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“That’s Literally All They Told Us”: Title IX Awareness and Norms Around Reporting Among University of Colorado at Boulder Undergraduates

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**“That’s Literally All They Told Us”:
Title IX Awareness and Norms Around Reporting Among University of Colorado at
Boulder Undergraduates**

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ABSTRACT

Previous research has demonstrated the prevalence of sexual assault on college campuses and the trend of underreporting by survivors. To understand what mechanisms may encourage or discourage reporting on the University of Colorado at Boulder (CU-Boulder) campus, this study utilized qualitative data gathering in the form of focus groups and an interview with CU-Boulder undergraduates. The initial goal of the research was to assess students' awareness of Title IX and reporting resources; over the course of this study, additional data emerged indicating the presence of a norm of self-censorship among the student population. The findings of this work thus suggest that underreporting may be partially due to students' lack of knowledge or mistrust of the reporting system, as well as a culture of silence based in perceived norms and feared social sanctions. To correct the trend of underreporting, additional research is recommended on the depth of this lack of knowledge, the norms of self-censorship, and how the university may begin to reduce these layers of silencing on campus.

CHAPTER I

INTRODUCTION

Sexual assault has long been recognized as an elevated threat to college students such that university campuses have become identified as “sexually dangerous...contexts” colored by norms and socialization processes allowing for sexual violence against women (Armstrong, Hamilton and Sweeney 2006:485). The effects of sexual assault on a woman range from physical injuries to anxiety and posttraumatic stress symptoms, as well as an increased probability of revictimization (Miller, Canales, Amacker, Backstrom and Gidycz 2011). The reported repercussions of these effects are widespread: loss of community and a sense of isolation, an inability to focus, difficulty keeping up with or participating in schoolwork, and troubles within relationships. Survivors of sexual assault on campus then additionally face the probability of a lower GPA and higher drop out rates (Campbell, Dworkin and Cabral 2009; Christensen 2013). These women are often paying the price for their own victimization in university success and personal wellbeing.

As the environment and social structure within which these assaults occur, universities have a heightened responsibility to create a safe community for students and to find justice for those who have been victimized. Under Title IX, a federal law meant to ensure gender equity in education (see Appendix I), universities are required to act in instances of gender violence to ensure a survivor does not suffer further in the aftermath. Universities are further expected to provide an institutional infrastructure for students’ education on preventing and reporting sexual assault, as well as resources for survivors seeking recovery.

Current research indicates that one in six women in the United States will experience an attempted or completed rape in her lifetime (Tjadden and Thoennes 2006). For college students, the rate of sexual assault can be as high as one in four women (Fisher, Daigle and Cullen 2008). A separate study found that 3% of college women were forcibly raped within a single nine-month period (McMahon, Postmus and Koenick 2011). Another study proved the existence of the “red zone”¹ for women on college campuses whose risk for assault impacted their entire undergraduate experience (Cranney 2014:10). Additional research on students who have survived a sexual assault indicates that not only are these assaults happening in large numbers to undergraduates, they are happening without official awareness as rape remains the most underreported crime (Fisher et al 2008).

At the University of Colorado at Boulder (CU-Boulder) in the fall of 2013, undergraduate enrollment was comprised of 24,418 students, 11,085 of whom identified as female (University of Colorado Boulder: Planning, Budget and Analysis 2013). Applying the empirical estimate that one in four college women would experience a sexual assault, 2,771 CU-Boulder women likely were or became potential survivors. To apply the 3%-in-nine-months estimate, 333 CU-Boulder women could have been forcibly raped during that single school year. Even a fraction of these estimates still indicates hundreds of women in any given year would experience a sexual assault.

Despite this statistical probability, only fourteen crimes of sexual assault were reported to the university police that year, eight of which were listed as “forcible rape”

¹ The “red zone” is a term used in university sexual assault research referring to the time during a woman’s undergraduate career when she is most at-risk for sexual assault, considered to be anywhere from the first six weeks on campus to the entire first year (Cranney 2014).

(University of Colorado Boulder: Campus Police 2013). This number, well below the estimated degree of violence against women on a college campus, may reflect the ongoing trend of underreporting (Fisher et al 2008).

This gap between the potential survivor population and the reported survivor population is of particular importance. If college women are experiencing sexual assault at these rates and are not seeking or receiving the assistance of the institution, the issue concerns gender equity given both the gender-directed violence of sexual assault and the after-effects of an assault. These include consequences to emotional health and physical wellness, academic and professional success, and complete social citizenship and participation in college life. This research seeks to investigate students' awareness and knowledge of Title IX and reporting resources within their university, and their impressions of the reporting process.

In order to understand why sexual assault appears underreported on college campuses, this study is interested in identifying what social mechanisms may encourage or discourage reporting. Based on a qualitative study of student awareness and impressions, this research set out to explore the depth or lack of knowledge around Title IX and reporting in the college population as a factor. Data additionally emerged that also highlighted the importance of norms around self-censorship as a barrier to reporting. This thesis will explore both findings as relevant to understanding students' impressions of the institutional reporting structure. In particular, this work seeks to construct a comprehensive analysis of how students come to the decision to report a sexual assault or not. The University of Colorado at Boulder serves as a case study of interest given its recent experience with investigations surrounding Title IX violations and its efforts to

improve students' access to sexual assault prevention, reporting, and investigation resources.

CHAPTER II

LITERATURE REVIEW

Reporting pathways

Previous research on sexual assault in the college population has identified the reporting pathways survivors may take within the university framework. According to this research, survivors often elect to initially report their assaults informally to unofficial social supports such as family and friends. This type of reporting is preferable to formal reporting, in which survivors contact official university law enforcement or counselors (Ahrens and Aldana 2012).

Rates of informal reporting present a positive outlook: in one study, nearly 75% of college women who had survived a sexual assault informally reported the experience to a peer (Orchowski, Untied and Gidycz 2013). In two additional studies, another 70% of college survivors surveyed informally reported their assaults to someone with whom they had a relationship (Ahrens, Campbell, Ternier-Thames, Wasco and Sefl 2007; Fisher, Daigle, Cullen and Turner 2003). These informal reports exist as part of a process in which survivors, facing negative consequences in their lives following an assault, seek out informal support managing their experience (Ahrens et al 2007).

Informal support systems appear deeply enmeshed in campus culture, indicating the prevalence of sexual assault in the university setting. One survey found that 1 in 3 female students and 1 in 5 male students will be disclosed to by a peer, with 30% reporting they had already been disclosed to by an assault survivor (Banyard, Moynihan, Walsh, Cohn and Ward 2010). Another study found that two thirds of surveyed students knew a survivor of sexual assault, and one half knew a perpetrator of sexual assault

(Sorenson, Joshi and Sivitz 2013). Reported rates of informal disclosure thus offer insight into the notion that sexual assault survivors in college are actively reaching out for support systems following their experience. However, it is of significance to note that among those to whom assault was disclosed, only about half felt equipped to help. This consideration indicates that informal social supports within campus culture still have room to develop (Banyard et al 2010).

The research on reporting confirms the trend toward informal rather than formal reporting patterns among college students. One study in which 70% of college survivors reported disclosing their assault informally found that only 4% of those survivors chose to report the assault to a campus authority (Fisher et al 2003). In a separate study, survivors who formally reported the assault only did so after seeking formal support for a separate issue, i.e. a physical injury (Ahrens et al 2007). Another survey found that no survivors chose to report the assault to an official channel (Clodfelter, Turner, Hartmand and Kuhns 2010). These numbers present the dilemma wherein survivors are willing to informally report, but will rarely follow the official reporting pathway. Further research ought to consider this phenomenon and seek to understand how survivors choose these pathways, in an effort to increase survivor access to university resources.

Barriers to reporting

Research on the lack of formal reporting by college survivors has identified several barriers. Individual-level barriers include self-blame, shame, and guilt over the assault. This research also highlights institutional-level barriers as they impact the larger campus culture. These institutional barriers include uncertainty around defining an

assault, a mistrust or lack of understanding of the official reporting system, and concerns regarding the victim-offender relationship and potential retaliation.

