JOURNEY TO COMPLIANCE: INSTITUTIONAL RESPONSE TO THE 2011 DEAR COLLEAGUE LETTER TO ADDRESS CAMPUS SEXUAL VIOLENCE

by

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JOURNEY TO COMPLIANCE: INSTITUTIONAL RESPONSE TO THE 2011 DEAR COLLEAGUE LETTER TO ADDRESS CAMPUS SEXUAL VIOLENCE

by

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DEDICATION

This study is dedicated to survivors of sexual violence. Never give up, keep fighting, and allow your voices to be heard. Each of your stories is the inspiration for my passion and efforts to eliminate sexual violence. Always remember it is not your fault and you are not alone.
ACKNOWLEDGMENTS

I am extremely grateful for each and every person who has supported and encouraged me during this journey. First and foremost, thank you to Matthew, my love. Words could never describe how thankful I am for your unwavering love and support. Your constant encouragement and faith in my abilities are what kept me going on the many days I wanted to give up. Without you, I am not sure I would have completed this study. I guess you were right—I really can do this! I love you, more!

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# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>DEDICATION</td>
<td>iv</td>
</tr>
<tr>
<td>ACKNOWLEDGMENTS</td>
<td>v</td>
</tr>
<tr>
<td>LIST OF TABLES</td>
<td>xi</td>
</tr>
<tr>
<td>ABSTRACT</td>
<td>xiii</td>
</tr>
<tr>
<td><strong>CHAPTER</strong></td>
<td></td>
</tr>
<tr>
<td>1. INTRODUCTION</td>
<td>1</td>
</tr>
<tr>
<td>Statement of the Problem</td>
<td>7</td>
</tr>
<tr>
<td>Purpose of the Study</td>
<td>10</td>
</tr>
<tr>
<td>Research Questions</td>
<td>10</td>
</tr>
<tr>
<td>Theoretical Framework</td>
<td>11</td>
</tr>
<tr>
<td>Significance of the Study</td>
<td>12</td>
</tr>
<tr>
<td>Procedures of the Study</td>
<td>13</td>
</tr>
<tr>
<td>Limitations</td>
<td>14</td>
</tr>
<tr>
<td>Delimitations</td>
<td>17</td>
</tr>
<tr>
<td>Definition of Terms</td>
<td>18</td>
</tr>
<tr>
<td>Summary</td>
<td>21</td>
</tr>
<tr>
<td>2. LITERATURE REVIEW</td>
<td>23</td>
</tr>
<tr>
<td>Strange and Banning’s (2001) Environmental Theory</td>
<td>24</td>
</tr>
<tr>
<td>Human Aggregate</td>
<td>26</td>
</tr>
<tr>
<td>Organizational and Structural Environments</td>
<td>27</td>
</tr>
<tr>
<td>Constructed Environments</td>
<td>28</td>
</tr>
<tr>
<td>Environmental Safety and Inclusion</td>
<td>30</td>
</tr>
<tr>
<td>Title IX of the Education Amendments of 1972</td>
<td>33</td>
</tr>
<tr>
<td>Title IX Legislation and Federal Guidance</td>
<td>37</td>
</tr>
<tr>
<td>Sexual Violence in Higher Education</td>
<td>47</td>
</tr>
<tr>
<td>Reporting Sexual Violence</td>
<td>51</td>
</tr>
<tr>
<td>Impact of Sexual Violence on College Students</td>
<td>53</td>
</tr>
<tr>
<td>Summary</td>
<td>55</td>
</tr>
</tbody>
</table>
TABLE OF CONTENTS (Continued)

<table>
<thead>
<tr>
<th>CHAPTER</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. METHODOLOGY</td>
<td>57</td>
</tr>
<tr>
<td>Research Questions Reiterated</td>
<td>58</td>
</tr>
<tr>
<td>Rationale for Research Design</td>
<td>59</td>
</tr>
<tr>
<td>Research Design</td>
<td>60</td>
</tr>
<tr>
<td>Instrument and Listserv Approval</td>
<td>62</td>
</tr>
<tr>
<td>Sample and Participants</td>
<td>62</td>
</tr>
<tr>
<td>Data Collection</td>
<td>64</td>
</tr>
<tr>
<td>Instrumentation</td>
<td>65</td>
</tr>
<tr>
<td>Dear Colleague Letter-Compliance Instrument</td>
<td>66</td>
</tr>
<tr>
<td>Open-Ended Survey Questions and Demographic Information</td>
<td>67</td>
</tr>
<tr>
<td>Semistructured Phone Interviews</td>
<td>67</td>
</tr>
<tr>
<td>Published Documents</td>
<td>68</td>
</tr>
<tr>
<td>Validation</td>
<td>69</td>
</tr>
<tr>
<td>Role of the Researcher</td>
<td>71</td>
</tr>
<tr>
<td>Data Analysis</td>
<td>72</td>
</tr>
<tr>
<td>Reporting Results</td>
<td>74</td>
</tr>
<tr>
<td>Summary</td>
<td>75</td>
</tr>
<tr>
<td>4. RESULTS</td>
<td>77</td>
</tr>
<tr>
<td>Participant Description</td>
<td>79</td>
</tr>
<tr>
<td>Findings</td>
<td>82</td>
</tr>
<tr>
<td>Research Question 1</td>
<td>82</td>
</tr>
<tr>
<td>DCL-CI Overall Compliance Scores</td>
<td>84</td>
</tr>
<tr>
<td>Proactive Efforts (Noneducational)</td>
<td>88</td>
</tr>
<tr>
<td>Victim Support Services</td>
<td>88</td>
</tr>
<tr>
<td>Educational Measures and Services</td>
<td>89</td>
</tr>
<tr>
<td>Incident Investigation and Judicial Proceedings</td>
<td>89</td>
</tr>
<tr>
<td>Case Study Sites</td>
<td>90</td>
</tr>
<tr>
<td>Document Analysis</td>
<td>95</td>
</tr>
<tr>
<td>Institutional Response to the 2011 Dear Colleague Letter</td>
<td>99</td>
</tr>
<tr>
<td>Theme 1: Proactive Efforts (Noneducational)</td>
<td>101</td>
</tr>
<tr>
<td>Category 1A: Designated Persons Working with Title IX</td>
<td>102</td>
</tr>
<tr>
<td>Multiple Roles</td>
<td>103</td>
</tr>
<tr>
<td>Supervisor of Coordinator</td>
<td>104</td>
</tr>
<tr>
<td>Deputy Title IX Coordinators</td>
<td>105</td>
</tr>
<tr>
<td>Responsible Employees</td>
<td>107</td>
</tr>
<tr>
<td>Category 1B: Sexual Harassment and Sexual Misconduct</td>
<td>110</td>
</tr>
<tr>
<td>Policies</td>
<td>110</td>
</tr>
</tbody>
</table>
TABLE OF CONTENTS (Continued)

<table>
<thead>
<tr>
<th>CHAPTER</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Theme 2: Victim Support Services ...............................................</td>
<td>113</td>
</tr>
<tr>
<td>Category 2A: Campus Resources ..................................................</td>
<td>114</td>
</tr>
<tr>
<td>Category 2B: Community Resources ...............................................</td>
<td>117</td>
</tr>
<tr>
<td>Category 2C: Interim Measures and Accommodations ............................</td>
<td>119</td>
</tr>
<tr>
<td>Theme 3: Educational Measures and Services ....................................</td>
<td>121</td>
</tr>
<tr>
<td>Category 3A: Individuals Trained ...............................................</td>
<td>122</td>
</tr>
<tr>
<td>Category 3B: Training Topics and Methods .......................................</td>
<td>125</td>
</tr>
<tr>
<td>Theme 4: Incident Investigation and Judicial Proceedings ....................</td>
<td>131</td>
</tr>
<tr>
<td>Category 4A: Investigation Process .............................................</td>
<td>132</td>
</tr>
<tr>
<td>Category 4B: Resolution Process .................................................</td>
<td>134</td>
</tr>
<tr>
<td>Title IX Coordinator Experiences ................................................</td>
<td>138</td>
</tr>
<tr>
<td>Theme 5: Limited Resources .......................................................</td>
<td>140</td>
</tr>
<tr>
<td>Theme 6: Relationship with Campus Partners ....................................</td>
<td>142</td>
</tr>
<tr>
<td>Theme 7: Challenges Implementing Title IX Training and Regulations ...........</td>
<td>146</td>
</tr>
<tr>
<td>Theme 8: Limited Support for Title IX Coordinator Position ...................</td>
<td>148</td>
</tr>
<tr>
<td>Summary .............................................................................</td>
<td>149</td>
</tr>
</tbody>
</table>

5. DISCUSSION, CONCLUSIONS, AND IMPLICATIONS .................................. 152

| Summary of the Study ............................................................... | 152  |
| Summary of the Major Findings .................................................. | 157  |
| Discussion of Findings .................................................................... | 158  |
| Adequate Staffing ........................................................................... | 159  |
| Support Services ............................................................................ | 160  |
| Training and Education ................................................................... | 162  |
| Policies and Procedures .................................................................. | 163  |
| Conclusions .................................................................................... | 165  |
| Implications .................................................................................... | 166  |
| Recommendations for Future Research ............................................ | 168  |
| Final Thoughts ................................................................................. | 169  |

REFERENCES ......................................................................................... 171

APPENDICES ......................................................................................... 184

A  MERCER UNIVERSITY IRB APPROVAL .......................................... 185

B  PARTICIPANT EMAIL AND INFORMED CONSENT FORM ............. 187
<table>
<thead>
<tr>
<th>APPENDIX</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>C</td>
<td>ASSOCIATION OF TITLE IX ADMINISTRATORS APPROVAL EMAILS</td>
</tr>
<tr>
<td>D</td>
<td>CUPA-HR ONLINE TITLE IX COMMUNITY APPROVAL EMAILS</td>
</tr>
<tr>
<td>E</td>
<td>DEAR COLLEAGUE LETTER-COMPLIANCE INSTRUMENT APPROVAL EMAILS</td>
</tr>
<tr>
<td>F</td>
<td>DEMOGRAPHIC INFORMATION AND OPEN-ENDED SURVEY QUESTIONS</td>
</tr>
<tr>
<td>G</td>
<td>DEAR COLLEAGUE LETTER-COMPLIANCE INSTRUMENT</td>
</tr>
<tr>
<td>H</td>
<td>SEMISTRUCTURED PHONE INTERVIEW PROTOCOL</td>
</tr>
</tbody>
</table>
# LIST OF TABLES

<table>
<thead>
<tr>
<th>Table</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Clery Crime Categories and Included Crimes Addressed in this Study</td>
</tr>
<tr>
<td>2</td>
<td>Research Questions and Data Collection Sources</td>
</tr>
<tr>
<td>3</td>
<td>Demographic Information of Phone Interview Participants</td>
</tr>
<tr>
<td>4</td>
<td>Phone Interview Participants’ Years of Title IX Coordinator Experience</td>
</tr>
<tr>
<td>5</td>
<td>Institutional Characteristics of Six Selected Sites</td>
</tr>
<tr>
<td>6</td>
<td>Dear Colleague Letter-Compliance Instrument Items</td>
</tr>
<tr>
<td>7</td>
<td>DCL-CI Overall Scores of Self-Assessment Tool Participants</td>
</tr>
<tr>
<td>8</td>
<td>DCL-CI Required for Compliance and Recommended Best Practices Scores by Category</td>
</tr>
<tr>
<td>9</td>
<td>Overall Compliance Scores on the DCL-CI for Six Selected Institutions</td>
</tr>
<tr>
<td>10</td>
<td>Total Scores for Proactive Efforts Items on DCL-CI for Six Selected Sites</td>
</tr>
<tr>
<td>11</td>
<td>Total Scores for Victim Support Services Items on DCL-CI for Six Selected Sites</td>
</tr>
<tr>
<td>12</td>
<td>Total Scores for Educational Measures and Services Items on DCL-CI for Six Selected Sites</td>
</tr>
<tr>
<td>13</td>
<td>Total Scores for Incident Investigation and Judicial Proceedings Items on DCL-CI for Six Selected Sites</td>
</tr>
<tr>
<td>14</td>
<td>Reviewed Documents and Description</td>
</tr>
<tr>
<td>15</td>
<td>Information Provided on the Title IX Website at the Six Selected Sites</td>
</tr>
<tr>
<td>16</td>
<td>Review of Sexual Harassment and/or Sexual Violence Policy at Six Selected Sites</td>
</tr>
</tbody>
</table>
LIST OF TABLES (Continued)

<table>
<thead>
<tr>
<th>Table</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>17</td>
<td>All Categories and Themes from Phone Interviews</td>
<td>101</td>
</tr>
<tr>
<td>18</td>
<td>Codes and Categories from Phone Interviews to Support Theme 1: Proactive</td>
<td>102</td>
</tr>
<tr>
<td></td>
<td>Efforts (Noneducational)</td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>Supervisory Titles of Title IX Coordinators</td>
<td>105</td>
</tr>
<tr>
<td>20</td>
<td>Functional Areas of Deputy Title IX Coordinators at Six Selected Sites</td>
<td>106</td>
</tr>
<tr>
<td>21</td>
<td>Codes and Categories from Phone Interviews for Theme 2: Victim Support</td>
<td>114</td>
</tr>
<tr>
<td></td>
<td>Services</td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>Codes and Categories from Phone Interviews to Support Theme 3: Educational</td>
<td>122</td>
</tr>
<tr>
<td></td>
<td>Measures and Services</td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>Codes and Categories from Phone Interviews to Support Theme 4: Incident</td>
<td>132</td>
</tr>
<tr>
<td></td>
<td>Investigation and Judicial Proceedings</td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>Categories and Themes Supporting Experiences of Title IX Coordinators</td>
<td>139</td>
</tr>
</tbody>
</table>
ABSTRACT

MELISSA MARIE NUNN
JOURNEY TO COMPLIANCE: INSTITUTIONAL RESPONSE TO THE 2011 DEAR COLLEAGUE LETTER TO ADDRESS CAMPUS SEXUAL VIOLENCE
Under the direction of J. KEVIN JENKINS, Ed.D.

The U.S. Department of Education Office for Civil Rights released the April 4, 2011 Dear Colleague Letter (DCL), a significant guidance document, to address student-on-student sexual harassment and sexual violence. Sexual violence continues to be a problem facing colleges and universities, and institutions that do not respond appropriately to reports can result in severe outcomes for reporting parties, responding parties, and institutions. The purpose of this study was to examine institutional compliance and response to student-on-student sexual violence using the regulations set forth by the April 4, 2011 Dear Colleague Letter. A sequential, mixed-methods design guided the researcher’s data collection and analysis process. The participants, Title IX coordinators at colleges and universities in the United States, were solicited utilizing a sequential QUAN→qual sampling technique. Data were collected using an online self-assessment tool, semistructured, open-ended phone interviews, and a review of relevant documents. The researcher reviewed the findings of this study utilizing the lens of Strange and Banning’s (2001) Environmental Theory.

Four deductive themes were derived from the 2011 Dear Colleague Letter: proactive efforts (noneducational), victim support services, educational measures and
services, and incident investigation and judicial proceedings. An additional five themes emerged from the data used to describe Title IX coordinator experiences implementing Title IX on campus: limited resources, relationship with campus partners, challenges implementing Title IX training and regulations, and limited support for Title IX coordinator position. The researcher concluded the Title IX coordinators at the participating institutions appeared to have put forth a good faith effort to implement policies and procedures, support services, and training and education initiatives to ensure safe campus environments with reduced incidents of sexual violence. Recommendations for further study included examine the perceptions of students to assess their perceptions of institutional efforts related to sexual violence response on their campus; explore the experiences of other individuals responsible for responding to sexual violence on campus; and examine if the rescission of the 2011 DCL and the 2014 Questions and Answers on Title IX and Sexual Violence has impacted continued efforts at the participating institutions.
CHAPTER 1
INTRODUCTION

All violence hurts, but sexual violence can be particularly painful because it strikes at the core of one’s self-identity and ability to be in control of one’s body and life (Deitz, Williams, Rife, & Cantrell, 2015; Ullman, Peter-Hagene, & Relyea, 2014). Colleges and universities are supposed to be safe havens for students to grow and develop socially, but often students are unsafe in the ivory tower (Fisher, Daigle, & Cullen, 2010). For many decades, the United States has faced the social problem of sexual harassment and sexual violence on college and university campuses (Black et al., 2010; Harned, 2004; Karjane, Fisher, & Cullen, 2005; Koss, Gidycz, & Wisniewski, 1987), and sexual violence is still an ongoing issue (Amar, Strout, Simpson, Cardiello, & Beckford, 2014; Hawkins & Domoney, 2012; Wiscombe, 2012).

Campus sexual assaults are one of the most underreported crimes (Amar et al., 2014; Gottlieb, 2008; Lonsway & Archambault, 2012; Luce, Schrager, & Gilchrist, 2010; Sable, Danis, Mauzy, & Gallagher, 2006; Wiscombe, 2012). The actual number of sexual assaults is likely higher than the reported number because many victims are hesitant to report these crimes to campus authorities and/or law enforcement (Cantalupo, 2011; Carroll et al., 2013; Karjane et al., 2002). Lonsway and Archambault (2012) found only between 5% and 20% of forcible rapes in the United States are reported to the police. The reasons for underreporting of sex offenses are many, including a lack of
institutional response to such behaviors, which may discourage an individual from reporting victimization (Amar et al., 2014; Carr, 2005; Carr & Ward, 2006).

Fedina, Holmes, and Backes (2016) claimed, “Sexual assault on college campuses continues to make national headlines” (p. 1). Sexual violence often causes victims to experience potential trauma and psychological effects, including stress, feelings of isolation, low self-esteem, and self-blame (Amar et al., 2014; Barry & Cell, 2009; Deitz et al., 2015; Fedina et al., 2016; Katz & Moore, 2013). Victims of sexual violence may also develop substance abuse issues, eating or sleep-related disorders, posttraumatic stress syndrome, or depression, which in some cases may lead to suicide (Barry & Cell, 2009; Deitz et al., 2015; Ullman & Filpas, 2001). When a college student has been a victim of sexual violence, it can also be challenging for the individual to remain actively and successfully engaged in his or her academics and campus environment (Fedina et al., 2016; Reinken, 2010). It is essential for colleges and universities to create and implement policies and procedures to assist in the prevention of sexual violence in campus communities and ensure support and resources are in place for individuals who have experienced sexual violence.

Two national studies (Karjane et al., 2005; Krebs, Lindquist, Warner, Fisher, & Martin, 2007) showed that nearly one in five (20%) women and one in sixteen (6%) men will be the victim of a completed or attempted sexual assault while attending college. The number of collegiate women who will experience a completed or attempted sexual assault rises to one in four when isolated to senior students (Fisher et al., 2010; Karjane et al., 2005).
While the statistics of sexual victimization are troubling, controversy exists over the accuracy of the estimated one in five sexual assault rate among college women, as the statistic is based on two studies serving as the foundation for this figure. These studies took place at two large four-year institutions, which may not correctly represent the nation’s colleges and universities (Fox & Moran, 2014). Additionally, the studies used an overly broad definition of sexual assault, including victims being subject to unwanted touching, fondling, groping, and sexual encounters while under the influence of alcohol (Fox & Moran, 2014). Per Fox and Moran, the national studies reported a high nonresponse rate, with the assumption that previously victimized students were more likely to complete the survey, causing inflation in the number of sexual assaults among college and university women. Even if the prevalence rates vary or are subject to exaggeration, a substantial number of college students experience sexual assault, and the U.S. government has charged colleges and universities with addressing these behaviors (Amar et al., 2014; Fedina et al., 2016; U.S. Department of Education [USDOE], 2001, 2011, 2014, 2017; Wiscombe, 2012).

To contribute to the academic and personal success of campus constituents, colleges and universities in the United States have legal obligations to create and maintain safe campus environments for all faculty, staff, students, and visitors (Baker & Boland, 2011; Lombardi & Jones, 2009). To ensure that all members of a campus community have equal access to educational opportunities and employment, institutions need a comprehensive approach to address sexual violence on campus as it can have an impact on everyone. Barry and Cell (2009) warned, “A single campus constituency
cannot eradicate sexual assault on its own. Sexual violence on campus affects everyone” (p. 13). Therefore, collaboration with the entire campus community is important to create safer environments for all members of an institution.

In 1972, Congress enacted Title IX of the Education Amendments, a federal civil rights law that prohibits sex-based harassment in any educational program or activity that receives Title IV federal funding. Title IX defined acts of sex-based harassment to include sexual harassment, sexual battery, sexual assault, sexual misconduct, sexual violence, and rape. To be considered an act of sex-based discrimination or harassment, student-on-student sexual harassment or sexual violence must be “so severe, pervasive, and objectively offensive that it [the behavior] can be said to deprive the victim of access to the educational opportunities or benefits provided by the school” (USDOE, 1997, p. 1).

The U.S. Department of Education Office for Civil Rights (OCR) has issued several guiding documents to provide institutions with protocol for responding to student-on-student sexual harassment and sexual violence. In 1997, the U.S. Department of Education Office for Civil Rights issued the Sexual Harassment Guidance document that provided institutions with information on how to effectively identify sexual harassment, procedures for investigating reports, and necessary steps to prevent its recurrence (USDOE, 1997). A revised sexual harassment guidance document for educational settings was later distributed in 2001 in response to two landmark Supreme Court rulings, Gesber v. Lago Vista School District (1998) and Davis v. Monroe (1999). This document provided further guidance on institutional response to sexual harassment and sexual violence (USDOE, 2001).
On April 4, 2011, the U.S. Department of Education Office for Civil Rights issued a Dear Colleague Letter (DCL) focusing on student-on-student sexual harassment and sexual violence. The U.S. Department of Educational designated the 2011 DCL a “significant guidance document,” that provided statements of “general and interpretive rules of broad, prospective applicability on regulatory and statutory issues” (Weizel, 2012, p. 1616). The 2011 DCL did not add significant requirements to Title IX or its implementing regulations, but rather provided the Office for Civil Rights’ interpretation of Title IX requirements for institutional response to student-on-student sexual harassment, including sexual violence on college and university campuses (Weizel, 2012). The 2011 DCL further explained an institution’s responsibility to take prompt and effective measures to prevent the recurrence of sexual harassment and sexual violence (USDOE, 2011). The 2011 DCL emphasized and reiterated the legally mandated expectations for reporting processes, adjudication of sexual violence reports, sexual violence response training for faculty, staff, and students, for developing prevention programming, and providing support and resources for victims. Institutional response to the 2011 DCL was important since it offered an opportunity to create safer campus environments and greater support for victims of sexual violence.

In addition, the 2011 DCL provided additional direction and useful examples to colleges and universities regarding Title IX as they relate to student-on-student sexual harassment and sexual violence. Educational institutions have a responsibility for the “prevention, investigation, evaluation, and adjudication of sexual violence—an area traditionally reserved for law enforcement officers and prosecutors and seemingly beyond
the traditional role of an institution of higher education” (Smith & Gomez, 2013, p. 3). The goals of the 2011 DCL were to assist in decreasing sexual violence on college and university campuses, create a campus culture that is not accepting of these acts, and create an atmosphere of safety and support.

In April 2014, the Department of Education Office for Civil Rights released a significant guidance document to clarify the information presented in the 2011 DCL. This document, Questions and Answers on Title IX and Sexual Violence (2014), further clarified the legal requirements and guidance articulated in the 2011 DCL and the 2001 Guidance. The 2014 document provided “examples of proactive efforts schools can take to prevent sexual violence and remedies schools may use to end such conduct, prevent its recurrence, and address its effects” (USDOE, 2014, p. 1).

The following year, in April 2015, the Department of Education Office for Civil Rights released an additional Dear Colleague Letter specifically focusing on the role of the Title IX Coordinator at educational institutions. The 2015 DCL reminded institutions receiving federal financial assistance they “must designate at least one employee to coordinator their efforts to comply with and carry out the responsibilities under Title IX of the Education Amendments of 1972, which prohibits sex discrimination in education programs and activities (USDOE, 2015, p. 2).” The document placed emphasis on the essential role the Title IX coordinator plays in ensuring all members of the campus community are aware of their rights under Title IX and ensuring the institution complies with legal obligations under Title IX (U.S. Department of Education, 2015). The 2015 DCL also stressed the importance of the Title IX coordinator having full support and
appropriate authority necessary from the institution in order to be effective in carrying out their responsibilities in this role.

After the researcher collected data in 2017, the Department of Education Office for Civil Rights rescinded both the 2011 Dear Colleague Letter and the *2014 Questions and Answers on Title IX and Sexual Violence* in September 2017. In place of the two archived significant guidance documents, the federal government released new interim guidance, *Q&A on Campus Sexual Misconduct*. The Department of Education conveyed in the interim guidance the intention to engage in a rulemaking process. During this rulemaking period, the Department of Education shared the plan to solicit feedback from stakeholders as well as the public. The Department of Education directed institutions to utilize the interim guidance along with the *2001 Revised Sexual Harassment Guidance* to provide institutions direction on how OCR will assess Title IX compliance and institutional responsibility for responding to reports of sexual misconduct, including student-on-student sexual harassment and sexual violence. Even though Federal Title IX guidance may change, institutions are still required to respond to regulations while in place and must do so in a timely manner. Despite the rescission of the 2011 DCL, this study illustrated how institutions initiated policy changes due to federal legislation.

**Statement of the Problem**

The failure of colleges and universities to respond appropriately to Title IX regulations for campus sexual violence reports can have severe outcomes for reporting parties, responding parties, and institutions (Smith & Gomez, 2013). Smith and Gomez claimed that institutions that discount the seriousness of the problem by responding
inconsistently to sexual violence reports and not enforcing policies and procedures are failing to provide a safe learning environment free from hostility and discrimination. The April 4, 2011 DCL stated if an institution knows, or reasonably should have known, student-on-student harassment occurred and created a “hostile environment, Title IX requires the school to take immediate action to eliminate the harassment, prevent its recurrence, and address its effects” (p. 4). The 2011 DCL was an important guiding document for addressing institutional response to student-on-student sexual harassment and sexual violence (USDOE, 2011). However, despite the significance of the DCL, since its release in 2011, the government has conducted 458 investigations of colleges and universities for possible violations of the law’s requirements on policy and response in handling complaints of sexual violence on college and university campuses (The Chronicle of Higher Education, 2018). Of the 458 investigations that have been conducted since 2011, “121 cases have been resolved and 337 remain open” (The Chronicle of Higher Education, 2018, para. 1). A total of 234 investigations have been conducted at private institutions and 224 at public. Even though Congress has enacted several laws requiring institutions to disclose their security procedures, report crime data, and ensure victim rights, there continues to be a lack of institutional response for reports of sexual violence and it continues to be a pervasive problem facing college and university campuses (American Association of University Professors [AAUP], 2013; Wade et al., 2014).

Title IX requires institutions to maintain policies, procedures, and resources to ensure that sex-based harassment and discrimination does not occur in educational
settings. Jenkins (2000) stated, “Title IX essentially acts as a contract between the Federal government and the agency receiving Federal funding. In consideration of receiving Title IX funds the agency [institution] promises not to discriminate based on sex” (p. 2).

To further illustrate this problem, in 2014, Senator Claire McCaskill (D-Missouri) requested a national survey be conducted to assess how colleges and universities report, investigate, and adjudicate complaints of sexual violence under Title IX regulations. The report consisted of data collected from 440 four-year institutions of higher education. The findings reported more than 40% of institutions had not conducted a sexual violence investigation in five years, even though some of the responding institutions had reported incidents to the U.S. Department of Education Office for Civil Rights (U.S. Senate Subcommittee on Financial & Contracting Oversight, 2014). That study also reported fewer than 20% of institutions conducted climate surveys to determine the prevalence and perceptions of sexual violence on their campus. Considering so many victims of sexual violence do not report these crimes to campus administrators or police, campus climate surveys are often the most accurate way to obtain data about sexual violence on campus (U.S. Senate Subcommittee on Financial & Contracting Oversight, 2014). Additionally, of the institutions that provided services for victims, many of them made it difficult to report an assault anonymously. Only half of the responding institutions had a hotline available for survivors to report an assault by phone, and only 44% allowed students to report online (U.S. Senate Subcommittee on Financial & Contracting Oversight, 2014). While some students may choose to report sexual violence to a faculty or staff member,
there is no guarantee the university employee in receipt of the report has received the proper training to handle the situation, for approximately 20% of the responding institutions reported not providing training to faculty, staff, and campus security or police officers on institutional policies and procedures related to sexual violence (U.S. Senate Subcommittee on Financial & Contracting Oversight, 2014). Even with federal regulations, there is great national variability in the extent to which colleges and universities are working to prevent sexual violence (Karjane et al., 2005; U.S. Senate Subcommittee on Financial & Contracting Oversight, 2014; Vendituoli, 2014).

Purpose of the Study

The purpose of this study was to examine institutional compliance and response to student-on-student sexual harassment and sexual violence using the regulations set forth by the U.S. Department of Education Office for Civil Rights April 4, 2011 Dear Colleague Letter. This study examined institutional sexual violence proactive efforts (noneducational), educational measures and services, incident investigation and judicial proceedings, and support services for victims of sexual violence. Additionally, this study described the experiences of campus Title IX coordinators in their role as the university administrators responsible for ensuring Title IX compliance on their campus.

Research Questions

The following research questions guided this study:

1. What levels of institutional compliance were achieved applying the guidance of the April 4, 2011 Dear Colleague Letter?
2. How did the release of the April 4, 2011 Dear Colleague Letter guidance contribute to the development and implementation:
   a. sexual violence policies and procedures,
   b. support services for victims of sexual violence, and
   c. education and training on sexual violence for faculty, staff, and students?
3. What strategies did institutions utilize as they developed and implemented:
   a. sexual violence policies and procedures,
   b. support services for victims of sexual violence, and
   c. education and training on sexual violence for faculty, staff, and students?
4. How do Title IX coordinators describe their experiences implementing Title IX compliance using the April 4, 2011 Dear Colleague Letter on their campus?

