

# Take Action!

## Sexual Assault on Campus: Legislative Responses by MARCIA J. WEISS

**THE ISSUE:** Campus sexual assault is an ongoing problem that has been significantly underreported. Startling statistics from the Centers for Disease Control and Prevention reveal that about one in five undergraduate college women are the victims of sexual assault or attempted sexual assault. Or, in the words of the Campus Violence White Paper: Approximately 20-25 percent of college women are projected to be victims of an attempted or completed rape during their college years. Less than 5 percent report their assaults to campus or local police authorities, according to the Department of Justice.

Why are student victims reluctant to report these alleged assaults? There are a number of reasons. Institutional barriers encourage students to remain quiet or face procedural obstacles that may leave them feeling victimized again. Peer pressure often causes a victim to decide not to report an assault, especially if the accused is a member of a popular or influential group on campus. Victims often fear having to face their aggressor on campus or in class. Self-blame and shame leave

some unwilling to come forward, and students often do not know the reporting procedure. Many women don't know what constitutes rape and don't understand the concept of "consent." A 2007 study by the Department of Justice showed that 37 percent of victims said they didn't report the rape to law enforcement because it was unclear that rape is a crime or that harm was intended. The 2007 study revealed that some women were afraid of going public because of the terrible ordeal they would have to go through and because of the low rate of conviction. In many cases that have been reported, the men responsible were reprimanded with only a mild rebuke, a mere slap on the wrist or nothing at all. Because the colleges are incapable of protecting victims, it has been suggested that more training for lawmakers is necessary to make the justice system work better. Only the courts can provide serious punishment for rapists.

**CURRENT LAW:** Laws now in place include Title IX, which prohibits discrimination on the basis of sex in any educational program receiving

federal financial assistance. Title IX states that sexual violence is viewed under the law as an extreme form of hostile environment/sexual harassment and must be addressed. Prompt and appropriate investigations of sexual violence — including rape, sexual assault, sexual battery and sexual coercion — on or off campus must be reported to employees having authority to take action to redress sexual violence.

In May 2014, the Department of Education's Office of Civil Rights (OCR) released a list of institutions under investigation over the handling of sexual violence and harassment complaints. This list is regularly updated and made available to the public on request by contacting the OCR. Concerned with compliance, campuses are installing Title IX coordinators and are instituting required courses on campus safety for all freshmen. Faculty and staff are also being educated on their obligations for dealing with reports of alleged sexual violence.

The other law, passed in 1990, is the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (named for

### On the Road

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was offered at every stop.

And, of course, not to waste a minute on the return to Tel Aviv, Liora discussed the upcoming elections, Israel's economic, housing and security issues as well as Arab-Jewish relations.

### Jerusalem and More

Our last day took us to Jerusalem, where we met at Bet HaHavera Women's Center. On the wall in the main room hangs the patchwork quilt that NA'AMAT USA Eastern Area and Brooklyn members had created for NA'AMAT Israel in the 1960s. Here we learned about our 10 day care cen-

ters in the city proper, 24 in all in the larger area around Jerusalem. Ilana Daniel chairperson of NA'AMAT in Jerusalem, briefed us on the variety of activities offered at Bet HaHavera. The newest program is a group for women on maternity leave, including their infants, in which they get advice on everything from legal issues to how to massage a baby. Again, we ate a great meal, with paper goods and tablecloths decorated with the signature NA'AMAT colors of purple and white. As Dora from Uruguay summed up, "We are one big organization with one big heart!"

Back in Tel Aviv, with a short time to dress up a bit, we then walked over to the Dan Hotel for our gala final dinner. Avraham Duvdevani, chairman of the

World Zionist Organization Executive, greeted us, as did Galia and Shirli. It was a pleasure to see some of the past presidents of NA'AMAT Israel: Tamar Eshel (looking great at 95), Masha Lubelsky, Ofra Friedman and Talia Livni. With two cakes, we celebrated the birthdays of both Galia Wolloch and Liz Raider. The pinnacle of the evening was the signing of the "Declaration of Solidarity and Support for the State of Israel and NA'AMAT," which was autographed by the NA'AMAT presidents of eight countries (see page 11). Then we danced to a spirited klezmer band.

What have I left out? Lots. Mostly the non-NA'AMAT part. Briefly:

Braving a sandstorm, we visited Sde Boker in the Negev. At the gravesite of David and Paula Ben-Gurion, we placed

Jeanne Clery, a Lehigh University freshman raped and murdered in her residence hall in 1986). It overlaps to a large extent with Title IX but also deals with criminal offenses such as homicide, hate crimes and stalking. Institutions must also disclose crime statistics for Clery reporting.