According to previous studies, these particular barriers highlight elements of the university structure that hold the potential to prevent official reporting. The first—a lack of knowledge or clear impression around assault and reporting—presents the notion that students may not be receiving complete messaging around how to define and discuss their experiences. Additionally, students may pass negative judgment on their experience as a result of this lack of knowledge, impeding their desire to report. Previous studies have identified the issue that an incident may not seem “serious enough” to report, in the words of the survivor, often for its failure to follow a gendered “rape script”² (Allen, Ridgeway and Swan 2015:109; Cleere and Lynn 2013; Clodfelter et al 2010; Fisher et al 2008:167; Hlavka 2014; Wolitzky-Taylor, Resnick, McCauley, Amstadter, Kilpatrick and Ruggiero 2011:816; Zinzow and Thompson 2011:713).

Survivors may apply such qualifiers to their assault experience, and thus choose not to officially report by way of deeming the assault unqualified for further action. Along the lines of this dialogue, survivors reported fear that a lack of “proof” would present an issue in reporting the crime (Allen et al 2015; Fisher et al 2003:10; Fisher et al 2008:167; Cohn, Zinzow, Resnick and Kilpatrick 2013; Sable, Davis, Mauzy and Gallagher 2010). In these cases the female survivors identified their own testimony as falling short of comprising a legitimate claim, preventing them from even naming the crime let alone officially reporting it. As a result, the lack of information works to disqualify women’s

² In the literature, a “rape script” (interchangeable with “rape myth”) has come to mean the “culturally situated and socially learned” understanding of rape to be an act committed by an unknown man against a female in a dark, isolated, unfamiliar location (Deming, Covan, Swan, and Billings 2013:3).

experiences and discourage reporting. Similarly, this barrier indicates a patriarchal influence on the university institution (Fisher et al 2003). That these female victims of heterosexual assault by a male offender believe their testimony is insufficient to reach a conviction implies privileging of the male voice over the female voice, perceived or actual.

The barrier of mistrust or a lack of understanding around official processes, particularly regarding issues of confidentiality, also presents a dilemma. When survivors feel uncertain that their experiences will be protected, they are less likely to report the incident at all and lose the opportunity for official action (Allen et al 2015; Aronowitz, Lambert and Davidoff 2012; Sable et al 2010; Wolitzky-Taylor et al 2011; Zinzow and Thompson 2011).

Another barrier reported in the literature is fear of retaliation by the assailant. Research shows that when the survivor knows the offender personally, they are more hesitant to report the crime. This may be due to any number of factors, including a desire to keep others out of the incident, a desire to maintain the social status quo, concern over sending a friend or family member into the justice system, and fear of additional consequences or victimization by the offender or their social circle (Allen et al 2015; Cleere and Lynn 2013; Clodfelter et al 2010; Fisher et al 2003; James and Lee 2014; Sable et al 2010; Ullman and Filipas 2001; Ullman, Filipas, Townsend, and Starzynski 2006; Wolitzky-Taylor et al 2011; Zinzow and Thompson 2011).

This fear is consistently listed among the top barriers to reporting across surveys of college women. In a 2014 study, James and Lee found it was the number one barrier reported by female survivors. Wolitzky-Taylor et al (2011) similarly found that nearly

70% of survivors reported it as among their highest concerns. However, the depth of the relationship as a factor in choosing to report or not to report an assault remains to be seen.

This fear of social retaliation is of further research interest as bystander education surveys offer insight into how friendships, and their potential loss, encourage silence around sexual assault. In one study, one in twenty students reported knowing a perpetrator of forcible rape, while one in eight reported knowing a perpetrator of alcohol-facilitated rape. Following group discussions the researchers posited that “loyalty to a friend may discourage a student from taking action” (Sorenson et al 2013:410). This research stressed the importance of awareness among student populations to affect change, given the numbers of students who knew perpetrators but expressed hesitance to act due to the relationship.

Another study similarly found that, while many college women felt they could perceive an unfolding assault and wanted to intervene, they refrained due to concerns that intervening “would make... friends angry with them,” or would “cost them friendships” (Exner and Cummings 2011:656). Again, the researchers offered a reformed bystander education program based in shifting community norms to focus on bystander responsibility (Exner and Cummings 2011). The perceived social consequences of intervening in an assault present a parallel to the perceived social consequences of reporting.

Institutionalized patriarchy: university “rape culture”

As this study is concerned with the larger gendered social structure within the institution of a university, it is necessary to consider what a patriarchal system broadly is

and how it manifests on campus. Patriarchy as defined by Walby (1989) refers to the “system of social structures and practices” in which men dominate, oppress, and exploit women (214). Patriarchy may also be described as the abstract social relations in a society in which men hold power over women, or as the cultural acceptance by both men and women of practices privileging men (Walby 1989). For the purpose of this discussion, these practices and relations privileging men over women will be referred to collectively as a patriarchal system based on this understanding.

Heterosexual interactions as a stage for this type of patriarchal system hold relevance for this study, as the intersection of sexuality and patriarchy provides the basis for the phenomenon of campus “rape culture” (Armstrong et al 2006:485). Sex and sexuality in a heterosexual context offer men the opportunity to construct social relations that subordinate women based along lines of sexual regulation (Hlavka 2014). Given the construction of sexual norms like rape scripts and myths, men are further privileged to outright oppress and exploit women through sexual assault, in which both the physical and mental freedoms of women are compromised to the will of men. Within this understanding, sexual assault may be considered a mechanism of patriarchal control, through which men create a threatening sexual environment to subordinate women, regulate their behavior, and exert exploitative power at will. These acts of assault then contribute to the patriarchal campus environment, creating a “rape culture” (Armstrong et al 2006).

A campus subject to this rape culture is characterized by male dominance, particularly within sexual exchanges in which male desires are privileged (Walby 1989). The result is a campus community encouraging male-controlled social spaces and

providing access to subordinate women through sex. To ensure this system remains intact women are first made socially subordinate; their social capital within campus culture is determined by their ability to access social spaces, consequentially dependent on male control and sexual desire (Armstrong and Hamilton 2013). The literature concludes that this identifiable form of rape culture serves as evidence that there exists a patriarchal system subordinating women and privileging men within the university framework.

Given the prevalence of sexual assault on campus, the culture of patriarchy as it exists in the university setting, and the prior research on reporting, the goal of my study is to assess students' awareness of Title IX and reporting resources and further understand the norms in place around reporting on the University of Colorado at Boulder campus.

CHAPTER III

METHODOLOGY

This research was conducted at the University of Colorado at Boulder, a large public university located in the American West. In the last year, this university has settled with two students who filed federal Title IX complaints around its treatment of sexual assault investigations on campus. The female complainant spurred a federal investigation of CU-Boulder's compliance with Title IX and has spoken out in the national media; the male complainant has become an example in national media of how assault investigations affect the accused. Given its ongoing interaction with Title IX, CU-Boulder thus provided a culturally relevant setting for this research.

The principle interest of this research required an understanding of individuals' behavior in and perceptions of their social sphere. As such, qualitative data gathering in the form of in-depth interviewing appeared most conducive to crafting an effective study. Focus groups were further selected as the principle method of interviewing for their value in gathering extended answers to questions of interest, as well as their ability to recreate observable social dynamics in assembled peer groups (Krueger 1994).

As the researcher, I gathered data by conducting four focus groups made up of 2-5 undergraduate men and women, as well as one in-depth interview between a single undergraduate (when the other participant failed to attend) and myself. This structure was partially the result of funding limitations: participants were incentivized, and the amount of funding provided weighed against the incentive per participant³ limited the maximum

³ The incentive amount of \$30 was determined with consideration to the expected time commitment of participants, the sensitive nature of the topic, and the incentives

to 15 students. Focus groups were consequentially planned in accordance with this condition.

Interviews were conducted with a schedule of guiding questions (see Appendix II), though participants were encouraged to follow their thought processes and provide open-ended answers. I also encouraged discussion and requested clarification through follow-up questions based on the conversations of each group. These interview sessions provided the opportunity to hear subjects' thoughts and feelings from within the university population, offering subjective meanings to their reported impressions. These groups also offered the opportunity to recreate the normative environment of campus culture, allowing for qualitative observation of participants' interactions with one another. Though beneficial for analysis, this method also presents the limitation that some narratives may be silenced during discussion as participants subscribed to normative behavior; some may have avoided expressing certain opinions while in the presence of peers.

Since my principal concern was students' awareness of Title IX and sexual assault reporting and how that awareness came about, the focus group setting allowed me to observe relevant socialization processes. Additionally, the focus group structure offered participants an opportunity to exchange similar or differing experiences with one another. This exchange was vital to the understanding of socialization as common or unique, as students could or could not reach a consensus on reporting and Title IX. The focus groups thus permitted participants to develop their opinions, ideas, and ongoing interactions

previously offered by CU-Boulder studies conducted through Community Health on similar topics.

within a recreated campus community. The result of this method was a more reliable narrative of relevant norms.

