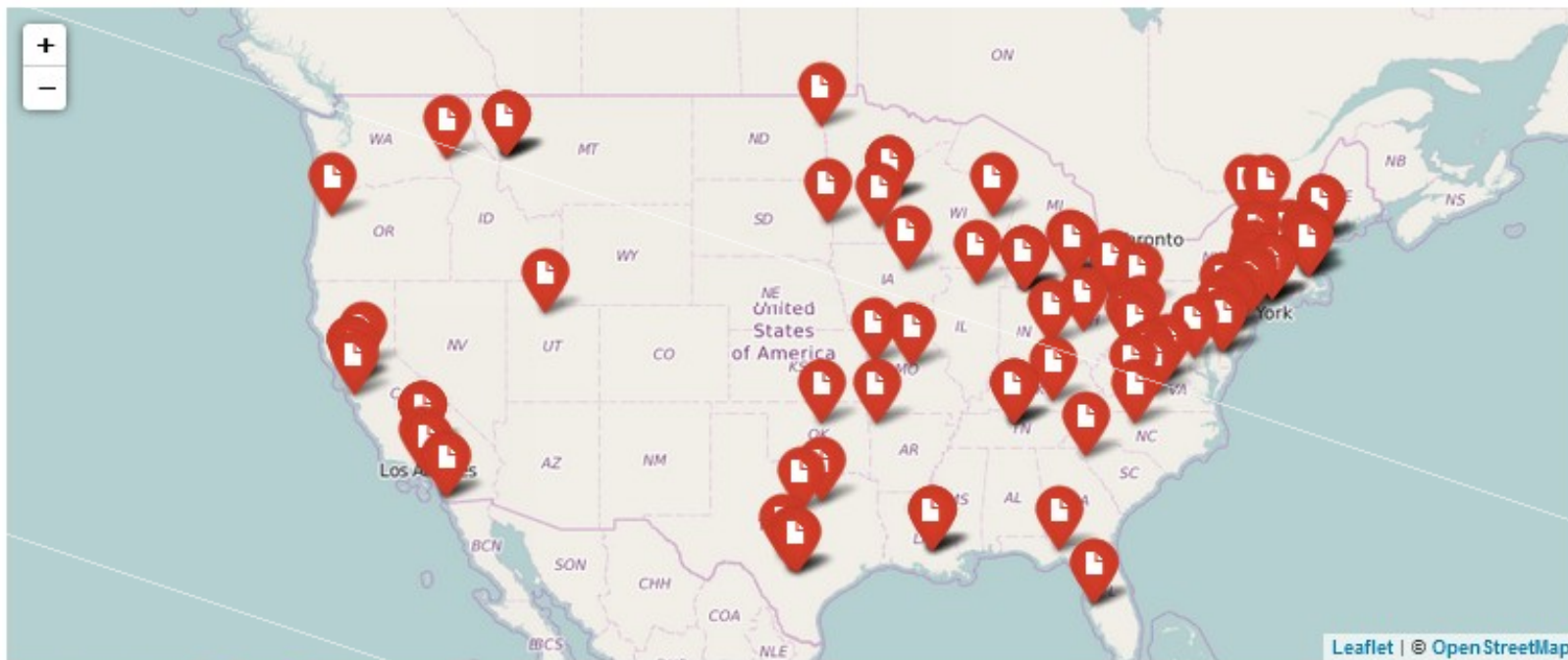
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- Protects all students regardless of national origin, immigration status or citizenship status
- April 29, 2014 Guidance from OCR addresses international students directly
- Ensure that reporting forms, information or training about sexual violence be provided in a manner accessible to English learners
- Be aware of the unique issues - like reduced course load
- Counseling center or employee handling sexual assault complaints to approach DSO
- Threatening deporting or invoking immigration status to deter a Title IX complaint is retaliation



# SCHOOL NAMES ARE NOW BEING RELEASED FOR MISHANDLING CASES

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Map Data Courtesy **Shannon Turner**

# U VISAS FOR FOREIGN NATIONAL VICTIMS

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- Special status available for victims of certain types of crimes who report crime and cooperate with law enforcement in investigation & prosecution of crime.
- Lawmakers recognized that a victim's cooperation, assistance, and safety are essential to the effective detection, investigation, and prosecution of crimes.
- They also recognized that victims who fear deportation, however, are unlikely to come forward to cooperate and assist in investigative efforts.
- Congress provided the U status to allow immigrant crime victims who cooperate with law enforcement to obtain lawful immigration status and possible permanent residency.

# BENEFITS OF THE U VISA

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- If approved for a U-visa, applicant receives legal status for up to 4 years, along with work authorization for that same time.
- At the end of the 3<sup>rd</sup> year, the U-visa recipient may be eligible to apply for a green card.
- Derivative beneficiary benefits (including lawful status and work authorization) may also be granted to family members of victim:
  - Unmarried children under 21;
  - Spouses; and
  - Parents and unmarried siblings IF victim is under age 21.