Theoretical Framework

Institutions are responsible for planning and constructing campus environments that are prepared to provide educational opportunities for students (Strange & Banning, 2001). According to Moos (1986), “The arrangement of environments is perhaps the most powerful technique we [institutions] have for influencing human behavior” (p. 4). Every institution provides a setting that encourages certain behaviors and guidelines for personal growth and development, and institutions are more likely to attain an ideal environment when invested individuals are making significant decisions about environmental changes (Moos, 1986). This study utilized Strange and Banning’s Environmental Theory as the theoretical framework to explore the impact institutional
policies and procedures, support for victims, and sexual harassment and discrimination training for faculty staff have on a campus environment.

Strange and Banning (2001) identified three components of human environments: “characteristics of the people who inhabit them, organizational structures related to their purpose and goals, and inhabitants’ collective perceptions or constructions of the context and culture of the setting” (p. 5). In addition to the components of human environments, the two researchers also shared three key areas that contribute to successful educational environments: (a) environmental safety and inclusion, (b) structures for involvement, and (c) conditions of the community. This study focused specifically on environmental safety and inclusion. The federal government has addressed environmental safety and inclusion through the implementation of laws that relate to equal treatment of all students, including Title IX of the Higher Education Amendments of 1972. Safety and inclusion are key characteristics for creating a campus environment that is free of discrimination and hostility (Strange & Banning, 2001).

Significance of the Study

College and university personnel face the task of developing and implementing policies, procedures, resources, and support that comply with Title IX. The results of this study will equip leaders of higher education with information for making informed decisions regarding successful strategies to develop and implement comprehensive and effective sexual violence policies and procedures to combat this pervasive problem facing institutions. Additionally, training and education are vital components for raising awareness about sexual violence on college and university campuses; thus, engaging
students, faculty, and staff members using different available training and educational opportunities may allow for a change in campus culture as well as provide effective institutional response to reports of sexual misconduct. The results of this study may serve as direction and a model for other institutions on the implementation of Federal Title IX guidance to create a campus environment that is safe, supportive, and conducive to learning.

**Procedures of the Study**

This study was conducted using a sequential explanatory mixed methods approach (Creswell, 2013). The initial sample of this study included Title IX coordinators who were members of the Association of Title IX Administrators (ATIXA) and/or the College and University Professional Association for Human Resources (CUPA-HR) Title IX Discussion Group.

Title IX coordinators completed the Dear Colleague Letter-Compliance Instrument (DCL-CI), a self-assessment of actions required by the 2011 DCL for compliance and recommended best practices by the 2011 DCL (Carroll et al., 2013). An email containing a Survey Monkey™ link to complete the self-assessment was sent electronically through the Association of Title IX Administrators (ATIXA) listserv and the College and University Professional Association for Human Resources (CUPA-HR) Title IX Discussion Group. After the self-assessment data were collected, the researcher utilized purposeful stratified sampling (Teddlie & Yu, 2007) and selected six institutions to study intensively (Guest, Bunce, & Johnson, 2006). The researcher selected six institutions that self-identified as having the highest overall compliance levels with all
items on the DCL-CI, indicated interest in participating in a follow-up interview, and provided contact information. Additionally, the researcher conducted a document review of the Title IX website and institutional policy on sexual harassment and sexual misconduct from each of the six selected sites.

The researcher utilized self-assessment data, open-ended survey questions, phone interviews, and a review of documents to collect the data for this study. The triangulation of multiple data sources and data collection methods contributed to the validity of the study (Glesne, 2006). Descriptive statistics, inductive and deductive content and thematic analysis were used to analyze the data to answer the research questions. Analysis using line-by-line coding, categorizing, and theme identification allowed the researcher to provide a rich, thick description of the identified data (Glesne, 2006). Coding was used for the open-ended survey questions and phone interview transcripts. Content analysis was utilized to analyze the documents from the six institutions. The codes from the data sources were further analyzed to identify themes about institutional response to the 2011 DCL.

Limitations

One limitation of this study was potential response burden for participants. Response burden is the effort required by a participant to complete a questionnaire or an interview (Rolstad, Adler, & Ryden, 2011). Therefore, due to the length of the assessment tool and interviews, respondents may have experienced burnout before completing the assessment tool and may not have fully answered the phone interview questions with meaningful depth and detail. To reduce participant burden, the researcher
provided participants with the approximate time it would take to complete the assessment tool and the phone interview. Additionally, the researcher provided participants with a statement as to the purpose and significance of the study as part of the assessment tool and phone interviews. This study resulted in a low response rate on the Dear Colleague Letter-Compliance Instrument (DCL-CI). The researcher sent emails to 1,398 individuals who were members of the Association of Title IX Administrators (ATIXA) and College and University Professional Association for Human Resources (CUPA-HR) Title IX Online Community. The response rate for the number of participants completing the DCL-CI was 32 (2%). The length of the assessment tool, as well as the topic under study, may have resulted in a low response rate.

Another limitation of the study was self-reported survey data. Participants were asked to self-report information regarding their institution’s compliance with the 2011 DCL. Self-reported data may have resulted in differing responses due to participants’ understanding of each question as well as the sensitive nature of the questions being asked in regards to institutional compliance with federal guidelines (Fulmer & Frijters, 2009). To reduce this limitation, the researcher guaranteed confidentiality for all participants and institutions. Upon completion of the DCL-CI self-assessment tool, the researcher assigned pseudonyms to each institution and participant and removed all identifiable information to ensure identities were not linked to any responses in the phone interview process. The researcher only utilized the participants’ email addresses and contact information to contact the participants if they indicated they were willing to participate in the phone interview.
Next, the number of institutional coordinators who reported fully implementing all required for compliance and recommended best practices items on the DCL-CI for each of the four categories, proactive efforts, victim support services, educational measures, and incident investigation and judicial proceedings were limited. Therefore, the researcher added together the scores on all the DCL-CI statements using the four-point compliance scale created by Carroll et al. (2013), and the coordinators of the six institutions with the highest combined self-identified scores who indicated they were willing to participate in a follow-up interview and responded to the researcher’s request were chosen to study intensively. These selected participants posed a limitation to the study as the researcher purposefully selected the six sites based upon their high compliance scores on the DCL-CI. The researcher provided a description of the study in the initial participant recruitment email that included a discussion of institutional compliance with the 2011 DCL mandates. Institutions who have not taken adequate steps to implement the 2011 DCL regulations on their campuses may not have chosen to complete the online self-assessment tool, and it is probable that only administrators with higher scores would allow their coordinators to participate in the study.

Finally, the researcher’s current role as a Title IX coordinator was a limitation. The researcher had to remain cognizant of her own knowledge and experiences to ensure potential biases were mitigated while listening to participants share about their experiences as Title IX coordinators implementing Title IX mandates on their campus; an area in which the researcher is extremely familiar. The researcher has served as the Title IX coordinator at a small private university as well as a large public research university.
As a Title IX coordinator, the researcher was responsible for the implementation of policies and procedures while ensuring the institution provides support, resources, and training and educational opportunities to students, faculty, and staff on sexual violence and institutional response. The researcher worked closely with policy makers, people of support, as well as victims of sexual violence and those accused of perpetrating sexual violence. To minimize this bias upon the research study, the researcher used a triangulation approach of data collection that included a self-assessment tool, open-ended survey questions, phone interviews, and a document review. To ensure the interviews were correctly audio recorded and transcribed, the researcher utilized member checking by asking participants review the interview transcripts to ensure the reliability of the reported data. The researcher attempted to enhance the validity and reliability of the study through the utilization of multiple methods and data collection sources (Glesne, 2006).

Delimitations

The researcher imposed the following delimitations on this study. First, the researcher chose only those institutions that self-reported the highest compliance scores on the 2011 DCL and expressed willingness to participate in the phone interview to study intensively. The researcher chose to only include these institutions in order to provide development and implementation strategies for successful sexual violence response, resources, training, and education protocol for other colleges and universities. Second, the researcher only conducted phone interviews with campus Title IX coordinators and did not include students or other campus constituents. The researcher chose to conduct
the study utilizing only Title IX coordinators as they are the identified individuals by the federal government responsible for ensuring Title IX compliance on college and university campuses. The Title IX coordinator position is a mandate from the U.S. Department of Education Office for Civil Rights (2001, 2011). Furthermore, due to the sensitive nature of the topic under study, compliance with the federal government, and potential challenges in obtaining necessary participant involvement from campus administrators and students, the researcher chose to include only Title IX coordinators, since they have a vested interested in the topic.

Definition of Terms

The following definitions and terms were used throughout this study:

2014 Questions and Answers on Title IX and Sexual Violence is a document that provided additional guidance to institutions regarding their obligations under Title IX to address sexual violence. This document further clarified the legal requirements and guidance presented in the 2001 Guidance and the 2011 DCL. The document provided examples of proactive measures institutions could take to end conduct, prevent its recurrence, and address the effects of sexual violence.

A hostile environment occurs when sex-based discrimination is so severe that it interferes with an individual’s ability to participate in or benefit from the University’s educational programs. Any individual in a university’s programs including administrators, students, faculty, and visitors (Gettler, 2017) can create a hostile environment.
April 4, 2011 Dear Colleague Letter refers to the letter sent by the U.S. Department of Education Office for Civil Rights explaining institutional responsibility in responding to student-on-student sexual harassment and sexual violence. The 2011 DCL is a significant guidance document that provides statements on regulatory and statutory issues of Title IX on college and university campuses (USDOE, 2011).

April 24, 2015 Dear Colleague Letter refers to the letter sent by the U.S. Department of Education Office for Civil Rights explaining institutional responsibility in designating at least one employee to coordinator camps efforts to comply with Title IX. This person is typically referred to as the Title IX coordinator. This letter described the essential role the Title IX coordinator plays at an institution and stressed the importance of providing the person in this role with adequate authority to address sexual violence and access to senior level-administration.

September 2017 Q&A on Campus Sexual Misconduct is a guiding document sent by the U.S. Department of Education Office for Civil Rights to institutions receiving federal funding. This document reiterates institutional responsibilities and obligations to respond to sexual violence on campus. This document, along with the 2001 Revised Sexual Harassment Guidance previously issued by the Office for Civil Rights, are the current documents providing information to institutions on how the Office for Civil Rights will assess compliance with Title IX. The 2011 Dear Colleague Letter and 2014 Questions and Answers on Title IX and Sexual Violence guidance were rescinded when the September 2017 document was released.
Sex discrimination involves acts of treating someone negatively because of that individual’s sex. Sex discrimination can also involve treating someone negatively because of his or her identification with a certain group or organization that is typically associated with individuals of certain sex. Sex discrimination includes acts of sexual harassment, sexual battery, sexual assault, and rape that are “sufficiently severe, persistent, or pervasive, and objectively offensive that the behavior creates a hostile environment and effectively hinders an individual’s access to an educational opportunity or benefit” (U.S. Department of Education, 1997, p. 1).

Sexual assault, defined by the U.S. Department of Justice (2017), is any type of sexual contact or behavior that occurs without the explicit consent of the recipient. Forced sexual intercourse, forcible sodomy, child molestation, incest, fondling, and attempted rape are all acts of sexual assault.

Sexual harassment, per the U.S. Department of Education Office for Civil Rights (2001), is unwelcome conduct of a sexual nature. Sexual harassment may include “unwelcomed sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature” (U.S. Department of Education, 2001, p. 11). According to the U.S. Department of Education, sexual assault or acts of sexual violence are forms of sexual harassment.

Sexual violence, according to the U.S. Department of Education Office for Civil Rights (2011), refers to physical sexual acts perpetrated against a person’s will or where the person is incapable of giving consent due to a mental or physical disability, sleep, unconsciousness, or alcohol or drug consumption. Sexual violence includes rape, sexual
assault, sexual battery, and sexual coercion. All such acts of sexual violence are forms of sexual harassment covered under Title IX (USDOE, 2011).

*Title IX of the Education Amendments* is a federal civil rights law that was enacted in 1972 that prohibits sex-based harassment in any educational program or activity that receives Federal funding (20 U.S.C. §1681, 1972). The Act defines acts of sex-based harassment to include sexual harassment, sexual battery, sexual assault, and rape.

Throughout this study, the researcher used terms such as sexual assault, sexual harassment, sexual misconduct, and sexual violence interchangeably to describe the individual behavior and social issue. In a broad context, these terms may be synonymous, yet the term used often depends on one’s perspective or position. Sexual violence or sexual misconduct is typically used as a general term to encompass all other terms. Additionally, the researcher referred to a victim of sexual violence as a reporting party and someone who has been accused of perpetrating sexual violence as a responding party.

**Summary**

Sexual violence continues to be a major concern on college and university campuses in the United States. The federal government continues to place great emphasis on this issue. According to The Chronicle of Higher Education’s Title IX tracker (2018), the Office for Civil Rights has conducted hundreds investigations of colleges for possibly mishandling reports of sexual violence. This sequential explanatory mixed methods study explored strategies institutions adopted to achieve compliance with the 2011 DCL to decrease sexual violence on campus. The study investigated methods in
which the 2011 DCL contributed toward the development and implementation of successful campus sexual violence policies and procedures, resources for victims, response training for faculty, staff, and students, as well as training and prevention efforts. Findings of this study will contribute to the information available to leaders and policy makers in higher education, specifically Title IX coordinators. This study will allow for more effective decisions to be made in regards to institutional response about policies and procedures, victim support services, and training and educational efforts to decrease sexual violence on college and university campuses.
CHAPTER 2

LITERATURE REVIEW

Attending college in the United States is an occurrence that leads to significant change in life (Strange & Banning, 2001). The decision to attend college is an influential experience, and the chosen college or university becomes a place to establish new relationships, explore self-identity and freedom, define values, experience diversity, and pursue professional interests and goals (Strange & Banning, 2001). Individuals expect colleges and universities to be safe places where young people mature through their academic studies and often lead risky social lives without enduring consequences (Fisher, Daigle, & Cullen, 2010). However, institutions of higher education have increasingly become places of risk in terms of campus violence and crime (Fisher et al., 2010). Strange and Banning (2001) stated, “Crime, violence, vandalism, harassment, and hazing all make it very difficult for any institution to foster learning and development” (p. 116).

Title IX of the Education Amendments of 1972 was enacted over four decades ago to eliminate sex discrimination in schools and to ensure equal educational opportunities (Juliano, 2013; Lombardi & Jones, 2009; Valentin, 1997). All institutions receiving Title IV federal financial assistance are required to comply with Title IX regulations. On April 4, 2011, the United States Department of Education Office for Civil Rights issued a Dear Colleague Letter (DCL) to address institutional response to student-on-student sexual violence. The letter was considered a significant guidance
document for schools, particularly colleges and universities, on how to effectively respond to reports of sexual harassment and sexual violence on campus (Smith & Gomez, 2013; U.S. Department of Education [USDOE], 2011, 2014). The 2011 DCL stated an institution has the responsibility to take immediate and effective steps to end sexual violence, prevent the recurrence, and remedy the effects (USDOE, 2011, 2014). The document also specified, “Sexual harassment of students, including sexual violence, interferes with students’ rights to receive an education free from discrimination and, in the case of sexual violence, is a crime” (U.S. Department of Education [USDOE], 2011, p. 1). Despite legislation and other efforts, sexual violence continues to occur at a significantly higher rate for female students aged 18 to 24 years, and remains one of the most underreported crimes on a college campus (USDOE, 2011). In response to the 2011 DCL, many institutions of higher education reviewed and revamped their policies, procedures, resources, and response to student-on-student sexual violence.

This chapter provides a review of relevant literature related to the current study. The chapter examines Strange and Banning’s (2001) Environmental Theory and its relation to fostering safe environments for college students. The chapter also examines the history of Title IX, relevant Title IX legislation and federal guidance, the prevalence of sexual violence in higher education, the impact of sexual victimization on college students, and reporting sexual violence and access to resources for victims.

Strange and Banning’s (2001) Environmental Theory

Colleges and universities seek to create environments that attract, please, and retain students who can think critically, communicate, lead others, find their purpose and
self-identity, appreciate diversity, and commit to lifelong learning (Lippman, 2010; Strange & Banning, 2001). Dewey (1933) stated, “We never educate directly, but indirectly by means of the environment. Whether we permit chance environments to do that work, or whether we design environments for the purpose makes a great difference” (p. 22). Educators who possess a holistic understanding of human environments are better situated to assist in the elimination of unnecessary stressors at an institution that may hinder the learning, growth, and development of students (Dewey, 1933), such as sexual harassment and sexual violence. Whether it is understood or wanted, educational environments have an impact on students (Lippman, 2010).

Institutions have both a moral and legal responsibility (Baker & Boland, 2011; Lombardi & Jones, 2009) to address sexual violence on campus. A comprehensive institutional approach to respond to and address sexual violence ensures that the campus community has access to educational and employment opportunities (Barry & Cell, 2009). Combating sexual violence on campus cannot be the work of one campus office or administrator; instead, it should be a collaborate effort toward creating a safer environment that is conducive to living, learning, and working (Barry & Cell).

Strange and Banning (2001) identified key components of all human environments. This study explored the following components of Strange and Banning’s Environmental Theory: (a) human aggregates, (b) organizational and structural components, and (c) constructed environments. The following sections offer a discussion of each of these components.
Human Aggregate

The characteristics of people, known as human aggregates, within a collegiate environment often impact the level of attraction to, satisfaction with, and retention of students (Strange & Banning, 2001). Human aggregate, as defined by Strange and Banning (2001), is the demographic and psychological traits of those making up a campus environment. Demographics may include social identity groups and academic majors, and psychological composition may include personality types, learning styles, and career interests (Clark & Trow, 1966). Individuals and the environment are mutually influential in shaping one another; therefore, Strange and Banning (2001) expressed the importance of understanding the profile and culture of the campus community to allow campus administrators to work with students to provide training and programming opportunities that are relatable and accessible for all students.

Moos (1986) stated, “The character of an environment is implicitly dependent on the typical characteristics of its members” (p. 286). Students create multiple subcultures within the collegiate environment through their diverse backgrounds, which may include different personalities, learning styles, beliefs, religions, race, and ethnic backgrounds (Clark & Trow, 1996). These human characteristics influence an individual’s attraction to, satisfaction with, and retention within the campus environment (Strange & Banning, 2001). Strange and Banning emphasized the importance of educators gathering information about the characteristics of the campus constituents to effectively understand the dominate features of the environment because the occurrence of sexual violence, reporting, and the use of campus support and resources may potentially be impacted by
several features within the collegiate environment. An understanding of the campus culture may assist university administrators in examining these features, as well as assist in deciding effective mediums to educate and train campus constituents on sexual violence.

Organizational and Structural Environments

Organizational and structural environments constitute the second component of Strange and Banning’s (2001) Environmental Theory. Organizational and structural environments include policies and procedures, attitudes about efficiency and productivity, and protocols regarding order and formality that are in place to achieve certain goals of the institution (Strange & Banning, 2001). Institutions of higher education strive to educate students, compose, and distribute knowledge, and to serve the community (Strange & Banning). The organizational environment of a college or university establishes what patterns and structures are put in place to achieve specific goals, and institutions often possess great variability in how decisions are made to achieve the institutional goals and how power is distributed in the educational environment (Etzioni, 1964).

The April 4, 2011 Dear Colleague Letter reiterated that colleges and university must have policies and procedures in place to address sexual violence on campus. Additionally, it required institutions to disseminate a notice of nondiscrimination, create and implement grievance procedures, and train certain campus constituents on recognizing signs of sexual violence and appropriate responses to reports of sexual violence. As colleges and universities seek to eliminate sexual violence and ensure the
campus environment is supportive of victims, it is important to have formalized policies and procedures (USDOE, 2011). Institutional personnel need to determine what behaviors are not acceptable, what policies will guide the institution, how violations of policies will be addressed and enforced, by whom will they be addressed and enforced, what are the consequences for violating institutional policies, and how will members of the campus community be made aware of the policies and procedures, resources, and options for reporting sexual violence. Formalized policies and procedures provide guidelines for efficient functioning; therefore, it is vital to educate all campus constituents on the operations of the institution (Fisher et al., 2010). The increase of sexual harassment and discrimination reports on college and university campuses and the call to action by the Federal government on institutional response has resulted in many colleges and universities reviewing and making changes to current policies and procedures.

**Constructed Environments**

The final component of the Environmental Theory described by Strange and Banning (2001) is constructed environments. An individual’s perceived characteristics of an environment have an influence on behavior (Moos, 1986). An environment is best described by the collective perceptions and experiences of the individuals within them (Walsh, 1973). Collectively examining personal perspectives is necessary to understand how individuals are likely to behavior within a certain environment (Strange & Banning, 2001). According to Strange and Banning (2001), perception is often the reality of an individual, and environmental factors, collegiate characteristics, as well as the overall
campus climate and culture may influence perceptions. Institutions and campus administrators create meaning through events, personal characteristics, policies, procedures, programs, traditions, symbols, and interactions. These meanings are further understood from an individual perspective as a reflection of beliefs, values, and assumptions that is organizational culture (Strange & Banning, 2001).

A campus culture reflects the assumptions, beliefs, and values community members construct to interpret and understand the meaning of events and actions. Many factors can influence perceptions, including the campus environment, institutional characteristics, climate, and culture (Strange & Banning, 2001). Kuh and Hall (1993) defined culture as “the confluence or institutional history, campus traditions, and the values and assumptions that shape the character of a given college or university” (pp. 1-2). Understanding these factors may assist administrators in closing the gap between the intended achievement goals of administrators and the subsequent behaviors (Strange & Banning, 2001). The perceptions and understandings of a campus culture and community are important resources when creating and implementing responsive educational environments, and administrators must be aware of disparities between their views of the institution and those of the students (Strange & Banning, 2001).

Strange and Banning (2001) further described three critical areas that encourage educational success in higher education. These areas include: (a) environmental safety and inclusion, (b) structures for involvement, and (c) conditions of community. This study focused solely on environmental safety and inclusion. The following sections describe these critical areas.
Environmental Safety and Inclusion

Efforts to create safe campus environments date back to early colleges and universities in the United States. Institutions developed outside of towns and cities and in a quad design to allow only a few access points to allow institutions to close the campus off at certain points, providing more control over the students (Turner, 1995). Hopkins (1994) reported the traditional view of colleges and universities disappeared. There are cracks in the ivory tower (Hopkins, 1994) with an emphasis that colleges and universities are a “microcosm for a larger and increasingly violent society” (Whitaker & Pollard, 1993, p. xi). Because of concern regarding the safety on college and university campuses, the federal government implemented legislation to combat threats to institutions, such as sexual harassment and sexual violence. Strange and Banning (2001) specifically identified Title IX of the Educational Amendments of 1972 as legislation enacted to create safer more inclusive collegiate campuses. The April 4, 2011 Dear Colleague Letter provided guidance to institutions on effective implementation of federal legislation on college and university campuses to create safer learning environments. Sexual violence creates barriers to providing a safe environment for growth and development of college students (Garcia, Lechner, Frerich, Lust, & Eisenberg, 2012); hence the federal government’s requirement for institutions to take immediate and effective steps to eliminate these behaviors (USDOE, 2011).

A sense of belonging is key to an individual’s psychological feelings of safety and inclusion (Strange & Banning, 2001). How safe a student feels can have a direct impact on their campus involvement, use of campus resources, and their success (Fisher et al.,
2010). Safety and inclusion are complex issues facing colleges and universities, and the development of successful environments that encourage inclusion and safety must be developed from collaborative efforts from all campus constituents (Barry & Cell, 2009). A review of campus policies and practices should be considered when determining how they contribute or detract from a sense of safety and security, as well as making all students feel included (Fisher et al., 2010). Strange and Banning (2001) also suggested campus assessments that include an evaluation of physical environments and buildings, review of archival records from campus police, hearings, and review of pictures of campus artifacts that could send conflicting messages. Police reports, conduct proceedings, and other campus incident reports, should be reviewed for patterns and trends, events, and concerns about safety and inclusion (USDOE, 2011).

The Council of Ontario Universities (1991) reported, “The environment is experienced differently according to a person’s ethnicity, race, class, age, ability, and sexuality” (p. 10). Therefore, when a campus conducts a safety assessment, it should consider the needs of various campus constituents and groups—human aggregate—with the goal of improving the physical environment of the campus to decrease opportunities for sexual violence and increase inclusivity of all members (Council of Ontario Universities, 1991). Campus environments that do not tolerate sexual violence will minimize the opportunities for other crimes to occur (Council of Ontario Universities, 1991). Institutions of higher education must examine their campus climate to see the message that is being delivered through values, attitudes, and practices. Furthermore, “women’s safety is affected not only by the physical design of spaces but also by a
variety of other design factors such as policies, practices and services” (Council of Ontario Universities, 1991, p. 10). Physical and psychological aspects can both contribute and detract from campus safety and inclusion (Strange & Banning, 2001). A lack of safety or inclusion can potentially develop a hostile environment, and if individuals fear for their safety or do not feel a sense of belonging, it can be harmful to the individuals and the campus community. Strange and Banning (2001) cautioned, “Freedom from physical harm is one thing; feeling safe is another” (p. 115).

Title IX protects students from sexual harassment and sexual violence in higher education programs and activities. Environments in which sex discrimination is prohibited under Title IX include academic, educational, extracurricular, athletic, and other programs of the institution, whether they take place in a classroom or building on campus, or at a training program sponsored by the institution at a different location, or elsewhere (USDOE, 2011). A hostile environment may exist when sex-based harassment is sufficiently severe to deny or limit an individual’s ability to participate in or benefit from an educational program or activity (USDOE, 2001). A hostile environment can be created by anyone—administrators, faculty members, students, and campus visitors—involved in an institution’s program or activity (Gettler, 2017).

Sexual violence and the problem it poses for academic classrooms, campuses, and communities have received national attention (American Association of University Professors [AAUP], 2013). The prevention and management of sexual harassment incidents are generally considered under campus policy and procedures, whereas incidents of sexual violence, such as sexual assault, may result in criminal charges,
require medical attention, and raise concerns about reporting, record keeping, media attention, and involvement from local law enforcement (AAUP, 2013). The definitions of various acts of sexual violence and their status differ by state, community, research study, and institution, and colleges and universities are encouraged to define terms and conditions applicable for their individual campus environment (AAUP). Both the current environment and the effect that sexual violence has on individuals stress the importance of institutional response to sex discrimination and harassment. Although Title IX applies to sex discrimination and sexual harassment against students in educational settings, it was not until 1992 that sexual harassment received recognition as a form of discrimination (Franklin v. Gwinnett County Public Schools, 1992). Since then, advocates, higher education administrators, and the federal government have had a call to action to address these crimes in various ways, including the implementation of policies, procedures, training and education, and resources for victims (Amar, Strout, Simpson, Cardiello, & Beckford, 2014; Karjane, Fisher, & Cullen, 2005; USDOE, 2011).

Title IX of the Education Amendments of 1972

Juliano (2013) claimed, “Title IX of the Education Amendments of 1972 has done more than create a frenzy of ponytailed girls playing soccer” (p. 83). Title IX, enacted to resolve sex discrimination and harassment, was passed with two intentions: to avoid the use of federal funding to support discriminatory procedures, and to provide people with protection against those procedures and practices (Juliano, 2013). The preamble to Title IX states: “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” (20 U.S.C. §1681, 1972, para. a).

Representative Edith Greene added Title IX at the last minute to the Educational Amendments of 1972 at a committee hearing (Blumenthal, 2012). Today, Title IX goes beyond the classroom, financial aid, and athletics, since it prohibits sex discrimination in all academic, extracurricular, research, occupational training, or other educational programs (Blumenthal, 2012; Juliano, 2013; Kay, 1981). Title IX applies to all institutions receiving or benefitting from federal funding.

Until the early 1960s, it was common for women to be discriminated against based on their sex. Scientist Edward H. Clark (1873) believed women were both physically and mentally inferior to men. This mindset created an environment that resulted in women being strongly discouraged from entering the workforce, and if they did work, they were placed in lower positions than their counterparts (Lerner, 1999). According to Lerner (1999), during the 19th century, sexual harassment was included under the umbrella term of discrimination and not considered illegal. In 1964, Title IV of the Civil Rights Act prohibited employers from discriminating against any individual based on his or her race, color, sex, national origin, or religion (Dzeich & Weiner, 1984; Lerner, 1999; Navarre, 1997; Sinclair, 2012); however, Title IV did not apply to educational settings. Title VII of this act prohibited discrimination, including educational programs and activities, based on race, color, and national origin, but not sex.

Title IX impacted environments when President Nixon signed into law Title IX of the Education Amendments of 1972 to alleviate sex discrimination in educational settings
Title IX was initially developed to address disparity in science, technology, engineering, and math (STEM areas) among other areas, such as equality in athletics financial aid, and admissions (Duncan & Ali, 2012; Juliano, 2013; United States Department of Justice, 2012). Title IX, an antidiscrimination law, addressed sexual harassment and sexual violence on all school campuses, including colleges and universities. This law defined sex discrimination as a behavior that is “so severe, pervasive, and objectively offensive that it effectively hinders the victim’s access to an educational opportunity or benefit” (Jenkins, 2001, p. 4). It was not until almost 20 years later that sex discrimination received the official definition of sexual harassment, sexual assault, sexual battery, and rape (USDOE, 1997).

In 1975, the U.S. Department of Health, Education, and Welfare translated Title IX into specific regulations that President Ford signed into action (Juliano, 2013; Stromquist, 1993; Valentin, 1997). The first regulation stated any institution receiving federal financial assistance must name one employee to serve as the Title IX coordinator to oversee all institutional compliance efforts as well as investigate any allegations of sex discrimination under Title IX (Stromquist, 1993; Valentin, 1997). Additionally, institutions had to communicate the name, office address, and phone number of the Title IX coordinator to all staff, faculty, and students, as well as publish grievance procedures and nondiscrimination policies (Valentin, 1997). Institutions were also required to take remedial and affirmative steps to increase participation of students in programs or activities where bias has occurred under Title IX (Valentin, 1997). Upon the signing of
the regulations into action, all institutions receiving federal financial assistance were also required to perform a one-time self-evaluation, and any practices not in compliance with Title IX were to be immediately modified (Stromquist, 1993; Valentin, 1997). Since the ratification of Title IX, sex discrimination has not ended in educational settings, and the requirements have not changed drastically because institutions are still required to comply with the federal mandates (USDOE, 2011, 2014).