Recruitment and participants

Participants were recruited for this study through all-campus and demographic-specific channels, in order to collect a participant group from as broad a background as possible. I sent recruitment emails to student groups from various colleges and demographic groups, as well as academic advisors across disciplines. I further posted recruitment flyers (see Appendix III) in major academic buildings and student centers on campus, advertising the opportunity to participate in a focus group concerned with campus culture and the prevention of gender violence as conditioned by Title IX. I also included recruitment notices in the all-student weekly email and monthly Student Affairs e-newsletter. Interested students were instructed by these advertisements to contact me to sign up for the study; as such recruitment may have been skewed towards those willing to take the initiative.

Fifty-two students initially contacted me with questions or to participate, twenty-three of whom signed up for a focus group session following our email interaction. Only fifteen of these students actually attended and participated in the study.

Participants were all undergraduates at the university, ranging in age from 18-22. Participants came predominantly from the College of Arts & Sciences, with minimal representation from the College of Business, the College of Engineering, and the College of Music, and no participants from the College of Education. Participation was also largely female, though four participants were male. Three groups were consequentially

mixed-gender groups, one group was entirely made up of women, and the single interview session was with a woman. Given the research topic and self-selecting nature of recruitment, the process may have been skewed toward those who already had an interest in Title IX and gendered issues on campus. Recruitment may also have been influenced by which groups and advisors found the topic relevant enough to forward recruitment emails to students.

Data collection

Five interview sessions were held on weekday afternoons in private rooms on the university campus in November and early December. I personally conducted all interviews, and participants read and signed a consent document prior to the session. Sessions ranged from forty-five minutes to an hour and fifteen minutes, and were audio-recorded with participant consent on a protected electronic device. I then transcribed these sessions and included field notes taken after the conclusion of each group.

Prior to the start of each session and following the completion of consent forms, I briefly spoke with participants about the study. This included an overview of my role in the university, the privacy policies they agreed to, expectations for participation, audio-recording, and free resources available for those who felt distressed by the topic.

Participants were first asked to discuss what they knew or had heard about Title IX and from where their knowledge had come. The second half of the interview was then centered on reporting: impressions and understandings of the process, and implications of reporting. The interview schedule was used to offer a semi-structured direction for the discussions, however, participants brought up their own thoughts and concerns as they

arose. Participants were also invited to ask their own questions at the end of the session. Though the participant-directed subject matter differed between groups, the same schedule was used in each session.

I additionally examined the scripts from orientation information sessions⁴ to familiarize myself with the material students might call upon in recollecting how they were told about reporting or Title IX.

Data analysis

For analysis of interviews and to protect the privacy of participants, I alone listened to, transcribed, and coded these sessions, as well as assigned pseudonyms to respondents for reference purposes. I coded the data qualitatively to identify themes of sociological and topical relevance, cross-referencing the frequency of these themes to narrow the scope of study. I then selected the themes that most often came up in these sessions, studied their intersections, and conducted a subsequent sociological analysis.

Positionality, bias and limitations

My own social demographics may have influenced the data collection and analysis of this study. As a white, female college student my interest in gender equity and violence against women stemmed from a personal sense of connection to the populations of interest. My interest was furthered through my employment within the university—I work for the health center, in close collaboration with the public health division. My colleagues are partially responsible for student education on consent and gender violence,

⁴ I reviewed only scripts used in 2010-2014, as all participants who had attended an orientation session would have done so during one of those years.

and as such I have developed a familiarity with the problems of sexual assault on campus and the function of Title IX. Given my background and employment experience, I may have brought my own bias to this study. I attempted to remain aware of this condition throughout the course of the study and control for it by asking participants open questions and listening without personal response.

As previously mentioned, the dependence on participant self-selection and interest in gender equity may have also skewed the data collection process. Additionally, the qualitative nature of the research and small sample size indicate that broad empirical generalizations may require further research with a larger, randomized sample. However, theoretical generalizations can still be of value for the specific case of CU-Boulder based on the data gathered during this process.

As the researcher, I disclosed various aspects of my social role to participants and acknowledge that this too may have influenced their willingness to share open, honest thoughts with me. I offered the information that I am an undergraduate in the Sociology department conducting this research for an Honors thesis, and interested in reform. I also disclosed my employment in the university and that Title IX was of particular relevance to my work. However, I neglected to identify my age, as I am younger than my year-status implies. I consciously omitted this information in order to maintain the traditional authority-role expectation of elevated age.

While my position as an undergraduate may have allowed me access to the demographic group of interest, my gender may have influenced the data gathering process. Specifically, as a woman asking male participants about gender violence and reporting, some may have withheld their perspective in an effort to say only what they

assumed I wanted to hear. Though this element could not have been controlled for due to the nature of qualitative interviewing, I have considered it in my analysis as a potential factor in some of the comments made by male participants.

The discussion of my findings begins with an overview of the resources available for reporting at the University of Colorado at Boulder.

CHAPTER IV
REPORTING RESOURCES AT THE UNIVERSITY OF COLORADO
AT BOULDER

Individuals who experience a sexual assault while a student at the University of Colorado at Boulder are offered a range of resources for reporting, both confidential and non-confidential. These are outlined below and can also be found online at the official university website (colorado.edu), or through the Office of Student Conduct online handbook (colorado.edu/studentaffairs/studentconduct/downloads/If%20you%20are%20a%20victim.pdf).

Voluntary reporting resources

Students may officially report a sexual assault to the Campus Police (CUPD) or public law enforcement. In the case of a report to either bureau, an investigation will be launched as required by law. The student population will additionally be notified via email that a report has been filed. Reports may also be made to the Office of Student Conduct (OSC) or the Office of Institutional Equity and Compliance (OIEC, formally known as the Office of Discrimination and Harassment). Reports to any of these departments will necessitate some kind of action on the part of the university, though those reporting are not obligated to participate in the process. Additionally, if the party reporting would like their identity protected and would like to remain uninvolved with any kind of investigation, it may not be possible for the university to complete the investigation process.

Investigations by the OSC or OIEC will exceed no more than 60 days as a non-criminal investigation separate from the police or state. Those found guilty of gender-based misconduct, discrimination, or non-consensual sexual behavior by one of these investigations may receive a minimum sanction of probation or up to a maximum sanction of expulsion.

Students may confidentially report a sexual assault to Counseling and Psychological Services (CAPS) or the Office of Victim Assistance (OVA). Through either office, no investigation is automatically launched and the student's identity is protected. Neither office is required to pass on a report of sexual assault to the police or an investigative campus office. Students may elect to report confidentially before, after, or along with filing a non-confidential report, or may elect to only report confidentially. Should a report be made confidentially and never make it to non-confidential reporting, it is not listed in official statistics.

Both CAPS and OVA offer counseling and victim advocacy, as well as an explanation of options for moving forward with legal action or dealing with the repercussions of an assault. Counseling is also offered for a cost or through the university-sponsored health insurance plan at the university health center.

Survivors who report confidentially or non-confidentially are offered protective services including assistance securing alternative housing, securing a no-contact order for the accused offender, and working with academic offices to accommodate the disruption in the survivor's university experience. Additionally, the non-confidential investigative offices may prohibit the accused offender from occupying various spaces on campus, and may place an escort for the survivor on campus.

Involuntary reporting

At the University of Colorado at Boulder, all staff (excluding those in CAPS and OVA) are “mandatory reporters.” This denotes that, should a student informally disclose their experience with university sexual assault to a staff member, the staff member is obligated to report it to CUPD regardless of the student’s intentions. While a staff member may attempt to discourage a student from disclosing and may warn the student of their obligation as a mandatory reporter, once information is presented it legally must be passed on to CUPD. The survivor is not required to meet with CUPD or voluntarily offer further information; however, an investigation will be conducted with the information already provided.

Access to reporting information and procedures

Students may access information about reporting to campus authorities online through the University of Colorado website and sub-pages for CUPD, OSC, OIEC, OVA, CAPS, and the university health center. Students may also file reports online through the university website.

Paper communications regarding these campus reporting resources are also offered as brochures, handouts, and posters displayed in university community buildings (the student center, residence halls, dining halls, the health center). Emails sent out in accordance with the Clery Act in cases of reported assaults also include reporting information and CUPD resources.

