Combating Sexual Violence on Higher Education Campuses

A comprehensive approach to the issue of sexual violence on campuses

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In 2014, on college campuses in Massachusetts alone, data shows that there were 248 reports of rape yet only 7% were officially reported to school officials (Office of Rep. Ehrlich). Victims do not feel supported by their universities and/or are not aware of their options. National studies have concluded that nearly 1 in every 4 women and 1 in every 13 men are victims of sexual assault, with people of marginalized identities facing increased rates of violence (Association of American Universities). Rape culture and sexual violence are pervasive issues on every campus. The problem is not only that sexual violence exists, it is that rape culture is so prevalent and privilege of perpetrators so intense that we have known the statistics of survivors (1 in 4 and 1 in 13) for years and have failed to take action.

The Bill
S.764/H.1209: An Act relative to sexual violence on higher education campuses

Elevator Speech
We are two of the 450,000 college students that come to Massachusetts from around the world every year to get an education. College is meant to represent opportunity, but for many students it will come to represent trauma and shame as well. During their time in college, 1 in 4 women and 1 in 13 men will become survivors of sexual violence. Even more shocking is that 90% of survivors will not report the incident. Students just don't trust the systems their schools create. Schools lack the guidance they need to address sexual violence, and students are suffering the consequences. An Act relative to sexual violence on higher education campuses (S.764 / H.1209) is a comprehensive measure against sexual violence. It gives us an opportunity to measure and address violence head on by mandating a biennial campus climate survey, creating a state campus safety advisor, mandating prevention training for all new students, and many more resources that empower a campus community to take on sexual violence. We are urging you to commit to vote for this bill and protect all students in Massachusetts from sexual violence.

Excerpts from Storybook
“There is more work needed on the part of college campuses... to do better for their students. At the end of the day, it’s not only about being supported academically, but being supported in all spheres.” – Tanashya Batra, Peer Advocate at the Brandeis University Prevention and Advocacy Resource Center
“As an employee doing this work, [S.764/H.1209] would lend further legitimacy to our roles. We still spend a lot of time ... justifying our existence and validating that this work needs to be here. Having legislation would help support that.” – Sarah Berg, Director at a Prevention and Advocacy Center for students in Massachusetts

“Sustainability and consistency of support would be beneficial for students. [Schools must] acknowledge the issue is present.” – Vilma Uribe, Member of the Massachusetts Governor’s Council on Sexual Assault and Domestic Violence and Survivor Advocate and Empowerment Specialist for students in Massachusetts

Op-Ed

Emily

The Scandal that Colleges Kept Secret for Decades!

“This alleged behavior is antithetical to the core values of our institutions ... and has absolutely no place in American higher education,” said Ted Mitchell, president of the American Council on Education, in a statement last month. 1 in 4 women and 1 in 13 men experience sexual violence during their time in college but, no, that’s not what Mitchell is expressing outrage about. Actually, this statement is in reference to the group of approximately 50 parents charged with bribing admissions counselors, coaches and test proctors to secure spots for their children at elite colleges. News of the so-called “scandal” which involved big names like Felicity Huffman and Lori Loughlin has monopolized newspapers and gossip sources alike. Lori Loughlin, along with her husband Mossimo Giannulli, was set to appear in a Boston federal court on April 3rd after posting $1-million bail. For comparison’s sake, Brock Turner, the perpetrator of the most notorious college sexual assault story in recent memory posted a portion of just $150,000. Turner was found guilty of raping an unconscious woman and convicted on three felony counts of sexual assault.

In the age of #metoo, how elite colleges and universities, as well as the law, react to a group of 50 parents is garnering far more attention than how they deal with sexual violence. In November, the Secretary of Education Betsy DeVos proposed major rollbacks to Title IX protections for survivors. Her new regulations are likely to discourage survivors from reporting incidents of sexual violence and to decrease a school’s liability in handling these cases. As many colleges frantically work to put involved coaches and admissions staff on leave and to conduct internal investigations, there is far less urgency when implementing protections for students impacted by sexual violence.

Senator Moore and Representative Tricia Farley-Bouvier have each filed, “An Act relative to sexual violence on higher education campuses” in their respective branches twice before this current session in order to make Massachusetts college students safer and to address the gaps that the Trump administration’s pending proposals would create. S.764/H.1209 would mandate each school appoint a confidential resource advisor, create partnerships with neighboring rape crisis centers, offer prevention training for all new students, faculty and staff and facilitate a biannual campus climate survey with published results.

While opposition has never been stated publicly, legislators have indicated that institutions of higher education in the Commonwealth have stymied efforts to pass this legislation in an effort to avoid spending and for fear that publishing findings of a campus climate survey will negatively affect enrollment (Senator Moore). To this, Sarah Berg, the director of a Prevention, Advocacy & Resource Center on a Massachusetts college campus, replied, “Schools are panicking because UMASS doesn’t want to have 30% [rates of incidents] versus BU having 25% ...when realistically that difference is arbitrary. This problem is everywhere.”

