

Prevention and Response

To Harm, Violence, and Sexual Assault



PRESENTERS

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AGENDA

- Campus Climate
- Harm, Violence & Being an Active Bystander
- Sexual Assault
- Title IX Protections & Legal Overview
- Case Studies & Open Discussion

Group Agreements

- Use “I” statements
- Take the learnings, leave the names



CAMPUS CLIMATE



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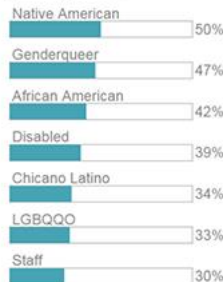
“[...] the current attitudes, behaviors and standards of faculty, staff, administrators, and students concerning the level of respect for individual needs, abilities and potential.”

-Susan Rankin, UC-wide Campus Climate Study Team

2013 Survey Results

UC Berkeley Campus Climate Survey Highlights

1 in 4 experience exclusion



Historically marginalized and underrepresented groups report more exclusion

Peers are the largest source of exclusion



Exclusion occurs most often in classrooms, public spaces, meetings, offices



Top issues of concern



Not having channels to report discrimination



Students feel faculty pre-judge based on perceived identities



Top administrators and faculty aren't committed to promoting respect and understanding

Peer to Peer phenomena

13,000+ respondents.
Faculty, staff, students,
postdocs, and trainees

HARM & VIOLENCE



HARM & VIOLENCE

Have you ever been in a situation where something just did not feel right, but you were not exactly sure how to respond?

HARM & VIOLENCE

Harm

Physical, mental, or emotional damage

Violence

Behavior that creates an unsafe or intimidating environment, causing unintentional or intentional harm to others or oneself

Active Bystander

An individual who witnesses (RECOGNIZES) an incident or behavior and decides to take action and INTERVENE to reduce the chance of someone being harmed

BE AN ACTIVE BYSTANDER

BTC: Take Action

Building a Community of Care



UC Berkeley's Bears That Care

BE AN ACTIVE BYSTANDER

Bystander Intervention Basics

1. Recognize the situation



2. Decide to take action



3. Intervene effectively
and follow up as appropriate



Confront the Situation

Alert Others

Redirect Attention

Engage Peers

COGNITIVE & OTHER BARRIERS TO ACTION

Diffusion of Responsibility (The Bystander effect)

Evaluation Apprehension

Cause of Misfortune (Victim blaming)

Pluralistic Ignorance

Cultural Values

Contextual Dynamics

HARM & VIOLENCE ON CAMPUS: A LOOK AT SEXUAL ASSAULT



Scaled 2011



(Please see codebook for operationalization of this scale)

COLLEGE-AGE WOMEN AT RISK

All
Women

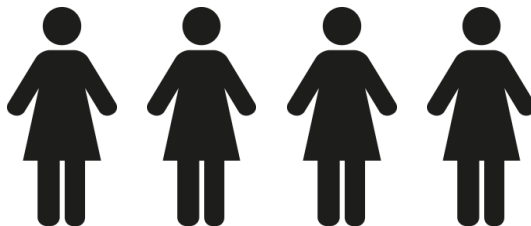


18-24
College
Women



3
X

18-24
Women
not in college



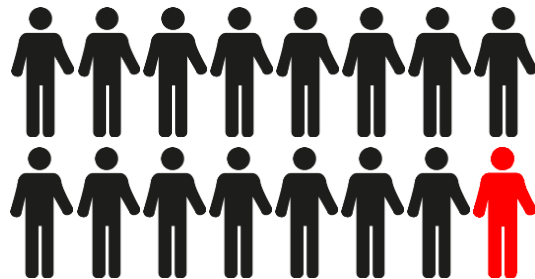
4
X

SEXUAL ASSAULT ON CAMPUS

- 1 in 5 women are sexually assaulted in college



- 1 in 16 men are sexually assaulted in college



- 1 in 4 TGQN (transgender, genderqueer, questioning or not listed) students are sexually assaulted in college

INTERNATIONAL STUDENTS & SEXUAL ASSAULT

Data is limited on international students who have been involved in a sexual assault, but there are additional hurdles including:

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

EXPLORING SEXUAL ASSAULT

- *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*

UNDERSTANDING CONSENT

*“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 the whole time.

- *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*

PREVENTION: INFORM AND ENCOURAGE

- Talk about it. Create an environment that establishes positive norms about gender and sexuality
 - Encourage multiple educational and prevention programs
 - Bring outside experts to campus
 - Collaborate with relevant on-campus offices
 - Dabble at orientation, but dive in later



ENCOURAGING STUDENTS THROUGH SUPPORT

- **Listen** to the student's disclosure
 - . Communicate without judgment
 - . Empathetic listening (i.e. follow their lead, "that must have been really scary")
 - . Avoid "why" questions (instead, "tell me how...")
 - . Believe and don't "blame the victim"
 - . Silence is okay: "It's okay, take your time"
- Consider whether any immediate medical attention is wanted or needed

ENCOURAGING STUDENTS THROUGH SUPPORT

- Policy, procedures and reporting options
 - . Options to withdraw and return home from an academic program or a temporary reduced course load
- Do not pressure - make it clear that the decision to report is ultimately up to the student
- Offer to accompany the student in taking any action (crisis center, therapist, Dean's office, etc)
- Provide continued support
 - . Check in periodically
 - . Avoid judgment

PROTECTIONS & LEGAL OVERVIEW



CLERY ACT AND AMENDMENT

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.