Information on sexual assault is formally presented during first-year orientation as well. One session, titled “What the Help?” is a bystander-approach group discussion on helping out peers, community responsibility, and, to a minimal degree, sexual assault. Professional staff members from Community Health (the public health division of the university) have traditionally designed, modified, and presented this session each summer. While reporting is not discussed, students are confronted with a hypothetical scenario in which they might see an unwanted sexual situation unfolding. Students are then asked to consider what they think they should do, what they would actually do, and how to reconcile any incongruities. Attendance at this orientation session is mandatory for all incoming freshmen present at orientation, however, this is not a guarantee that all students attend.

Attendance during orientation is also mandatory at a separate Community Health sponsored presentation titled “I Wish I’d Known,” in which peer educators discuss college health topics. One section of this presentation is entirely devoted to sex and sexual health; students are asked to consider safe sex, emotional wellness, and consent. The consent discussion touches on the existence of “sex you don’t want,” and presents students with examples of what “enthusiastic consent” looks and sounds like. However, sexual assault is not outright acknowledged, and the conversation wraps up with a brief mention of the Office of Victim Assistance, should anyone need to “make sense” of “bad or unwanted experiences.”

Other orientation sessions include explorations of sexual assault through mixed media. In past years, students have been shown a video that portrays a woman at a party who has passed out. A man speaks to the camera and asks the audience what they think

he is going to do to her; he then tucks the woman in gently. The message is seemingly a play on the norm that men are dangerous to women and are the ones committing sexual assault, particularly in the party/drinking setting.

Students may have also been exposed to interactive skits during orientation. These skits are presented in smaller groups and deal with different topics such as substance use, racism, and sexual assault. Due to these fluid factors, not all students received the same session, and due to the interactive nature of the program in which different students direct the characters, the plot has not been uniform.

Some participants still did report attending the sexual assault-focused skits. In these presentations, the actors portrayed women in potentially dangerous sexual contexts with men, and the student audience was asked to “change the scenario.” Again, the norm was established that women can expect to enter these dangerous situations in the company of men, and it is up to the community to do something.

Some students may also receive additional information around sexual assault and reporting during training sessions for work as student staff of the university. These sessions may include presentations from the Office of Victim Assistance or education on standard university sexual harassment policies. However, these sessions are neither universally nor uniformly provided and thus cannot be considered wholly relevant for the student population.

In the chapters that follow, the findings of the research on awareness of Title IX and access to information on reporting will be discussed, along with patterns of reporting and self-censorship.

CHAPTER V

FINDINGS: AWARENESS

This chapter focuses on students' awareness of Title IX and reporting resources. At the time of this research, no literature was available on any comparable studies or findings regarding university students' awareness of Title IX and their rights on campus. This lack of established and available research on the topic emphasizes its importance in understanding the underreporting phenomenon, and will be utilized as a finding in interpreting the following data.

Participants were directly asked during interviews what knowledge they possessed regarding Title IX, and where that information was provided. The most common response was a lack of knowledge: five participants (one third of all interviewed) had never heard of Title IX; four had heard of Title IX but reported that they knew nothing about it; and four had heard of Title IX and knew that it generally dealt with issues of gender equity but could not elaborate. No participants knew how Title IX explicitly related to sexual assault, though two offered that it was "something" that prevented gender discrimination.

Participants recalled hearing about Title IX through various channels. Specifically, individuals mentioned women's studies classes at CU-Boulder, their past involvement in sports, high school classes, and public news about the Title IX investigation on campus. When asked to recall orientation sessions, participants had difficulty remembering details of the program and made only general references to the discussions of consent and sexual assault. Others reflected on their disappointment and frustration with how the information was presented. One female participant claimed the

orientation program had all but ignored sexual assault, and felt the information she could recall left students without resources:

“I remember the only thing they said, which I was really disappointed in, was...if you are too drunk to consent, [that] is rape. And that’s literally all they told us, which I thought was really disgusting. I thought they definitely could’ve told us more, especially about what you could do if that situation happened to you, or more about what would happen to you if you did that someone.”

Another female participant felt orientation was difficult to remember, but could recall the interactive theater portion and her frustrations around it. She felt that the session posed the question: “Your friend is way too drunk in a slutty dress, and is gonna get raped, how do you help her?” and described feeling “really angry” about it. She was offended that the students role-playing the scene were seemingly “just f***ing around,” and felt she was left to wonder about what to “actually do in that situation” (when a friend was in sexual danger). In both statements, participants perceived rape culture as promulgated through orientation sessions, either by neglecting to address it in an informative way or by allowing it to become a joke. Further, these participants felt the university had denied them access to relevant information on intervening in and reporting sexual assault when they had a chance to do so in the orientation sessions.

Another female participant similarly recalled her experience with the interactive theater session as “bringing to light some of the horrible attitudes that [her] peers had” about sexual assault without any university professional correcting them. She similarly felt she had not been educated on what to do in cases of sexual assault. Again, she felt the university had held and subsequently lost the opportunity to educate students on sexual assault.

Other participants followed a similar pattern of information recall, such that they initially remembered little to nothing of formal university messaging about Title IX, sexual assault and reporting. Participants would then express feelings that they were being denied the information altogether. In one mixed-gender focus group, female participants acknowledged that they had received a “women’s handbook” in their dorm rooms, though they had not read it, rolled their eyes at the mention of it, and were no longer sure where it was. A male participant responded to this information by questioning why he did not receive a similar handbook, claiming this gendered distribution of resources seemed “really weird.”

He posited that men should get a handbook “as well, so they know how to report [sexual assault]” despite the women’s opinion that the handbook would not be helpful. His suggestion presents a central dilemma regarding awareness: students appear to be receiving the information in some capacity, however, it is not communicated in a way that makes an impression or is taken seriously. To a further degree, students feel that the relevant information was unavailable to them, accompanied by negative perceptions of their peers and the institution.

One female participant indicated that she would like to know more about Title IX and reporting, criticizing the current system while suggesting a new one:

“I think it would be incredibly helpful if CU did some sort of something [education] about rights, and kind of an ongoing thing...more effective than an orientation session with dozens of kids.”

Participants were then asked during the second half of their interviews to consider what they knew about making a report, and where they had learned it. Participants most commonly agreed on not knowing anything about reporting, and expressed perceptions

that this was the norm across campus. Participants from separate groups offered generally similar frustrations about the confusion and difficulty of reporting:

Male: “Nobody really knows what would happen if you were to report something.”

Male: “For me it’s [reporting is] just a lot of confusing stuff.”

Female: “Being part of a large university has made me realize how complicated the system can be to navigate, that’s one huge criticism that I have.”

Female: “Nobody really knows what that protocol [reporting] would be like.”

Male: “It’s just like, people don’t know where to report it to.”

Female: “I wouldn’t even know where to go to even ask that information.”

However, not all participants expressed this level of unawareness. Participants who had worked for the university or who had filed a report in the past⁵ could demonstrate a working knowledge of the reporting process when prompted. They could discuss the existence of the Office of Discrimination and Harassment (now the Office of Institutional Equity and Compliance) and more commonly the Office of Victim Assistance, though they could not thoroughly describe the services offered therein.

Regardless of individual history, all but two students still expressed some degree of confusion around confidentiality, required investigations, and police involvement. Students without a background in university employment or experience with reporting could not confidently identify campus resources, and responded that they could only speculate where one could go to report. When given this opportunity to speculate, participants expressed a belief that the police were the ultimate (and possibly only) resource for students seeking to report. When asked how they came to that conclusion, one male participant responded “Just growing up, you know? The police, they’re there,

⁵ Three female participants from separate groups each spoke of their personal experience filing a report with the university or police regarding sexual assault or harassment. The details of their experiences have been altered or left out to protect their privacy; their impressions of the reporting experience have been kept intact.

they're supposed to help you." All members of the focus group nodded at this comment, with a female voicing an affirmative "Yeah." This same male and female participants later expressed doubt that the police actually had the capacity to help, however.

In another focus group, a male participant had similar concerns: "I guess they [the survivor] can call the police? I'm not really sure." Another male participant acknowledged that he had never been "taught where things [reporting resources] were," but rather had researched online how to contact Campus Police. These participants highlight an access issue with reporting: the idea of reporting feels unclear to students, and furthermore limited to common sense understandings of legal/criminal proceedings.

