Sexual Violence and Sexual Assault in Higher Education: University of California’s Approach

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Presenter:
Sheryl Vacca
SVP/Chief Compliance and Audit Officer
University of CA

University of California
➤ Locations: 10 campuses, 5 medical centers, 3 national laboratories

➤ Population:
  • 238,700 students (1.6M alumni)
  • 198,300 faculty, academics, and staff (63,600 faculty members and academic appointees)
  • 500,000 minors participating in 4-H programs across California

➤ 27B Revenue
  • 6B healthcare
  • 5B research

Sexual Violence and Sexual Assault in Higher Education-Background

Influential Publications/federal laws:
✔ Title IX of the Education Amendments of 1972 (Title IX)
✔ Dear Colleague Letter on Sexual Violence 4/2011
✔ Questions and Answers About Title IX and Sexual Violence 4/2014
✔ The Dear Colleague Letter PDF (351K), the letter to Title IX coordinators PDF (298K) and the Title IX Resource Guide PDF (501K) are available at www2.ed.gov/policy/rights/guid/ocr/title-ix-coordinators.html
✔ Clery Act
✔ Violence Against Women Act
✔ Federal/State activity
Background
Additional Governmental Influences (examples of application of the OCR guidance:

- Eastern Michigan Resolution Agreement (November 2010)
- Notre Dame College Resolution Agreement (June 2011)
- University of Montana Resolution Agreement (May 2013)
- SUNY Resolution Agreement (September 2013)
- Many more campuses with resolution agreements and more to come with OCR activity across the nation

- Not Alone: The First Report of the White House Task Force to Protect Students from Sexual Assault (April 2014)

Background
One in five women is sexually assaulted while in college.

Most often, it happens freshman or sophomore year. In the great majority of cases (75-80%), they know their attacker, whether as an acquaintance, classmate, friend or (ex)boyfriend.

Many are survivors of what’s called “incapacitated assault”: they are sexually abused while drugged, drunk, passed out, or otherwise incapacitated.

And although fewer and harder to gauge, college men, too, are victimized.1

Efforts at the University of California to Prevent and Respond to Sexual Violence and Sexual Assault

- 2013 - all 10 UC campuses had programs and procedures in place to combat sexual violence and sexual assault and those issues related to it but President felt that more could be done

- 3/2014 – new presidential policy against sexual violence and sexual harassment. It ensured UC:
  - complied with the new requirements of the federal Violence Against Women Reauthorization Act
Efforts at the University of California to Prevent and Respond to Sexual Violence and Sexual Assault

- Provided the necessary support and training for UC faculty, students, and staff
- Adopted an affirmative consent standard

"...consent is an affirmative, unambiguous, and conscious decision by each participant to engage in mutually agreed upon sexual activity." Put simply, only yes means yes.

Compliance Matters Impacting the University of California (Example) And Relevant Regulatory Bodies*

- EAR
- OSHA
- Moreno Report
- DMCA
- Patriot Act
- FPPC
- HIPAA
- Clery Act
- CLIA
- ITAR
- VAWA
- ADA
- FDA
- OIG
- GLBA
- FEMLA
- PCIDSS
- EEO
- NCAA
- EPA
- DOJ
- DOL
- SEVIS
- OMB
- DOT
- CMS
- EH&S
- OHRP
- HHS
- USDA
- IRS

Efforts at the University of California to Prevent and Respond to Sexual Violence and Sexual Assault

- **July 2014** President’s Task Force on Preventing and Responding to Sexual Violence and Sexual Assault was formed
  - Its charge was to ensure that the University of California employs a fair, consistent, and effective approach to addressing sexual violence, and that the University fosters a culture of trust and safety on its campuses
  - Reviewed campus programs and practices addressing sexual violence and sexual assault, with an eye to adopting a consistent and transparent model that could be implemented uniformly throughout all UC locations
President’s Directive for Task Force

1. Develop a uniform continuum of prevention, response, and investigation that is fact-based, streamlined, and based on effective research-based practices.

2. Review research and current practices and develop recommendations.

3. Coordinate overall efforts for response to California State Auditor (CSA) Recommendations and identify work plan and timelines.

4. Respond to legislative, state, and federal requirements through changes to University Policy. California State Audit work plan and recommendations for implementation.

Phase I

- **Summer of 2014**, the Task Force:
  - engaged more than 100 university students, staff, faculty, and members of the University’s governing Board of Regents
  - reviewed and studied the research available and best practices of more than 200 universities and colleges
  - looked to build upon current UC programs and services, fill in any gaps, and make certain that the University advanced a consistent approach to addressing sexual violence and sexual assault throughout the UC system.
8 Recommendations – September 2014

Recommendation 1: Establish a consistent “response team” model at all campuses

Recommendation 2: Adopt systemwide, standard investigation and adjudication standards

Recommendation 3: Develop a comprehensive training and education plan

Recommendation 4: Implement a comprehensive communication strategy to educate the community and raise awareness about UC programs

Recommendation 5: Establish an independent, confidential advocacy office for sexual violence and sexual assault on each campus

Recommendation 6: Establish a comprehensive systemwide website with campus customization capabilities

Recommendation 7: Initiate/develop a systemwide standard data collection system

Recommendation 8 (was not included initially): Provide fair and equitable campus services to respondents

Implementing Recommendations

The recommendations are being implemented in two phases—four were implemented in January 2015, and four will be implemented by July 2015.

January 2015 - Phase I

- Implement a comprehensive communication strategy to educate the community and raise awareness about UC programs
- Establish an independent, confidential advocacy office for sexual violence and sexual assault on each campus
- Establish a comprehensive systemwide website with campus customization capabilities
- Establish a consistent “response team” model at all campuses
Key Information Standardized Across UC Websites

- Common name: Sexual Violence Prevention & Response
- Common url: sexualviolence.[UCcampus].edu
- Common home page content:
  - Getting help
  - Helping someone
  - Reporting options
  - If you’ve been accused
  - FAQs
  - Education & training resources
  - Policy information
  - Glossary of important terms
  - Link to systemwide website

Implementing Recommendations

Phase II - four recommendations will be implemented by July/Sept 2015.

**July 2015 – Phase II**
- Adopt systemwide, standard investigation, adjudication and sanction standards
- Develop a comprehensive training and education plan
- Initiate/develop a systemwide standard data collection system
- Provide fair and equitable campus services to respondents
Phase II

Approximately 200 people involved in workgroup efforts

Phase III-Sustainability

- Outcomes measurement focus
- Accountability, transparency and sustainability
- Annual reporting to President and Regents

Lessons We Are Learning

- Culture does not change overnight—win and lose along the continuum
- Compliance focus is a start but really need to evolve and integrate overall efforts into the educational focus—campus life should breathe prevention to change the culture
- Functions in the course of their work usually do not cross boundaries
- Students need input and involvement—not all about an administrative process
- Unfunded mandate so need to access funds from multiple places to put change into place
- And more...
Thank You

Contact Information:
Sheryl.vacca@ucop.edu
510-987-9090