Title IX provided a three-prong test for sex discrimination (USDOE, 1997). First, discrimination can lead to individuals being excluded from participation in educational programs. Second, discrimination based on sex may deny individuals the benefit of educational programs even if they have been able to participate. Lastly, Title IX stated that institutions receiving federal funding must ensure no person will be subject to sex discrimination, and if an individual is a victim, the institution must have proper policies and protocol in place to eliminate the discrimination (USDOE, 1997).

In the United States, sexual violence was not viewed as a major political problem that touched entire communities until the late 1960s and 70s (McMahon & Baker, 2011). During the late 1960s and 1970s, the civil rights and feminist movements brought more attention to sexual assault as a social problem and assisted in the development of the antirape movement to end sexual violence (McMahon & Baker, 2011; Sinclair, 2012). Since the 1960s and 1970s, institutions, advocates, and the federal government have increased the visibility of sexual violence as a problem, especially in higher education, by investigating institutions for potential violations of the law (Amar et al., 2014; Karjane et al., 2005; USDOE, 2011, 2015).
Title IX Legislation and Federal Guidance

Forty years later, Title IX still aims to prevent sex discrimination and sexual harassment in educational settings (Juliano, 2013) and continues to extend beyond gender equality in athletics. The first Federal Title IX case against an educational institution was Alexander v. Yale University (1977). Five Yale students brought complaints against the institution, alleging quid pro quo harassment and hostile environment due to sexual harassment. Four of the five complaints were dismissed, leaving one student’s case to be heard. This complainant alleged she received a low grade in an academic class because she refused to engage in sexual activities with her professor. The Second Circuit confirmed that complainants have the right to sue for quid pro quo sexual harassment in an educational setting, since it deprives an individual of educational benefits, which, once proven, allows the court to afford relief (Alexander v. Yale University, 1977).

In 1979, Cannon v. University of Chicago was the first U.S. Supreme Court ruling that provided students a cause of action under Title IX against institutions receiving federal funding. Prior to Cannon (1979), Title IX had not been effective in eliminating sex discrimination in educational institutions, partially because individuals could not bring a complaint to court. Cannon (1979) established a legal right of action in which the Supreme Court held that individuals have a private cause of action under Title IX. Prior to this ruling, remedies for Title IX complaints were limited for harassed individuals.

In 1984, the court ruled in the Grove City College v. Bell (1984) case, that Title IX was only applicable to educational programs receiving direct federal funding. The Civil Rights Restoration Act of 1987 expanded the jurisdiction of Title IX. The act
mandated that all educational institutions receiving any type of federal financial assistance, direct or indirect, were responsible for complying with the Title IX statute.

In 1990, the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act (Clery Act) (1990), required all institutions receiving federal funding to maintain and publish information about campus crime occurring on or adjacent to the campus. This federal statute enacted by Congress is named after Jeanne Clery, a 19-year-old freshmen student at Lehigh University who was raped and murdered in her on-campus residence hall by another student in 1986 (RAINN.org, 2018). Thirty-eight violent crimes were recorded at the university in three years, but because the institution did not have to make their crime record public, the Clery family was not informed of the prior incidents (“Clery Requirements,” 2018). Clery Act statistics provide current and potential students, families, and employees of the institution with “accurate, complete, and timely information about campus safety to better inform future decisions” (Smith & Gomez, 2013, p. 7).

By October 1 of each year, institutional personnel must publish and distribute an annual security report to current and prospective students and employees. Additionally, they must maintain a log of all crimes reported or those in which they had knowledge of occurring, as well as give timely warnings of Clery crimes that pose a threat to the campus community (Gregory & Janosik, 2003; Smith & Gomez, 2013). Clery crimes are categorized into four different areas: (a) criminal offenses, (b) hate crimes, (c) Violence Against Women Act (VAWA) offenses, and (d) arrests and disciplinary referrals (USDOE, 2016). Table 1 provides a description of the crimes included in each of the
Clergy crime categories. It should be noted this list does not include all Clergy crimes, only those categories that fall under Title IX.

Table 1

*Clergy Crime Categories and Included Crimes Addressed in This Study*

<table>
<thead>
<tr>
<th>Category</th>
<th>Crimes Included</th>
</tr>
</thead>
<tbody>
<tr>
<td>Criminal Offenses</td>
<td>Sexual assault: rape, fondling, incest, statutory rape</td>
</tr>
<tr>
<td>Hate Crimes</td>
<td>Sexual assault: rape, fondling, incest, statutory rape</td>
</tr>
<tr>
<td>VAWA Offenses</td>
<td>Domestic violence, Dating violence, Stalking</td>
</tr>
</tbody>
</table>

President George Bush signed *The Campus Sexual Assault Victims’ Bill of Rights* into law in July of 1992 as a part of the campus security reporting requirements, commonly known as the Jeanne Clery Act. This amendment required institutions to provide certain basic rights to victims of sexual violence, such as notifying victims of their right to report the incident to law enforcement; to receive the same opportunity as the responding party to have others present during campus disciplinary procedures; to be notified of the outcome of any disciplinary proceeding; to receive available support and resources, such as counseling services; and to have access to interim measures and accommodations (e.g., change of academic and living arrangements) (Clery Center, 2018). The federal government passed additional amendments to the Clery Act in 1998, 2008, and 2014 to further require campuses to develop and disseminate prevention
policies and report a more comprehensive list of crime categories, including domestic violence, dating violence, and stalking. The penalty for noncompliance with the Clery Act includes a fine up to $35,000 for each violation or loss of federal student aid programs (USDOE, 2016).

While many educators reported they were unaware that acts of sex discrimination were occurring at their institutions until they were involved in a sex discrimination lawsuit or participated in a training on sex discrimination (Lewis, Hastings, & Morgan, 1993), the *Franklin v. Gwinnett County Public Schools* (1992) case illustrates that institutions have a responsibility to protect all students and to provide safe learning environments. This case was a reversal of two decisions made in lower federal courts. In *Franklin v. Gwinnett County Public Schools* (1992), the Supreme Court found in favor of Christine Franklin, a high school student subjected to sexual harassment and seeking monetary damages. In August of 1988, Franklin filed a sexual harassment complaint with the Office for Civil Rights (Russo, Nordin, & Leas, 1993). While the Office for Civil Rights determined that Franklin had been subjected to physical and verbal sexual harassment, the investigation ceased once the teacher responsible for the harassment, Andrew Hill, resigned from his position, and the school’s grievance procedures were deemed in compliance with Title IX. The Office for Civil Rights did not take further action when the school district assured that similar violations of sex discrimination would not take place in the future (Franklin v. Gwinnett County Public Schools, 1992).

The U.S. Supreme Court held that a damages remedy is available for the plaintiff in Title IX complaints (Russo et al., 1993). The court also established that sexual
harassment constituted sex discrimination under Title IX and educational institutions must take appropriate actions in response to a complaint (Franklin v. Gwinnett County Public Schools, 1992). Appropriate actions include an institution implementing preventative measures to end sexual harassment, creating and developing policies and procedures to prevent harassment, establishing grievance procedures that encourage reporting of sex discrimination, and creating educational response programs for faculty and staff (Franklin v. Gwinnett County Public Schools, 1992, Russo et al., 1993).

The U.S. Department of Education’s Office for Civil Rights published the Sexual Harassment Guidance in 1997 and later revised it in 2001 in response to Gesber v. Lago School District (1998) and Davis v. Monroe (1999). Both documents reiterated that a victim of sexual violence can experience trauma which can interfere with their academic performance and emotional and physical well-being (USDOE, 1997, 2001). A critical concern facing institutions was the ability to recognize that sexual harassment or sexual violence had occurred and if the institution took prompt and effective measures “to end the harassment, prevent its recurrence, and as appropriate, remedy its effects” (USDOE, 2001, p. 3). Schools received principles to recognize and respond to sexual harassment and sexual violence. Furthermore, institutions are required to develop, implement, and publicize grievance procedures to handle complaints of sex discrimination. Strong policies and effective grievance procedures are essential to preventing and remedying sexual violence to ensure safe learning environments that are free from discrimination (USDOE, 2001).
In Gesber v. Lago Vista School District (1998), the U.S. Supreme Court created a high standard of proof a student must meet to successfully bring a sexual harassment claim against an institution when an employee-student consensual relationship is the basis of the claim. The court laid out a strict standard for establishing liability on the part of an institution and held an individual cannot recover monetary damages against an institution unless the behavior has been reported to someone with the power to alter the situation, actual notice, and a deliberate indifference has been demonstrated by the school. Officials may avoid liability under the deliberate indifference standard by responding reasonably to a risk or harm, even if the harm ultimately was not prevented (DeMitchell, 2011; Jenkins, 2000). Gesber v. Lago Vista School District (1998) also brought about a three-part standard for addressing Title IX complaints: (a) an administrator of the educational institution must have possessed actual knowledge the harassment occurred; (b) the administrator must have had authority to address the behavior and resolve the harassment, and (c) the administrator must have failed to adequately respond to the harassment and, in failing to respond, acted with deliberate indifference.

Davis v. Monroe (1999) was the first student-on-student Title IX complaint. The prolonged pattern of sexual harassment of a fifth-grade girl by one of her classmates led the parents to complain to three teachers and a principal. The school acted deliberately indifferent and failed to act until the boy was charged with, and pled guilty to, sexual battery. The family filed a Title IX complaint, alleging that persistent harassment and deliberate indifference resulted in the girl’s inability to attend school and participate in
activities. The U.S. Supreme Court applied the same standards used in the *Gesber v. Lago Vista School District* (1998) case to find the institution liable for damages: the institution must have actual notice of the harassment and the institution must have responded to the harassment with deliberate indifference. Additionally, the court held the harassment must be severe, pervasive, and objectively offensive and the indifference systemic, to the extent the victim is deprived of educational opportunities or services (*Davis v. Monroe*, 1999). Deliberate indifference was further defined as a response that is clearly unreasonable considering the known circumstances (*Davis v. Monroe*, 1999).

In response to an increase in sexual violence complaints filed with the Office for Civil Rights, on April 4, 2011, the federal government issued the Dear Colleague Letter to school districts, colleges, and universities to address student-on-student sexual harassment and sexual violence. While this was not the first guidance document released by the federal government, it further clarified that if an institution knows, or reasonably should know, of possible sexual violence, an institution must take immediate and effective steps in responding to sexual harassment and sexual violence (*USDOE*, 2011). Per the U.S. Department of Education Office for Civil Rights (2011), an institution must take immediate action to eliminate the behavior, prevent its recurrence, and address its effects. Most importantly, the letter describes proactive measures for institutions to implement to prevent the sexual violence, and examples of solutions that institutions and Office for Civil Rights may use to end such behavior, prevent its recurrence, and address its consequences on college and university campuses (*USDOE*, 2011). These proactive measures include the following: (a) providing a notice of nondiscrimination to students,
employees, and other campus constituents; (b) identifying at least one individual to serve as the Title IX coordinator to oversee compliance and handle complaints; and (c) creating and publishing Title IX grievance procedures that provide prompt and equitable resolution of student-on-student sexual violence (USDOE, 2011).

Specifically, the 2011 DCL (a) provided guidance on the unique concerns that arise in sexual violence cases, such as an institution’s independent responsibility to investigate Title IX complaints apart from any separate criminal investigation by local law enforcement; (b) provided guidance and examples about key Title IX requirements and how they relate to sexual violence, such as the requirements to publish a policy against sex discrimination, identify and publicize the name and contact information of a Title IX coordinator, and create, implement, and publish grievance procedures; (c) discussed proactive efforts institutions can take to prevent sexual violence; (d) discussed the interplay between Title IX, the Family Educational Rights and Privacy Act (FERPA), and the Jeanne Clery Disclosure of Campus Security and Crime Statistics Act (Clery Act) as it relates to a reporting party’s right to know the outcome of his or her complaint, including relevant sanctions imposed on the responding party; and (e) provided examples of remedies and enforcement strategies that institutions and OCR may use to respond to sexual violence (USDOE, 2014).

In April 2014, the Department of Education Office for Civil Rights released the *Questions and Answers on Title IX and Sexual Violence*. This was a significant guidance document implemented to provide clarification about information presented in the 2011 DCL. The 2014 document clarified that the 2011 DCL was intended to supplement
OCR’s 2001 Guidance and reiterated that the 2001 Guidance was still in effect and should be read in conjunction with the 2011 DCL and the 2014 Questions and Answers on Title IX and Sexual Violence. The 2014 document posed a variety of questions for institutions to consider and then provided detailed responses to the questions, as well as examples of proactive measures institutions could implement to prevent sexual violence and address these behaviors within their campus communities (USDOE, 2014). The document further clarified many institutional obligations in responding to sexual violence. These obligations included identifying students protected by Title IX, grievance procedures required to resolve sexual violence reports, what employees are obligated to report incidents of possible sexual violence, how institutions should respond to requests of confidentiality by a reporting party, investigation and hearing procedures, required interim measures and accommodations, written outcome to both parties, requirements for an appeals process, types of training that should be provided to campus constituents, as well as what constitutes retaliatory behaviors (USDOE, 2014).

In April 2015, the Department of Education Office for Civil Rights released a Dear Colleague Letter that provided a reminder to institutions about designating at least one individual to serve as the Title IX coordinator on their campus. The 2015 DCL specifically addressed the role of the Title IX coordinator and emphasized the critical role the Title IX coordinator plays within a campus community. The DCL stressed the importance of the Title IX coordinator’s role in ensuring all members of the campus community are aware of their rights under Title IX and guaranteeing the institution complies with the legal obligations under Title IX (USDOE, 2015). The Office for Civil
Rights informed institutions that the Title IX coordinator must have the full institutional support, as well as proper authority, in order to be effective in carrying out the responsibilities in this role (USDOE, 2015).

The U.S. Department of Education (2015) was clear the the Title IX coordinator position must be filled at all times and therefore cannot be left vacant. Another recommendation was that the role as a fulltime position without any additional roles and responsibilities. Additionally, “the Title IX coordinator’s role should be independent to avoid any potential conflicts of interest and the Title IX coordinator should report directly to the recipient’s senior leadership, such as . . . the college or university president” (USDOE, 2015, p. 2). The guidance states the Title IX coordinator should not be an individual serving as a member of the institutions conduct board, general counsel, dean of students, or athletic director, since this may pose a conflict of interest. The Title IX coordinator must be trained in the institution’s policies and procedures for handling sexual violence, and be knowledgeable about campus and community resources (USDOE, 2015).

In September 2017, the U.S. Department of Education Office for Civil Rights rescinded both the 2011 Dear Colleague Letter and the 2014 Questions and Answers on Title IX and Sexual Violence. The federal government released the Q&A on Campus Sexual Misconduct, providing institutions with new interim guidance on handling reports of sexual violence. In the interim, the Department of Education directed institutions to utilize the interim guidance along with the 2001 Revised Sexual Harassment Guidance as guiding documents to provide direction on how OCR will assess Title IX compliance and
institutional responsibility in responding to reports of sexual misconduct, including student-on-student sexual harassment and sexual violence. This document provided institutions with choices on prior decisions considered mandates under the 2011 DCL. Institutions have a choice on what standard of proof is used to resolve sexual violence cases. They can either choose to utilize the preponderance of the evidence or clear and convincing standard (USDOE, 2017). However, a footnote in the 2017 document clarified that the standard used in sexual violence cases must also be used in other cases of student misconduct. Institutions received flexibility in appellate processes under the 2017 interim guidance. An institution can choose whether to provide appeal rights to the parties involved, and if there is an appeals process, both parties do not have to be provided the same right to an appeal. The 2017 interim guidance also removed the 60-day guideline for an institution to resolve a report of sexual violence. Rather, the guidance indicated institutions should resolve reports in a timely manner. Lastly, institutions were granted the right to utilize mediation to resolve cases of sexual misconduct if both parties agree to the resolution measures (USDOE, 2017).

Sexual Violence in Higher Education

Sexual violence has existed as a social problem for many decades on college and university campuses (Black et al., 2010; Harned, 2004; Karjane et al., 2002, 2005; Koss, Gidycz, & Wisniewski, 1987), and continues to be an ongoing problem (Amar et al., 2014; Hawkins & Domoney, 2012; Wiscombe, 2012). Traditional college campuses often pose risk factors for sexual abuse, including a community of young single students who often engage in excessive underage drinking (Fisher et al., 2010; Koss et al., 1987).
Fisher et al. (2010) stated, “Weekly happy hours advertising reduced-price beer and spirits, sporting event tailgate parties, post-exam celebrations coupled with illicit drug experimentation, and sexual promiscuity—not to mention Greek organization social mixers—have long been cornerstones of the collegiate experience” (p. 63).

Since the 1980s, colleges and universities have faced an increase in reports of violent and disruptive behavior (Carmody, 1990). Since the mid-1980s, sexual victimization of college students has received much needed attention, partially through the foundational work of Koss and colleagues (1987), who reported as many as one in four college-age women reported having experiences that met the legal definition of rape or attempted rape. Roiphe (1993) argued, “Whether or not one in four college women has been raped . . . is a matter of opinion, not a matter of mathematical fact” (p. 54). She further explained what one individual may consider rape may be another individual’s bad night. Tjaden and Thoennes’s (2006) National Violence Against Women Survey (NVAWS) confirmed the findings of Koss et al. (1987) by reporting adult women pose the highest risk of being raped. The NVAWS has consistently reported women in their late teens to early twenties are the age group with the highest rates of rape (Fisher et al., 2010). Researchers have argued that traditional college females are within the 18 to 24 years age range, placing them at a higher risk of being raped and experiencing sexual victimization (Fisher et al., 2010; Koss et al., 1987; Sinozich & Langton, 2014). During the time Koss and colleagues were discovering these data, the media focused on highly publicized sexual assault cases and allegations of reports improperly handled by college and university administrators (Bohmer & Parrot, 1993; Warshaw, 1988).
In 2000, the federal government began to fear that college and university campuses were not safe and funded a study of sexual victimization of collegiate women conducted by Fisher, Cullen, and Turner, who reported collegiate women experienced sexual violence at an average rate of 35.3 per 1,000 women in a seven-month period. When looking at these statistics of sexual violence on a 12-month basis, and based on an average five-year collegiate career, Fisher et al. (2000) estimated that 20-25% of collegiate women experience a completed or attempted rape.

Almost a decade later, Krebs, Lindquist, Warner, Fisher, and Martin (2007) reported sexual assault was a public health problem. Krebs and colleagues (2007) conducted a campus sexual assault study to further understand the prevalence of sexual violence in higher education and identify prevention and intervention efforts employed by college and university personnel. They also found an average of 19% of women in their study had experienced a completed or attempted sexual assault since entering college.

Sexual violence continues to be a problem facing colleges and universities (United Educators, 2015; USDOE, 2011). Sexual assault is most commonly perpetrated by someone the victim knows, such as a friend, classmate, partner, or acquaintance (Lonsway & Archambault, 2012; United Educators, 2015). In a report prepared for the National Institute of Justice, Krebs et al. (2007) related that approximately 6.1% of males were victims of completed or attempted sexual assault while attending college. In 2009, the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act (Clery Act) (1990) reported that approximately 3,300 forcible sex offenses defined by the Clery
Act occurred on college and university campuses. In 2015, United Educators examined sexual assault claims filed between 2011 and 2013 by institutions that it insured. A review of 305 claims from 104 institutions that involved an alleged sexual assault where a student was the victim revealed 60% of sexual assaults occurred on campus, and 41% involved off-campus parties. Ninety percent of sexual assaults occurred with someone the victim knew: a friend, ex-boyfriend, acquaintance, boyfriend, or classmate. Seventy-eight percent of the sexual assaults involved alcohol and, additionally, one in three victims were intoxicated, unconscious, or asleep when the assault occurred (United Educators, 2015). As institutions work toward preventing sexual violence within their campus community, United Educators (2015) encouraged a comprehensive approach to prevention and response to sexual violence.

The findings reported by United Educators (2015) supports the recommendation of Abbey (2002), who contended that those responsible for prevention programs focusing on alcohol misuses should collaborate with those responsible for programs on sexual violence prevention. College students are still open to new ideas; therefore, sexual violence prevention messages need to be provided to male and female college students early and frequently. Institutions should utilize orientation programs for new students, faculty, staff, and employees to share information about responsible decision making and sexual violence (Abbey, 2002; USDOE, 2011). A variety of mediums, such as videos, theater groups, role playing, and coed discussion groups, should be utilized to ensure all members of the audience are being reached (Abbey, 2002; United Educators, 2015; USDOE, 2011). Peer leaders are critical in showing students other students share these
concerns (Abbey, 2002). Education and training efforts should include members of Greek letter organizations, athletics, resident assistants, and other large social groups (Abbey, 2002; United Educators, 2015; USDOE, 2011, 2015). The beliefs of peers often motivate other students by demonstrating that not all members of Greek organizations or athletics teams approve of heavy drinking or forced sex can empower more students to show their disapproval (Abbey, 2002).

Reporting Sexual Violence

University administrators must not rely solely on the number of reported incidents when planning for campus support and resources, as this number is often low. Sexual violence is one of the most underreported crimes (Amar et al., 2014; Lonsway & Archambault, 2012; Rennison, 2002) with only 4 to 8% of victims reporting the victimization to campus authorities and 2% reporting to the police (Fisher, Daigle, Cullen, & Turner, 2003; Wolitzky-Taylor et al., 2011; Zinzow & Thompson, 2011). Fewer than 5% of completed and attempted rapes of college women are reported to law enforcement officials (Amar et al., 2014; Lonsway & Archambault, 2012; Mengo & Black, 2015; Rennison, 2002).

To gain support and assistance after an assault has occurred, victims of sexual violence often share their experiences with someone (Ahrens, Campbell, Ternier-Thames, Wasco, & Sefl, 2007). Many victims choose informal support such as family and friends (Fisher et al., 2003; Ullman & Filpas, 2001). When victims of sexual assault share their experiences with others, typically they receive positive reactions, but the impact of a
negative reaction may have a detrimental effect on recovery where positive reactions may have little to no effect (Ahrens et al., 2007; Ullman & Filpas, 2001).

Underreporting of sexual assault often presents campus administrators with many challenges. When administrators receive reports of an assault they can provide survivors with access to community resources and referrals that may assist in the healing process (Amar et al., 2014). Reporting also assists in identifying the alleged perpetrator and providing the university an opportunity to adjudicate the case and sanction the perpetrator if found responsible, ensuring a safe campus community (Amar et al.). However, if sexual assault goes unreported, perpetrators remain as members of the campus community and do not face consequences for their actions (Amar et al.).

Common reasons for not reporting sexual violence were similar across multiple research studies (Amar et al., 2014; Fisher et al., 2000; Sable, Danis, Mauzy, & Gallagher, 2006; Wolitzky-Taylor et al., 2011; Zinzow & Thompson, 2011). These barriers often include the victim’s lack of recognition that the experience was a crime (Amar et al., 2014; Sable et al., 2006), a request to not share publicly (Tillman, Bryant-Davis, Smith, & Marks, 2010), and concern the individual will not be able to prove that a crime occurred because often cases of sexual violence are one person’s word against another’s (Fisher et al., 2000; Walsh, Banyard, Moynihan, & Cohn, 2010). Individuals often choose to tell individuals in which they have established relationships and trust (Sable et al., 2006). Sable et al. (2006) found barriers to reporting were similar for both men and women: (a) shame, (b) guilt, (c) embarrassment, (d) fear of retaliation, (e) concerns of confidentiality, (f) financially dependent upon the perpetrator, (g) lack of
knowledge on where or how to report, (h) unaware of the importance of seeking help, (i) lack of available resources, (j) lack of trust in law enforcement and judicial system, and (k) cultural and language barriers.

A campus environment can impact a student’s decision to report sexual violence. Institutions may create barriers to reporting if they require a victim to participate in a university judicial proceedings, unintentionally ignore victim blaming during educational programs, and sanctioning a victim who was under the influence of alcohol or drugs when the assault occurred (Karjane et al., 2005). Victims who engage in alcohol or drug use are more likely to engage in self-blame and less likely to acknowledge what has happened to them as assault or to report the assault (Zinzow & Thompson, 2011). Victims of sexual violence also stated they often did not know how or where to report (Amar et al., 2014; Fisher et al., 2000; Hart & Colavito, 2011). Fisher et al. (2003) extended their research to identify situations in which a victim was more likely to report sexual violence and found the following: if a weapon was used, if the incident involved a stranger, if the assault occurred on campus property, not including residence halls, and if a victim was injured.

**Impact of Sexual Violence on College Students**

The impact of sexual violence on a college campus can place a tremendous amount of stress on a victim. Victims of sexual violence often have extensive needs including medical, legal, and psychological services. Medical needs may include examination and treatment of injuries, internal and external, testing and treatment for sexually transmitted infections (STI), and access to emergency contraception (Amar et
Legal support may include the collection of evidence, forensic examination and documentation, and assistance-seeking victim advocacy services (Amar et al., 2014; Matson, 2013; Smith & Gomez, 2013). Crisis intervention, counseling referrals, and follow-up are important to consider as psychological interventions (Decker & Naugle, 2009). According to Amar et al. (2014), college and university processes and protocols for responding to sexual violence incidents are often critical to providing consistency in treatment, referrals, and services.

When reviewing an assault, women often “attribute its cause to their own behavior during in the situation (e.g., not being careful enough) or to their personal character in general (e.g., being a reckless individual)” (Ullman, Peter-Hagene, & Relyea, 2014, p. 2). Physical injuries, increased arousal, guilt, anger, shame, fear, decreased self-esteem, depression, and anxiety may be short-term effects victims of sexual violence experience (Deitz, Williams, Rife, & Cantrell, 2015; Kress, Trippany, & Nolan, 2003; Ullman et al., 2014). Sexual violence can also have long-term negative effects (Amar et al., 2014; Campbell, Dworkin, & Cabral, 2009). This may include implications for mental and physical health, as well as social functioning (Fisher et al., 2000; Rennison, 2002; Tjaden & Thoennes, 2006; Zinzow et al., 2010). Victims of sexual violence may also develop substance abuse issues, eating or sleep-related disorders, posttraumatic stress syndrome, or depression, which in some cases may lead to suicide (Barry & Cell, 2009; Deitz et al., 2015; Ullman & Filpas, 2001).

When a student has been a victim of sexual violence, it can also be challenging for them to remain actively and successfully engaged in their academics and campus
environment (Barry & Cell, 2009; Karjane et al., 2002; Reinken, 2010). Many victims have poor attendance, inability to study, lower grades, withdrawal from class, change in major, and potentially, academic probation, dismissal, or withdrawal from the university (Barry & Cell, 2009; Reinken, 2010).

Summary

This chapter provided an overview of the relevant literature of this study and explored the theoretical framework of this study, Strange and Banning’s (2001) Environmental Theory. Strange and Banning (2001) provide a framework of how human environments, such as college campuses, can have implications for the policies and practices of higher education. This theory provides a framework of ideas for campus educators and administrators when structuring their work and improving the learning environments of the students they serve.

Furthermore, this chapter provided an overview of the history of Title IX, from its implementation in 1972 through the most recent legislation and guiding documents that control how colleges and universities are responding to student-on-student sexual violence. Over the past 40 years, the federal government has released guiding documents to provide colleges and universities with examples of how to respond to student-on-student sexual violence, as well made court decisions with profound effects on the implementation of Title IX in higher education.

This chapter further explored the prevalence of sexual violence in higher education. Title IX, while enacted in 1972 as a federal civil rights law, has recently reappeared as an important topic in higher education. Sexual violence continues to be a
problem facing colleges and universities today. The chapter offered discussions of the barriers to reporting sexual violence, causing it to be one of the most underreported crimes (Amar et al., 2014). Furthermore, this chapter explored factors contributing to college students being at a greater risk for experiencing sexual violence (Fisher et al., 2010; Koss et al., 1987) and examined the impact of sexual victimization on college students. Individuals who are victims of sexual violence often experience the need for medical, legal, and psychological services following an assault. Chapter 3 provides an overview of the research design of the study and the research questions.
CHAPTER 3

METHODOLOGY


This study examined institutional compliance with the April 4, 2011 DCL and explored institutional response to the 2011 DCL regulations by reviewing institutional sexual violence proactive efforts (noneducational), educational measures and services, incident investigation and judicial proceedings, and support services for victims of sexual
violence. Furthermore, this study explored university Title IX coordinators’ experiences regarding the implementation process of sexual violence policies, procedures, support and resources, and training and educational programs on their campuses to ensure compliance with Title IX. This chapter presents a reiteration of the research questions, the research design and its rationale, a description of the participant sample, validation measures, the role of the researcher, data collections procedures, and data analysis techniques.

Research Questions Reiterated

The following research questions guided this study:

1. What levels of institutional compliance were achieved applying the guidance of the April 4, 2011 Dear Colleague Letter?

2. How did the release of the April 4, 2011 Dear Colleague Letter guidance contribute to the development and implementation of:

   a. sexual violence policies and procedures,

   b. support services for victims of sexual violence, and

   c. education and training on sexual violence for faculty, staff, and students?

3. What strategies did institutions utilize as they developed and implemented:

   a. sexual violence policies and procedures,

   b. support services for victims of sexual violence, and

   c. education and training on sexual violence for faculty, staff, and students?
4. How do Title IX coordinators describe their experiences implementing Title IX compliance using the April 4, 2011 Dear Colleague Letter on their campus?

Rationale for Research Design

As the researcher “seeks to elaborate on or expand the findings of one method with another method” (Creswell, 2003, p. 16), a sequential explanatory mixed methods approach was most appropriate for this study. For example, phone interviews were conducted to further explain the responses to the self-assessment tool data and open-ended questions; thus, qualitative data was utilized to expound upon the quantitative findings (Creswell, 2003). Quantitative research attempts to establish relationships and explain cause of change in measured social facts (Bryman, 2006). In contrast, qualitative research is exploratory in nature and discovers emerging themes, insights, and understandings from the perspective of the study’s participants (Patton, 2002). A mixed methods study is helpful when little is known about a certain topic or when a “deep, wide-angle lens” is needed to reveal the depth and breadth of a phenomenon (Johnson & Christensen, 2008). A major advantage of a mixed methods study is it may allow the researcher to answer exploratory questions as well as verify and generate theory in the same study (Tashakkori & Teddlie, 2003). Per Creswell (2003), a researcher may select to study several programs at several research sites to show different perspectives on the issue. After conducting an online assessment tool to gather descriptive data, the researcher used a collective case study. For the collective case study, the researcher selected six case studies to study intensively. This research study will assist
administrators, specifically Title IX coordinators, in making more effective decisions in regard to strategies used by institutions to achieve compliance with the 2011 DCL and Title IX. Specifically these include the development of institutional sexual violence proactive efforts (noneducational), sexual violence educational measures and services, incident investigation and judicial proceedings, and support services for victims of sexual violence.