The Obama administration has already mandated the Education Department to publicly identify those colleges under investigation for sexual assault and their findings in the 2013 Campus Sexual Violence Elimination Act, an amendment to the Clery Act. Besides mandating more transparent sexual assault reporting, it calls for expanded victim rights and prevention programs. In 2014, the White House Task Force to Protect Students from Sexual Assault was created. Unfortunately, these efforts are insufficient to address the ongoing problems existing on campuses today.

ONE POSSIBLE SOLUTION: In July 2014 a bipartisan\* group of eight United States senators

led by Claire McCaskill (D-MO) and Kirsten Gillibrand (D-NY) sponsored a bill entitled the Campus Accountability and Safety Act (CASA), responding to the national problem of sexual assault on campus, the mishandling of investigations by school authorities and the lax oversight of federal laws. The proposed legislation would center on transparency and accountability for institutions — including establishing stiff penalties for non-compliance with the new standards for training, data and best practices. According to a national campus assault survey of 440 colleges and universities, 41 percent had not instituted a sexual assault investigation in the last five years.

The bill would require the designation of a confidential advisor to coordinate support services and provide guidance for victims. Special training would be provided for all personnel handling sexual assault cases.

CASA would require all colleges to conduct an annual survey of students, who would

respond anonymously, on their experience with sexual violence. These “climate surveys” would be published online for prospective students to see. The goal is to gauge the actual prevalence of sexual assault and other troubling behavior on a particular campus, an approach endorsed by the White House.

CASA would require colleges to adjudicate sexual assault cases using the same process for all students to prevent special treatment for groups such as college athletes. It also calls for colleges and local law enforcement agencies to delineate responsibilities and share information.

Colleges have expressed concerns about the bill and the Education Department’s ability to administer a survey for all types of campuses.

Emphasizing the significance of the proposed legislation, Democrat Senator Richard Blumenthal of Connecticut said: “Campus assault is staggeringly prevalent and stunningly underreported. This measure addresses a demand for

justice I heard over and over from survivors who felt victimized twice — first by their assailant and again by administrators who failed to respond adequately.” Senator McCaskill noted: “This bill represents a rare thing in Washington — a truly collaborative, bipartisan effort — and that bodes well for our shared fight... . To curb these crimes, students need to be protected and empowered.”

TAKE ACTION! CASA (S.2692) remains in committee at this time. Urge your legislator to support CASA, a response to a serious and ongoing problem on college campuses.

\*In addition to Senators McCaskill and Gillibrand, other sponsors of the bill include Dean Heller (R-NV), Richard Blumenthal (D-CT), Chuck Grassley (R-IA), Kelly Ayotte (R-NH), Mark Warner (D-VA) and Marco Rubio (R-FL).

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a wreath and recalled the remarkable contributions of the first prime minister of the State of Israel. Masha Lubelsky nostalgically noted, “We miss you, Ben-Gurion.”

As we sat in an amphitheater, infantrymen performed a military ceremony in our honor, and a female army officer spoke about her expertise: training soldiers to use mortars. We experienced a bit of army life when we were presented with dog tags with our names and donned army shirts. Walking around, we checked out military equipment on display including mortar shells, missiles and army tanks as astute young IDF soldiers explained how everything works. I sat in a tank watching a video screen used for precision targeting.

With professional tour guide Zvi,

who had more facts up his sleeve than the Encyclopedia Judaica (did you know that Lake Michigan is five times bigger than Israel?), we traveled to Jerusalem. We observed the widening of the often-crowded road that connects Tel Aviv to the capital and the building of the new train line covering the same distance. Approaching the capital, we noticed the new light rail system and modern Jerusalem-stone buildings rising as we bused up to Mt. Scopus. There we enjoyed a spectacular panoramic view of the city and sang “Yerushalayim Shel Zahav.” In the Old City, we toured the Jewish Quarter (which now is mostly new), marveling at the reconstructed Hurva synagogue (destroyed and rebuilt twice since the early 1700s). Forming a huge circle, we

joyfully danced in the plaza near the Western Wall.

On our two free days over Shabbat, participants scattered to various parts of Israel to visit their many sons, daughters, grandkids, cousins, aunts, uncles and friends. So many connections!

Best of all, we felt like an integral part of the spirited, committed NA’AMAT World Movement. With our many new friends, we danced the hora until the last possible moment.

Haverot/sisters: Hasta luego, adeus, au revoir, shalom v’ l’hitraot, goodbye and see you again. Kol hakovod/a job well done, to all!

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