Colleges, universities and the law are failing to provide adequate resources and attention to this problem. At the bill’s hearing on April 9th, legislators of various ages (including Rep. Lori Ehrlich, Rep. Sarah Peake and Rep. Christina Minicucci) stood before the Joint Committee of Higher Education to express their support for the bill, their own experiences with sexual violence and stated their graduating years. The presence and normalcy of sexual violence on college campuses has persisted for generations, Rep. Stephan Hay, a committee member commented, “Sixties, ‘70s, ‘80s, ‘90s ... It’s been going on for way too long”.

The buzz-worthiness of an admissions scandal makes a great story. It is the reaction of urgency on behalf of colleges and law enforcement that is truly the problem as they have failed to respond with the same urgency to the presence of sexual violence on their campuses. Sexual violence has continued to fester at our institutions because it is considered taboo, stigmatized, and survivors have been discouraged from telling their stories. Massachusetts colleges and universities have failed to take action therefore it must become the responsibility of the Commonwealth to hold them accountable for the care of survivors and the safety of all students. Call and write to your legislators urging them to pass S.764/H.1209 favorably and quickly, let’s pass this before the incoming freshmen class arrives in September!

House Ways & Means Script

With graduation approaching, and Ethan and I both finishing up our last semesters, we have spent much time reflecting on the past four years of our college careers at Brandeis University. Like so many nervous high school seniors, we
opened our college acceptance letters with pure excitement. With that acceptance, we had been given an opportunity to pursue an education, to learn about ourselves, and, with a diploma in hand, to advance the prospects of our future. Not only were we getting that opportunity at Brandeis, we were headed for Massachusetts a state internationally recognized for its higher education institutions, and the place we now call home.

Although we were given this incredible opportunity to get an education, we also learned that there are serious problems with the way institutions of higher education address sexual violence on their respective campuses. According to the Association of American Universities 1 in 4 women and 1 in 13 men face sexual violence on college campuses. In 2014, the same year we both applied to college, there were 248 reports of rape on Massachusetts campuses but only 7% of those were officially reported (Office of Rep. Ehrlich). The Commonwealth does not have any set standard of care for survivors or the accused, no mandated climate survey about incidents on campus, no required prevention training for new students and staff and no mandatory confidential on and off campus options for survivors to get help should they need it. Massachusetts is home to more than 100 institutions of higher education, yet has failed to institute protections for the students who reside here (College Stats). An Act relative to sexual violence on higher education campuses, S.764/H.1209, fills in many of the gaps in our current system. This law is necessary to protect students’ well-being and their rights to appropriate resources should an incident of sexual violence occur.

We are aware that in the last session this bill never left the Ways & Means committee, but we are adamant that financial concerns should not stop this piece of legislation from becoming law. Implementing this act is likely to require spending on behalf of schools, not the state. While we recognize that schools have to balance their budgets like businesses, we feel it is bad business to not protect students and staff from sexual violence. Hesitation from schools about this legislation revolves around upfront spending for hiring, training and survey implementation. These costs, like many university costs, are not meant to “pay for themselves” but rather serve as an investment in their students. Just as institutions pay for mental health or police services, they should also be paying for sexual violence prevention. To some extent, they also worry about the long-term financial effects of publishing data about instances of sexual violence on their campuses. Sarah Berg, director of a Prevention, Advocacy & Resource Center, explained, “Schools are panicking because UMASS doesn’t want to have 30% [rates of incidents] versus BU [having] 25% ...when realistically that difference is arbitrary. This problem is everywhere.” It’s true, this problem is everywhere. We need transparency and action.

This should not be a question of spending, these are measures that institutions of higher education should already have in place. State mandates will finally be ensuring action that is long overdue. Now is the time for Massachusetts to capitalize on current movements that call out sexual violence, and to be a national leader as the federal government fails to ensure the safety of our faculty, staff and students. Massachusetts is the state known for having the best colleges and universities, let’s have it be known for the safest too. We hope you attended the hearing held on April 9th, and we urge you to vote this bill out favorably so that the incoming class of freshmen in September can be safer than those who came before them.

Letter to the Legislator

Dear Senator Barrett,

As two of the 450,000 college students who come to Massachusetts every year from around the world to pursue the kind of high-quality education that our state in known for, we urge you to publicly support An Act relative to sexual violence on higher education campuses (S.764/H.1209), ensure that it receives a hearing, and that it is voted out favorably.

Sexual violence is a pervasive issue on every college campus in this country. We know that 1 in 4 women and 1 in 13 men face sexual violence during their time in college. What is more shocking is that a full 90% of survivors do not report their experiences to the authorities. Students do not trust the institutions that are meant to keep them safe to do so, especially those students who are most marginalized.

On September 22nd, 2017, Secretary of Education Betsy DeVos rescinded federal guidelines that strongly encouraged institutions of higher education to prevent and respond to sexual violence. Today, our state’s colleges and universities have no guidance on this issue. In the best case scenario, a school will continue to follow the lead of advocates, experienced professionals, and research. However, many schools do not make that choice.