Research Design

According to Crotty (2013), there are four elements of research design: epistemology, theoretical framework, methodology, and research methods. Through the epistemology of pragmatism and the theoretical perspective of Strange and Banning’s (2001) Environmental Theory, the researcher explored institutional response to student-on-student sexual violence utilizing the 2011 Dear Colleague Letter guidance released by the Department of Education Office for Civil Rights. Specifically, the researcher utilized Strange and Banning’s Environmental Theory to explore the impact institutional policies and procedures, support services for victims, and sexual harassment and discrimination training and education for faculty, staff, and students had on six selected institutions.

Pragmatism allowed the researcher to use pluralistic approaches to research the problem and then apply varied approaches to develop knowledge about the problem (Tashakkori & Teddlie, 1998). Hesse-Biber (2010) argued the interpretive qualitative element of the method contextualizes the quantitative portion. Pragmatism centers on consequences of actions, and it is problem-centered, pluralistic, and real-world practice oriented (Creswell, 2013). It also focuses on what works at the time (Creswell, 2013) and
solutions to problems (Patton, 2002). The federal government has provided guidance to institutions on efforts institutions can take to prevent sexual violence, prevent its recurrence, and address its effects (USDOE, 2011) to ensure safety and inclusion on campus. It is through the implementation of laws that relate to equal treatment of all students, including Title IX of the Higher Education Amendments of 1972, that safety and inclusion are key characteristics for creating a campus environment that is free of discrimination and hostility (Strange & Banning, 2001).

Creswell (2003) stated, “For the mixed methods researcher, pragmatism opens the door to multiple methods, different worldviews, and different assumptions, as well as to different forms of data collection and analysis in the mixed methods study” (p. 12) that strategies studies adopting a singular approach are unable to achieve (Currell & Towler, 2003). This study included a self-assessment of institutional compliance levels with the 2011 DCL, open-ended questions, open-ended, semistructured phone interviews, and a document review of the Title IX website and the six selected sites’ institutional policy on sexual harassment and sexual misconduct.

Title IX coordinators at colleges and universities completed the Dear Colleague Letter-Compliance Instrument (DCL-CI) (Carroll et al., 2013), a self-assessment tool used to stratify participants based on institutional compliance levels with the 2011 DCL. The researcher then utilized a collective case study to illustrate the concern being studied (Creswell, 2013; Yin, 2012). According to Creswell (2013), a researcher may select to study several programs at several research sites to illustrate different perspectives on the issue. Consequently, the researcher chose six different sites for intensive study (Yin,
2014). The case study design may provide others with information about what to do or not to do in a situation, provide an explanation for differences of opinions, as well as give insight on successes and challenges in a situation (Merriam, 1998). Information gathered from the case studies may have a direct influence on policy, practice, and future research (Merriam, 1998). Therefore, the explanatory and exploratory nature of this research and the descriptive information gathered from the case studies will provide useful information for other colleges and universities as they respond to the mandates of the 2011 DCL.

The researcher utilized a sequential QUAN→qual sampling technique (Creswell & Plano, 2011). In sequential mixed methods studies, information from the first sample is often required to obtain the second sample (Kemper, Stringfield, & Teddlie, 2003).

Instrument and Listserv Approval

Mercer University’s Institutional Review Board reviewed the plans for this study. Approval was obtained prior to any data collection (see Appendix A). After IRB approval, no deviations from the proposed study were made to the research design. The Association of Title IX Administrators (ATIXA) and College and University Professional Association for Human Resources agreed to allow the researcher to distribute the self-assessment via listservs. Additionally, permission was obtained to use the self-assessment tool from all researchers and creators of the Dear Colleague Letter-Compliance Instrument (Carroll et al., 2013) (see Appendices C-E).

Sample and Participants

The initial sample for this study was comprised of Title IX coordinators at colleges and universities in the United States that receive federal financial assistance.
The Title IX coordinator had to be a member of the Association for Title IX Administrators (ATIXA) and/or the College and University Professional Association for Human Resources (CUPA-HR) Title IX Discussion Group to participate in the study.

Once data were collected from the Dear Colleague Letter-Compliance Instrument (DCL-CI), the researcher used purposeful stratified sampling, a well-known basic mixed methods sampling strategy (Teddlie & Yu, 2007). The data collected on the self-assessment were totaled together for each institution to provide an overall compliance score. The overall compliance score was determined by utilizing the four-point scale established by the researchers who created the DCL-CI, Carroll and colleagues (2013). The researcher then selected six Title IX coordinators with the highest compliance score for their institution to be studied intensively (Guest, Bunce, & Johnson, 2006). The Title IX coordinators must have indicated they were willing to participate in a follow-up phone interview to be contacted. Guest and colleagues (2006) stated 80% of meta-themes emerge from six participants without stratifying; therefore, the stratification process increased the validation of themes that emerge from the collected data.

Informed consent was secured online from all participants before proceeding to answer the self-assessment tool questions. The researcher maintained confidentiality by assigning a pseudonym to each participant and each institution. Participants received information explaining the administration of the self-assessment was part of a study on institutional compliance with the 2011 DCL and the development and implementation of sexual violence policies and procedures at colleges and universities. Appendix B contains a copy of the recruitment emails and informed consent form.
To ensure confidentiality, the researcher omitted the name of institutions, states in which institutions are located, name of participants, and other identifying information. The researcher assigned a pseudonym to each participant and each institution. The researcher conducted phone interviews and a review of published documents at six selected institutions. To participate in the phone interview and document review, the participant must have provided a name, email address, phone number, and indicated willingness to be contacted.

Data Collection

The data for this study were collected in three phases: an online self-assessment tool and open-ended survey questions, phone interviews, and a review of published documents. The first phase of data generated from participant responses on the Dear Colleague Letter-Compliance Instrument (DCL-CI) (Carroll et al., 2013). The researcher used an email with a Survey Monkey™ link to send a cover letter explaining the purpose of the study to Title IX coordinators. This link included the consent form for participants to indicate their willingness to participate before completing the self-assessment. The self-assessment tool, administered to Title IX coordinators throughout the United States who are members of the Association of Title IX Administrators (ATIXA) and/or the College and University Professional Association for Human Resources (CUPA-HR) Title IX Discussion Group, asked participants about institutional compliance with the 2011 Dear Colleague Letter. The participants had a total of six weeks to complete the self-assessment tool. On days 14 and 27, a reminder email was sent from the researcher through the ATIXA and CUPA-HR Title IX Discussion Group listservs. The participants
were asked to provide their contact information, name, email address and phone number, if they were willing to be considered for a follow-up phone interview.

After collecting data from the self-assessment on the DCL-CI, the researcher conducted the second phase of data collection. Purposeful stratified sampling served to identify six Title IX coordinators from the DCL-CI self-assessment who self-reported the highest overall compliance score. The Title IX coordinators also indicated they were willing to participate in follow-up phone interviews. The researcher followed a semistructured interview protocol and audio recorded and transcribed the phone interviews.

The last phase of data collection included a review of published documents at the selected six case study sites that participated in the phone interviews. The researcher reviewed the following documents from each of the six institutions: Title IX website and institutional policy on sexual harassment and sexual misconduct.

Instrumentation

The researcher utilized four sources for data collection in this study: (a) the DCL-CI self-assessment, (b) open-ended survey questions, (c) phone interviews, and (c) a review of published documents. To explore overall institutional compliance with the 2011 DCL, Title IX coordinators were asked to complete the online DCL-CI self-assessment tool. To gain multiple perspectives on how the 2011 DCL impacted campus sexual violence policies, procedures, resources for victims, and training and education for faculty, staff, and students, the researcher conducted phone interviews with Title IX coordinators at six institutions. The researcher utilized open-ended survey questions to
explore the Title IX coordinators’ role on their campus, as well as any challenges they faced in achieving Title IX compliance on their campus. In addition, the researcher examined documents, specifically, the six selected sites’ Title IX website and institutional policy on sexual harassment and sexual misconduct.

Dear Colleague Letter-Compliance Instrument

The Dear Colleague Letter-Compliance Instrument (DCL-CI) (Carroll et al., 2013) is a self-assessment tool for institutions used in this study to ascertain institutional compliance with the 2011 DCL. This self-assessment was used prior in one 2013 case study. Researchers Carroll et al. (2013) utilized a multistep process to develop the DCL-CI. First the researchers thoroughly read the Dear Colleague Letter and made a list of all recommendations and requirements that were applicable to colleges and universities. The items were then mapped for themes and similarities. From this list, four main categories were identified: proactive efforts (noneducational), victim support services, educational measures and services, and incident investigation and judicial proceedings. The DCL-CI consisted of 74 items. There were 45 items required for compliance, which included 18 proactive efforts (noneducational), 2 victim support services, 4 educational measures and services, and 21 incident investigation and judicial proceedings questions. There were 29 recommended best practices illustrated by the 2011 DCL items, which included: 10 proactive efforts (noneducational), 6 victim support services, 8 educational measures and services, and 5 incident investigation and judicial proceedings questions.

To provide a more comprehensive understanding of an institution’s level of compliance, the developers of the Dear Colleague Letter-Compliance Instrument “created
a four-point range of compliance levels to choose from when completing the instrument: not implemented, planned to be implemented, partially implemented, and fully implemented” (Carroll et al., 2013, p. 48). Each level of compliance sought to understand an institution’s current level of implementation of the actions required or recommended within the 2011 DCL (Carroll et al., 2013). This assessment tool provided descriptive statistics used to select the six case study sites. The researcher obtained permission to utilize the DCL-CI in this study. A copy of the full self-assessment is located in Appendix G.

Open-Ended Survey Questions and Demographic Information

The researcher included two open-ended survey questions to explore the Title IX coordinators’ roles on their campus and challenges they faced in achieving Title IX compliance on their campus. The self-assessment tool solicited demographic information. The researcher asked Title IX coordinators questions about characteristics of their institution, years of experiences as a Title IX coordinator, other responsibilities or titles they held within the institution, and their highest degree obtained. The demographic and open-ended survey questions are located in Appendix F.

Semistructured Phone Interviews

Interviews are structured conversations “with the purpose of obtaining descriptions of the life world of the interviewee with respect to interpreting the meaning of the described phenomena” (Kvale, 2007, p. 8). Upon completion of the self-assessment data collection phase, the researcher conducted open-ended, semistructured phone interviews with six Title IX coordinators at six institutions with the highest overall
compliance score with items on the DCL-CI who indicated their willingness to participate in the phone interview.

Data collected during the phone interviews provided the researcher information about each participant’s role in implementing the 2011 DCL guidance as well as the strategies used at the institutions to develop and implement policies, procedures, support and resources for victims, and training and education for all campus constituents. The researcher utilized a semistructured interview protocol (see Appendix H). Semistructured interviews are less structured and allow participants the freedom to express their views in their own terms (Merriam, 1998). This type of interview was appropriate for this study because the researcher wished to elaborate on the findings of the self-assessment tool and open-ended survey questions (Creswell, 2013). The questions were developed based on the major categories of the 2011 DCL and items from the DCL-CI, including (a) institutional response to Title IX complaints, (b) proactive efforts (noneducational), (c) victim support and resources, (d) policy and procedure development and implementation, (e) educational efforts and services, (f) training, (g) incident investigation and judicial proceedings, and (h) enforcement of Title IX. The researcher followed up with questions where more clarification was necessary during the phone interviews (Brinkmann & Kvale, 2005).

Published Documents

Finally, a review of published documents was conducted. Document review is useful in comparative analysis because it allows the research to compare information found on websites and in policies to information captured through interviews (Patton,
The documents reviewed included each of the six institution’s Title IX website and institutional policy on sexual harassment and sexual misconduct. Documents assist in qualitative research by providing descriptive and historical information and a way to track change and development (Glesne, 2006; Merriam, 1998; Patton, 2002). According to Creswell (2013), documents “represent data to which participants have given attention and serves as an unobtrusive source of information” (p. 192). The review of published documents was utilized as a secondary data source.

Validation

Joppe (2000) stated validity is a way to determine if the research study measured what was intended to be measured—the reliability of the results. Since the DCL-CI (Carroll et al., 2013) was used once in 2013 for a single site case study and derived from a legal guiding document, it had not been validated at the time of this study, but it does possess content validity. Content validity is the extent to which the elements within a measurement procedure are relevant and representative of the construct that they will be used to measure (Haynes, Hayward, & Lomas, 1995). The purpose of the DCL-CI was to measure institutional compliance with the 2011 DCL guidance document. Utilizing the DCL-CI, institutional compliance with the 2011 DCL was based on actions required for compliance and proposed best practices reported by the federal government in the 2011 DCL. Utilizing the April 4, 2011 DCL document, Carroll et al. (2013) identified actions required for compliance as well as recommended best practices. The researchers took these items from the DCL and used it to create the DCL-CI. The self-assessment accurately assessed the requirements provided in the 2011 Dear Colleague Letter.
Additionally, the researcher used the four criteria for trustworthiness of data identified by Lincoln and Guba (1985)—credibility, transferability, dependability, and confirmability—to validate the data collected in this study. Incorporating strategies of qualitative research validity enriched the trustworthiness of the data. Creswell (2013) and Glesne (1999) identified procedures for data trustworthiness for qualitative research studies: triangulation, peer review of data, rich, thick description, and member checking.

In a mixed methods study, triangulation is a form of validation (Stake, 2006). Stake (2006) stated, “Triangulation is an effort to assure that the right information and interpretation have been obtained” (p. 35). In this study, the principle of triangulation was followed by utilizing the mixed methods approach and multiple sources of data to confirm the emerging findings. The researcher collected data from an online self-assessment tool, open-ended questions, phone interviews, and documents. The use of multiple data sources added to the trustworthiness of the data through triangulation and justification of the emerging themes (Creswell, 2013).

Credibility seeks to establish the truth of the findings (Lincoln & Guba, 1985). Specifically, member checking was used to ensure the researcher represented the participants’ ideas accurately and removed any biases the researcher may have possessed (Glesne, 2006), thus enhancing the credibility of the study (Patton, 2002). The researcher provided all participants with a copy of their individual transcribed phone interview data. The participants received the opportunity to provide feedback and clarification of the data if necessary. In addition, peer review of the data received promoted consistency in coding and helped ensure dependability (Creswell, 2013; Lincoln & Guba, 1985).
To establish transferability, a rich, thick description is provided in Chapter 4 to allow readers to utilize the findings from this study in similar contexts (Glesne, 2006). A study is considered dependable if a researcher can replicate the research and achieve similar results (Glesne, 2006; Lincoln & Guba, 1985). An external audit also helps to ensure the descriptions and methods are accurate for others to use (Creswell, 2013; Glesne, 1999). An external auditor in the form of a dissertation committee member checked the method and analysis (Creswell, 2013; Glesne, 1999; Lincoln & Guba, 1985).

Lastly, confirmability is the degree in which the findings of the study are based on the participants’ responses without researcher biases (Lincoln & Guba, 1985). According to Creswell (2013) qualitative researchers often “position themselves” (p. 20) and bring their own background and experiences to their research and writing. The researcher is a key instrument for data collection, and researcher bias could influence the validity of the data collected if the researcher is not aware of her own values and objectives (Creswell, 2013). To address biases about the topic being studied that could cause potential dilemmas and conflicts, the researcher provided a self-reflection as a subjectivity statement (Creswell, 2013). A peer review assisted with confirmability of the data by ensuring the researcher’s opinion was not the only review of the data (Creswell, 2013; Glesne, 1999; Lincoln & Guba, 1985).

Role of the Researcher

The researcher’s biases may be a result of her professional experiences. The researcher has served in the role of a Title IX coordinator at two institutions over the past three years. At the time of this study, the researcher was the Title IX coordinator at a
small, private, four-year institution in the southeastern United States. The researcher served as the chair of the institution’s sexual assault task force, and she was responsible for the institution’s Title IX education and training efforts for faculty, staff, and students on campus. The researcher had been involved in the development of policies and procedures for sexual misconduct and relationship violence on both campuses in which she had worked.

As a professional, the researcher had served as a first responder to sexual violence on campuses, as well as a conduct hearing officer for sexual violence cases adjudicated through the university. To ensure the findings of this study are an accurate representation of the participants’ ideas and to remove any biases the researcher may possess, the researcher utilized multiple data sources, asked participants to member check the interview transcripts, conducted a peer review of the data, and provided a transparent description of the research steps taken from the beginning of the study until the reporting of findings through an audit trail (Creswell, 2013). Reviewing the researcher’s biases made the researcher more cognizant while coding the data (Creswell, 2013; Glesne, 1999; Lincoln & Guba, 1985).

Data Analysis

Descriptive statistics were used to analyze the self-assessment tool data using the Statistical Package for Social Sciences (SPSS) version 19.0. The researcher chose to code the qualitative data electronically using NVivo 11 Pro, a qualitative software program that facilitated data organization and retrieval (Richards, 2015). The researcher utilized an iterative cycle of data analysis, meaning both an inductive and a deductive
approach were used (Boyatzis, 1998; Creswell, 2013; Fereday & Muir-Cochrane, 2006; Grbich, 2013; Hesse-Biber & Leavy, 2010; Salmons, 2015). The iterative inquiry allowed the researcher to seek “meaning and develop interpretive explanations through a process of feedback” (Grbich, 2013, p. 17).

The researcher examined the open-ended questions and phone interviews individually using content analysis and both inductive and deductive reasoning. *Proactive efforts* (noneducational), *victim support services, educational measures and services, incident investigation* and *judicial proceedings* were the deductive themes used from the 2011 DCL (Carroll et al., 2013). Line-by-line coding was conducted using the iterative process to identify common content and frequencies. The initial codes were reviewed to determine the codes that would be retained to derive categories to support the deductive themes (Saldaña, 2015).

Next, the open-ended questions and transcripts were examined together for relational codes. *Systematic thematic analysis* (Bowen, 2009; Grbich, 2013) was used to identify codes, categories, and themes that related to the context of institutional compliance with the 2011 DCL. *Systematic thematic analysis* (Grbich, 2013) reduces data by looking for multiple occurrences (Bowen, 2009; Fereday & Muir-Cochrane, 2006; Hesse-Biber, 2010) of “repeated words or phrases, individuals, cases or narratives, the construction of intact narrative or case studies, or collating evidence of answers” (Grbich, 2013, pp. 61-62). Contextual themes were analyzed via mapping (Attride-Stirling, 2001; Creswell, 2013) deduction and induction until saturation was reached.
Lincoln and Guba (1985) defined saturation as the point when no new emerging themes are identified in data analysis.

The researcher utilized Saldaña’s (2015) definitions when coding the data: “A code symbolically assigns a summative, salient, essence-capturing and/or evocative attribute for a portion of the language-based or visual data” (p. 3). Categories were established when codes were grouped according to regular patterns (Saldaña, 2015). Saldaña (2015) reported a theme is “an outcome of coding, categorization, and analytic reflection” (p. 13) that is subtle and abstract. The definitions provided by Saldaña assisted the researcher to identify salient codes, categories, and themes from the data.

Reporting Results

The researcher used pseudonyms were used to reference all participants and institutions in the results section. Integration of the quantitative and qualitative data enhanced the research process and allowed the researcher to convey a deeper meaning of the research problem (Creswell & Plano, 2011). The data integration occurred through merging the data for comparisons during the analysis phase (Creswell, 2013).

Data analysis for this study utilized the QUAN→qual design to provide results using the sequential explanatory design (Creswell & Plano, 2011). The quantitative data results from the DCL-CI are reported in Chapter 4 using descriptive statistics in addition to written explanation of the data. The data are first reported with overall frequencies of compliance in each of the following areas: proactive efforts (noneducational), victim support services, educational measures and services, and incident investigation and judicial proceedings (Carroll, et al., 2013). Tables presented in Chapter 4 provide
institutional compliance scores on the DCL-CI in each of the categories. In addition, the researcher shared the experiences of the Title IX coordinators’ process of ensuring compliance at the six selected sites when answering research question four.

The findings of this study were enhanced using tables to display the results and demonstrate how the qualitative findings enrich the quantitative result (Creswell & Plano, 2011). Quotations and narratives were used to further support analysis and the researcher’s interpretations. Chapter 4 provides explanations and analyses of the results from the self-assessment tool, open-ended questions, phone interviews, and document review.

Summary

This chapter presented the research questions that guided this study, as well as the specific research design, epistemology and theoretical perspective, methodology, and methods utilized to investigate the strategies in which colleges and universities implement institutional sexual violence proactive efforts (noneducational), educational measures and services, incident investigation and judicial proceedings, and support services for victims of sexual violence. The study also examined university Title IX coordinators’ experiences regarding the implementation process and usage of the sexual violence policies and procedures on their campuses.

The sequential mixed methods approach for this study utilized both quantitative and qualitative data to provide a rich description and resources for institutions implementing the 2011 Dear Colleague Letter to prevent the occurrence of sexual violence on college and university campuses. Higher education administrators can utilize
the results of this study to develop more effective policies, procedures, support and resources for victims, and training and educational materials for campus constituents. The data analysis is discussed in Chapter 4, and the conclusions and implications are reported in Chapter 5.
CHAPTER 4

RESULTS

Sexual violence continues to be a pervasive problem facing college and university campuses (Amar, Strout, Simpson, Cardiello, & Beckford, 2014; Hawkins & Domoney, 2012; Wiscombe, 2012). Higher education administrators have a legal obligation (Lombardi & Jones, 2009; U.S. Department of Education [USDOE], 2011, 2017) to ensure the safety of all faculty, staff, students, and visitors (Baker & Boland, 2011; Carroll et al., 2013; Kaplan & Lee, 2009). This sequential, mixed-methods study examined institutional compliance and response to student-on-student sexual harassment and sexual violence using the regulations set forth by the USDOE Office for Civil Rights April 4, 2011 Dear Colleague Letter (DCL).

This study, conducted in 2016 before the September 2017 rescission of the 2011 DCL and 2014 Questions and Answers on Title IX and Sexual Violence, examined how institutions utilized the 2011 DCL guidance to develop and implement sexual violence policies and procedures, support services for victims of sexual violence, and education and training on sexual violence for faculty, staff, and students. Additionally, this study described the experiences of campus Title IX coordinators in their role as the university administrators responsible for ensuring Title IX compliance. The following section provides a description of the participants. The findings from the Dear Colleague Letter-Compliance Instrument (DCL-CI) online-self assessment tool, open-ended questions,
phone interviews, and document review are also reported in this chapter. The researcher assigned pseudonyms and removed all identifying information for participants, institutions, and documents to protect confidentiality of the research participants and sites. Table 2 presents the research questions that guided this study, along with the instrument used to collect data to answer each research question.

Table 2

*Research Questions and Data Collection Sources*

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<tbody>
<tr>
<td>1. What levels of institutional compliance were achieved applying the guidance of the April 4, 2011 Dear Colleague Letter?</td>
<td>Dear Colleague Letter-Compliance instrument (self-assessment tool)</td>
</tr>
<tr>
<td>2. How did the release of the April 4, 2011 Dear Colleague Letter guidance contribute to the development and implementation of a. sexual violence policies and procedures, b. support services for victims of sexual violence, and c. education and training on sexual violence for faculty, staff, and students?</td>
<td>Semistructured phone interviews; Document Analysis</td>
</tr>
<tr>
<td>3. What strategies did institutions utilize as they developed and implemented a. sexual violence policies and procedures, b. support services for victims of sexual violence, and c. education and training on sexual violence for faculty, staff, and students?</td>
<td>Semistructured phone interviews; Document Analysis</td>
</tr>
<tr>
<td>4. How do Title IX coordinators describe their experiences implementing Title IX compliance using the April 4, 2011 Dear Colleague Letter on their campus?</td>
<td>Semistructured phone interviews; Open-ended question</td>
</tr>
</tbody>
</table>
Quantitative and qualitative research methods were used to analyze the data collected in this study. These methods included descriptive statistics, deductive and inductive thematic analysis, and content analysis (Attride-Stirling, 2001; Hsieh & Shannon, 2005). The chapter begins with a description of the participants, followed by the findings for each research question.

Participant Description

Members of the Association of Title IX Administrators (ATIXA) and College and University Professional Association for Human Resources (CUPA-HR) Title IX Online Community listservs received link through email to participate in the study and complete the Dear Colleague Letter-Compliance Instrument (DCL-CI) online self-assessment tool. Data collection began Wednesday, December 23, 2015 and continued until Tuesday, February 2, 2016. The researcher sent a reminder email on January 6, 2016 and January 19, 2016. The researcher emailed 1,398 individuals through the two online listservs and collected 55 responses on the DCL-CI, a 4% response rate. Of the total responses collected, 32 of those were complete for an overall 2% response rate. Twenty-two respondents indicated they were willing to participate in a follow-up phone interview, and 33 respondents indicated they were not willing to participate in a follow-up phone interview or did not answer the question.

Of the 32 participants who responded to the online DCL-CI self-assessment tool statements, 84% were female and 16% were male. Eighteen percent of the participants were between 18 and 35 years old. The majority of participants (32%) reported being between 36 to 45 years old, and 29% reported being 46 to 55 years old. Thirteen percent
of the participants were between 56 to 65 years old, and 8% reported being over 65 years of age. Most participants (84%) identified as White/Caucasian, 11% of the participants identified as African American, and 5% identified as Hispanic/Latino(a). Forty-five percent of the participants reported an educational preparation of at least a master’s degree, while 42% reported an advanced degree. One participant reported possessing both a Juris Doctorate and a Doctor of Education degree.

The researcher totaled the self-reported scores for all items on the DCL-CI to assign an overall compliance score to each institution. Using the highest overall scores, the researcher contacted 11 Title IX coordinators who indicated their willingness to participate in follow-up phone interviews. Of the 11 participants contacted, three did not respond to the researcher’s email, and two stated they were no longer interested in participating. Six individual phone interviews were conducted with Title IX coordinators at institutions located throughout the United States. Table 3 contains demographic information for the six Title IX coordinators who participated in phone interviews.

Table 3

Demographic Information of Phone Interview Participants

<table>
<thead>
<tr>
<th>Name</th>
<th>Identified Gender</th>
<th>Age Range (years)</th>
<th>Race/Ethnicity</th>
<th>Highest Degree Earned</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lucy</td>
<td>Female</td>
<td>36-45</td>
<td>Hispanic/Latino(a)</td>
<td>Doctorate</td>
</tr>
<tr>
<td>Charleigh</td>
<td>Female</td>
<td>36-45</td>
<td>African American</td>
<td>Juris Doctorate</td>
</tr>
<tr>
<td>Emma</td>
<td>Female</td>
<td>56-65</td>
<td>White/Caucasian</td>
<td>Master’s</td>
</tr>
<tr>
<td>Jillian</td>
<td>Female</td>
<td>26-35</td>
<td>White/Caucasian</td>
<td>Master’s</td>
</tr>
<tr>
<td>Kayln</td>
<td>Female</td>
<td>36-45</td>
<td>White/Caucasian</td>
<td>Master’s</td>
</tr>
<tr>
<td>Jeremy</td>
<td>Male</td>
<td>Over 65</td>
<td>White/Caucasian</td>
<td>Bachelor’s</td>
</tr>
</tbody>
</table>
Each phone interview participant’s total years of experience as a Title IX coordinator ranged from less than one year to five years, with the majority, 67%, serving one year or less. Many of the phone interview participants, 83%, reported being in their current Title IX coordinator position for one year or less. Table 4 represents the interviewed participants’ years of experience as Title IX coordinators, as well as their years of experience at their current institution. Pseudonyms were used in place of institution and participant names.

Table 4

*Phone Interview Participants’ Years of Title IX Coordinator Experience*

<table>
<thead>
<tr>
<th>Title IX Coordinator/Institution</th>
<th>Total Years as a Title IX Coordinator</th>
<th>Years in Current Title IX Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lucy/Island Community College</td>
<td>5</td>
<td>1</td>
</tr>
<tr>
<td>Charleigh/Spires University</td>
<td>&lt;1</td>
<td>&lt;1</td>
</tr>
<tr>
<td>Emma/Sharpe University</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>Jillian/The College of America</td>
<td>&lt;1</td>
<td>&lt;1</td>
</tr>
<tr>
<td>Kayln/Bell University</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Jeremy/Pioneer University</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>

Five of the six cases the researcher chose to study intensively were public, four-year institutions, and one, Island Community College, was a public, two-year community college. The majority of the institutions (83%) enrolled between 5,000-15,000 students. Table 5 provides institutional characteristics for the six sites the researcher chose to study intensively as case studies.
Table 5

*Institutional Characteristics of Six Selected Sites*

<table>
<thead>
<tr>
<th>Institution Name</th>
<th>Institution Type</th>
<th>Number of Students</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spires University</td>
<td>Public, Four-year</td>
<td>5,000-15,000</td>
</tr>
<tr>
<td>Sharpe University</td>
<td>Public, Four-year</td>
<td>&lt;5,000</td>
</tr>
<tr>
<td>Island Community College</td>
<td>Public, Two-year</td>
<td>5,000-15,000</td>
</tr>
<tr>
<td>Pioneer University</td>
<td>Public, Four-year</td>
<td>5,000-15,000</td>
</tr>
<tr>
<td>The College of America</td>
<td>Public, Four-year</td>
<td>5,000-15,000</td>
</tr>
<tr>
<td>Bell University</td>
<td>Public, Four-year</td>
<td>5,000-15,000</td>
</tr>
</tbody>
</table>

Findings

Descriptive statistics were used to illustrate the responses to the DCL-CI online assessment tool. Nvivo 11 Pro, a qualitative computer software program, was used to organize, code, and retrieve the qualitative data (Richards, 2015). Line-by-line coding was conducted in an iterative process, meaning the researcher inductively and deductively identified initial codes, and the results were further reviewed to determine the codes that would be retained or collapsed to derive patterns or themes (Fereday & Muir-Cochrane, 2006). The researcher considered code frequencies for the analysis of themes in conjunction with document analysis and applicable descriptive statistical analyses for triangulation. Codes frequently mentioned by more than one participant were included in the analysis (Lincoln & Guba, 1985).

