



About SAFER - SAFER is a national non-profit organization committed to empowering students to hold their colleges accountable for sexual assault on campus. Even though sexual violence is the most common violent crime committed on college campuses, current college administration policies and responses to sexual assault are often ineffective and inadequate--they fail to address the root causes of sexual violence while excluding students from opportunities be involved in the process and make change. SAFER's goal is to ensure that every college implements an accessible, non-discriminatory sexual assault policy that includes the input of students, due process, fairness, oversight, prevention and education, crisis intervention, long-term counseling, and community involvement.

2009 POLICY DATABASE REPORT

Ithaca College

Students at Ithaca were already pushing for revisions to their sexual assault policy when an administrator made a highly publicized comment implying that Ithaca considered sexual assault a less serious offense than smoking pot. Although she quickly apologized, the outrage generated by her remarks helped the students push through an excellent disciplinary process that includes clear definitions, minimum sanctions, investigation by the public safety office, and a right of appeal for the accused. Revisions were also made to the hearing process to allow a survivor to speak of his or her experiences while in a separate room from her or his attacker and to have a companion for emotional support with him or her. The students at Ithaca hope these changes will encourage more survivors to come forward and be heard.

Columbia University

Students at Columbia University were infuriated to hear the university president claim that there had never been a rape at Columbia. They organized protests with slogans like, "red tape won't cover up rape" and "university silence can't hide the violence" to demand a new sexual assault policy that stressed openness and accountability. Ultimately successful, Columbia's student-driven policy became one of the best in the nation, and the Columbia students went on to found SAFER to assist other students in changing their colleges' policies.

WHY FOCUS ON IMPROVING CAMPUS SEXUAL ASSAULT POLICIES?

SAFER believes that due to the impact of institutional policy on social norms, policy reform is a key element in the prevention of sexual assault on college campuses. SAFER encourages student activists to focus on improving their campus sexual assault policies because such changes have long term, concrete impact on their fellow students and campus environment. SAFER believes that building student movements by training organizers and future leaders contributes to lasting, sustainable change in the social norms that contribute to rape culture.

THE SEXUAL ASSAULT POLICIES DATABASE

In response to student requests, SAFER, with the support of the American Association of University Women, developed a national online database of college sexual assault policies and programs, with comments on specific positive and negative policy elements. The Sexual Assault Policies Database is a powerful tool intended to raise student awareness, make their organizing more effective, and help them win progressive college sexual assault policies. Here students will find the good, the bad, and the ugly components of other schools' policies around the country as a way of figuring out where their school stands on a national scale. The positive and negative comments explain which programs, tactics and language SAFER supports, and enables students to pull out the "best practices" that have worked for many campuses.

THE GOAL OF THIS REPORT

The three-pronged goal of this report echoes SAFER's organizing philosophy that progressive change requires three types of work: consciousness raising, activism within existing systems, and activism outside of existing systems. This report aims to:

- Provide "DIY" instructions for student activists to analyze their own campus sexual assault policy, a crucial step in building a campus grassroots movement for change.
- Provide information about best and worst practices for campus staff members looking to make changes within their institutions.
- Digest the information collected in the database by SAFER staff from 2007 to 2009 to provide insight into policy trends and red-flag issues that need urgent attention on campuses across the nation.

SAFER'S METHOD FOR ANALYZING A POLICY

Policies are analyzed based on our rubric of basic components that a strong sexual assault policy should contain, as well as on compliance with relevant federal law. We then provide comments about what we think a school is doing well, what a school could do better, and how well it appears to be complying with the Clery Act (Campus Security Act) and the principles of due process.

DIY TIPS FOR ANALYZING YOUR CAMPUS' POLICY

STEP 1: Find your campus' sexual assault policy online

- Look for the sexual assault policy with a keyword search of terms such as "sexual assault," "sexual misconduct," "rape," and "crime" in the school's website search engine
- If you do not find a specific sexual assault policy, look to the general student conduct code to find clauses prohibiting assault and outlining disciplinary procedures

STEP 2: Look for survivor support resources

- Check the policy for mention of relevant educational and support resources
- Student health center, student counseling center, and campus police websites typically contain information on survivor resources

STEP 3: Analyze the policy

- Read the information provided on these websites and evaluate the strengths and weaknesses of the school's policy and resources based on the SAFER's nine basic components of a what makes a better sexual assault policy.
- Comparing elements of your campus' policy with those of similar schools can help you assess if your school's policy should be classified as good, bad, or average.