Several female participants later recalled messaging about the Office of Victim Assistance and their ability to report there in the form of magnets on the fridges in their dorm rooms and posters in the dorm bathrooms. "I mean, you read those things, but you don't really read those things," one woman joked to the agreement of another, indicating that the messaging was present but potentially ineffective. This issue with ineffective messaging was further evidenced by the women's inability to recall having seen it, until another female participant in the focus group had reminded her. The conversations around OVA dorm-centered messaging in particular identified the presence of resources in students' peripheral environment, thought it implied they were not readily accessing the information.

A female participant further expressed speculations about the university's motivations in failing to provide what she perceived to be adequate education about reporting. She reported feeling that the university might be concerned with their own reputation above justice for a survivor:

“It’s like, if you go through the university to report your sexual assault then they don’t report it to the police or something along those lines. They’re trying to deal with it within the university.”

She continued to negatively address the university process, reporting that it turned survivors into “just a number” and further, that sexual assault “cases get lost” and will not be dealt with as the university protects itself. This participant later expressed additional concerns that the university currently being under investigation for failing to comply with Title IX served as evidence that the institution was not trustworthy. Reporting, she said, did not “ensure that you’re going to be heard, or you’re going to be safe.”

Another female participant expressed a similar concern that the university reporting system had the potential to “make things disappear” without resolving a survivor’s case. Specifically, she felt that the university was not an ally for survivors, but rather, an institution concerned with “PR.”

““CU the organization” is like...bureaucracy, like, it’s a business, it’s crazy, it’s all about the image...and there’s so much covered over...for them [the institution] it’s easier to like, make something disappear than to have it go public.”

Another female participant in the group agreed:

“The fact that they don’t tell you about the legal systems and things, that’s kind of, stresses how much CU just wants to sweep it under the rug. Like, they’re not specifically advertising [reporting].”

In these cases, discussions around a personal lack of awareness as tied to a lack of education from the university led participants to question whether the university wanted to hear their reports or not. Further, a lack of trust in the system emerged suggesting that reports would be kept quiet, investigations would be lost, and the survivor would have no ability to involve the police should they first involve the university.

Overall, students gave the impression that they had little power in reporting an assault. Unless they had access to additional training from the university, they felt their options were limited to police procedures, and exclusively the city police if the assault occurred off-campus. One female participant explicitly identified calling 911 as the only way reports could be made, again indicating a gap in her working knowledge of reporting procedures. Participants consistently expressed disappointment in the university messaging around reporting, particularly upon learning from each other about non-police offices on campus who could help survivors. Finally, participants expressed a lack of confidence in the university's ability to provide them information about resources. When asked at the close of each session where they might go to learn more about Title IX or reporting, the most common response was a simple Internet search. "Google!" one participant joked, to which another replied, "No, really, I'd use that."

Discussion and conclusion

In these interviews, participants' knowledge of Title IX and reporting resources was investigated to understand what students know and how they gain access to this information. However, students from this study largely reported knowing nothing about these topics, indicating a severe gap between available messaging and student awareness/retention of that messaging. Students reported only vague understandings of Title IX, no understanding of its application to their experiences on campus, and confusion around the reporting process and its purposes. Overall, this lack of awareness offers support to the findings of previous literature regarding institutional reporting

barriers, such that students felt they had no clear understanding of what to do in cases of sexual assault and as a result were reluctant to consider reporting as a viable option.

This lack of awareness, when brought to students' attention during the discussion, further led to expressions of frustration directed at the university and their peers.

Participants who felt they had no knowledge of Title IX or reporting repeatedly acknowledged a desire to understand these systems, particularly along with concerns that they might need to help a friend in an assault situation. Having recognized that they wanted to know more, participants then fell into a pattern of blaming the university for failing to provide them with adequate training and information. Overall, participants held the belief that they should have more knowledge, and the fact that they did not possess this knowledge was the fault of the university.

That participants attributed their lack of knowledge to the university, despite the resources and orientation sessions provided, indicates a structural component to the reporting barrier of confusion and concern around the system. Students all expressed that they had attended an orientation session, and could recall seeing print media on campus regarding assault and reporting. However, none felt equipped to address the issue, and further, felt almost exclusively negative about the education they could recall. Orientation sessions were described with disdain, handbooks were discarded, and posters were forgotten; overall, official messaging was largely ineffective. These issues with the messaging systems manifested as negative feelings about the university's ability to assist in instances of sexual assault, exacerbating any doubts in place. Mistrust of the system appeared re-instilled further by this pattern of thought, such that students felt the university was ill-equipped to help.

These perceptions of the institutional barriers pose an additional problem: that students who possess no significant awareness of the system and a distrust of it expect no action from the university or the police. Participants' descriptions of the police as the sole investigative resource—and a potentially unhelpful one—indicated doubt that formal institutions could actually help. As such, the cycle of beliefs was perpetuated such that students took their lack of knowledge as evidence that the university was unwilling to provide them information and further unwilling to pursue justice. The finding of this research that students possess almost no recallable knowledge or awareness of Title IX and reporting procedures on campus indicates that underreporting of assault may be partially attributed to this lack of knowledge and the barriers it socially reproduces of mistrust and doubt.

At the beginning of this study, I intended to measure the level of awareness students possessed around Title IX and reporting and how this may affect reporting. Considering the stark lack of knowledge reported by participants, this research indicates that students may actually be influenced not to report because of a lack of faith in the institution. Participants' perceptions of this barrier appeared repeatedly throughout sessions, indicating it may have potential as a normative understanding across individuals in campus culture. If this is the case, and students widely perceive their lack of knowledge as an institutional lack of resources or survivor support, reporting may be inhibited. So long as students express the expectation of education around Title IX and reporting but no memorable experience of it, the university may be perceived negatively and subsequently influencing a survivor's chosen reporting pathway.

CHAPTER VI

FINDINGS: SELF-CENSORSING

In conducting this research to understand students' awareness and impressions of Title IX and reporting, the theme of self-censorship emerged among students. Participants repeatedly brought up their impressions and concerns surrounding the social consequences of reporting, particularly as an incentive not to report. This theme of a campus social system demanding self-censorship around assault offers the understanding that there may be a culture of silence contributing to the phenomenon of underreporting. To analyze self-censorship as a governing norm within the university population, a brief literature review of the theories of normative behavior is included preceding a discussion of the findings.

Theories of normative behavior

Self-censorship and fears of ostracism play into the theory of normative social behavior. Individuals choose their behaviors—in this case, reporting or not reporting—based on three normative mechanisms: (1) injunctive norms, (2) outcome expectations, and (3) group identity (Rimal and Real 2005). When individuals express a fear of reporting they first acknowledge what they perceive to be the beliefs of others, or the injunctive norm. For example, those reporting an assault face the injunctive norm that they can expect negative social responses. These responses will then force the survivor out of the group and cause them to assume a new, separate identity as one who has “ruined the life” of the perpetrator now facing legal consequences. Individuals thus fear that they will “be denied important outcomes” and face “potential loss” of social

participation through ostracism should they defy the injunctive norm and report (Rimal and Real 2005:394). When considered as a decision-making motivator, this threat may be strong enough to encourage silence.

Under this theory, social norms act as a means by which individuals orient their decision-making to achieve the best outcome. According to a study by Biddle, Bank, and Slaving (1987), norms hold an unparalleled amount of influence over individuals' behaviors and are extensively colored by their cultural context. Thus individuals on a college campus participating in shared cultural scripts are exposed to what they perceive to be approval or disapproval of a particular behavior (reporting). This perception is then internalized to the point that behaving against perceived approval and reporting becomes a matter of acting against one's own benefit, and accepting the expected negative consequences (Hynie, Lydon, Cote and Wiener 1998).

The social context of campus culture thus breeds a sense of normative behavior in the student community. Whether or not the perceived consequences of reporting present a genuine social threat, individuals may perceive the consequences as viable and act accordingly so long as they believe the threat is real (Prentice and Miller 1993). The result is a cycle of norm formation that requires no empirical evidence that either proves or disproves the expected consequence. Accordingly, people will "abide by misperceived social mores, even if they are not accurate and are counter to one's personal beliefs," allowing for the misperceived norm to actually take hold as the apparent norm (Paul and Gray 2011:104).

In the case of an assault, a survivor may feel that reporting to campus officials could hold some personal benefit of justice. However, the survivor may be confronted by the

presence of the perceived norm that those who report will face social sanctions. If this perceived norm is then given full social consideration, it can prevent the survivor from proceeding with a report. This norm of fear can then stop a survivor from reporting and foster aversion to reporting in others (Paul and Gray 2011).