Research Question 1

Participant responses on the Dear Colleague Letter-Compliance Instrument (DCL-CI) (Appendix G) online self-assessment tool were analyzed to answer research question
1: What levels of institutional compliance were achieved applying the guidance of the April 4, 2011 Dear Colleague Letter?

Participants self-reported their institution’s level of implementation with each item on the instrument using a four-point range of compliance developed by the creators of the DCL-CI (Carroll, et al., 2013). The items on the DCL-CI were assigned the following scores by the participants: 1: not implemented, 2: planned to be implemented, 3: partially implemented, and 4: fully implemented (Carroll et al., 2013). Participants were asked to self-report their institution’s level of compliance in four areas: (a) proactive efforts (noneducational), (b) educational measures and services, (c) victim support services, and (d) incident investigation and judicial proceedings. Each of these areas contained items required for compliance and recommended best practices according to the 2011 DCL.

The DCL-CI consisted of 74 total items. Forty-five of these items were required for compliance, and 29 were recommended best practices according to the 2011 DCL. Table 6 reports the categories, question numbers, and designates what DCL-CI statements were required for compliance or recommended best practices.
Table 6

_Dear Colleague Letter-Compliance Instrument Items_

<table>
<thead>
<tr>
<th>Category</th>
<th>Statements</th>
<th>Required for Compliance</th>
<th>Recommended Best Practices</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proactive Measures (Noneducational)</td>
<td>15-32</td>
<td>x</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>33-42</td>
<td>-</td>
<td>x</td>
</tr>
<tr>
<td>Victim Support Services</td>
<td>43-44</td>
<td>x</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>45-50</td>
<td>-</td>
<td>x</td>
</tr>
<tr>
<td>Educational Measures and Services</td>
<td>51-54</td>
<td>x</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>55-62</td>
<td>-</td>
<td>x</td>
</tr>
<tr>
<td>Incident Investigations and Judicial Proceedings</td>
<td>63-83</td>
<td>x</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>84-88</td>
<td>-</td>
<td>x</td>
</tr>
</tbody>
</table>

_DCL-CI Overall Compliance Scores_

The highest possible compliance score an institution could receive on the DCL-CI was 403 points: 224 for required for compliance statements and 179 for recommended best practices statements. Of the 32 participants who completed the DCL-CI, none reported achieving a perfect score (403 points) on all items on the self-assessment tool. One participant reported fully implementing (224 points) all required practices for compliance items. None of the participants reported fully implementing all recommended best practices items.

The average participant score on required for compliance DCL-CI items was 191.19 ($SD = 42.46$); recommended best practices $M = 142.28$ ($SD = 42.46$); and overall compliance $M = 333.47$ ($SD = 67.28$). Table 7 provides the 32 participants’ scores for
recommended required for compliance items, best practices items, and the overall compliance score.

Table 7

*DCL-CI Overall Scores of Self-Assessment Tool Participants*

<table>
<thead>
<tr>
<th>Participant Number</th>
<th>Required for Compliance</th>
<th>Best Practices Total</th>
<th>Overall Compliance Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>203</td>
<td>146</td>
<td>349</td>
</tr>
<tr>
<td>2</td>
<td>127</td>
<td>137</td>
<td>264</td>
</tr>
<tr>
<td>3</td>
<td>207</td>
<td>162</td>
<td>369</td>
</tr>
<tr>
<td>4</td>
<td>84</td>
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<td>146</td>
</tr>
<tr>
<td>5*</td>
<td>206</td>
<td>153</td>
<td>359</td>
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<td>130</td>
<td>151</td>
<td>281</td>
</tr>
<tr>
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<td>215</td>
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<td>221</td>
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<td>380</td>
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<td>147</td>
<td>365</td>
</tr>
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<td>168</td>
<td>380</td>
</tr>
<tr>
<td>32</td>
<td>182</td>
<td>123</td>
<td>305</td>
</tr>
</tbody>
</table>

**Possible Points** | 224 | 179 | 403 |

**Mean** | 191.19 (42.46) | 142.28 (42.46) | 333.47 (67.28)

*Note.* * Indicates selected case study institutions who also were available for interviews.
The following sections presents institutional scores for each required for compliance and recommended best practices category on the DCL-CI. The highest possible required for compliance score an institution could receive for each category was: 76 points proactive efforts, 8 points victim support services, 40 points educational measures, and 92 points incident investigation and judicial proceedings. The average participant score on all proactive efforts required for compliance items was 76.38 ($SD = 8.69$); victim support services $M = 7.84$ ($SD = 0.88$); educational measures and services $M = 33.94$ ($SD = 9.71$), and incident investigation and judicial proceedings $M = 76.13$ ($SD = 3.59$).

The highest possible compliance score an institution could receive for each recommended best practices category was 56 points proactive efforts, 28 points victim support services, 76 points educational measures, and 20 points incident investigation and judicial proceedings. The average participant score on all proactive efforts items was 42.28 ($SD = 7.64$); victim support services $M = 25.03$ ($SD = 3.57$); education measures and services $M = 59.81$ ($SD = 18.41$); and incident investigation and judicial proceedings $M = 15.16$ ($SD = 7.25$). Table 8 provides participant scores for required for compliance and recommended best practices items and the average required for compliance and recommended best practices compliance scores in each category on the DCL-CI.
Table 8

*DCL-CI Required for Compliance and Recommended Best Practices Scores by Category*

<table>
<thead>
<tr>
<th>Participant Number</th>
<th>Proactive Efforts</th>
<th>Victim Support Services</th>
<th>Educational Measures and Services</th>
<th>Incident Investigation and Judicial Proceedings</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>76 (35)</td>
<td>8 (28)</td>
<td>40 (69)</td>
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</tr>
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<td>37 (66)</td>
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<td>84 (53)</td>
<td>8 (28)</td>
<td>38 (67)</td>
<td>89 (19)</td>
</tr>
<tr>
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<td>84 (51)</td>
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<td>39 (76)</td>
<td>92 (20)</td>
</tr>
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<td>92 (20)</td>
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<td>92 (19)</td>
</tr>
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<td>8 (28)</td>
<td>37 (65)</td>
<td>91 (19)</td>
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<td>8 (24)</td>
<td>33 (59)</td>
<td>89 (19)</td>
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<td>92 (17)</td>
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<td>39 (64)</td>
<td>83 (20)</td>
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<td>35 (48)</td>
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<td>80 (47)</td>
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<td>32 (73)</td>
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<tr>
<td>32</td>
<td>66 (37)</td>
<td>8 (26)</td>
<td>27 (46)</td>
<td>81 (14)</td>
</tr>
</tbody>
</table>

Possible Pts. 84 (56) 8 (28) 40 (76) 92 (20)

**Mean 76.38 (42.28) 7.84 (25.03) 33.94 (59.81) 73.16 (15.16)**

*Note. *Indicates selected case study institutions who also were available for interviews

**Required for Compliance Score (Recommended Best Practices Score)**
Proactive Efforts (Noneducational)

The 2011 DCL called for the implementation of proactive efforts (noneducational) on college and universities campuses. This required that each institution designate at least one person to oversee all Title IX compliance, publish and widely distribute grievance procedures, and ensure the Title IX coordinator’s information was easily accessible (USDOE, 2011). Thirty-two participants responded to all 28 statements about proactive efforts. The highest score possible for proactive efforts required for compliance items was 84 points. The highest score possible for proactive efforts recommended best practices items was 56 points. Seven participants reported their institution had fully implemented all proactive efforts required for compliance items. None of the participants reported full implementation of the proactive efforts recommended best practices items. Two participants reported a high score of 55 for proactive efforts recommended best practices.

Victim Support Services

The 2011 DCL also called for the implementation of victim support services on college and university campuses. These services included providing access to medical facilities, counseling services, housing accommodations, academic assistance, and crisis services to individuals who had experienced sexual violence. Thirty-two participants responded to all eight statements about victim support services. The highest score possible for the victim support services required for compliance items was eight points. The highest score possible for the victim support services recommended best practices items was 28 points. Thirty-one institutions reported their institution had fully
implemented all required for compliance victim support services items. Eleven institutions reported fully implementing all victim support services recommended best practices items. In total, 11 institutions reported full implementation of all victim support services items.

Educational Measures and Services

The third component of the 2011 DCL, educational measures and services, focused on training and the availability of educational materials about sexual harassment and sexual violence to all members of the campus community. Thirty participants responded to all 12 statements about educational measures and services. The highest score possible for the educational measures and services required for compliance items on the DCL-CI was 40 points. The highest score possible for the educational measures and services recommended best practices items was 76 points. Nine participants reported full implementation of all educational measures required for compliance items on their campus. One participant reported full implementation with all educational measures and services recommended best-practices items. None of the 30 participants reported full implementation of all educational measures and services required for compliance and recommended best practices items.

Incident Investigation and Judicial Proceedings

The final component, incident investigation and judicial proceedings, addressed the investigation and resolution processes implemented by institutions to handle reported cases of sexual violence on campus. Twenty-seven participants responded to all 26 statements about incident investigation and judicial proceedings. The highest score
possible for incident investigation and judicial proceedings required for compliance statements on the DCL-CI was 92 points. The highest score possible for the incident investigation and judicial proceedings best practices statements on the DCL-CI was 20 points. Eleven participants reported fully implementing all incident investigation and judicial proceedings required for compliance items. Ten participants also reported full implementation with all incident investigation and judicial proceedings best practices items. Seven participants reported their institutions fully implemented all incident investigation and judicial proceedings required for compliance and recommended best practices items.

**Case Study Sites**

The researcher used the compliance scores reported on the DCL-CI to select the six sites to study intensively. The six sites were chosen based on high self-reported compliance scores and the site coordinator’s willingness to participate in a follow-up phone interview. None of the six selected institutions reported fully implementation of all items on the DCL-CI. However, all had higher mean scores than the mean scores of the entire sample and corresponding smaller standard deviations.

Pioneer University was the only institution that reported full compliance with all required for compliance items from the 2011 DCL-CI. The average participant score for the six selected sites on all DCL-CI items required for compliance was 218.00 ($SD = 6.60$); recommended best practices items $M = 157.33$ ($SD = 10.97$); and overall compliance $M = 375.33$ ($SD = 13.97$). Table 9 reports participants’ total scores and the
average for all required for compliance and recommended best practices items for the six selected institutions.

Table 9

*Overall Compliance Scores on the DCL-CI for Six Selected Institutions*

<table>
<thead>
<tr>
<th>Institution Name</th>
<th>Required Total</th>
<th>Best Practices Total</th>
<th>Total Compliance Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spires University</td>
<td>222</td>
<td>176</td>
<td>398</td>
</tr>
<tr>
<td>Bell University</td>
<td>220</td>
<td>161</td>
<td>381</td>
</tr>
<tr>
<td>The College of America</td>
<td>221</td>
<td>159</td>
<td>380</td>
</tr>
<tr>
<td>Pioneer University</td>
<td>224</td>
<td>144</td>
<td>368</td>
</tr>
<tr>
<td>Sharpe University</td>
<td>215</td>
<td>151</td>
<td>366</td>
</tr>
<tr>
<td>Island Community College</td>
<td>206</td>
<td>153</td>
<td>359</td>
</tr>
<tr>
<td>Possible Points</td>
<td>224</td>
<td>179</td>
<td>403</td>
</tr>
<tr>
<td>Mean</td>
<td>218.00 (6.60)</td>
<td>157.33 (10.97)</td>
<td>375.33 (13.97)</td>
</tr>
</tbody>
</table>

The following sections present institutional scores for each section on the DCL-CI including proactive efforts (noneducational), victim support services, educational measures, and incident investigation and judicial proceedings. Pioneer, Sharpe and Spires Universities reported full implementation of all proactive efforts required for compliance items. None of the six sites reported achieving the total number of points for proactive efforts recommended best practices items. Spires University reported one of the highest scores with 55 points on the proactive efforts recommended best practices items.

The average participant score for the six selected sites on all proactive efforts required for compliance was 81.33 ($SD = 3.93$); proactive efforts recommended best practices items $M = 44.00$ ($SD = 7.35$); and overall proactive efforts compliance $M =$
Table 10 reports participants’ total scores on all proactive effort items and the average score for all proactive efforts required for compliance and proactive efforts recommended best practices items for the six selected institutions.

Table 10

*Total Scores for Proactive Efforts Items on DCL-CI for Six Selected Institutions*

<table>
<thead>
<tr>
<th>Institution Name</th>
<th>Required Total</th>
<th>Best Practices Total</th>
<th>Total Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spires University</td>
<td>84</td>
<td>55</td>
<td>139</td>
</tr>
<tr>
<td>Bell University</td>
<td>80</td>
<td>48</td>
<td>128</td>
</tr>
<tr>
<td>The College of America</td>
<td>82</td>
<td>43</td>
<td>125</td>
</tr>
<tr>
<td>Sharpe University</td>
<td>84</td>
<td>36</td>
<td>120</td>
</tr>
<tr>
<td>Pioneer University</td>
<td>84</td>
<td>36</td>
<td>120</td>
</tr>
<tr>
<td>Island Community College</td>
<td>74</td>
<td>46</td>
<td>120</td>
</tr>
<tr>
<td>Possible Points</td>
<td>84</td>
<td>56</td>
<td>139</td>
</tr>
<tr>
<td>Mean</td>
<td>81.33 (3.93)</td>
<td>44.00 (7.35)</td>
<td>125.33 (7.47)</td>
</tr>
</tbody>
</table>

All six of the sites reported full implementation of all victim support services required for compliance items. Spires, Bell, and Sharpe Universities reported full implementation of all victim support services recommended best practices items. Spires, Bell, and Sharpe Universities also reported full implementation of all victim support services required for compliance and recommended best practices items.

The average participant score for the six selected sites on all victim support services required for compliance was 8.00 (SD = 0.00); victim support services recommended best practices $M = 27.50$ (SD = 0.55); and overall victim support services compliance $M = 35.5$ (SD = .55). Table 11 reports participants’ total scores on all victim support services items and the average for all victim support services required for
compliance and victim support services recommended best practices items for the six selected institutions.

Table 11

*Total Scores for Victim Support Services Items on DCL-CI for Six Selected Institutions*

<table>
<thead>
<tr>
<th>Institution Name</th>
<th>Required Total</th>
<th>Best Practices Total</th>
<th>Total Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spires University</td>
<td>8</td>
<td>28</td>
<td>36</td>
</tr>
<tr>
<td>Bell University</td>
<td>8</td>
<td>28</td>
<td>36</td>
</tr>
<tr>
<td>The College of America</td>
<td>8</td>
<td>27</td>
<td>35</td>
</tr>
<tr>
<td>Sharpe University</td>
<td>8</td>
<td>28</td>
<td>36</td>
</tr>
<tr>
<td>Pioneer University</td>
<td>8</td>
<td>27</td>
<td>35</td>
</tr>
<tr>
<td>Island Community College</td>
<td>8</td>
<td>27</td>
<td>35</td>
</tr>
<tr>
<td>Possible Points</td>
<td>8</td>
<td>28</td>
<td>36</td>
</tr>
<tr>
<td>Mean</td>
<td>8 (0.00)</td>
<td>27.50 (0.55)</td>
<td>35.5 (0.55)</td>
</tr>
</tbody>
</table>

Bell University, The College of America, and Pioneer University reported full implementation of all educational measures and services recommended best practices items. None of the six sites reported full implementation of all educational measures and services recommended best practices items, nor did any of the six sites report full implementation of all educational measures and services items.

The average participant score for the six selected sites on all educational measures and services required for compliance was 38.33 ($SD = 2.07$); educational measures and services recommended best practices items $M = 67.33$ ($SD = 5.28$); and educational measures and services overall compliance $M = 104$ ($SD = 5.25$). Table 12 reports participants’ total scores on all educational measures and services items and the average
for all educational measures and services required for compliance and educational
measures and services recommended best practices items for the six selected institutions.

Table 12

Total Scores for Educational Measures and Services Items on DCL-CI for Six Selected
Institutions

<table>
<thead>
<tr>
<th>Institution Name</th>
<th>Required Total</th>
<th>Best Practices Total</th>
<th>Total Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spires University</td>
<td>38</td>
<td>74</td>
<td>102</td>
</tr>
<tr>
<td>Bell University</td>
<td>40</td>
<td>68</td>
<td>108</td>
</tr>
<tr>
<td>The College of America</td>
<td>40</td>
<td>70</td>
<td>110</td>
</tr>
<tr>
<td>Sharpe University</td>
<td>37</td>
<td>70</td>
<td>107</td>
</tr>
<tr>
<td>Pioneer University</td>
<td>40</td>
<td>61</td>
<td>101</td>
</tr>
<tr>
<td>Island Community College</td>
<td>35</td>
<td>61</td>
<td>96</td>
</tr>
</tbody>
</table>

Possible Points: Required Total 40; Best Practices Total 76; Total Score 116

Means: Required Total 38.33 (2.07); Best Practices Total 67.33 (5.28); Total Score 104 (5.25)

Spires, Bell, and Pioneer Universities reported full implementation of all incident
investigation and judicial proceedings recommended best practices items. Pioneer
University and Island Community College reported full implementation of all incident
investigation and judicial proceedings recommended best practices items. Pioneer
University was the only selected site that reported full implementation of all incident
investigation and judicial proceedings items.

The average participant score for the six selected sites on all incident investigation
and judicial proceedings required for compliance was 90.33 (SD = 2.42); incident
investigation and judicial proceedings recommended best practices items $M = 18.67$ (SD
= 1.37); and incident investigation and judicial proceedings overall compliance $M = 109$
(SD = 3.16). Table 13 reports participants’ total scores on all incident investigation and
judicial proceedings items and the average for all incident investigation and judicial proceedings required for compliance and incident investigation and judicial proceedings recommended best practices items for the six selected institutions.

Table 13

<table>
<thead>
<tr>
<th>Institution Name</th>
<th>Required Total</th>
<th>Best Practices Total</th>
<th>Total Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spires University</td>
<td>92</td>
<td>19</td>
<td>111</td>
</tr>
<tr>
<td>Bell University</td>
<td>92</td>
<td>17</td>
<td>109</td>
</tr>
<tr>
<td>The College of America</td>
<td>91</td>
<td>19</td>
<td>110</td>
</tr>
<tr>
<td>Sharpe University</td>
<td>86</td>
<td>17</td>
<td>103</td>
</tr>
<tr>
<td>Pioneer University</td>
<td>92</td>
<td>20</td>
<td>112</td>
</tr>
<tr>
<td>Island Community College</td>
<td>89</td>
<td>20</td>
<td>109</td>
</tr>
<tr>
<td>Possible Points</td>
<td>92</td>
<td>20</td>
<td>112</td>
</tr>
<tr>
<td>Mean</td>
<td>90.33 (2.42)</td>
<td>18.67 (1.37)</td>
<td>109 (3.16)</td>
</tr>
</tbody>
</table>

The six case study sites had higher mean scores than the average mean scores of the total sample. This evidence lends support for a detailed case study of these six sites because of their required and best practices compliance scores on the DCL-CI self-assessment tool.

Document Analysis

The researcher retrieved and reviewed documents published online at the six selected sites. Content analysis was used to analyze the documents and triangulate data collected from other sources (Hsieh & Shannon, 2005). The documents reviewed from each of the six institutions included the Title IX website and institutional policy on sexual violence. Each of the six sites reported having a website designated for Title IX
information and policies addressing sexual harassment and sexual violence on their campus. The researcher utilized each institution’s Title IX website and policy to triangulate the data reported by participants on the DCL-CI and the phone interview transcripts at the six selected sites.

Table 14

 Reviewed Documents and Description

<table>
<thead>
<tr>
<th>Document</th>
<th>Document Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title IX Website</td>
<td>Location where information was retrieved on policies and procedures, available resources and support, and important contacts, such as the Title IX coordinator.</td>
</tr>
<tr>
<td>Sexual Violence Policy,</td>
<td>The institution’s policy (or policies) that addressed sex and gender-based harassment and discrimination on campus.</td>
</tr>
<tr>
<td>Sexual Harassment Policy,</td>
<td>On some campuses this included the Student Code of Conduct.</td>
</tr>
<tr>
<td>Title IX Policy</td>
<td></td>
</tr>
</tbody>
</table>

Specifically, the researcher reviewed the Title IX website at each selected site to confirm the following:

- Title IX coordinator’s name and contact information
- List of support services for victims of sexual violence
- Report of available educational measures and services (i.e., training)
- Easy access of the institution’s policy or policies to address sexual harassment and sexual violence from the Title IX website.

Upon review of the websites at the six institutions, the researcher found all six of the Title IX coordinators’ information was visible and accessible on the Title IX website.
All of the institutions, except Spires University, provided information about available on and off-campus resources and support available for victims of sexual violence. Some of the available resources included counseling, police, medical assistance, interim measures and accommodations, and options for reporting an incident. Four of the six institutions published information for access to educational measures and services on their campus. Pioneer University provided links to training for students, student organizations, graduate assistants, employee training, and access to the information presented at the leadership retreat. The College of America provided educational information about bystander intervention and risk reduction. Island Community College also provided an online educational video about consent. Spires and Bell University did not provide additional information about educational measures and services. Phone interviews indicated each institution had a policy to address sexual violence. Upon review of each site’s website, the researcher was able to locate the documents governing the policies and procedures utilized to address sexual harassment and sexual violence. Table 15 provides a review of the information provided on the Title IX website at each of the six selected sites.
Table 15

*Information Provided on the Title IX Website at the Six Selected Sites*

<table>
<thead>
<tr>
<th>Institution Name</th>
<th>Published Title IX Coordinator Information</th>
<th>Support Services for Victims</th>
<th>Educational Measures and Services</th>
<th>Sexual Violence Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bell University</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Island Community College</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Pioneer University</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Sharpe University</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Spires University</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>The College of America</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

The researcher also examined the sexual harassment and sexual violence policy documents for data triangulation. The documents were reviewed for the Title IX coordinator’s name and contact information, support services available for victims of sexual violence, and the institution’s policy and procedures for investigating and resolving cases of sexual violence. The College of America, Bell, Pioneer, and Spires Universities had the Title IX coordinators’ contact information published in the sexual harassment or Title IX policy. All of the institutions, except Spires University, discussed the role of the Title IX coordinator and provided contact information for victim support services in the institution’s policy. Lastly, explanations of steps for conducting an investigation and resolving cases of sexual violence were available on all six selected sites. Table 16 presents a review of the information that was reported in each site’s policy addressing sexual harassment and sexual violence.
Table 16

_Review of Sexual Harassment and/or Sexual Violence Policy at Six Selected Sites_

<table>
<thead>
<tr>
<th>Institution</th>
<th>Published Title IX Coordinator Information</th>
<th>Support Services for Victims</th>
<th>Incident Investigation and Judicial Proceedings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bell University</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Island Community College</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Pioneer University</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Sharpe University</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Spires University</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>The College of America</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

In addition to having higher mean scores for the DCL-CI survey, these institutions had the documentation to support their responses on the self-assessment tool and so seem to be exemplars for how institutions implemented the 2011 DCL guidance. Interviews provided clarification of this process.

**Institutional Response to the 2011 Dear Colleague Letter**

Participant responses from phone interviews were analyzed to answer research questions 2 and 3. Research question 2 was: How did the release of the April 4, 2011 Dear Colleague Letter guidance contribute to the development and implementation of

a. sexual violence policies and procedures,

b. support services for victims of sexual violence, and

c. education and training on sexual violence for faculty, staff, and students?
Research question 3 was: What strategies did institutions utilize as they developed and implemented

a. sexual violence policies and procedures,

b. support services for victims of sexual violence, and

c. education and training on sexual violence for faculty, staff, and students?

Participant responses to the phone interviews were coded, combined into categories, and then collapsed into themes. Inductive and deductive thematic analysis was used to analyze the categories to support the following deductive themes derived from the 2011 DCL-CI: (1) proactive efforts (noneducational), (2) victim support services, (3) educational measures and services, and (4) incident investigation and judicial proceedings (Carroll et al., 2013). The researcher examined how the release of the 2011 DCL contributed to the development and implementation of each of these on college and university campuses. All of the participants discussed implementation and their uses of strategies synergistically in this data. The researcher also used these themes to explore the strategies institutions utilized to implement each of the above themes in the areas of sexual violence policies and procedures; support services for victims of sexual violence; and education and training on sexual violence for faculty, staff, and students.

The following sections present each deductive theme derived from the 2011 DCL in detail. Direct quotes from the six participants’ transcripts support each of the themes. Tables show the relationship between the categories and themes. Table 17 provides a list of all categories and themes used to respond to the second and third research questions.
Table 17

All Categories and Themes from Phone Interviews

<table>
<thead>
<tr>
<th>Category</th>
<th>N Supporting Category</th>
<th>Theme</th>
</tr>
</thead>
<tbody>
<tr>
<td>Designated Persons Working with Title IX Compliance</td>
<td>6</td>
<td>1. Proactive Efforts (Noneducational)</td>
</tr>
<tr>
<td>Sexual Harassment and Sexual Misconduct Polices</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Campus Resources</td>
<td>6</td>
<td>2. Victim Support Services</td>
</tr>
<tr>
<td>Community Resources</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Interim Measures and Accommodations</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Individuals Trained</td>
<td>6</td>
<td>3. Educational Measures and Services</td>
</tr>
<tr>
<td>Training Topics and Methods</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Investigation Process</td>
<td>6</td>
<td>4. Incident Investigation and Resolution Process</td>
</tr>
</tbody>
</table>

Theme 1: Proactive Efforts (Noneducational)

The 2011 DCL called for institutions to create and implement proactive efforts (noneducational). In total, seven initial codes were identified through inductive and deductive analysis. The researcher grouped initial codes into two categories to support the theme that derived a priori from the DCL-CI. The categories identified by the researcher to support proactive efforts (noneducational) were (a) designated persons working with Title IX compliance and (b) sexual harassment and sexual misconduct polices. Table 18 illustrates the codes and categories from the phone interviews that support the theme: proactive efforts (noneducational). The following sections report the findings that address research questions 2 and 3.
Table 18

*Codes and Categories from Phone Interviews to Support Theme 1: Proactive Efforts*

<table>
<thead>
<tr>
<th>Initial Code</th>
<th>Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fulltime Title IX Coordinators</td>
<td>1A. Designated Persons Working with</td>
</tr>
<tr>
<td>Deputy Title IX Coordinators</td>
<td>Title IX Compliance</td>
</tr>
<tr>
<td>Responsible Employees</td>
<td></td>
</tr>
<tr>
<td>Separate Title IX Policy</td>
<td>1B. Sexual Harassment and Sexual</td>
</tr>
<tr>
<td>One-Policy, One-Process Model</td>
<td>Misconduct Polices</td>
</tr>
<tr>
<td>Sexual Harassment Policy</td>
<td></td>
</tr>
<tr>
<td>Sexual Misconduct Policy</td>
<td></td>
</tr>
</tbody>
</table>

Category 1A: Designated persons working with Title IX. The first finding supporting the theme *proactive efforts (nioneducation)* was designated persons working with Title IX compliance. Each of the six institutions reported identifying individuals to support the institution’s Title IX compliance efforts. The following paragraphs provide a discussion of the role of the Title IX coordinator, Deputy Title IX coordinators, as well as responsible employees required to report incidents of sexual violence to the institution.

The 2011 DCL stated each institution must identify at least one person to serve as the Title IX coordinator. The guidance strongly recommended the position be fulltime and the person serving in the role should not be assigned other responsibilities. The researcher found prior to the 2011 DCL, each of the six institutions had a designated individual as the Title IX coordinator, but the release of the DCL resulted in all six of the institutions reevaluating and restructuring the roles and responsibilities of the position.

In response to the 2011 DCL, Spires University and The College of America created fulltime Title IX coordinator positions. The individuals serving as the Title IX
coordinator at these institutions did not possess other responsibilities outside of Title IX compliance. Island Community College, and Pioneer, Bell, and Sharpe University reported reevaluating the existing Title IX coordinator position on their campus and implementing changes in response to the release 2011 DCL. However, the individuals serving as the Title IX coordinators (Lucy, Jeremy, Kayln, and Emma) on these campuses were also required to perform other roles and responsibilities outside of Title IX.

*Multiple roles.* In January 2015, the Assistant Vice President of Student Life at Pioneer University asked Jeremy to serve as the Title IX coordinator in addition to being the Assistant Director of Employee Relations. Jeremy shared, “I think the only reason the AVP selected me outside her own organization . . . was that in Human Resources, I was doing all the Title VII investigations. The AVP knew I had at least some investigative experience.”

Like Jeremy, Kayln, also worked at the institution prior to obtaining the role of Title IX coordinator at Bell University. Kayln reported that she was designated as the Title IX coordinator in August of 2014. She shared, “I served as the Director of Student Conduct and Academic Integrity and also the Title IX coordinator.” She believed she was chosen for the role because she had received the most Title IX training. Kayln stated in June of 2015, “I convinced everybody that I needed help because doing all that was a bit much.” She received a promotion and the title of Associate Dean of Student Conduct and Academic Integrity in addition to her continuing role as the University Title IX coordinator. According to Pioneer and Bell Universities’ Title IX website, a fulltime
Title IX coordinator has been hired since interviewing Kayln and Jeremy. The Bell University Title IX coordinator was also responsible for Clery compliance.

Lucy, at Island Community College, also had other roles and responsibilities outside of Title IX. She reported that on top of her responsibilities as the Title IX coordinator, she was responsible for approximately 18 other functional areas including, but not limited to, enrollment management, admissions, registration, financial aid, outreach, military veterans program, disability services, student success, and various others. She stated, “This is the flattest organization setup for student affairs that I have ever seen because those are all direct reports. I say too much people, too much, so I am trying to create some structure to that.” At the time of the interview, Lucy had been serving in dual roles—Vice Chancellor for Student Life and Title IX coordinator—for approximately 18 months.

Lastly, Emma at Sharpe University indicated she had always been the Title IX coordinator. She also served as the Director of Human Resources and the Equal Opportunity Officer, but she did not receive the official title of Title IX coordinator until 2011 after the release of the DCL. Emma stated she wears “several hats, but [she does not] think that is unusual for such a small campus [less than 5,000].”