S.764 / H.1209, which has been referred to the Joint Committee on Higher Education, will place Massachusetts as a national leader in addressing college sexual violence. The bill will mandate a biennial campus climate survey in every school, create a state Campus Safety Advisor, require confidential resources for students on and off campus, provide prevention training for all new students and staff, and stipulate a fair standard of care for both survivors and the accused.

Senator Barrett, your contributions to students and to survivors of domestic violence have earned you our respect and gratitude. As our senator and the Assistant Majority Leader, we call on you to join those two passions and show students that we can count on you to advocate for our safety.
As the Senate Chair of the Joint Committee on Children, Families and Persons with Disabilities, you know the kind of toll that sexual violence can have on people. We know we can count on you to protect Massachusetts college students from that violence.

S.764 / H.1209 provides the policy measures recommended by professionals who advocate for survivors of sexual violence on college campuses. These are the measures called for by student survivors on the steps of the Statehouse and on campuses throughout the Commonwealth. These are the measures that, as student advocates ourselves, are encouraging you to support.

We strongly urge you to publicly support S.764 / H.1209 and work to ensure that it arrives on the governor’s desk.

Sincerely,
Ethan Stone and Emily Kessler, Brandeis University ‘19

### Excerpts from Campaign Journals

**Emily**

**On Meeting with Senator Michael Moore**

This meeting took place during our first class visit to the State House on February 13, 2019. When we arrived, Senator Moore was running late, so we met with his aide Julie for about fifteen minutes before Senator Moore jumped in. The purpose of this meeting was to become more familiar with the bill and especially to get clarification on sections we were unclear about. This meeting helped to do just that, vague parts were given more explanation and they were able put the bill in context both politically and personally for the Senator. This gave us greater insight into his motivations for sponsoring this piece of legislation. Senator Moore and Julie also provided background (or at least their side) as to why the bill had not passed in the past sessions in which it had been filed.

One of the most memorable moments of this meeting for me was the moment when I saw Senator Moore’s attitude shift. He had been late, was recovering from being sick and clearly unhappy about having to attend this meeting. Once Ethan and I began asking pointed questions about the bill, I saw his face lift – it was a complete shift when he realized we had actually read the bill and had some idea of what we were talking about. After this, we had a really great conversation this also served as a confidence booster to Ethan and me to see that we had impressed him and that we actually knew what we were talking about!

**On the Hearing at the State House**

The hearing for our bill took place at the Massachusetts State House before the Joint Committee on Higher Education on April 9, 2019. We travelled to the hearing with Vilma, who we already had a relationship with from our meeting in February and other Brandeis students (some part-time employees of PARC and others who had simply expressed interest after seeing an all-Brandeis email announcement). It was nice to travel to the hearing with some familiar faces and like-minded students. We spent the bus ride getting to know one another through ice breakers and discussing our connection to the issue.

The hearing was both a wonderful and really challenging experience for me. While I had spent so much time being excited about the momentum H.1208 and H.1209 were getting, I had not quite emotionally prepared myself for three hours of retelling of experiences of sexual assault. The hearing was incredibly powerful in detailing the failures of higher ed institutions to accommodate their students’ needs and oftentimes making the experiences of survivors worse. In addition, the most compelling argument I heard repeated many times from those who testified was the idea that if this bill had passed the first time it was introduced, the procedures and resources it mandates would have been in place when the speakers’ experiences of assault took place. On a more logistical level, this experience was also important in informing me how hearings take place, what the atmosphere is like and what a collective effort to civically engage looks like. I wish I could have been able to connect more with members of the Every Voice coalition who were present but socializing felt inappropriate during the testimony and Ethan and I had meetings scheduled all afternoon directly following the hearing.

**Ethan**

**On meeting with Katia Santiago-Taylor, Boston-Area Rape Crisis Center**

I think we had a very good meeting. Katia was very welcoming and showed us around the office before we sat down. She told us about her history with BARCC, explained her role as a registered lobbyist and how to lobby successfully, and even provided a number of valuable talking points. She very generously offered to have BARCC’s communications people look over our storybook and offer editing suggestions, although this never happened.

Even though before the meeting Emily and I were not really sure that we would get a lot out of it, we walked away feeling very good about it and like we had learned a lot. Connections made: Katia gave us names of lawmakers and an organization that it would be beneficial to push on the bill or to talk to about the bill.
Update
Since the hearing on April 9th, the Association of Independent Colleges and Universities in Massachusetts, the major opponent of the legislation, has stalled significant progress on the bill. The Every Voice Coalition is currently strategizing for the upcoming fall semester by planning how to combat ACIUM’s tactics and mobilize students when students return to campuses in August.

For more information

View the bill (MA legislature website):
S.764: https://malegislature.gov/Bills/191/S764
H.1209: https://malegislature.gov/Bills/191/H1209

Organization or Coalition support:
See Jane Doe Inc., http://www.janedoe.org/whats_happening/policy_action/