This cycle of norm formation is further enhanced by theories of decision-making. These theories account for deterrence, in which individuals base their choices and actions on outcome expectations rather than actual experience. Decisions are then made to maximize the perceived positive and to minimize the feared negative consequence (O'Donohue, Yeater and Fanetti 2003). Applied to sexual assault, the decision to report is informed by each barrier the survivor comes up against, from unfamiliarity with the process of reporting to a fear of personal sanctions. Survivors may then consider the impact of reporting in terms of positives and negatives, and select silence over reporting as a mechanism of personal protection. In this way norms and norm expectations have a significant impact on reporting behavior.

Interview data

Participants were asked to consider what they believed went into the decision to report. Most replied that while reporting seemed important to a survivor who was seeking justice or professional help in overcoming the trauma, it did not seem socially responsible. Participants across focus groups debated whether being labeled a victim, and taking on the responsibility of labeling someone else as an offender, were worth the negative social repercussions that seemed certain to follow.

In one group, participants focused on the outcomes for someone who is officially accused of being an offender. One male participant expressed concern that survivors can use the mechanism of reporting to act out unfairly within relationships:

“I understand that sexual assault is, like, a real thing, and that it happens, but someone could get convicted for something that in reality wasn’t sexual assault, like...maybe they just don’t like the person [the accused]...People hold grudges, like, some people could report ’cause they just want to.”

In this case, the victim-offender relationship was highlighted such that a victim appeared to be the aggressor against an offender with whom they had a relationship, and not a “victim” after all. The participant expressed a negative sentiment about this dynamic, discrediting the victim’s testimony as being founded on a “grudge.”

The group continued to discuss repercussions for the accused offender as factors that could or should influence a survivor not to report. At one point the conversation turned to legal ramifications that accompanied being registered as a sex offender, including door-to-door disclosure to the offender’s neighbors. The same male participant argued:

“It kind of seems unfair...if you’re a drug dealer, or like a murderer, you don’t have to go knock on everyone’s door...”

To which a female participant replied, “It kind of seems fair, but I mean, who’s to say.”

During this exchange, all other female participants were quiet, while a male respondent ended the discussion with “Especially after you do your time...” In this case, the vocal male participants expressed concern for the offender and implied the survivor ought to feel guilty for reporting. The female participants of this group remained largely

silent at this time, and only one expressed a vaguely dissenting though noncommittal opinion.

Another group expressed similar feelings regarding the offender's life outcomes, with one male participant positing:

“Implications for doing the act are, I think, that it follows you for life...it's gonna impact your career, so the implications are more than just, you do your jail time...it follows you for life.”

In this discussion, the severity of consequences for the offender was attributed with equal if not greater weight than sentiments about the survivor's life outcomes. Both male and female participants in this group appeared to informally compare the consequences for the offender against consequences for the survivor, in an attempt to discern what the “fair” course of action would be with particular concern over assault in relationships.

The victim-offender relationship arose during other discussions as well, with male and female participants agreeing that knowing the perpetrator would play a vital role in deciding to report or not. One female participant acknowledged:

“If this kid was in my circle of friends or something, I would be a lot more hesitant to call him out on it [assault]...with fear of rejection from your circle of friends...”

A male participant agreed that the effect of a report on a larger social group dynamic required consideration:

“I think the relationships you have...that's going to impact your involvement [in reporting]...with big stuff, it's like ‘Oh, if I say something, it's going to really change the dynamic and my involvement in it.’”

One female participant clarified the dilemma of this intersection between an established victim-offender relationship, negative consequences for the offender, and negative consequences by way of reporting for the survivor:

“With sexual assault... a lot of the time it’s with somebody that you know, and you don’t necessarily want to get them arrested and expelled and all of these things because that would create so much drama in your life.”

This female participant also highlighted the impact on the survivor of being responsible for damaging the offender’s life with a report:

“[Voicing a survivor] ‘I don’t want to look like a bitch, I might get this poor guy kicked out of school, or you know, arrested. I don’t want to ruin someone’s life, and then everyone’s gonna hate me and all his friends are gonna hate me.’”

Another male participant identified the concepts of “ruining someone’s life” and “hurt[ing] people’s chances of success in the future” with identical language in a separate discussion, highlighting the pervasiveness of these concerns. Consideration in decision-making is then clearly given to both how reporting can damage an offender’s life and how taking responsibility for that damage leads the reporting survivor to expect negative personal outcomes. Participants repeatedly noted that whether it entailed “ruining someone’s life” or creating “drama” within an established circle of friends, the consequences for the offender fell back onto the survivor with the decision to report. Participants then attributed these consequences with enough weight to prevent a survivor from reporting, lest they lose social capital to the label of “bitch.”

Participants acknowledged the channels through which these social repercussions could come through as well, highlighting the breadth of the university social system. In one case, a participant expressed fear that not only would an offender contact her for making a report, but his fraternity brothers might as well, and their influence was

unimaginable. A female participant brought up an almost identical scenario in a later group, in which other female participants agreed:

- 1: "Especially [if the assault were] in a fraternity, say she [a survivor] spoke up, and they caught the guy, and there was a big trial, that whole house of people are...going to hate you! The whole fraternity!"
- 2: "Yeah, and the girlfriends of those guys!"
- 3: "Yeah, that's a way to paint a target on your head!"

Later these female participants acknowledged that the repercussions of reporting someone with social influence would be irreversibly damaging:

- 1: "Like the target thing...he's gonna hate you, his friends are gonna [hate you]..."
- 2: "Like, everybody!"
- 3: "You will be known as the girl who literally brought the court case...I mean, I wouldn't want that."
- 2: "Yeah, I wouldn't want people to know...It's just more 'Ugh!'"
- 1: "It's like a taboo subject, and you're the one who..."
- 3: "You're the taboo!"

In this case, the female participants acknowledged the depth to which they could be on the receiving end of social consequences, such that a report would only add more difficulties and additional negative labels for the survivor. This informal labeling process of "becoming the taboo" by reporting appeared in another discussion as well, in which a female participant described losing social access:

"Depending on who finds out about it, it can be...like 'Don't talk to her, don't invite her to anything, she, or he, they will rat you out...they ratted out this person for doing this thing, like, who knows what they'll [the survivor] do next!'"

Despite these beliefs and expectations, no participant in any group or interview could call upon a specific instance in which a survivor reported and consequentially experienced negative social repercussions, and in some cases, the experiences had been positive. The above female participant specifically noted that she "would never have those opinions, and [her] friends never would." Another female participant, who had

made a report, described it as inspiring solidarity between her girlfriends. In another groups, male and female participants described their feelings toward survivors who reported with respect, indicating that reporting may have been perceived as “brave,” as opposed to “unfair.”

The closest any participants came to concretely presenting an example of a negative peer response to survivors was in the case of an online forum. A group of female participants had all recently seen an online interview with a fraternity member, and described his sentiments as victim blaming and idiotic. However, they felt their disapproval was marginalized when reading the comments other viewers had left on the page. These participants quoted one comment in particular: “He’s just saying what we’re all thinking.”

In this case, the female participants were made to feel intimidated and frightened by the perceived majority mentality (“what we’re all thinking” in reference to sexual assault). They expressed concern that these online comments and video were the norm, supporting their fears. These participants remained convinced that if they ever filed a report, they would be viciously stigmatized and ostracized by the offender, by his friends, and anyone in the social sphere who heard they had reported. One of these women noted that support for the survivor was still available, but simply “pale[d] in comparison” to perceived support for the offender.

Self-censoring in reporting: motivations

Participants were last asked to consider what they believed would happen if someone were to report a sexual assault. Their responses regarding the efficacy of the

system highlighted the scale of negativity around reporting on campus. While almost all participants reported they were unsure about the actual process, responses were nearly unanimous in agreeing that “it’s hard to get anything done” and “maybe nothing happens.” One participant presented the negative impression of reporting as unable to accomplish anything, and damaging to the point that it would revictimize a survivor with stressful proceedings and questioning. She offered the following example of a survivor’s decision-making thought process:

“How am I right now? If I report, would things get better or worse than this? ..What good would it do? Like, the deed has been done...and if you think about statistics, this person probably isn’t going to see many consequences and I’m going to label myself a victim and be the victim again of questioning and of doubt...so it’s like, if I report, will things be better than they are now? And a lot of people think ‘No.’”