# WHO MIGHT BENEFIT FROM A U VISA?

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In a nutshell – those who may not have other immediate avenues for permanent residency or continued legal status

- DV AND SEXUAL ASSAULT Victims – F2s, H4s, J2s, etc.
- F1s and J1s – victims of any qualifying crime
- DACA beneficiaries
- Parents of the victim?

# PREVENTION: BEST PRACTICES ON EDUCATING STUDENTS

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# COLLABORATION IS KEY

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

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

Be sure to include all on campus employees likely to witness or receive reports of sexual violence.



# TRAIN ON-CAMPUS STAFF

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- Encourage educational and prevention programming
- Bring outside experts on campus to help educate
- Discuss communication v. confidentiality

## Provide staff with practical information:

- Factors to help identify sexual violence and the behaviors that may lead to sexual violence
- Appropriate methods of responding to a victim
- Obligation to report sexual violence and the procedures and protocols to do so
- Knowledge of on and off campus victim resources
- Knowledge regarding U visa and available legal resources

# PREVENTION STRATEGIES FOR SEXUAL VIOLENCE ON CAMPUS

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- Create an environment that establishes positive norms about gender and sexuality
- Create bystander intervention programs
- Identify and monitor unsafe areas on campus
- Enforce alcohol and drug policies

# MODELS THAT MAY WORK FOR COLLEGE CAMPUSES

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- **It's on US at USF**

- <https://www.youtube.com/watch?v=pFrYtkLISf0&feature=youtu.be&list=UULuRbT2d4WqL1ngrcpFJ72A>
- Campus Video Message Campaign - pledge and commitment to take a stand at ending sexual assault and violence

- **REAL - Relationship Equality and Anti-Violence League**

- Engage men in preventive efforts
- Thru Victim Advocacy Center

- **Student Events**

- Walk a Mile in Her Shoes
- Take Back the Nite

# MODELS THAT MAY WORK FOR COLLEGE CAMPUSES

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- **Coaching Boys Into Men**

- 11 brief discussions (10-15 minutes each)
- Topics include: dating violence and respectful relationships, gender equity, positive and non-violent forms of masculinity, and bystander intervention.

- **Bringing In the Bystander**

- 1 to 3 discussions (4.5 hours in total)
- Topics Include: speaking out against rape myths and sexist language, supporting victims, intervening in potentially violent situations.

- *White House Task Force to Protect Students from Sexual Assault (2014)*

# ORIENTATION

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- Talk about sexual assault and consent in an open, but culturally sensitive way
- Invite the counseling center and police department
- Introduce students to the campus counseling center
- Discuss what to do and where to go if sexual assault occurs
- Bystanders can help!
- Use video modules with questions to reinforce material and create resources that can be reviewed later

# SUPPORT: DEALING WITH OCCURRENCES

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## MAJORITY OF SEXUAL ASSAULTS NOT REPORTED

- Case: International female goes to party and gets drunk. Has sex, claims she was forced without consent. She is ashamed. Reports in confidence to a friend 2 weeks later.
- What is our response?



# ENCOURAGING STUDENTS THROUGH SUPPORT

- A female student is walking from her apartment to campus and is stopped by a man in a car and asked for directions. When the student approaches the car, she realizes the man is exposing himself. She does not report the case because she is afraid others will find out and there will be rumors about her.
- What is our response?

## ENCOURAGING STUDENTS THROUGH SUPPORT

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- The campus police report to you about an incident of consensual sex between an international male student and a female domestic student. The police indicates that it appears there was a rape reported from a jilted lover and the male is being falsely accused.
- What is our response?

# SUPPORT FOR INTERNATIONAL STUDENTS

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- An international student reports odd behavior about a faculty member and is paranoid that this instructor is spreading rumors about her. The instructor is very confused. Over several weeks, the student finally reports that she had been raped prior to coming to school, never reported the incident, although alluded to it on social media. She believed the instructor had read about it and was making references in class about her.
- What is our response?

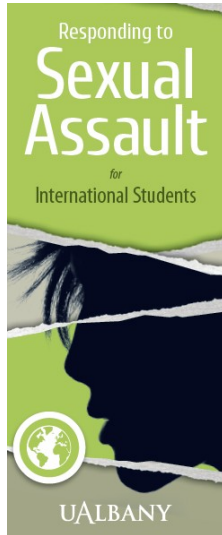
# RESOURCES



# ONLINE RESOURCES

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Do you have  
pamphlets for  
students?



Do you have  
information on your  
website?



# RESOURCES - NATIONAL HOTLINES

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## ***National Sexual Assault Hotline operated by RAINN***

*(800) 656 - HOPE (4673)*

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

## ***National Sexual Violence Resource Center (NSVRC)***

*(877) 739 - 3895*

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

## ***The National Domestic Violence Hotline***

*(800) 799-SAFE*

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

# VIDEO RESOURCES

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What if Bears Killed  
One In Five People?



TED: A Call To Men  
(Athletes):





# VIDEO RESOURCES

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International Sexual  
Assault Awareness  
Video:



Consent Video  
Resource:

CONSENT  
IT'S SIMPLE AS TEA

# TABLE DISCUSSION

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## TABLE TOPIC

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

QUESTIONS?