Supervisor of coordinator. Additionally, the 2015 DCL guidance clarified the role and responsibilities of the Title IX coordinator and stated the position should report directly to the institution’s senior leadership, such as the president or chancellor. Spires University and Island Community College were the only institutions that reported having the Title IX coordinator supervised by the chancellor of the institution. Table 19
provides the position title of the Title IX coordinators’ supervisors as the six selected sites.

Table 19

*Supervisory Titles of Title IX Coordinators*

<table>
<thead>
<tr>
<th>Title IX Coordinator</th>
<th>Institution</th>
<th>Position Title of Supervisor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Charleigh</td>
<td>Spires University</td>
<td>Chancellor</td>
</tr>
<tr>
<td>Emma</td>
<td>Sharpe University</td>
<td>Vice Chancellor for Finance and Administration</td>
</tr>
<tr>
<td>Jeremy</td>
<td>Pioneer University</td>
<td>Director of Human Resources</td>
</tr>
<tr>
<td>Jillian</td>
<td>The College of America</td>
<td>Chief Diversity Office and Vice President for Student Affairs</td>
</tr>
<tr>
<td>Kayln</td>
<td>Bell University</td>
<td>Vice President for Student Affairs</td>
</tr>
<tr>
<td>Lucy</td>
<td>Island Community College</td>
<td>Chancellor</td>
</tr>
</tbody>
</table>

*Deputy Title IX coordinators.* Beyond identifying a Title IX coordinator, all six institutions designated individuals to serve as Deputy Title IX coordinators. Deputy Title IX coordinators are employees of the institution that typically work fulltime in other campus departments outside of the Title IX office (U.S. Department of Education [USDOE], 2011). Deputy Title IX coordinators assist the Title IX coordinator by accepting and responding to reports of sexual misconduct. For this study, the participants reported the Deputy Title IX coordinators worked in the following functional areas: athletics, human resources, student life, first year experience, residence life, academic affairs, and student conduct. Table 20 displays the different functional areas in which Deputy Title IX coordinators were housed at the six institutions.
Table 20

*Functional Areas of Deputy Title IX Coordinators at Six Selected Sites*

<table>
<thead>
<tr>
<th>Institution</th>
<th>Functional Area of Deputy Title IX Coordinators</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bell University</td>
<td>Residence Life</td>
</tr>
<tr>
<td></td>
<td>First Year Experience</td>
</tr>
<tr>
<td></td>
<td>Human Resources</td>
</tr>
<tr>
<td>Island Community College</td>
<td>Human Resources</td>
</tr>
<tr>
<td></td>
<td>Student Life</td>
</tr>
<tr>
<td>Pioneer University</td>
<td>Athletics</td>
</tr>
<tr>
<td></td>
<td>Student Life</td>
</tr>
<tr>
<td>Sharpe University</td>
<td>Student Life</td>
</tr>
<tr>
<td>Spires University</td>
<td>Academic Affairs</td>
</tr>
<tr>
<td></td>
<td>Athletics</td>
</tr>
<tr>
<td>The College of America</td>
<td>Residence Life</td>
</tr>
<tr>
<td></td>
<td>Student Conduct</td>
</tr>
<tr>
<td></td>
<td>Human Resources</td>
</tr>
</tbody>
</table>

Five of the six institutions added Deputy Title IX coordinators after the release of the 2011 DCL. However, this was different at Spires University. Prior to hiring a fulltime Title IX coordinator, Spires University had four deputies that reported to the Director of Human Resources who served as the Title IX coordinator. Since hiring Charleigh as the Title IX coordinator, the university actually decreased the number of deputies to two: one in academic affairs and one in athletics. Charleigh stated she believed the decrease in the number of deputies was due to the implementation of the fulltime Title IX coordinator position. Charleigh reported, “My roles and responsibilities
include not only investigations but prevention and programming.” Much of what the deputies were responsible for was included in her role as the coordinator.

The roles of Deputy Title IX coordinators varied some among the six selected sites. The deputies at Island Community College not only receive reports of sexual misconduct, but they also work closely with the investigation team and investigate reports of sexual misconduct. Furthermore, Lucy shared that Island Community College compensated each Deputy Title IX coordinator with approximately $4,000 per year. Emma at Sharpe University stated the institution was intentional in choosing the Vice Chancellor for Student Life as the deputy. She stated, “For a lot of students, they would probably know the Deputy Title IX coordinator because of her role”; thus, more likely to report to her.

*Responsible employees.* Under Title IX, whether an individual is obligated to report incidents of alleged sexual violence generally depends on whether the individual has been designated as a responsible employee by the institution (USDOE, 2014). According to OCR’s *2001 Guidance*, a responsible employee is any employee who has the authority to take action redress sexual violence, report incidents of sexual violence and any other misconduct by students to the Title IX coordinator or other appropriate school designee, or whom a student could reasonable believe has this authority or duty. Institutions must make it clear to all campus constituents which staff and faculty members have been identified as responsible employees so students can make informed decisions about whether to disclose information about sexual violence to those employees (USDOE, 2014). Responsible employees must receive training on their reporting
obligations as well as support and resources for reporting parties (USDOE, 2014). A responsible employee must report incidents of sexual violence to the Title IX coordinator or other appropriate designee (USDOE, 2014). The DCL did not state what individuals on each campus should be designated as a responsible employee; therefore, this was different at each of the campuses in this study.

Spires University designated supervisors and their subordinates as responsible employees on their campus. Bell University and Island Community College designated all employees as responsible. In the case of Bell University, located in a state that passed a law requiring all faculty and staff to be designated as responsible employees, state law dictated who those individuals were on campus. This also included student staff such as resident assistants, desk aids, and desk supervisors in the residence halls. Peer mentors assigned to work with new students during orientation activities were also designated as responsible employees at Bell University.

Lucy at Island Community College stated, as the Title IX coordinator, she took the position that all employees are responsible employees: “If you look like an employee, smell like an employee, you are an employee. That includes student leaders. If a student thinks you are in a position of power or authority, then you are considered a responsible employee”.

Pioneer University identified all employees except adjunct professors as responsible employees, including graduate assistants. Jeremy related that students in graduate assistant (GA) positions were designated as responsible employees because they are often in contact with students on a daily basis:
They are in close contact with the students on a daily basis and, because of their age, one day they are a student and the next day they are a graduate assistant. When our students see them in the course of day-to-day academic pursuits, sometimes the GA is acting as a GA and sometimes they are acting as a student themselves.

Jeremy shared that the students often see the graduate assistants as individuals who could assist if they were to receive a report of sexual violence, therefore designating the graduate assistants as responsible employees also protected the University.

According to Jillian, The College of America identified responsible employees as “all upper level administrators and our deans, directors of all academic departments, all student affairs staff, our resident assistants—it is essentially everyone that is not faculty”. Faculty or individuals in departments such as information technology, custodial services, maintenance, or administrative assistant positions were not designated responsible employees. Jillian provided details for the institution’s decision as to why they had not chosen to designate faculty as responsible employees.

We don’t know if our students consider our faculty as someone that they would go to in those situations. So what we have been looking at is conducting a focus group with students to determine whether or not they would consider the faculty a responsible employee or they would consider going to a faculty member for that type of incident. We are finding true to focus groups is that they would not [report to faculty] so we are looking at probably not changing the definition of our responsible employees right now.
Additionally, different from Pioneer University, Jillian conveyed not all student employees were designated responsible employees because if they did not understand they were responsible and what that required of them, the general counsel office believed it was a liability for the institution.

Category 1B: Sexual harassment and sexual misconduct policies. The 2011 DCL mandated institutions to have grievance procedures in place for students to report sexual violence. However, the 2011 DCL did not provide specific guidance on institutional policies and procedures to address sexual harassment and sexual misconduct. Therefore, the policies and procedures put in place to address these behaviors were specific to each campus community. All of the institutions, except Island Community College, reported having grievance procedures in place prior to the 2011 DCL, but each institution reported reviewing and making necessary revisions to ensure compliance post 2011 DCL. For example, Jillian stated, “Every year since 2011, [we] have had to make whatever adjustments to the Student Code of Conduct from new legislation.” Charleigh from Spires University echoed this: “We are actually doing policy modifications. We already had our sexual misconduct policy and our sexual harassment policy . . . but both have been revised.”

At the time of the interviews, Bell University and Island Community College were the only two institutions from the six sites that possessed a standalone sexual misconduct policy. Kayln shared that, when the 2011 DCL was released, administration reviewed and updated the existing sexual harassment policy in order to be in compliance with the 2011 DCL. However, this policy only applied to students, not faculty and staff.
Kayln stated, “I worked really closely with the new director at that time, my predecessor [Director of Student Conduct and Academic Integrity], to develop a new policy. And that new policy, thankfully, is the one that I am working with now.” The new policy was a comprehensive sexual misconduct policy that included faculty, staff, and students. The policy addressed behaviors such as sexual harassment, sexual assault, domestic violence, dating violence, and stalking.

Lucy at Island Community College stated, “We didn’t have an office of institutional equity and we did not have a policy on sex discrimination and gender-based violence” prior to 2011. According to Lucy, in late 2015, They [the state system] wanted us to make sure we [were] compliant with Title IX. Also, because [another school in the system] had been in the spotlight with OCR violations under Title IX, we realized our policies that we currently had didn’t match the mandates so we developed [an] interim policy.

It was only after the institution created the Office of Institutional Effectiveness, post 2011 DCL, that a comprehensive sexual misconduct policy at Island Community College was created that applied to faculty, staff, and students. Similar to Island Community College, Sharpe University is located in a state in which the university system mandates the policies and procedures on college and university campuses. Emma said having two separate polices was a “wrinkle that is part of the system”, indicating that it was often challenging working from two separate documents.

Post 2011, Pioneer University still had a separate code of conduct, policies, and procedures in place for faculty, nonfaculty (staff), and students. Jeremy stated, “I think
all of us involved in Title IX are emotionally and intellectually grabbed by the one policy, one process concept . . . but we move at a glacial speed on some things.” He reported that Pioneer University was working toward developing a new sexual misconduct policy that would replace the current sexual harassment policy and some aspects of the student code of conduct.

Jillian reported adjustments were made to the student code of conduct at The College of America after the release of the 2011 DCL. Specifically, Jillian shared The College of America had to change their appeals process, change to the preponderance of the evidence standard, and clarify language about the role of an advisor in the institution’s proceedings after the release of the 2011 DCL. At the time of the interview, she indicated, “Right now I am actually working on creating a Title IX policy that will hopefully go through the Board of Governors.” This would be a comprehensive Title IX policy for faculty, staff, and student.

Much like The College of America, Charleigh at Spires University said, “We didn’t change very much at all. Our student policies—we were already using the preponderance of the evidence, so that stayed the same”. Spires, like many of the other institutions, also had separate policies for employees and students. All of the institutions reported since 2011, their institutions constantly reviewed the federal guidelines and made annual updates to maintain Title IX compliance as it is “ever-changing.” Charleigh reported the release of the 2011 DCL resulted in minor policy modifications at Spires University. Revisions were made to the two separate policies: sexual misconduct and sexual harassment.
To support the theme, *proactive efforts (nongovernmental)*, the six selected institutions reported identifying individuals responsible for Title IX compliance on their campuses. These positions included the Title IX coordinator, Deputy Title IX coordinators, and responsible employees who are required to report incidents of sexual violence to the institution. Intuitions also reported reviewing and revising existing policies on sexual violence, or completely creating new policies that were comprehensive and applied to faculty, staff, and students.

**Theme 2: Victim Support Services**

Support services for a victim of sexual violence are critical (Garcia, Lechner, Frerich, Lust, & Eisenberg, 2012). The 2011 DCL required institutions to provide students access to medical facilities, counseling services, accommodations for housing assignments, academic assistance, and crisis services. In total, the researcher identified 17 initial codes through inductive and deductive analysis and grouped these codes into three categories to support the theme, *victim support services*, derived from the DCL-CI. The categories identified by the researcher were: (1) campus resources, (2) community resources, and (3) interim measures and accommodations. Table 21 illustrates the codes and categories that support the theme: *victim support services*. 
### Table 21

*Codes and Categories from Phone Interviews for Theme 2: Victim Support Services*

<table>
<thead>
<tr>
<th>Initial Codes</th>
<th>Categories</th>
</tr>
</thead>
<tbody>
<tr>
<td>24/7 hotline (campus and crisis agency)</td>
<td>2A: Campus Resources</td>
</tr>
<tr>
<td>Counseling</td>
<td></td>
</tr>
<tr>
<td>On-campus victim advocates</td>
<td></td>
</tr>
<tr>
<td>Campus police/security</td>
<td></td>
</tr>
<tr>
<td>Student health services</td>
<td></td>
</tr>
<tr>
<td>Title IX website</td>
<td></td>
</tr>
<tr>
<td>Online reporting</td>
<td></td>
</tr>
<tr>
<td>Local crisis center</td>
<td>2B: Community Resources</td>
</tr>
<tr>
<td>Off-campus victim advocate</td>
<td></td>
</tr>
<tr>
<td>Local hospitals</td>
<td></td>
</tr>
<tr>
<td>Sexual Assault Nurse Examiner Program</td>
<td></td>
</tr>
<tr>
<td>Safety plans</td>
<td>2C: Interim Measures and</td>
</tr>
<tr>
<td>No contact order</td>
<td>Accommodations</td>
</tr>
<tr>
<td>Housing changes</td>
<td></td>
</tr>
<tr>
<td>Academic changes</td>
<td></td>
</tr>
<tr>
<td>Campus trespass</td>
<td></td>
</tr>
<tr>
<td>Campus escorts</td>
<td></td>
</tr>
</tbody>
</table>

Category 2A: Campus resources. The 2011 Dear Colleague Letter stated institutions should provide confidential reporting options to victims of sexual violence. Reports made to confidential agencies, such as on-campus counseling centers or crisis agencies, do not put the institution on notice; therefore, the institution is not required to take action. The most common confidential resource provided to students by all six institutions was access to an on-campus counseling center. All six institutions reported
providing on-campus counseling to their students prior to the 2011 DCL. The College of America and Bell University reported hiring an additional counselor post 2011 DCL to work specifically with victims of sexual violence. At Bell University, this position was considered the campus victim advocate, who was only required to report aggregate data. Aggregate data includes information such as the nature of the incident, date, time, and general location where the incident occurred (USDOE, 2014). The College of America also has an on-campus clinic that provided confidential clinical counseling services to students. At Spires University, the counseling center was the only on-campus confidential resource provided. The College of America, Bell University, and Pioneer University also reported providing after-hour access to a counselor on-call.

Outside of counseling services, five of the institutions provided additional confidential reporting options for their students. The College of America developed an Anti-Violence Initiatives (AVI) office post 2011. Jillian reported AVI specialists “have been trained on the process . . . they have all of that information and flow charts to really help the student determine whether or not they want to report.”

Lucy stated that Island Community College had a wellness counselor who did not conduct therapy sessions, but rather helped students in other areas, such as “plugging them into resources if it is not a mental health issue.” Lucy also reported a women’s resource center on-campus and shared the institution was in the process of writing a Victims of Crime Act (VOCA) grant to obtain an outside provider, which would allow partners from the local crisis agency to have a person on campus. This individual would be housed in the women’s center and able to provide long-term care to students. Lucy
stated this was important as “we can only support the students x amount of times before we have to send them off campus to different resources.”

Pioneer University was also in the process of writing to renew a grant the institution had received for the past six years. Similar to the VOCA grant, the Reduce Environment Violence (REV) federal grant allowed Pioneer University to have a confidential representative on-campus that assisted in connecting students with community resources.

In addition to confidential on-campus resources, each institution reported additional campus resources available to victims of sexual violence. Specifically, the relationship with campus police/public safety was a vital resource on each of the six campuses. Emma stated campus police “assist in taking victims to the hospital.” Lucy stated at Island Community College, campus police were available to take reports of sexual violence. Jeremy echoed this and added, “A lot of people report [sexual violence] through the police department.” Emma reported that while campus police at Sharpe University were not involved in campus investigations, they were available to assist someone who wished to pursue criminal charges. Jillian shared that a referral to the Anti-Violence Initiatives Office or the counseling center would often follow a report of sexual violence made to campus police. Jeremy and Charleigh reported campus police were available to assist with after hour emergencies.

Three of the schools reported providing access to after-hour emergency care. Pioneer and Bell Universities provide 24/7 access to a counselor on-call. The College of America’s Residence Life department had someone on-call and provided access to an
advocate through the Women’s Space office, a local crisis agency. Online reporting was an additional resource available to victims of sexual violence at The College of America and Spires University.

Along with people resources, all six of the selected institutions reported developing or revamping an institutional Title IX website. The websites contained different information depending upon the institution, but the six sites had the following content in common on the site: how to report sexual violence, support and resources, policies and procedures, as well as the Title IX coordinator’s name and contact information. Lucy stated in response to the 2011 DCL:

We developed a website that we did not have before. We have a Title IX website, we have a link on the main website—two links—one about Title IX and one about reporting a concern. I have encouraged faculty and staff to add it to their email signature—many of them do. It is at the bottom of it, so people can report.

Category 2B: Community resources. All six selected sites reported working closely with community resources such as local hospitals and crisis centers to provide additional support and resources for victims of sexual violence. Each of the six selected sites reported a local hospital near the institution. Of the six, four reported forensic medical examinations conducted by a Sexual Assault Nurse Examiner (SANE) were available to victims of sexual violence. Emma stated, at Sharpe University, “We are lucky to be located right across the street from the hospital. They have a whole protocol—they would do the rape kit and then contact [the local crisis agency].”
Kayln echoed Emma’s statement and indicated that the hospital near Bell University also had protocols in place:

If a full evidence recovery kit needs to be done for anything, not just sexual violence, we have particular protocols in place that those victims are transported to the regional trauma center free of charge and they are transported back [to campus].

The six sites also conveyed positive working relationships with a local crisis agency near the college or university. Kayln shared the following about Bell University’s relationship with the crisis agency:

There are protocols in place to have the local crisis agency contacted if that particular victim wants to have an advocate travel with them or meet them at the hospital—whatever the case may be—or if they don’t want that, of course they don’t have to have that. That is offered as an option to them.

Jeremy revealed a similar relationship with the crisis agency that supports Pioneer University: “The most recent sexual assault case that we just wrapped up—the first place the complainant went was to the local crisis center because they offer support services”.

Emma, Charleigh, and Jillian reported an agreement between their institutions and the local crisis center to provide 24/7 access to support for victims as well as victim advocates, if the victim is willing to consent to the institution sharing that information.

Lucy reported the relationship between her institution and the local crisis center depended upon who was asked. Island Community College was in the process of applying for a grant. Lucy discussed the potential impact of the grant:
Some people have had really great experiences and others not so much. . . . I think this is where the grant is going to help us clarify some of those roles and really see what college students need. Like a presence at TROs [temporary restraining orders], court hearings, support taking them to shelters, long term care, getting them health insurance . . . we [the institution] can only go so long with the student before it needs to shift over. The immediate crisis has been addressed, the academic piece has been addressed, and we then need to setup a long-term plan with them [community partners].

Lucy stated she believed the grant would assist in the campus-community partnership with the local crisis agency.

**Category 2C: Interim measures and accommodations.** Lastly, to support the theme of *victim support services*, all of the coordinators at the six selected sites shared experiences collaborating with other campus offices to implement interim safety measures and accommodations for victims of sexual violence. These included making changes to housing assignments, class schedules, transcript changes, and implementing no contact orders between reporting and responding parties. Charleigh discussed the inter-departmental agreement in place at Spires University:

I will have someone from the Center for Personal Development contact them [faculty], and they will just say the student had an emergency situation without disclosing what the incident is . . . because obviously, if I call them directly, they automatically know it must be a sex assault incident.
The Center for Personal Development worked with Charleigh to notify faculty members if a student had an emergency situation and assisted with implementing necessary academic accommodations.

Kayln shared her experiences at Bell University working with Residence Life and the Dean of Students office in regard to implementing housing changes:

They have been the most help in terms of being able to help navigate different issues, whether it is moving somebody or getting somebody moved or no contact directives and finding people right away. They are my go-to people that I can call and say, “Okay I need to find this person right now.”

Emma indicated her institution attempted to implement any type of reasonable accommodation requested in order to protect the parties involved. She shared the following about implementing interim measures and accommodations at Sharpe University:

That is something that we have stressed with the faculty. Any sort of accommodations, take them out of class, put them in a different group—what have you—we have committed to do that and hopefully every faculty would do that—but you know there is always going to be that one or two.

Jillian also shared her experience working with faculty on implementing academic accommodations:

I really wasn’t sure how that was going to be, considering I work in Student Affairs. . . . I thought I might have a stronger voice coming from outside of Student Affairs, but I have had to do three academic accommodation letters since
I have been there, and all three of the faculty have been amazing about it, so it seems like that is a smooth process as well.

Island Community College differed from the other five institutions in that it was a nonresidential campus, meaning all students commute to campus. Therefore, while Lucy was not responsible for implementing residential changes, she worked closely with faculty to implement academic accommodations for primarily international students.

To support the theme, *victim support services*, the six selected institutions reported providing campus resources, such as confidential counseling services and access to campus police for escorts and reporting sexual violence. Institutions also described collaborative relationships with community resources such as local hospitals and crisis agencies to provide medical treatment, counseling services, and advocacy to victims of sexual violence. Lastly, the institutions conveyed the importance of working with colleagues in different campus departments to implement interim measures and accommodations such as class and housing changes and no contact orders.

**Theme 3: Educational Measures and Services**

The 2011 DCL called for institutions to create and implement *educational measures and services*. In total, the researcher identified 21 initial codes through inductive and deductive analysis. The initial codes were grouped into two categories to support the theme, *educational measures and services*, derived *a priori* from the DCL-CI. The categories identified by the researcher to support the theme *educational measures and services* were (1) individuals trained and (2) training topics and methods. Table 22 illustrates the codes and categories that support the third theme.
Table 22

*Codes and Categories from Phone Interviews to Support Theme 3: Educational Measures and Services*

<table>
<thead>
<tr>
<th>Initial Codes</th>
<th>Categories</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resident mentors/advisors/assistants</td>
<td>3A: Individuals Trained</td>
</tr>
<tr>
<td>Senior leadership</td>
<td></td>
</tr>
<tr>
<td>Staff</td>
<td></td>
</tr>
<tr>
<td>Campus police/security</td>
<td></td>
</tr>
<tr>
<td>Faculty</td>
<td></td>
</tr>
<tr>
<td>Investigators</td>
<td></td>
</tr>
<tr>
<td>Transfer students, graduate students</td>
<td></td>
</tr>
<tr>
<td>Student leaders (Greeks, Peer Educators)</td>
<td></td>
</tr>
<tr>
<td>Bystander intervention</td>
<td>3B: Training Topics and Methods</td>
</tr>
<tr>
<td>Prevention</td>
<td></td>
</tr>
<tr>
<td>Reporting options</td>
<td></td>
</tr>
<tr>
<td>Title IX process</td>
<td></td>
</tr>
<tr>
<td>Interviewing techniques</td>
<td></td>
</tr>
<tr>
<td>Trauma informed</td>
<td></td>
</tr>
<tr>
<td>Online videos</td>
<td></td>
</tr>
<tr>
<td>PowerPoint presentations</td>
<td></td>
</tr>
<tr>
<td>In-person training</td>
<td></td>
</tr>
<tr>
<td>In-house training</td>
<td></td>
</tr>
<tr>
<td>Third party vendors</td>
<td></td>
</tr>
<tr>
<td>Online training</td>
<td></td>
</tr>
<tr>
<td>Written resources</td>
<td></td>
</tr>
<tr>
<td>Institutional training programs</td>
<td></td>
</tr>
<tr>
<td>New employee orientation</td>
<td></td>
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<tr>
<td>New student orientation</td>
<td></td>
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</tbody>
</table>

Category 3A: Individuals trained. The 2011 Dear Colleague Letter stressed the importance of training all members of the campus community on behaviors that constitute sexual violence, where to report incidents, and support services available to victims of sexual violence. Additionally, the DCL emphasized the importance of training
of individuals who could potentially receive a report of sexual violence. All six of the coordinators of the selected sites reported all faculty, staff, and students received basic training on the topic of sexual violence on their campuses. Emma shared that, since 2011, “We have really ramped it [training] up, and made even more of a concerted effort to get the word out, to reach everyone on campus, and to offer training sessions to everyone.” In addition to faculty, staff, and students receiving training on sexual violence, participants reported conducting more directed training for certain stakeholders at their institutions. These stakeholders included responsible employees, Title IX investigators, campus police/security, supervisors and senior leadership, and student leaders.

Spires, Bell, and Pioneer Universities reported providing training to their responsible employees. In 2015, the state in which Bell University is located passed a law requiring the training of all faculty and staff as responsible employees. Jeremy shared that responsible employees “are trained as part of our Title IX training; we do not have any special training for responsible employees. I think we will probably move that directive pretty quickly.” Jillian, new to The College of America at the time of the interview, indicated she was not sure of the type of training conducted for responsible employees prior to her arrival. Jillian did share that training responsible employees was one of her priorities as the Title IX coordinator.

All six of the coordinators conveyed their Title IX investigators received training. Lucy shared, “I did a lot of cross training with folks, and now I have been able to remove myself” from serving in the role of an investigator. Jillian and Jeremy also reported cross
training with law enforcement. Jillian trained the Chief of Police and Captain at the College of America as well as local law enforcement. The local sexual violence coalition also provided training to campus Title IX investigators and police. In return, campus police facilitated training for other on-campus law enforcement officers, as well as the Title IX investigators. Jeremy also reported working with campus police to provide Title IX training. Like The College of America, Pioneer University’s police department also performed cross training by conducting training on Clery information and reporting for the Title IX staff.

Jeremy and Charleigh briefly shared that both of their institutions required everyone at the director level and above, as well as supervisors, to attend Title IX training. Similarly, both of these institutions utilized on-campus conferences to conduct these trainings. Pioneer University conducted an employment conference, and Spires University hosted a Leadership 101 session in which the materials were presented.

The College of America, Pioneer, Sharpe, and Bell Universities also reported training their student leaders, which included Greek students, Residence Life staff, Peer Educators, Peer Mentors, desk aids, and student dining supervisors. Kayln stated Bell University not only trained their student leaders on sexual violence but also trained them as responsible employees.

All of our student staff that we think could be reported to, we make them responsible employees, so they have the knowledge and background to refer people to the right resources but then also report to my office, so we can make
sure we are following up on questions, concerns, and different issues we are hearing about.

Jillian reported that while The College of America did not currently conduct training for Greek students, the institution was planning to do in the near future.

All six sites selected in this study reported providing some type of education and training to their faculty, staff, and students. While each institution reported training these campus constituents, the method of training differed at each of the six selected sites. The methods utilized to implement training will be discussed under training methods.

Category 3B: Training topics and methods. The 2011 DCL stated institutions needed to ensure training of employees and students on how to identify and report sexual harassment and violence. According to USDOE (2015), “OCR recommends that this training be provided to any employees likely to witness or receive reports of sexual harassment and violence” (p. 4). Specifically, the 2011 DCL stated institutions should train individuals to recognize behaviors that would constitute sexual harassment and violence. Institutions are also responsible for educating the campus community on the institutions’ Title IX procedures.

All six sites selected in this study reported employing different methods to conduct sexual violence on their campus. While each institution reported providing training, the methods utilized differed at the six selected sites. Some institutions, such as Sharpe University, reported creating their campus’ training materials, while other institutions, such as Bell University, utilized third-party vendors to conduct training.
All six participants reported training their faculty and staff on sexual violence during new employee orientation. The College of America, Island Community College, Sharpe University and Spires University indicated the faculty and staff training on their campuses included information about the Title IX process, as well as how to report incidents of sexual violence. Lucy also reported the state implementing system-level training with three levels of training. These levels include “harassment, Title IX, VAWA, and nondiscrimination” training.

However, this was not the only method utilized by institutions to conduct training. Emma conducted mandatory training for faculty and staff utilizing a PowerPoint presentation that she created. She indicated, “Either myself or the Deputy Title IX coordinator met with pretty much every department—academic department and/or staff department on campus.” If an individual was unable to attend the in-person training, the state system in which Sharpe University is located developed professional online training videos that faculty and staff could watch. Emma also indicated at the beginning of each semester, “I send out a notice about Title IX and who you can contact if you have a question or issue” to all employees.

Kayln shared that Bell University is part of a state system in which all responsible employees must receive training, so the university utilized a third-party vendor to accomplish this training mandate.

We needed to go to an online training system now because there are just way too many of them [employees] for us to do in person trainings anymore. . . . We have
gone to online training modules so that we can get all of our responsible employees trained in a pretty efficient manner annually.

Jeremy shared a similar experience at Pioneer University: “Faculty and staff have to receive discrimination, including sexual harassment, training by state mandate within the first 30 days they are here.” Jeremy also shared, “The state mandates that employees have to be trained every two years so they get another dose of Title IX every two years.” Pioneer University posted the Title IX training module from new employee orientation on the Title IX website.

Jillian indicated The College of America had looked into purchasing a training program from a third-party vendor to train responsible employees. She also stated she was planning to compliment the online modules with in-person training. All faculty and staff were required to take an online training module. The Office on Violence Against Women (OVW) grant had assisted The College of America with training and educational programming. Jillian also utilized fellow colleagues on-campus and in the community to assist with conducting training. These individuals included campus police, legal counsel, local coalition on sexual violence members, and professional staff in the Anti-Violence Initiatives office.

Charleigh reported the opportunity to train faculty and staff face-to-face on campus. At Spires University, Charleigh reported every semester the institution offered Leadership 101 courses that were required for all supervisors: “I employ the train the trainer type concept. I tell supervisors they are responsible employees and so are their subordinates, and they [supervisors] are responsible for making sure their subordinates
are aware of what those policies are.” She also shared that Title IX information was available for faculty and staff on-line, as well as during new employee orientation.

Similarly, Jeremy reported face-to-face training and the opportunity to share Title IX information at the first Pioneer University leadership employment conference.