FEDERAL LAWS RELATING TO SEXUAL ASSAULT

- 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.

TITLE IX IN A NUTSHELL

“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

- 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 (Noting compliance regulations)
- 2013 VAWA signed adds Relationship violence and Stalking (Highest % of cases involving international students)
- 2014 Q&A Guidance.Enforced by the Office for Civil Rights, Department of Education
- 2016 Gender Identity included

MAJOR TITLE IX REQUIREMENTS

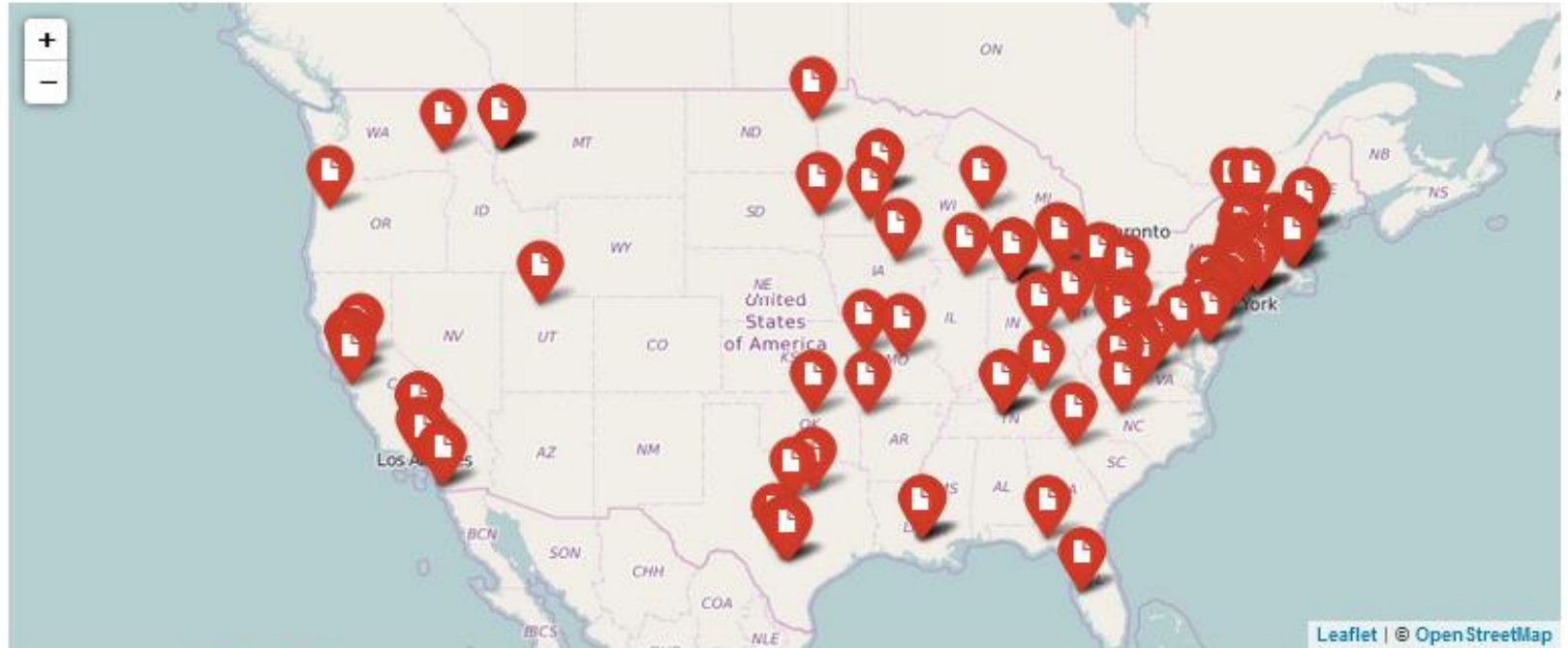
Schools that receive federal funding must:

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. Notify individual who is the alleged perpetrator. Ensure their rights and equal access.
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

- April 29, 2014 Guidance from OCR addresses international students directly
- Protects all students regardless of national origin, immigration status or citizenship status
- 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



Map Data Courtesy **Shannon Turner**

RESOURCES



RESOURCES ON YOUR CAMPUS

- Pamphlets Around Campus
- Training Programs (BTC, Green Dot, Step Up!)
- Information On Your Site
- Hotline Numbers and Helpful Sites

Division of Student Affairs

ACCESS · SERVICE · ENGAGEMENT

Associate Vice Chancellor & Dean of Students

Violence
Prevention &
Bystander
Intervention
Initiatives

Bears That Care

- BBears That
Care Model

- BBTC Workshop
Request

- Violence

Violence Prevention and
Bystander Intervention



Bears That Care

SEXUAL ASSAULT AWARENESS VIDEOS

International Sexual Assault Awareness Video:



<http://www.internationalstudentinsurance.com/explained/sexual-assault-awareness-video.php>

What if Bears Killed One In Five People?



<https://www.youtube.com/watch?v=LNVPkmZTQ4>



http://www.ted.com/talks/tony_porter_a_call_to_men

CONSENT
IT'S SIMPLE AS TEA

<https://www.youtube.com/watch?v=eS5wYFtfaeU>



<https://www.youtube.com/watch?v=TD2EooMhqRI>

TABLE DISCUSSION



Confront the Situation

Alert Others

Redirect Attention

Engage Peers

QUESTIONS?