Other participants echoed this process, acknowledging perceptions that:

“I could imagine the whole system overall could be really frustrating for people, and I’ve read a lot of stories about it at other universities where somebody reported it and then it just kind of got lost in the system...and sometimes they’re just going to have less reprimands.”

Participants who chose to speak about this discussion question all agreed that the purpose behind reporting would be for a survivor to see justice against the perpetrator, possibly even preventing further incidences. In personal experience, one participant chose to report to prevent her sister’s victimization by the same perpetrator, while another participant recalled a friend who reported to stop a repeat offender. In these cases, the deciding motivators to report appeared to be justice and safety.

As a result, when participants acknowledged difficulties they perceived within the system regarding actually catching or convicting offenders, they began to doubt the value

of reporting. One participant felt the experience of going through with a report and legal proceeding was only worthwhile with the guarantee of official action:

“If...they’re not gonna be able to do anything, then like, you know, I’d want to know [before progressing with the case].”

In a separate group, a participant who was involved in the reporting process expressed similar fears regarding the value of a report without a conviction:

“I’m still totally freaking out that they’re gonna find him innocent, like, that would be just so devastating for me. That I went through with this [process] and he gets absolved...it’s really indelicate.”

Her motivation was once again this notion of justice, and the thought of reporting without receiving justice provided a source of stress. She expressed little faith in the system despite her participation in it, describing this sensation as a “fear of rejection...by the legal system.” Overall, she felt that a failure to convict would result in her experience of additional negative consequences, echoing the beliefs of other participants that survivors could hope for benefits, but could not expect them. As one male participant acknowledged, without a successful reporting process, the entire experience would become a negative force on the survivor:

“I feel like some people might be afraid like, if they report, and things don’t go through [to conviction] or whatever, then, things will backfire at them.”

Overall, there was minimal support for the university’s ability to provide the survivor with those sought-after benefits through reporting. Participants often concluded that survivors seeking justice might be “better off” not reporting, as they anticipated both risks of further stress and the perceived low likelihood of conviction as deterring elements.

The data gathered in this portion of the study indicate that underreporting may additionally be the result of socially constructed barriers to reporting. Of particular interest are the fears of social retaliation and concerns for the victim-offender relationship, as influenced by a patriarchal value system. Participants' consistency in acknowledging these similar fears and attributing them with the power to deter reporting indicates that the barriers identified in previous studies are also pervasive on this campus. Although few of the negative consequences were found to have basis in lived experience, they were nonetheless treated as threats. Thus these findings highlight the degree to which perceived consequences act as actual barriers to reporting because of socialization and normative culture in the university.

Discussion and conclusion

Culture of silence: victim-offender relationships

Participants commonly felt that knowing an offender would make the decision to report significantly more problematic. At first, the issue was whether a survivor should "ruin" the offender's life and chances at future success. As discussed by participants, this could be as serious as putting a black mark on a friend or family member's record forever. However, the deeper concern over the relational conflict was in the nature of the repercussion (retaliation) the survivor would experience as a result of "ruining" the offender's life. Participants firmly believed that reporting a peer would make the survivor "hated" by the offender and the offender's social circle.

The survivor, in reporting someone within the same social circle, would "paint a target" on themselves and become the person "who literally brought the course case,"

who “ratted out” someone else. The result would be, as described by participants, disastrous—the survivor would become the villain. The survivor would then be excluded from participation in social life, ostracized from social groups, and stigmatized not only as a victim but also as a reporter. Thus the “reporting-blaming” stigma is set in place.

However, participants did not believe the “social circle” in which reporters could expect to be stigmatized and punished was exclusively the close circle of friends. Rather, the nature of the college campus and the broad social life in which students participated indicated that a relationship already exists among a broad range of students. If this is the case, barriers to reporting may be even greater. Survivors are then making the determination to report or not with consideration to relation-based social consequences. As participants noted the difficulty of reporting someone who might be a friend or intimate, they went on to acknowledge that if a survivor reports, they face the ridicule of every student the offender knows. Thus, a culture of silence similar to the one studied between known victims and offenders is recreated on a larger scale in the university.

Culture of silence: norm formation

The final component of this analysis now focuses on the lack of empirical evidence that survivors face social consequences for reporting, and the perception that those social consequences are inevitable. This analysis is particularly concerned with how these norms come into being and how they may discourage reporting, helping to explain the trend of underreporting.

Applying the theory of normative behavior, reporting is first inhibited by students’ perceptions of injunctive norms, such that they believe their peers are all against

the idea of reporting. In concluding that the other members of the social spaces on campus disapprove of survivors taking action against an offender, survivors then respond by applying this injunctive norm to the outcome expectations they hold for reporting. The result is an expectation that, not only may the report be fruitless for prosecution, but it will also label the survivor as a “bitch” for going after the offender. Finally, this process escalates such that survivors conclude they will be removed from the “group” and further suffer social consequences through ostracism and isolation.

As this process illustrates, the decision to not report clearly follows the theory of normative behavior. Participants’ expectations of social treatment for someone who reports, even if they disapprove of such treatment, highlights the presence of the injunctive, perceived norm. Choosing to report, participants noted, would therein require intense courage such that the survivor was willing to accept the social consequences. Here the decision to report would require a willingness to defy social norms that are strongly ingrained in students.

Participants’ responses thus characterize the pluralistic behaviors illustrated by the research. No participant claimed they would ostracize a survivor for reporting and “ruining someone’s life,” and yet all appeared to believe it would happen. Additionally, some expressed that they could understand why the survivor would be held responsible for damaging the offender’s life, and an empathy for the perceived ostracism emerged. Here false consensus comes into effect—even if none originally supported the apparent norm of reporter-blaming themselves, they may come to accept it as the injunctive norm among their peers, and ease into compliance.

Where these norms originate is then the issue of interest for changing the culture. From the research gathered in this study, it can be argued that the norm of silence is certainly present, and yet without firsthand experience or empirical data the norm remains injunctive. Thus the impression of those social sanctions is not drawn from students' experience as social citizens but instead comes from extant influences on the social structure.

The injunctive norm of peer disapproval of reporting may potentially be formed early on out of patriarchal notions of accepted behavior. In a heteronormative scenario, a sexual assault between students would most likely involve a man in the role of aggressor/offender, and a woman in the role of victim/survivor. With reporting taken into consideration as an option, the heteronormative dynamic of power shifts such that the woman is presented with an opportunity to wield power over the man who once exploited and subordinated her by reporting him. This shift in the power dynamic is problematic to the patriarchal structure such that it undermines masculine power and subordinates the man—and potentially his life outcomes, if found guilty of a crime—to the woman.

Thus a socialization process may be in place to control women who would report by threatening her with the loss of her social support systems. In this way, the man takes back the power in the relationship by wielding his control of the social system. The woman perceives that she could lose more than she would gain if she went through with a report, and thus the norm of silence helps to sustain patriarchy (Hlavka 2014).

Participants described this patriarchal effect earlier: “he’s gonna hate you, his friends are gonna hate you...” and expressing concern regarding the power this hatred holds over a woman’s social capital in the campus culture. The findings thus suggest that

a patriarchal system is in place on campus, discouraging reporting through unbalanced social mechanisms and normative group behavior structures.

CHAPTER VII

CONCLUSION

This research originally set out to gauge student awareness of Title IX and reporting at the University of Colorado at Boulder, in an effort to understand the factors influencing a survivor's decision to officially report sexual assault. As the study progressed and participants expressed low to no awareness of Title IX and reporting procedures, extant themes surrounding the decision to report emerged as factors that may contribute to the trend of underreporting.

Participants first acknowledged feeling they had no ability to report an assault, or no understanding that doing so was even an option. Participants then identified the university structure as the institutional force denying them this relevant information. They regarded their own frustration with the university's Title IX education as evident of the system's structural inadequacies, leading to an expressed mistrust of the system and doubt in official reporting as a helpful mechanism. Even with the presence of information sessions and resource centers on campus, students felt barred from participating in the reporting process and as such, ran up against the first of several institutional barriers to reporting. Their lack of awareness was attributed to the university, resulting in both the sense that they could not report to the larger institution and attempting to do so would be futile.