It [leadership employment conference] was mandatory for everyone at the director level and above on campus. We went through a number of HR related issues, but Title IX had about an hour and a half of the half day curriculum. A third-party consultant presented the information. Jeremy also shared that the provost had invited the fulltime investigator and him to present Title IX information at a leadership conference that included 120 senior academic leaders. This included the provost, assistant provost, associate provost, and all of the college deans and department chairs.

Institutions utilized different training methods to educate students as well. The College of America, Sharpe University, and Bell University reported utilizing new student orientation to train students on sexual violence. Island Community College, Spires University, and Pioneer University conducted training with students, but did not share that new student orientation was utilized to present information to students.

Sharpe University utilized a mixture of in-person and online training to educate students. Emma reported that professional staff members in Student Life conducted a majority of the student training and educational initiatives. Some of the materials presented had been developed in-house, but they also utilized an outside, third-party vendor to conduct online training and bystander intervention training.
Jillian reported The College of America also utilized an online, student-training module purchased from a third-party vendor. Jillian shared if students did not complete the training, “they get a hold put on their registration. So essentially everyone has to complete it or they [do] not register for classes.” The College of America also made use of “Welcome Week” to bring in an outside speaker to educate students. Jillian shared that the Anti-Violence Initiatives office assisted with providing training for students.

Unlike The College of America, Lucy at Island Community College reported training “for students is not yet mandated”. Island Community College also used an online, third-party vendor to provide training modules for students. Lucy also shared in terms of training: “I like to have students work on things that will also teach them.” She had utilized her Title IX team to develop materials “beyond just the training we [Island Community College] provide for folks”. Her team created a video to discuss consent: “Our media arts program and our students developed a video and other students developed the content; we were able to educate students that way, so it became a student project.”

The creation of the consent video received statewide attention and led to its adoption by the state system. Island Community College also created a poster campaign around sexual violence. Lucy shared, “We are doing it in multiple languages as well. . . . That is why I have seen an increase in Title IX reporting, because folks are now aware of it.”

Jillian also reported The College of America educating students about consent through “Consent Is Sexy” workshops conducted by Peer Educators. Jillian said, “Those
peer-based education trainings or seminars seem to be the most impactful [from] what we hear students talk about either in focus groups or conversations.” The College of America also utilized an outside speaker to discuss consent with first-year students during orientation.

Kayln shared she was responsible for a majority of the training at Bell University. She stated student training at Bell University “really took a shift in the summer of 2014”. All incoming students were required to take an online education course “before they step foot on campus”. New students were also required to “attend in-person lectures for information about the ATOD [alcohol, tobacco, and other drugs] piece of things – they also have a targeted sexual misconduct in person education session as well”. Kayln reported these student-training sessions were a direct response to the release of the 2011 DCL.

Bell University also provided continuing education throughout the year for upper-class students. These educational opportunities often included the Red Flag campaign to address intimate partner violence and Walk a Mile in Their Shoes and the Clothesline projects to address sexual violence. Kayln reported the Wellness Coordinator also assisted with facilitating training and educational programming for students.

Emma shared, at Sharpe University, “We believe that what you mostly need to do is prevent it [sexual violence].” Sharpe University conducted in-person bystander intervention training with faculty, staff, and students to prevent sexual violence. Employees received bystander intervention training “to help our faculty and staff be [sic] educated if they are talking to students, it [bystander strategies] is something they could
help share.” She also claimed, “Students have more in depth-bystander training.” Jillian added that The College of America conducted bystander intervention training with students, utilizing Peer Educators and the content from a third-party vendor training program.

To support the theme, *educational measures and services*, the six selected institutions reported training all faculty, staff, and students on basic information on sexual violence: what behaviors constitute sexual violence, how to report incidents, and resources and support. Beyond training faculty and staff, institutions reported providing more content-specific training to responsible employees, campus police, Title IX investigators, and student leaders. The six institutions provided training on a variety of topics focusing on Title IX and sexual violence. These topics included the Title IX process, bystander intervention, consent, and alcohol, tobacco, and other drugs. All six of the institutions reported utilizing new employee orientation as a platform to train faculty and staff. Furthermore, the six selected sites employed a combination of in-person and online training sessions. Institutions reported utilizing professional staff to develop training modules, while other institutions utilized trainings from third-party vendors. Lastly, the six institutions provided training on a variety of topics focusing on Title IX training.

**Theme 4: Incident Investigation and Judicial Proceedings**

The 2011 DCL stated institutions must attempt to minimize harm to the reporting party during the investigation process and required decision makers to have adequate training in order to respond appropriately to sexual harassment and violence. In total, the
researcher identified 16 initial codes through inductive and deductive analysis and grouped these into two categories to support the theme, *incident investigation and judicial proceedings*, derived *a priori* from the DCL-CI used to measure institutional Title IX compliance with the 2011 DCL. The categories identified by the researcher were: (1) investigation process and (2) resolution process. Table 23 illustrates the codes and categories from the phone interviews that support the theme: *incident investigation and judicial proceedings*.

Table 23

*Codes and Categories from Phone Interviews to Support Theme 4: Incident Investigation and Judicial Proceedings*

<table>
<thead>
<tr>
<th>Initial Codes</th>
<th>Categories</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student Life professionals</td>
<td>4A: Investigation Process</td>
</tr>
<tr>
<td>University police</td>
<td></td>
</tr>
<tr>
<td>Title IX coordinator</td>
<td></td>
</tr>
<tr>
<td>Fulltime investigators</td>
<td></td>
</tr>
<tr>
<td>Deputy Title IX coordinators</td>
<td></td>
</tr>
<tr>
<td>Single investigator model</td>
<td></td>
</tr>
<tr>
<td>Pairs of investigators</td>
<td></td>
</tr>
<tr>
<td>Fact finders</td>
<td></td>
</tr>
<tr>
<td>Fact gathers</td>
<td></td>
</tr>
<tr>
<td>Investigator makes decision</td>
<td>4B: Resolution Process</td>
</tr>
<tr>
<td>Title IX coordinator makes decision</td>
<td></td>
</tr>
<tr>
<td>Deputy Title IX coordinator makes decision</td>
<td></td>
</tr>
<tr>
<td>Panel hearing</td>
<td></td>
</tr>
<tr>
<td>Administrative hearing</td>
<td></td>
</tr>
<tr>
<td>University panel (faculty, staff, and students)</td>
<td></td>
</tr>
</tbody>
</table>

Category 4A: Investigation process. According to the 2011 DCL, institutions are to conduct an “adequate, reliable, and impartial investigation of complaints, including the
opportunity for both parties to present witnesses and other evidence” (USDOE, 2011, p. 9). Five of the six selected sites reported sexual violence investigations conducted in pairs. Spires University reported utilizing a single investigatory model. Only Pioneer University reported hiring a fulltime investigator.

Emma indicated that neither she nor the Deputy Title IX coordinator were responsible for conducting sexual violence investigations at Sharpe University. She stated, “I feel we need to sort of be outside of that”, since she is responsible for overseeing the process. The investigations were predominately conducted by individuals in Student Life, such as the Assistant Vice Chancellor, responsible for overseeing the judicial process. She did indicate if faculty and/or staff were involved, she would be responsible for investigating the case, but not when students were involved.

Jeremy echoed Emma reporting that as the Title IX coordinator at Pioneer University, he typically did not conduct investigations. Instead, he served as part of the intake and then “on the back end-part of publishing the notice of findings and doing a wrap-up meeting with both parties when they get the findings”. The process involved a fulltime investigator, who then selected a second investigator from a team of trained investigators.

Island Community College had a team of investigators that paired up with the Deputy Title IX coordinators to conduct investigations. Investigations were conducted in pairs “unless there is a crisis or a scheduling conflict”. The trained investigators were members of the Student Life staff. Similarly, Kayln also reported that a pair of
investigators conducted inquiries at Bell University. The individuals who served as investigators were all volunteers; there were no fulltime investigators at Bell University.

Jillian reported she was responsible for investigating all cases at The College of America in her role as the Title IX coordinator. She was the “lead investigator for faculty, staff, and student cases”. She would pair up with one of the Deputy Title IX coordinators for investigations. She was working to build a team of investigators, like Lucy, so The College of America would “have a complete investigator model with two investigators for each case”. She stated she planned to train more individuals working in residence life, student affairs, and academic affairs to serve as Title IX investigators.

Unlike the other coordinators, Charleigh reported utilizing a single investigator model at Spires University. Charleigh shared that she or one of the Deputy Title IX coordinators conducted investigations. She said, “If it is a sexual misconduct [case], I’ve done them, but typically if it is sexual harassment, I will allow one of the deputies to do the harassment investigations.” After meeting with the reporting party, Carleigh conducts an interview to gather information: “I request that our conversations are recorded so I can transcribe notes later; I interview the complainant, I interview the respondent, any witness that either of them [complainant or respondent] name.” After an investigation is conducted, the 2011 DCL stated an institution “must take appropriate steps to resolve the situation” (USDOE, 2011, p. 4). The next section discusses resolution processes employed at the six selected sites.

Category 4B: Resolution process. The investigators at all six of the selected sites served as both fact gatherers and fact finders for sexual violence reports. This means that
the investigators collected the information, and they were also responsible for either making a determination of charges or providing a recommendation to a decision-making person or hearing board. At Island Community College, once an investigation had been conducted, Lucy had the investigators “write down their general impressions of what occurred. They provide[d] feedback on it.” The investigator was the decision maker after he/she reviewed all documents: “The [investigator] determine[d] the decision and I [Title IX coordinator] just review[ed] it to make sure it was all good and it was in line with our policy, procedures, and our philosophy of supporting survivors, etc.” Lucy shared that the Title IX investigators have the ability to expel or suspend a student if they are found to be in violation of the institution’s policy.

Sharpe University had a similar process to Island Community College. Emma reported once a case was investigated, the investigator was responsible for providing a recommendation on how the institution should resolve the case. The investigator’s recommendation was shared with the Deputy Title IX coordinator, who was also the Vice Chancellor for Student Life. The Deputy Title IX coordinator, in conjunction with the Title IX coordinator, “would discuss the outcome, share it with the chancellor, and then a decision would be made”. Emma reported a formal conduct process was “very, very rarely used” at Sharpe University.

Jeremy reported that once the pair of investigators conducted the investigation, they made a recommendation of findings to him in his role as the Title IX coordinator. He stated he was then “part of publishing the notice of findings and usually doing a wrap-up meeting with the complainant and respondent once they know the findings.”
Spires University also echoed some of the same procedural methods utilized by Sharpe University and Island Community College. Charleigh reported after a “fact finding inquiry is complete, I [the Title IX coordinator] determine[d] if there was a violation of policy.” Charleigh shared the investigation report and the investigator’s decision of whether or not a policy violation had occurred with the Dean of Students. The Dean of Students would then discuss the decision with the chancellor, and if he/she agreed, the decision would be made. Once the decision was final, Charleigh discussed the next steps with the reporting party:

I let the complainant know that there was or was not a violation and what the recommended sanction would be. If complainant agrees with the recommended sanction, then the respondent is informed of the violation and proposed sanction.

If neither contest the sanction, it is resolved at the informal level.

If either party contests, the case would go to a hearing panel. The panel would hear all evidence in the case or get a copy of the fact-finding report and all investigative notes before making a decision.

Bell University also reported that the investigators “take a look at all the information and they will render a decision as to whether or not something or someone has violated our sexual misconduct policy”. The Title IX investigators would make a finding in the Title IX report. Bell University’s sexual misconduct policy allowed “the respondent(s) in the case the option to take responsibility for that violation or contest the outcome of the Title IX report”. At Bell, if the outcome was contested, like Spires University, the case would be forwarded to a university hearing board. Faculty and staff
were selected from a pool of hearing officers to serve on the hearing board. Bell
University did not utilize students on their Title IX hearing boards. The hearing board
then determined whether to uphold or overturn the investigators’ findings, although both
parties had the right to appeal the decision of hearing board.

The College of America’s process was unique in that the case was always referred
to a hearing board. Jillian stated, upon receipt of a report of sexual violence at The
College of America, an investigation begins. Upon completion of the investigation, the
investigators provided a recommendation of potential charges in the report, shared the
case with the Student Conduct Office, and conducted a conference. At the conference,
Student Conduct verified the charges and had the ultimate decision on the rendering of
charges. After Student Conduct determined charges, the parties involved were presented
with three options for a hearing. Jillian explained, “They can do an administrative
hearing—just in front of one administrator, they can do a student board, or an all board—
all board is faculty, staff, and students.” Both the reporting and responding parties had
the opportunity to pick what type of hearing they would like, and the “university picks
what is best based on their recommendation and the situation”. Students had the right to
appeal the decision of the hearing board.

Each of the six selected sites reported utilizing their Title IX investigators as fact
gathers and fact finders. Once an investigation was conducted on each of the campuses,
the procedures for resolving the case were different. Four of the institutions utilized the
Title IX coordinator or another member of senior leadership to verify the investigators’
recommendations and to make a finding. Unlike the other institutions, The College of
America utilized a conduct proceeding to hear the case and make a decision of whether or not a policy violation had occurred. The next section discusses the experiences of Title IX coordinators as the person responsible for campus Title IX compliance.

**Title IX Coordinator Experiences**

Research question 4 explored the experiences of Title IX coordinators as the person responsible for implementing Title IX compliance on their campus. Research question 4 was: How do Title IX coordinators describe their experiences implementing Title IX compliance using the April 4, 2011 Dear Colleague Letter on their campus?

To answer research question 4, data generated from two open-ended questions on the self-assessment tool and participant responses during phone interviews. All participants who completed the online DCL-CI were asked to describe the greatest challenges they had faced implementing Title IX regulations on their campus utilizing the 2011 DCL and if they had any other responsibilities within their institution outside of the Title IX coordinator role. Twenty-four participants answered the greatest challenges question, and 31 answered the question about additional responsibilities in addition to serving as the Title IX coordinator.

The researcher coded and combined into categories the data from the open-ended questions and phone interview transcripts. The codes and categories were then inductively used to support the following emergent themes: (1) limited resources, (2) relationships with campus partners, (3) challenges implementing Title IX training and regulations, and (4) limited support for Title IX coordinator position. Table 24 displays...
the categories and themes supporting Title IX coordinators’ experiences. Data were retrieved from all participants who completed the online open-ended questions, as well as the six participants and the selected sites.

Table 24

Categories and Themes Supporting Experiences of Title IX Coordinators

<table>
<thead>
<tr>
<th>Initial Codes</th>
<th>Categories</th>
<th>N Supporting Category</th>
<th>Themes</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Not enough money for training</td>
<td>• Monetary restrictions</td>
<td>9</td>
<td>5. Limited Resources</td>
</tr>
<tr>
<td>• Limited time</td>
<td>• Limited staff</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>• Limited staff</td>
<td>• Not enough time</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>• Personnel all have other responsibilities</td>
<td>• Monetary restrictions</td>
<td>9</td>
<td></td>
</tr>
<tr>
<td>• Campus partnerships</td>
<td>• Collaboration</td>
<td>9</td>
<td>6. Relationship with Campus Partners</td>
</tr>
<tr>
<td>• Support from administration</td>
<td>• Challenges working with administration</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>• Title IX teams</td>
<td>• Sexual Assault Response teams/Behavioral Intervention Teams</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>• No direct access to president/chancellor</td>
<td>• Staff not accepting responsible employee role</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>• Staff not accepting responsible employee role</td>
<td>• Obstacles put in place by administration</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>• Obstacles put in place by administration</td>
<td>• Challenges educating management levels</td>
<td>6</td>
<td>7. Challenges implementing Title IX training and regulations</td>
</tr>
<tr>
<td>• Challenges educating management levels</td>
<td>• Training all campus constituents</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>• Training faculty and students</td>
<td>• Educating administration</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>• Student participation in nonmandatory sessions</td>
<td>• Challenges understanding and implementing</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>• Faculty participation</td>
<td>• Unclear regulations</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>• Unclear regulations</td>
<td>• Inability to implement federal regulations</td>
<td>6</td>
<td></td>
</tr>
</tbody>
</table>
- Lack of support from administration for training initiatives

**Table 24 (continued)**

<table>
<thead>
<tr>
<th>Initial Codes</th>
<th>Categories</th>
<th>N Supporting Category</th>
<th>Themes</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Support of Title IX coordinator’s role</td>
<td>- Title IX coordinator not full time</td>
<td>4</td>
<td>8. Limited support for Title IX coordinator position</td>
</tr>
<tr>
<td>- Title IX coordinator not fulltime; other responsibilities</td>
<td>- Title IX coordinator has other responsibilities</td>
<td>27</td>
<td></td>
</tr>
<tr>
<td>- No direct access to administration</td>
<td>- Lack of departmental buy-in</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>- Title IX coordinator position new</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Convincing administration Title IX is necessary</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Limited ability to enforce consequences</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Title IX coordinator lacks authority</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Lack of buy-in</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Lack of understanding by administration</td>
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</tbody>
</table>

**Theme 5: Limited Resources**

Twenty-one of the participants reported that limited resources were a challenge they faced as the Title IX coordinator in implementing Title IX compliance. Limited resources included funding, staffing, and time. Participant 24 stated it was a challenge
“getting administration to buy into Title IX and supply the budget and resources”.

Participant 19 echoed this, stating, “Limitations include time and money resources to produce these materials [training and outreach].” Charleigh confirmed lack of monetary resources as she reported, “Right now funding is limited, obviously, I think a lot of programs are facing that. For me, it is boots on the ground.” Kayln also shared similar experience with minimal financial resources at Bell University:

- Resources are a challenge - money is tight. Just because we got another set of responsibilities for my office does not mean that we got more money to do it.
- There is no funding to send everyone to training or to bring someone in to do that [train] with all of our investigators at this point.

Many of the participants who discussed lack of funding for Title IX initiatives specifically indicated “funding for training” was limited. Charleigh stated she did “90% of the training on her own” due to limited funding for training and education at Spires University.

- “Lack of staff” as shared by Participant 28 was also reported as a challenge facing nine of the participants. Participant 8 reported “limited personnel” responsible for Title IX compliance on their campus. Additionally, Participant 8 shared those staff members with Title IX roles “all have other responsibilities outside Title IX and [there is] no fulltime Title IX coordinator”. The Bell University coordinator reported limited personnel to conduct investigations:

- They [investigators] are completely volunteer and have other responsibilities. Not having full time people often means that it takes longer to complete
investigations. I worry all the time about the 60-day window [to conduct an investigation], because I know we are going to be pushing right up against it. Because it isn’t anyone’s full time job to be a TIX investigator. When you are working at a small institution and people wear multiple hats, unfortunately we just do the best we can.

Kayln shared not having fulltime Title IX investigators at Bell University often resulted in Title IX process deadlines being pushed due to time constraints. Jillian, along with Participants 19 and 30 reaffirmed the greatest challenge was “time.” Jillian shared there was so much to do, but not enough “time to do everything”.

Of the 24 participants who answered the open-ended question about the greatest challenge they have faced as the Title IX coordinator, 21 responded limited resources. Nine of the participants reported lack of financial funding, eight reported not enough designated personnel, and four reported not having enough time as the greatest challenges they faced. Lack of financial resources for training was the most common challenge reported for the theme *limited resources*.

**Theme 6: Relationship with Campus Partners**

Nine of the participants discussed positive and negative experiences with campus partners. Some of these partnerships included working with individuals in Student Life, Public Safety/Campus Police, Residence Life, Counseling, Legal Counsel, Student Conduct, on Sexual Assault task forces and Behavioral Intervention Teams. The six participants from the selected sites indicated that developing positive working relationships with a variety of campus partners was a key to assisting them in their Title
IX coordinator position. Kayln, at Bell University, shared her experience working with individuals in Student Affairs, specifically Residence Life:

The people that have been most helpful, are the people in Student Affairs that are working directly with students and residence life issues. I work on a residential campus so that is key to me. I need to know that relationship is solid. Thankfully, we have some really good relationships with our residence life staff and our DOS [Dean of Students] office. Those kind of Student Affairs type people that are right there with me. I don’t have to worry about buy in from them, I don’t have to worry about them questioning the validity or importance of requests that I make. I know they have my back . . . my residence life people and Dean of Students unit that we have in our structure—those are my go to people. Kayln said these partnerships allowed her to troubleshoot, brainstorm, and collaborate with colleagues on the different aspects of Title IX.

Jillian, like Kayln, also reported positive working relationships with Student Affairs professionals. Jillian had a dotted line reporting structure to the Chief Diversity Officer and the Assistant Vice President of Student Affairs/Dean of Students. She stated while this reporting structure “may seem complicated and convoluted, it has been very beneficial because I have so much support”. She felt the reporting structure allowed her to building relationships and “collaborate with the staff more than I think some people who are housed in HR [Human Resources] or other departments outside of Student Affairs”. Campus partnerships had been essential in assisting in her role as Title IX coordinator. Jillian stated, “I really partner with so many divisions to be able to make
everything possible.” These divisions included Residence Life, the Dean of Students Office, Campus Police, and the Anti-Violence Initiatives Office.

Lucy and Jeremy also reported working closely with campus departments. Lucy specifically stated, “We have a really solid team”, in reference to her relationship with confidential spaces on campus. Jeremy also echoed a positive relationship with counseling as well as conduct and campus police.

Three institutions, The College of America, Bell University, and Island Community College reported having a Title IX task force on campus. Jillian, Kayln, and Lucy served as the chair of their campus task force. Lucy shared the institution had a number of individuals serving on the Title IX task force:

We have HR [Human Resources], security, a bunch of counseling folks, student affairs practitioners, staff counsel, academic professionals, clerical staff, and representatives from the chancellor’s office, conduct office, international programs, faculty, and students.

Kayln reported, at Bell University, the Title IX team includes “all of our stakeholders that would touch Title IX in any aspect”. This included the deputy Title IX coordinators, Senior Women’s Athletic Director, Residence Life, Human Resources, and the Disability Resources office.

The Title IX task force at these three institutions assisted in training and providing programs to different groups on campus. As Lucy stated, “We do a bunch of different things.” The College of America’s task force was responsible for writing grants for the Title IX office. An example of this is a faculty member who worked with graduate
students to develop and implement training for faculty and staff members. Additionally, the campus police served on the task force, with the Chief and Captain responsible for conducting training session for officers. Outside of training and programming, the task force at Island Community College was responsible for “developing ways for folks to report . . . being innovative in the way we reach out to folks . . . review[ing] policy . . . and advocacy for budget allocations”. Both Sharpe and Pioneer Universities reported not having a Title IX task force. Instead, Emma reported, “It is just me and the Deputy Title IX Coordinator. We get together and discuss various issues.” Jeremy reported he served on his campus’ Behavioral Intervention Team (BIT). Spires University did not report having a Title IX task force or BIT.

A Behavioral Intervention Team (BIT) typically consists of faculty and staff that meet on a regular basis to discuss students in crisis or students who may present a potential threat to the campus community. The College of America, Pioneer University, and Sharpe University reported having a BIT on their campus. The College of America had a BIT, but Title IX was not represented on the team. Jeremy reported the BIT at Pioneer University “is a group of about eight or nine professional staff members that meet on a biweekly basis”. This team was beneficial for him as the Title IX coordinator because “we get a lot of heads up early on situations because of the behavior assessment team – issues come to our attention there”. At Sharpe, the Deputy Title IX Coordinator, who also served as the Vice Chancellor for Student Life, served as the Title IX representative on the BIT. Bell University, Spires University, and Island Community College did not report having a BIT on their campus.
The majority of the relationships discussed were positive; however, a few participants shared challenges with campus partners. Jeremy reported while having a positive working relationship with the Provost and the academic deans “seem to be quick to invite us to come and present . . . my biggest concern is that I’ve not had the first word ever with our Chancellor/President about Title IX”. Jeremy stated this was alarming to him due to the guidelines outlined in the April 2015 DCL stating the Title IX coordinator needs access to and support from the institution’s senior leadership. Participant 26 also shared challenges “overcoming obstacles put in place by administration who do not fully support or understand Title IX regulations and requirements”.

Participants, including the Title IX coordinators at the six selected sites, described their experiences working with a variety of campus partners to achieve Title IX compliance on their campus through the open-ended question and the phone interviews. Nine of the participants discussed the positive relationships they built with professional staff members in areas such as Student Affairs, Student Conduct, Residence Life, Counseling, Campus Police, and Legal Counsel. Two of the participants reported challenges in gaining the support of senior leadership on their campus. Lastly, the six selected sites discussed the importance of working with a Sexual Assault Response Team or Behavioral Intervention Team on their campus. All of these experiences support the theme relationships with campus partners.

Theme 7: Challenges Implementing Title IX Training and Regulations

Sixteen participants reported facing challenges implementing Title IX training and regulations on their campus. Participant 13 shared “getting administration to
understand that just because a Title IX coordinator has been put in place, full support of training requirements for employees must be shared with all employees”. Kayln shared a similar challenge getting buy-in for training at Bell University:

It is mandated . . . I can cite everything from federal and state compliance, but actually getting all faculty to actually do it has been rough. Making sure that all of our staff—administrators and employees across the university—are all in compliance has been challenging. It’s not that they don’t care . . . sometimes it is a little difficult for employees specifically to get behind doing all of the annual mandatory trainings and getting that knowledge because they don’t necessarily think that they will ever use it.

Jillian and Participant 10 also reported it is not easy to get faculty and students to participate in training and education initiatives. Participant 10 reported it is challenging to get “students to participate in supplemental educational programming beyond the mandated sessions”.

Lucy, Emma, and Charleigh shared experiencing “pushback” from faculty on being identified as responsible employees and being required to report incidents of sexual violence to the institution. Lucy stated the resistance came from faculty unions: “They don’t want to be responsible employees. They are uncomfortable [with] how to stop a conversation” if something is being reported to them. Emma echoed this experience when stating, “It didn’t go over well with faculty.” Charleigh also shared the greatest pushback “was on the mandatory reporting because there was a group of faculties who felt that would prevent people from coming forward.” The faculty members at Spires
University believed they should be able to determine whether they should report incidents or not, despite the institution’s policy on responsible employees. Charleigh also mentioned another group of faculties “that want to report and run.” She informed them, “No, that doesn’t work either,” and explained how she may need them to play a role in connecting with the person who reported the incident.

Jillian also faced resistance regarding the definition of responsible employees on her campus. She reported the general counsel’s office “is afraid to mandate everyone as a responsible employee and then not be able to guarantee they understand their role as a responsible employee”. She appreciated the pushback, since legal counsel is often most helpful to her in that “they are crucial in the compliance aspect for me”.

The participants reported numerous other challenges. Participant 7 shared the challenge of achieving administrative buy-in from Human Resources—getting them to understand that Title IX also applies to employees. Participant 13 echoed that administration needed to understand that “full support of training requirements for employees must be shared with employees”. Participant 18 added “unclear guidance, unclear scope of Title IX, conflict with other policies, law, practices that also sound reasonable” has made it difficult to implement Title IX regulations. Participant 18 also indicated the depth and breadth of Title IX issues are extensive and challenging. Participant 32 agreed, stating it was not easy “keeping up with all the rules and regulations” involving Title IX.
Theme 8: Limited Support for Title IX Coordinator Position

Despite the emphasis of the 2011 and 2015 DCLs on the importance that the Title IX coordinator position should be fulltime, many of the participants reported their institutions had not designated a fulltime person for Title IX compliance. Participant 12 stated, “My university just got a Title IX coordinator at the beginning of 2015.” While this participant’s institution had identified a fulltime Title IX coordinator, it took four years after the release of the 2011 DCL to do so. This was common among the six selected sites. Five of the selected sites reported not designating a fulltime Title IX coordinator until 2014 or 2015. Sharpe University was the only institution that identified the Title IX coordinator immediately after the release of the DCL in 2011. Participant 8 indicated their institution had not yet identified a fulltime Title IX coordinator.

The 2011 and 2015 Dear Colleague Letters also indicated the Title IX coordinator should not possess other responsibilities outside of Title IX compliance. Of the 34 participants who completed the online survey, 27 reported the Title IX coordinator had additional duties outside of Title IX compliance. Participant 31 stated it was a challenge to “initially obtain the right staff members and enough staff members. Though we have that in place now, we don’t have one person dedicated as the fulltime Title IX coordinator”. This participant elaborated: “Convincing administration that this [Title IX coordinator position] is necessary remains one of the largest challenges.” Jeremy stated not having the Title IX coordinator as a fulltime position with “reasonable commensurate authority as recommended by the 2015 DCL and direct access to the highest levels of the university” has been challenging in his position as Title IX coordinator.
Summary

Throughout this chapter, the researcher reported the findings of this study in response to each research question. Results of the survey were first illustrated. Next, the researcher described the six selected sites and participants who contributed to this study. This description included basic demographic information, information on individual institution types, and years of experience serving in the role of Title IX coordinator.

The researcher presented all participant compliance scores on the Dear Colleague Letter-Compliance Instrument (DCL-CI). Furthermore, the researcher presented institutional compliance scores for each section of the DCL-CI: proactive efforts, victim support services, educational measures and services, and incident investigation and judicial proceedings. Scores were reported for both required for compliance and recommended best practices items for each institution. Only one institution, Pioneer University, reported full compliance with all required for compliance statements on the DCL-CI. None of the participants reported fully implementation of all required for compliance and recommended best practices items on the DCL-CI. The researcher explained how the compliance scores on the DCL-CI were utilized to choose six institutions to study intensively. These institutions were chosen based on their self-reported compliance scores and their willingness to participate in a follow-up interview.

The themes, proactive efforts (noneducational), victim support services, educational measures and services, and incident investigation and judicial proceedings addressed research questions two and three and described the impact the DCL had on development and implementation of sexual violence policies and procedures, victim
support services, and education and training on sexual violence for faculty, staff and students. These themes also explained the strategies institutions utilized in developing and implementing sexual violence policies and procedures, victim support services, and education and training on sexual violence for faculty, staff and students.