EXTRA THOUGHT

Don't judge a book by its cover. Sometimes schools with conservative reputations have great policies and schools with liberal reputations have awful, outdated policies. Keep an open mind, because the policies are often surprising.

WHAT MAKES A BETTER SEXUAL ASSAULT POLICY: ELEVEN BASIC COMPONENTS

A school's sexual assault policy must meet the needs of its unique campus community. It is impossible to create a "perfect policy" that will fit every campus, but there are basic guidelines that should be met in constructing a workable and effective sexual assault policy. Better sexual assault policies cover these eleven basic elements; how does your school match up?

1. **Student Input:** Students representing a diverse array of communities should have a formalized way of communicating their concerns about a policy to administrators, and an effective, democratic means of changing the policy if it does not suit their needs.
2. **Accessibility:** Policies should be easy to understand and use. Administrators should effectively publicize policies and ensure that students understand how they work. Students should be able to use services and disciplinary procedures regardless of income, disability, and identity. Also, students should be afforded the option to report incidents of sexual assault either confidentially or anonymously.
3. **Due Process:** Disciplinary procedures should be standardized and consistently enforced. Procedures should include measures to ensure fair treatment of those who come forward with complaints of sexual assault and provisions protecting students wrongly accused of sexual assault.
4. **Fairness:** All services should be available to students regardless of sex, ethnic background, or sexual orientation. All disciplinary procedures should be fair and impartial.
5. **Oversight:** Policies should clearly state how the school verifies that the policy is being implemented consistently and as written. Students should have formal access to that verification process and have a way to raise concerns if they feel the process is not being implemented properly and effectively. At no point in the process should one single person have absolute authority for carrying out the policy.
6. **Prevention and Education:** Policies should include meaningful efforts to educate students on the dynamics of sexual assault, the effects it has on survivors, and the many cultural factors that allow it to continue. These efforts should challenge sexism, homophobia, racism and other oppressions that intersect with sexual violence rather than reinforcing or ignoring them.
7. **Crisis Intervention:** Survivors should have crisis services available to them 24 hours a day, every day of the school year. Free emergency contraception, antibiotics, and post-exposure HIV prophylaxis should be available in school health centers.
8. **Long Term Counseling:** Colleges should provide survivors with access to unlimited free counseling and be able to link students directly to community resources that provide this service.
9. **Community Involvement:** Colleges should be responsible to surrounding communities. Members of the community who are sexually assaulted by students or staff should receive any services offered by the college. Innocent community members should not be harassed or harmed in efforts to "protect" students. Schools should collaborate with community members, leaders and organizations to ensure a safe environment for students and non-students in the surrounding community.

10. **Amnesty:** Colleges should offer immunity from campus discipline for victims who may have been in violation of other school policies (i.e. drinking or using drugs) when they come forward
11. **Sexual Assault Response Training:** Staff and faculty should receive thorough training on how to appropriately respond to students reporting sexual assault

SOME BEST AND WORST PRACTICES

BEST

- Clear, simple definitions of sexual assault that are sex-positive, don't assume that the attacker is male or that the survivor is female, and don't require overpowering physical force
- Stating that consent can be withdrawn at anytime and must be given for each sexual act
- Emphasizing the survivor's agency and control by providing the survivor with clear options at each step of the process
- Prominently providing contact information for a single emergency point person who can help access all further resources
- 24-hour free emergency medical care
- Unlimited free counseling
- Full-time staffer dedicated to the prevention of sexual assault and implementation of campus policies
- Mandatory primary prevention programs for all students
- Bystander intervention training
- Outlining minimum disciplinary sanctions for sexual assault violations
- Outlining types of evidence that may never be used in the disciplinary process, i.e., the survivor's clothing or sexual history
- Policy explains process for reforming the policy

WORST:

- No policy at all
- Policies are vague, too short, or leave out relevant school resources; policies that only address sexual harassment and disregard other forms of sexual violence
- Language that blames the survivor
- Definitions of sexual assault that assume that the attacker is male and that the survivor is female, define consent from the point of view of the attacker, and require overpowering physical force
- Policies that patronize survivors and do not give options
- Resources that are not inclusive or accessible to all students regardless of gender identity, sexual orientation, disability, race or ethnicity, religion or socioeconomic status
- Not indicating that students can report assault to both campus and local police
- Delaying the school disciplinary proceedings until after a criminal trial is complete
- Only one person has authority to determine disciplinary sanction or if violation occurred
- No right to appeal
- School does not report assault to Department of Education or local police
- School falsely states that FERPA prevents the survivor from being notified about outcome of disciplinary procedures