Over the course of this discussion, participants further identified the influence of perceived norms and peer relationships as discouraging factors in the decision to report. Students expressed feeling that even if they could make sense of the university reporting system, the consequential social sanctions executed by peers would detract from a

report's value. Participants described norms of survivor silence as part of a campus culture that not only protects the perpetrators of assault, but seemingly prevents further damage to the survivor's social capital. The relational system linking students to one another across social spaces then serves to discourage reporting in an effort to maintain a patriarchal status quo. Participants expressed the expectation that women who suffered a sexual assault would choose not to report out of a desire to preserve social ties; women who did report could expect ostracism, hostility, and hatred from their peers.

However, participants were never able to provide empirical evidence of this silencing culture at work on survivors. No participants could name an instance in which survivors were ostracized or socially sanctioned, and furthermore, expressed general discontent with the perception that the reporting-blaming norm was in place. As such, the self-censoring it inspires appears based on a false injunctive norm that, while imbued with the power to become descriptive, is otherwise unfounded for the time being.

These layers of silencing and complicated sentiments regarding the university and peer groups imply that the reporting structure is at present ineffective. Participants' concerns parallel the established research on barriers to reporting, indicating that campus assault is most likely underreported and thus under-addressed by the institution. In an effort to connect more survivors with official resources and support, and inspire more confidence in the university process, corrections must be made to the reporting structure across all levels. First, institutional access to reporting must be improved through education. Students require a working knowledge of the reporting system and their rights under Title IX, and the university is responsible for providing messaging that produces that working knowledge. Without it, students may continue to feel unprepared and

distrustful of the institution; these sentiments must be broken down to encourage reporting.

Furthermore, the barriers exhibited by students' perceptions of norms around self-censorship and survivor silence must also be dismantled. Given the proposed foundation of these norms in a larger patriarchal structure, the matter of addressing this issue requires deeper consideration of the social mechanisms that foster women's silence around sexual assault. As such, this research illustrates the need for more directed study of the gendered reporting barriers in order to understand how the university can break the cycle of norm formation. Further research is recommended on the problem of self-censorship. It may also be necessary to research both survivor and non-survivor populations and identify the comparisons between lived and expected experiences, to confirm or deny the claim of an injunctive versus descriptive status of the norm.

Given the small sample size and original goal of the research, these findings are most appropriate as suggestions for further research. The university may consider surveying a larger population for Title IX awareness and exposure to official messaging. In doing so, more comprehensive communications may be generated to open a student-university dialogue and allow for the implementation of changes that can reduce the layers of silencing

This study identified the existence of several institutional barriers to reporting within the social sphere of the university; these factors all play into the decision-making process and to affect change all must be addressed. Under Title IX, the university holds an obligation to offer students equal access to reporting and protection. To remain

compliant, this institution must now make an effort to fully understand the mechanisms leading to underreporting and actively attempt to correct them.

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APPENDIX I: TITLE IX

The following is a verbatim copy of the text that comprises Title IX, a gender equity measure put in place by the federal government as part of the Education Amendments of 1972. This text can be found for further reference online at the official United States Department of Justice website. The portion provided concerns itself with discrimination based on sex in accordance with the interest of this research.

Title IX is relevant to gender equity and cases of sexual assault such that it holds educational institutions accountable for proactively seeking to prevent sexual misconduct. In the event of sexual harassment, discrimination, or assault, these institutions must then ensure survivors can report the incident to the department responsible for handling the case, and further must ensure the survivor can continue their education free from fears of retaliation or additional upheaval related to the incident.

“Sec. 1681. Sex

(a) Prohibition against discrimination; exceptions

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, except that:

- (1) Classes of educational institutions subject to prohibition
in regard to admissions to educational institutions, this section shall apply only to institutions of vocational education, professional education, and graduate higher education, and to public institutions of undergraduate higher education;
- (2) Educational institutions commencing planned change in admissions
in regard to admissions to educational institutions, this section shall not apply
 - (A) for one year from June 23, 1972, nor for six years after June 23, 1972, in the case of an educational institution which has begun the process of changing from being an institution which admits only students of one sex to being an institution which admits students of both sexes, but only if it is carrying out a plan for such a change which is approved by the Secretary of Education or

(B) for seven years from the date an educational institution begins the process of changing from being an institution which admits only students of only one sex to being an institution which admits students of both sexes, but only if it is carrying out a plan for such a change which is approved by the Secretary of Education, whichever is the later;

(3) Educational institutions of religious organizations with contrary religious tenets

this section shall not apply to an educational institution which is controlled by a religious organization if the application of this subsection would not be consistent with the religious tenets of such organization;

(4) Educational institutions training individuals for military services or merchant marine

this section shall not apply to an educational institution whose primary purpose is the training of individuals for the military services of the United States, or the merchant marine;

(5) Public educational institutions with traditional and continuing admissions policy

in regard to admissions this section shall not apply to any public institution of undergraduate higher education which is an institution that traditionally and continually from its establishment has had a policy of admitting only students of one sex;

(6) Social fraternities or sororities; voluntary youth service organizations

this section shall not apply to membership practices -

(A) of a social fraternity or social sorority which is exempt from taxation under section 501(a) of title 26, the active membership of which consists primarily of students in attendance at an institution of higher education, or

(B) of the Young Men's Christian Association, Young Women's Christian Association, Girl Scouts, Boy Scouts, Camp Fire Girls, and voluntary youth service organizations which are so exempt, the membership of which has traditionally been limited to persons of one sex and principally to persons of less than nineteen years of age;

(7) Boy or Girl conferences

this section shall not apply to -

(A) any program or activity of the American Legion undertaken in connection with the organization or operation of any Boys State conference, Boys Nation conference, Girls State conference, or Girls Nation conference; or

(B) any program or activity of any secondary school or educational institution specifically for -

(i) the promotion of any Boys State conference, Boys Nation conference, Girls State conference, or Girls Nation conference; or

(ii) the selection of students to attend any such conference;

(8) Father-son or mother-daughter activities at educational institutions
this section shall not preclude father-son or mother-daughter activities at an educational institution, but if such activities are provided for students of one sex, opportunities for reasonably comparable activities shall be provided for students of the other sex; and

(9) Institution of higher education scholarship awards in "beauty" pageants
this section shall not apply with respect to any scholarship or other financial assistance awarded by an institution of higher education to any individual because such individual has received such award in any pageant in which the attainment of such award is based upon a combination of factors related to the personal appearance, poise, and talent of such individual and in which participation is limited to individuals of one sex only, so long as such pageant is in compliance with other nondiscrimination provisions of Federal law.

(b) Preferential or disparate treatment because of imbalance in participation or receipt of Federal benefits; statistical evidence of imbalance

Nothing contained in subsection (a) of this section shall be interpreted to require any educational institution to grant preferential or disparate treatment to the members of one sex on account of an imbalance which may exist with respect to the total number or percentage of persons of that sex participating in or receiving the benefits of any federally supported program or activity, in comparison with the total number or percentage of persons of that sex in any community, State, section, or other area: *Provided*, That this subsection shall not be construed to prevent the consideration in any hearing or proceeding under this chapter of statistical evidence tending to show that such an imbalance exists with respect to the participation in, or receipt of the benefits of, any such program or activity by the members of one sex.

(c) "Educational institution" defined

For purposes of this chapter an educational institution means any public or private preschool, elementary, or secondary school, or any institution of vocational, professional, or higher education, except that in the case of an educational institution composed of more than one school, college, or department which are administratively separate units, such term means each such school, college, or department."

(From <http://www.justice.gov/crt/about/cor/coord/titleixstat.php>)

APPENDIX II: INTERVIEW SCHEDULE

1. What do you know about Title IX?
 - a. Where did you hear these things?
 - i. In orientation as a freshman, you probably received a few messages about Title IX policy and procedures on campus. Do you recall what you were told?
 1. Describe what you recall of the experience, i.e. what information you remember, how the information was conveyed, what you were told about reporting gender violence.
 - ii. Have you received any further Title IX education since orientation?
 1. If so, where and how?
 - b. How has what you've heard impact your view of college/your college experience?
2. Describe what you believe happens when someone reports gender violence/a sexual assault.
 - a. Where can reports be made?
 - b. What resources are available on campus for reporting? Through the legal system?
 - i. How do you know? Were you told about these resources during orientation, or through any other campus channel?
 - c. What has informed your impression of reporting, and the process?
 - d. What do you believe goes into the decision to report?
 - i. What stands in the way of reporting?
 - e. What happens to people who report? To those who are reported?
 - f. What are the upsides to reporting? The downsides?
 - g. Where would you go to learn more about the reporting process?
 - i. What else would you like to know about the process?