ANALYSIS OF POLICY TRENDS

Although our database contains only a small sample (93 institutions) of the colleges and universities in the United States, it includes the policies and programs of some of the nation's most well known universities, and includes a diverse array of schools, including public and

Case Western Reserve

Students at Case Western Reserve realized that their policy was far too short and did not provide enough clear information for survivors. The students knew that survivors heal best when they have control of their options, and if survivors at Case Western were going to truly be able to make their own decisions, they needed to know what all their options were. The students decided to develop a flow chart that clearly lays out the consequences of each decision a survivor will be asked to make. This flowchart became the heart of Case Western's excellent new policy, developed through several years of negotiations between students and administrators.

Sarah Lawrence

Students at Sarah Lawrence felt that their sexual assault policy did not adequately reflect the diversity, progressive reputation, or values of Sarah Lawrence College. After three years of hard work, the students at Sarah Lawrence won a thorough, powerful policy that focuses on the importance of education, health, and safety. The new policy provides clear definitions of consensual and nonconsensual sexual activities, explains how and where students can get help in the event of assault, and creates a new complaint process that is clear and easy to navigate. The policy also clarifies who students can speak to confidentially, and a policy intended just for faculty outlines issues like confidentiality and how to assist students in seeking help or using the disciplinary process.

private, large and small, and urban and rural. We therefore can offer a few preliminary comments on the strengths and weaknesses we see in university programming and policy nationwide.

Following the enactment of the Clery Act in 1990, most colleges developed some form of a sexual assault policy. Most, although not all, of the colleges in our database meet the basic requirements laid out in the Clery Act (as it has been amended), such as having a policy, providing information for students about what to do if they are assaulted, and correctly reporting the number of violent crimes that occur on campus each year. SAFER considers the Clery Act requirements to be merely the foundation on which a college should build a comprehensive, student-focused prevention program, and thus it is troubling that some schools have yet to even meet these standards.

American colleges and universities do seem to be doing a good job of providing crisis services for students who have been sexually assaulted. 85% of schools in our database offer 24-hour crisis services of some kind. Many are also offering free counseling for survivors, although there are often limitations to the number of visits, which can negatively impact survivors who are not financially secure. While widespread access to crisis counseling is evident in our sample, only 4% of school health centers in the database readily offer emergency contraception, and STI and HIV prophylaxis to survivors. It is crucial that survivors have immediate access to these medications as their efficacy significantly decreases in as little as 24 hours from when the assault occurs. Access to all of these crisis services is an integral step in a survivor's healing process.

Another area where many colleges seem strong is in the provision of nighttime security arrangements, like escort services and blue light call boxes placed around campus. While SAFER recognizes the value of such services, we are concerned that more campus resources seem to be directed into security infrastructures than into programs designed to prevent acquaintance rape. Because the majority of sexual assaults occur between people who know each other, it is imperative that schools implement prevention and educational programs that address acquaintance rape in addition to structural security measures already in place. While almost half of the schools (49%) have a full-time staff member dedicated to education and prevention programming, only about 15% make these awareness programs mandatory for students. Awareness activities include Take Back the Night rallies, Clothesline projects, or a dedicated sexual violence awareness week. Our analyses also show that none of the schools have mandatory primary prevention programs which include bystander intervention programs and working with men to change the social norms that contribute to a culture of violence.

Fear of retaliation, feelings of shame and guilt are often barriers to reporting an assault, so we were pleased to find that an overwhelming majority of our sample includes policies that allow survivors to confidentially and/or anonymously report an assault.

While many of the schools in the database have dedicated sexual assault policies as required by the Clery Act, the enforcement of these policies are commonly overlooked or unclear. Disciplinary procedures are often difficult to navigate or not mentioned at all, and some schools only allow the accused the right to appeal. Only 55% of the schools in our sample require students to sign or otherwise attest that they have read the sexual assault policy. This is a major concern since the policy will have no impact on those students who have not been informed of it.

SAFER AND VDAY CAMPUS ACCOUNTABILITY PROJECT

SAFER and VDay are proud to partner in an effort to launch the Campus Accountability Project so that we can further assess the state of the nation's sexual assault policies on college campuses. This project invites college students to become advocates by researching their own schools' sexual assault policies, and finding out what their schools are doing to prevent and respond to sexual assault. We hope to have over 500 policies analyzed and submitted by current students by the end of 2010. To find out more about this new project, please visit our website at <http://safercampus.org/campus-accountability-project>.