Additionally, the themes limited resources, relationships with campus partners, challenges implementing Title IX training and regulations, and lack of support for the Title IX coordinator position, addressed research question four and described participants’ experiences as the Title IX coordinator, the person responsible for implementing Title IX compliance on their campuses. Chapter 5 reports the conclusions and implications of this study.
CHAPTER 5

DISCUSSION, CONCLUSIONS, AND IMPLICATIONS

This study, conducted in 2016 before the September 2017 rescission of the 2011 Dear Colleague Letter (DCL) and *2014 Questions and Answers on Title IX and Sexual Violence*, examined institutional compliance with the 2011 DCL. This chapter provides a discussion of the application of environmental theory to gain insights into how the release of the 2011 DCL contributed to the development and implementation of policies and procedures, victim support services, and training and education on sexual violence on college and university campuses. The researcher utilized a sequential, explanatory mixed methods approach for this study. Thirty-two participants responded to the Dear Colleague Letter-Compliance Instrument (DCL-CI), an online self-assessment tool. The researcher then utilized the compliance scores from the DCL-CI to stratify and identify six sites to study intensively by conducting phone interviews. This chapter also provides a discussion of Title IX coordinator experiences as the persons responsible for Title IX compliance on their campus. The results from the DCL-CI online self-assessment tool, phone interviews, open-ended questions, and document review were used to address the major findings, implications, and recommendations for future research in this chapter.

Summary of the Study

Acts of sexual harassment and sexual violence are ongoing issues facing college and universities (Amar, Strout, Simpson, Cardiello, & Beckford, 2014; Hawkins &
Domoney, 2012; Wiscombe, 2012). The April 4, 2011 Dear Colleague Letter (DCL) stated that if an institution is made aware of student-on-student sexual harassment or sexual violence, there is an obligation to take “immediate action to eliminate the harassment, prevent its recurrence, and address its effects” (U.S. Department of Education [USDOE], 2011, p. 4). Despite the significance of the 2011 DCL, since its release, the federal government has conducted over 450 investigations at higher education institutions for possible violations of Title IX requirements for responding to reports of sexual violence (The Chronicle of Higher Education, 2018).

When institutions do not respond in a timely manner to reports of sexual violence, it can result in severe outcomes for reporting parties, responding parties, and colleges and universities (Smith & Gomez, 2013). Institutions that continue to overlook the seriousness of the problem, by responding inconsistently to reports of sexual violence, and not enforcing policies and procedures, are failing to provide a safe learning environment free from hostility and discrimination to all campus constituents (Smith & Gomez, 2013). This was the problem used as the central foundation to guide this study. The purpose of this study was to examine institutional compliance and response to student-on-student sexual harassment and sexual violence using the regulations set forth by the USDOE Office for Civil Rights April 4, 2011 Dear Colleague Letter.

The researcher utilized a QUAN-qual sequential, explanatory mixed methods approach for this study. The qualitative data were used to expound upon the quantitative data (Creswell, 2003). The researcher administered the Dear Colleague Letter-Compliance Instrument (DCL-CI) (Carroll, et al., 2013) self-assessment tool with two
open-ended questions to members of the Association of Title IX Administrators (ATIXA) listserv and/or the College and University Professional Association for Human Resources (CUPA-HR) Title IX Discussion Group. Semistructured phone interviews were completed with Title IX coordinators at the six selected case study sites. Once completed, the researcher transcribed the interviews and then imported them into NVivo 11 Pro computer software program. Line-by-line coding was conducted in an iterative process to identify initial codes retained to derive themes (Fereday & Muir-Cochrane, 2006). Code frequencies for the analysis of themes in conjunction with document analysis and applicable descriptive statistical analyses were considered for data triangulation. The researcher reviewed the following published documents at the six selected sites: Title IX website and institutional policy on sexual harassment and sexual misconduct from each of the six selected sites.

Participant responses from the DCL-CI online self-assessment tool were analyzed to answer research question 1: What levels of institutional compliance were achieved applying the guidance of the April 4, 2011 Dear Colleague Letter? Participants self-reported their institution’s level of implementation with each item on the instrument using a four-point compliance range: (1) not implemented, (2) planned to be implemented, (3) partially implemented, and (4) fully implemented (Carroll et al., 2013). Participants self-reported their institution’s level of compliance in four areas: proactive efforts (noneducational), victim support services, educational measures and services, and incident investigation and judicial proceedings. Each of these areas contained statements required for compliance and recommended best practices according to the 2011 DCL.
Based on the responses to the DCL-CI, participants received an overall compliance score, overall required for compliance score, and recommended best practices score. Additionally, the participants also received required for compliance and recommended best practices scores for each of the four categories: proactive efforts (noneducational), victim support services, educational measures and services, and incident investigation and judicial proceedings.

Purposeful-stratified sampling was utilized to identify six case study sites with high self-reported compliance scores on the Dear Colleague Letter-Compliance Instrument (DCL-CI) to study intensively. Participant responses from the semistructured phone interviews with the six selected sites were utilized to answer research questions 2 and 3:

2. How did the release of the April 4, 2011 Dear Colleague Letter guidance contribute to the development and implementation of
   a. sexual violence policies and procedures,
   b. support services for victims of sexual violence, and
   c. education and training on sexual violence for faculty, staff, and students?

3. What strategies did institutions utilize as they developed and implemented
   a. sexual violence policies and procedures,
   b. support services for victims of sexual violence, and
   c. education and training on sexual violence for faculty, staff, and students?
Four themes were supported from the deductive thematic analysis: (1) proactive efforts, (2) victim support services, (3) educational measures and services, and (4) incident investigation and judicial proceedings. Each of these themes were examined to provide a discussion of how institutions responded to the release of the 2011 DCL and the strategies each institution employed as they developed and implemented sexual violence policies and procedures, support services for victims of sexual violence, and education and training on sexual violence for faculty, staff, and students.

Data collected from two open-ended questions on DCL-CI the self-assessment tool and participant responses during phone interviews were then used to answer research question 4: How do Title IX coordinators describe their experiences implementing Title IX compliance using the April 4, 2011 Dear Colleague Letter on their campus? All participants were asked to report the greatest challenge they faced implementing Title IX regulations on their campus using the 2011 DCL guidance. Furthermore, they were asked to share additional responsibilities of the Title IX coordinator outside of Title IX compliance.

Following the analyses of the phone interview transcripts and the open-ended questions, the researcher identified the following four themes through inductive thematic analysis: (1) limited resources, (2) relationship with campus partners, (3) challenges implementing Title IX training and regulations, and (4) limited support for the Title IX coordinator position. These themes were used to describe participants’ experiences implementing Title IX regulations on their campus.
Summary of the Major Findings

This study resulted in seven major findings:

- Even though the federal government released a significant guidance document in 2011, it took a number of institutions three to four years to implement Title IX mandates and many institutions were still not in full compliance with the 2011 guidance at the conclusion of this study in February 2016.

- The designation of a fulltime Title IX coordinator, with no other responsibilities, is vital to institutional efforts to comply with federal Title IX regulations.

- Resources such as staff, time, and money, needed to effectively comply with all federal Title IX mandates are limited.

- Despite the mandate for institutions to provide educational measures and services focusing on sexual violence for faculty, staff, and students, training is a challenge facing all institutions.

- Institutions reviewed, revised, and in some cases, created new policies and procedures, including incident investigation and judicial proceedings, to address sexual harassment and sexual violence on campus in response to the 2011 DCL.

- Collaboration with campus and community partners is important in providing support to victims of sexual violence.
• In order to be effective, support for the Title IX coordinator position and buy-in about the importance of Title IX initiatives on campus must come from senior leadership.

Discussion of Findings

A review of the literature supports the importance of institutions having adequate staffing, support services, training and education, and policies and procedures to address sexual violence on campus while ensuring Title IX compliance. Title IX of the Education Amendments was enacted in 1972 to eliminate sex discrimination in schools to ensure equal access to educational programs and opportunities (Juliano, 2013; Lombardi & Jones, 2009; Valentin, 1997). On April 4, 2011, the USDOE Office for Civil Rights issued a Dear Colleague Letter (DCL) to address institutional response to student-on-student sexual harassment and sexual violence. The 2011 DCL was considered a significant guidance document for schools, particularly colleges and universities, on how to effectively respond to campus sexual violence.

The researcher also reviewed the findings of this study utilizing the lens of Strange and Banning’s (2001) Environmental Theory and its relation to fostering safe environments for college students. Dewey (1933) stated educators who have a complete understanding of human environments are better positioned to assist in the elimination of unnecessary stressors that may impede the learning, growth, and development of students, such as sexual harassment and sexual violence. The researcher considered responses to the 2011 DCL in the context of this theory and how safety and inclusion were supported.
As the problem statement for this study indicated, even though the federal government released a significant guidance document in 2011, it has taken a number of years for numerous institutions to implement mandates, and many institutions are still not in full compliance with the 2011 guidance. According to The Chronicle of Higher Education (2018), 458 Title IX investigations have been conducted since 2011 for possible violations of the law’s requirement on policy and response to handing reports of sexual violence on college and university campuses. The results of this study confirmed institutional Title IX compliance is a challenge facing colleges and universities. Only 1 of the 32 participating universities reported full implementation with all required for compliance items on the Dear Colleague Letter-Compliance Instrument (DCL-CI). None of the 32 participants reported fully implementation of all required for compliance and recommended best practices items on the DCL-CI. The six case study sites did report higher mean scores than the average mean scores of the total sample on all areas of the DCL-CI.

Adequate Staffing

Despite the rescission of the 2011 DCL, institutions are still required to designate an individual responsible for overseeing all Title IX compliance on campus (USDOE, 2001, 2011, 2014, 2015). The 2001 and 2015 guidelines stated this position should be fulltime, and the individual should not have any additional responsibilities. All six of the selected sites reported a Title IX coordinator had been identified on their campus prior to 2011, but upon the release of the 2011 DCL, all six institutions reevaluated and restructured the position. Only two of the sites, Spires University and The College of
America, reported creating a Title IX coordinator position that was fulltime and did not occupy additional roles and responsibilities. Five of the Title IX coordinators at the six selected sites reported serving in this role one year or less and indicated it took their institution until 2014 or 2015 to identify a fulltime Title IX coordinator. Therefore, the reported low years of experience may have been because institutions only recently designated a person to serve in this role. As one participant stated, “Convincing administration that this [the Title IX coordinator position] is necessary, remains one of the largest challenges.”

Support Services

According to the USDOE (2015), “Title IX coordinators must have the full support of their institutions to be able to effectively coordinate the recipient’s compliance with Title IX” (p. 4). Similar to Carroll and colleagues (2013) reported, this researcher found that resources (in terms of staff), time, and funding for Title IX initiatives, were not available or limited on many of the participants’ campuses. Numerous participants reported “limited resources” available to effectively comply with all federal Title IX mandates. Lack of resources resulted in proactive and educational measures, such as training campus constituents and conducting investigations, being left to staff members with other roles in various departments; therefore, limiting the amount of time dedicated to these important areas. Additional staff and financial resources are necessary, but this reflects a larger problem. The USDOE has mandated institutions make changes to comply with regulations, but additional funding to assist institutions in meeting these requirements has not been provided (Carroll et al., 2013).
Support also includes ensuring the Title IX coordinator is visible on campus and that the individual is knowledgeable about campus policies, procedures, and resources. Title IX coordinators must receive appropriate training in areas of sexual violence. Due to constant changes in laws, regulations, and OCR guidance, the 2015 DCL recommended the institution provide regular training to the Title IX coordinator and all employees who have obligations under Title IX, for “Title IX coordinators are invaluable resources to [institutions] and students at all educational levels” (USDOE, 2015, p. 7). Therefore, in an effort to be effective, support for the Title IX coordinator position and buy-in about the importance of Title IX initiatives on campus must come from the top-down (USDOE, 2015).

In April 2015, the USDOE Office for Civil Rights released a DCL specifically focusing on the role of Title IX coordinators on college and university campuses. Beyond reiterating that institutions must designate one person to oversee Title IX compliance, the 2015 DCL placed emphasis on the importance of the Title IX coordinator having “appropriate authority and support necessary for them to carry out their duties and use their expertise to help their institutions comply with Title IX” (USDOE, 2015, p. 1). Reasonable commensurate authority, as recommended by the 2015 DCL, and direct access to the highest levels of senior leadership were institutional challenges. According to the 2015 DCL, the Title IX coordinator role should be independent to ensure there is not a conflict of interest, and the coordinator should report directly to senior leadership, such as the college or university president (USDOE, 2015).
Training and Education

Human aggregate was an identified component of environmental theory (Strange & Banning, 2001) in this study. The Council of Ontario Universities (1991) reported individuals experience differently the environments in which they are immersed, according to the person’s “ethnicity, race, class, age, ability, and sexuality (p. 10.) The needs of various campus stakeholders are important for administrators to consider when working toward decreasing sexual violence. The research participants were cognizant of the characteristics individuals bring to their campus and constructed trainings to ensure all members of the audience could relate. Abbey (2002) stated college students are willing to explore new ideas; therefore, sexual violence prevention and educational messages need to be provided to students early and frequently. Orientation programs for new students, faculty, and staff should be utilized to distribute information about responsible decision-making and sexual violence (Abbey, 2002; USDOE, 2011). The College of America, Sharpe University, and Bell University trained students on sexual violence during new student orientation, and all six of the selected sites utilized new employee orientation to train faculty and staff.

A variety of methods, such as videos, theatre groups, role playing, and coed discussion groups should be implemented as different mediums to ensure engagement of all members of the audience (Abbey, 2002; United Educators, 2015; USDOE, 2011). The six selected sites utilized videos, coed discussion groups, face-to-face presentations, and online methods to train and educate campus constituents. Abbey (2002) stated that peer leaders are also critical in educating their peers about these concerns. Jillian, the
coordinator at The College of America, believed the use of peer-to-peer education was the institution’s most successful form of sexual violence education and outreach: “I think students would say that these peer-to-peer, peer educators, that do the bystander intervention” is the most successful and receives the most student buy-in on campus.

Education and training efforts should include students involved in Greek life, athletes, resident assistance, and other large social groups (Abbey; UE, 2015; USDOE, 2011, 2014). All six of the selected sites discussed adapting trainings to different student populations such as student leaders, graduate students, first year, and transfer students. The participants also discussed consideration for special populations such as student athletes and members of the Greek community. Lucy discussed how Island Community College developed and distributed educational and informational materials in different languages for individuals who did not speak English as their first language. This aligns with Clark and Trow’s (1966) discussion on subcultures. Strange and Banning (2001) highlighted the importance of understanding the campus culture to allow administrators to work with students to provide training opportunities that are relatable and accessible for all students. Lucy shared that, prior to her arrival, the number of incidents reported were low. She indicated that once the institution designated a Title IX coordinator and began implementing trainings on sexual violence, “I have seen an increase in Title IX reporting, because folks are now aware of it”.

Policies and Procedures

Strange and Banning (2001) explained that the structural and organizational environment includes policies, procedures, and campus regulations. To examine this
factor, the researcher conducted a review of the Title IX website and policies and procedures related to sexual harassment and sexual violence of the six selected institutions. These detailed policies encouraged safety and reporting of incidents and proved easily accessible for someone who has experienced or may know someone who has experienced sexual harassment or sexual violence. Each of the Title IX coordinators at the six selected sites discussed institutional efforts made to review and revise, or in some cases, create and implement new sexual harassment and sexual violence policies and procedures to comply with the 2011 DCL. Jillian shared a different experience in regards to sexual violence policies at The College of America: “I am actually working on creating a Title IX policy that will hopefully go through the Board of Governors”. She indicated it would be a comprehensive Title IX policy for faculty, staff, and student.

Strange and Banning (2001) further discussed the importance that constructed environments play on a college or university campus. Constructed environments are individuals’ perceptions about the environment. The Campus Sexual Assault Victims’ Bill of Rights, enacted in 1992, provided basic rights to victims of sexual violence (RAINN.org, 2018). This law stated victims of sexual violence have the right to be notified of available support services, such as counseling services and access to interim measures and accommodations (e.g., change of academic and living arrangements) (Clery Center, 2018). Campus sexual assaults are one of the most underreported crimes (Amar et al., 2014; Gottlieb, 2008; Lonsway, Archambault, 2012; Luce, Schrager, & Gilchrist, 2010; Sable, Danis, Mauzy, & Gallagher, 2006; Wiscombe, 2012), and a campus environment may impact a victim’s decision to report. Preventing sexual violence on
college and university campuses cannot be the work of one campus department or administrator. It requires a collaborative effort toward creating a safer environment that is conductive to living, learning, and working (Barry & Cell, 2009).

Institutional personnel need to ensure they eliminate barriers to reporting and ensure victims are aware of how and where to report (Amar et al., 2014, Fisher, Cullen, & Turner, 2000; Hart & Colavito, 2011). When administrators receive reports of sexual violence, they can provide victims with access to resources, on and off campus, and make referrals that may assist the individual in the healing process (Amar et al., 2014). Victims of sexual violence may experience trauma that can interfere with their academic performance and emotional and physical well-being (USDOE, 1997, 2001).

The researcher utilized Strange and Banning’s (2001) Environmental Theory to explore how each of the components may contribute to a safe campus community. Each of the six sites discussed the priority of collaborating and working together with other campus departments to meet the needs of students, with priority given to individuals who had experienced sexual harassment or sexual violence and were seeking to report an incident or utilize support and resources. The efforts of administrators at all of the institutions and the responses that were made in response to the 2011 DCL indicated these participants were active in advancing the Title IX process and creating a safe campus community that includes support, resources, and options both on and off-campus.

Conclusions

This study addressed Title IX compliance, an issue facing many institutions of higher education. The Title IX coordinators at each of these campuses appeared to have
put forth “a good faith effort” to implement policies and procedures, support services, as well as training and education initiatives to create safe campus environments with reduced incidents of sexual harassment and sexual assault. Each of the Title IX coordinators at the six selected sites discussed the importance of making changes on their campuses to ensure compliance with the 2011 DCL. The actions at each of the six sites created a collaborative environment supportive of safety and inclusion, consistent with Strange and Banning’s (2001) Environmental Theory. Title IX compliance was visibly important to each participant in this study, but for most, the ability to achieve compliance meant making changes to their current policies, procedures, training and education, as well as staffing. The changes expanded the opportunity for collaboration with campus and community partnerships to meet the needs of students, which proved critical to achieving goals and employing the required mandates. Participants reported that, as individuals on campus received training and education about sexual violence, reports began to increase. Therefore, attention to this important topic is necessary on college and university campuses to ensure institutions have adequate people resources, financial support, and available services.

Implications

Federal government leaders, as well as students and their families, are demanding institutions of higher education take necessary steps to address sexual harassment and sexual violence on college and university campuses. Fisher, Daigle, and Cullen (2010) stated higher education institutions are supposed to be safe havens for students to grow and develop, but often students are faced with issues such as sexual violence. Although
the findings of this study are only telling of a small group of institutions, they identify considerations for other institutions in complying with federal Title IX regulations. The findings of this study will be beneficial to higher education leadership in understanding the importance of developing policies and procedures, support services, and training and education for campus constituents in order to comply with federal mandates. In order for implementation of all of the resources and services identified in the 2011 DCL to occur, the directive should come from senior leadership, such as the university chancellor or president. Each of the six selected sites had a high level of commitment to make necessary changes or revisions; therefore, for other institutions to implement similar changes, it is important to identify sources of funding, supply adequate staff, or consider restructuring current staff to ensure timely implementation and pursuance.

The 2011 DCL and federal Title IX mandates require institutions to collaborate and build relationships with campus and community partners in order to comply with regulations effectively. This study revealed that job descriptions and responsibilities were often impacted. Individuals were often asked to volunteer their time conducting investigations or conducting training and education sessions. When making changes and implementing new initiatives, it is important to engage the individuals who may be impacted to ensure they are responsive and willing to provide the necessary support. Higher education leaders should be especially selective when identifying campus partners to ensure they are committed to the current culture of addressing sexual violence on campus.
It is also important for institutions to consider how to implement support services, training, and education initiatives that will be most beneficial to the campus culture, size, and population of stakeholders. The selected sites in this study, with the exception of Island Community College, were small and highly residential, allowing the ability of Title IX coordinators and others to engage in more face-to-face presentations. At larger institutions or on commuter campuses, like Island Community College, face-to-face sessions may not be the most effective and efficient methods to employ. Institutions with these characteristics may be more likely to educate faculty, staff, and students through online training, new student and employee trainings, or other large-scale campus events.

Lastly, while Title IX is a federal mandate, it is also about doing the right thing to protect students who have experienced sexual violence and provide a safe campus community. Sexual violence can place a tremendous amount of stress on a victim that often results in trauma and psychological effects, including stress, feelings of isolation, low self-esteem, and self-blame (Amar et al., 2014; Barry & Cell, 2009; Deitz, Williams, Rife, & Cantrell, 2015; Katz & Moore, 2013; Ullman & Filpas, 2001).

Recommendations for Future Research

Because this investigation focused solely on the perspectives of Title IX coordinators, it would prove insightful to expand this study by examining the perceptions of students to assess how they perceive their institution’s efforts related to sexual violence response on their campus. It would also be interesting to explore the experiences of other individuals responsible for responding to sexual violence on campus, such as support providers, Deputy Title IX coordinators, Title IX investigators, campus
police, legal counsel, and adjudicators. The third recommendation for further study would be to examine if the rescission of the 2011 DCL and the 2014 Questions and Answers on Title IX and Sexual Violence has impacted continued Title IX efforts at the participating institutions.

Final Thoughts

The purpose of this study was to examine institutional compliance levels and response to student-on-student sexual harassment and sexual violence using the regulations set forth by the April 4, 2011 Dear Colleague Letter. This study examined institutional sexual violence proactive efforts (noneducational), support services for victims of sexual violence, educational measures and services, and incident investigation and judicial proceedings. Additionally, this study described the experiences of campus Title IX coordinators in their role as the University administrator responsible for ensuring Title IX compliance on their campus. The researcher sought to find how the release of the DCL impacted sexual violence policies and procedures, support services for victims of sexual violence, and education and training on sexual violence for faculty, staff, and students and the strategies institutions utilized to employ each of these areas on their campus. The analysis of data from this study concluded that a commitment to adequate resources, designated staff, collaboration, training and educational efforts, and support from senior-level administrators leads to high levels of institutional Title IX compliance.

The current political climate lends itself to further investigation of what institutions are doing and what the long-term effects the 2011 DCL has had in higher education. This study provides a snapshot of what actions institutions of higher
education haven taken in response to a federal mandate. Mandates can be politically repressed, despite the fact that change needs to occur, especially in a sensitive but important area such as sexual violence on college campuses. However, even with backlash, change can occur even in the ivory tower.
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APPENDIX A

MERCER UNIVERSITY IRB APPROVAL
14-Dec-2015

Ms. Melissa M Nunn
Mercer University
Tift College of Education - Atlanta
3001 Mercer University Drive
, GA 30341

RE: The Impact of the April 4, 2011 Title IX Dear Colleague Letter on Institutional Response to Student-on-Student Sexual Violence (H1512327)

Dear Ms. Nunn:

Your application entitled: The Impact of the April 4, 2011 Title IX Dear Colleague Letter on Institutional Response to Student-on-Student Sexual Violence (H1512327) was reviewed by this Institutional Review Board for Human Subjects Research in accordance with Federal Regulations 21 CFR 56.110(b) and 45 CFR 46.110(b) (for expedited review) and was approved under Category 6, 7 per 83 FR 60964.

Your application was approved for one year of study on 14-Dec-2015. The protocol expires 13-Dec-2016. If the study continues beyond one year, it must be re-evaluated by the IRB Committee.

Item(s) Approved:
New application using online surveys and audio recording

Please complete the survey for the IRB and the Office of Research Compliance. To access the survey, click on the following link: https://www.surveymonkey.com/s/K7CTR

Respectfully,

Ave Chambless-Richardson, M.ED., CIP, CIIM
Member
Institutional Review Board
Mercer University IRB & Office of Research Compliance
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APPENDIX B

PARTICIPANT EMAIL AND INFORMED CONSENT FORM
Dear Fellow Title IX Coordinator,

My name is Melissa Nunn and I am a doctoral student at Mercer University in the Tift College of Education Educational Leadership program. I am conducting a research study about the impact of the April 4, 2011 Title IX Dear Colleague Letter on institutional response to student-on-student sexual violence. I am emailing to ask if you would like to participate by completing a survey for this research project. This survey will take approximately 20-30 minutes to complete. You will also be asked if you would like to participate in a follow-up phone interview. Mercer University’s IRB requires investigators to provide informed consent to the research participants.

If you would be interested in taking this survey, please click on this link and provide your consent to take the survey: https://www.surveymonkey.com/r/93YWG8J.

If you have any questions about the study contact the investigator Melissa Nunn, XXX-XXX-XXXX, and Melissa.M.Nunn@live.mercer.edu.

Mercer University’s Institutional Review Board (IRB) reviewed study # (H1512327) and approved it on (14-Dec-2015).

Questions about your rights as a research participant:
If you have questions about your rights or are dissatisfied at any time with any part of this study, you can contact, anonymously if you wish, the Institutional Review Board by phone at (478) 301-4101 or email at ORC_Research @Mercer.edu.

Thank you in advance for your time and participation!

Mercer University IRB
Approval Date: 12/14/2015
Protocol Expiration Date: 12/13/2016

Melissa M. Nunn, M.S.
Doctoral Student, Mercer University
Title of Project: The Impact of the April 4, 2011 Dear Colleague Letter on Institutional Response to Student-On-Student Sexual Violence

Investigators
Primary Researcher:
Melissa M. Nunn, M.S.
Doctoral Candidate
Tift College of Education, Educational Leadership
Mercer University, Atlanta, Georgia
XXX-XXX-XXXX
Melissa.M.Nunn@live.mercer.edu

Faculty Advisor:
J. Kevin Jenkins, Ed.D.
Associate Professor
678.547.6523
Jenkins_KJ@mercer.edu

You are invited to participate in an online survey for a research project conducted through Mercer University. Mercer University’s IRB requires investigators to provide informed consent to the research participants.

Purpose of the Research
The purpose of this online research study is to examine institutional response to federal Title IX mandates. The data from this research will be used to identify successful institutions strategies of implementing Title IX policies, procedures, campus support and resources for victims of sexual violence, and training and education for all campus constituents on response to sexual violence. You must be at least 18 years old to participate.

Procedures
The survey will take approximately 20 minutes of your time. You will complete an online self-assessment checklist about your institution’s compliance with the April 4, 2011 Dear Colleague Letter.

Additionally, you will be asked to provide your name, email address, and phone number if you want to participate in a follow-up phone interview.
The phone interview could last between 30-45 minutes. The researcher will follow-up with you after the phone interview to review the interview transcript to ensure that she has accurately captured your responses. This could take between 20-30 minutes; therefore, the total anticipated time will be anywhere from 70 minutes to 95 minutes.

Your demographic information will be connected to your survey responses to contact you for a follow-up interview, as Ms. Nunn is looking to phone interview a specific sample of Title IX coordinators. You will be asked to assign a pseudonym to you and your institution. You will not be compensated.

Potential Risks or Discomforts
There are no foreseeable risks associated or discomfort which could cause you to feel uncomfortable or distressed. There will be no costs for participating. If you feel uncomfortable at any time during the phone interview process, you may refuse to answer any questions you have.

Potential Benefits of the Research
Potential benefits that can result from participation in this study could be gaining knowledge of successful strategies to effectively implement federal Title IX mandates on your institution’s campus.

Confidentiality and Data Storage
You will be asked to provide your name, email address, and phone number if you want to participate in the follow-up phone interview. Your responses will be connected to your survey responses to contact you for a follow-up interview as Ms. Nunn is looking to phone interview a specific sample of Title IX coordinators. You will be asked to assign a pseudonym to you and your institution.

You will be phone interviewed by Ms. Nunn in a setting of your choice using a digital audio recording as a means of data collection and storage. You and your institution will be described using nonspecific demographics to protect your identity and will be identified in interview transcripts, audio-recordings, and field notes by their assigned pseudonym. Only Ms. Nunn, Dr. Jenkins, and Dr. Isaac the methodologist, and will have potential access to the original recording and a confidential list identifying the participant and their institution with the assigned pseudonym. Ms. Nunn will transcribe all phone interview notes.

Audio recordings will be destroyed after transcription is complete by deleting the digital files from both the digital recorder and the USB drive. All field notes and transcripts will be kept secure on a password protected USB drive in Ms. Nunn’s home. Ms. Nunn will keep the USB drive for 3 years after completion of the study. Data results will be
published as a dissertation. No identifying information such as names will appear in any publication or presentation of the data.

**Participation and Withdrawal**
Your participation in this research study is voluntary. Participants have the right to discontinue participation, either temporarily or permanently at any point in the research process. To withdraw from the study please contact Melissa M. Nunn at 478.320.3228 or Melissa.M.Nunn@live.mercer.edu.

**Contacts for Questions about the Research**
If you have any questions about the study, contact the investigator Melissa Nunn at 478.320.3228 or send an email to Melissa.M.Nunn@live.mercer.edu. Mercer University’s Institutional Review Board (IRB) reviewed study # (H1512327) and approved it on (14-Dec-2015).

**Audio Taping**
Your permission is needed for the use of digital audio recording during the phone-interviews. For accuracy, the phone interview sessions will be audio-taped and the results used as a part my research and to confirm I have accurately transcribed your comments. Do I have your permission to tape this interview?

**Reasons for Exclusion from this Study**
You may not participate in this study if you are not currently serving in the role as Title IX coordinator at an institution that receives federal funding. You are also excluded from this study if you are under the age of 18, incarcerated, institutionalized or are emotionally and/or intellectually impaired.

**Questions about your rights as a research participant**
If you have questions about your rights or are dissatisfied at any time with any part of this study, you can contact, anonymously if you wish, the Institutional Review Board by phone at (478) 301-4101 or email at ORC_Research @Mercer.edu.

If you agree to participate in the research study, click on the following link https://www.surveymonkey.com/r/93YWG8J.

Thank you in advance for your time and participation!

Please do not forward this e-mail to others.

Please print a copy of this document for your records.
APPENDIX C

ASSOCIATION OF TITLE IX ADMINISTRATORS APPROVAL EMAILS
Hi Marianne,

I am a Ph.D. student in the Educational Leadership program at Mercer University. I am currently in my last (I hope) semester and am currently writing my dissertation. My topic is on institutional compliance with the 2011 DCL.

I am not sure if you are the person I need to ask for guidance, but I would love to be able to utilize the ATIXA members/institutions for my study. I am specifically looking at Title IV funded institutions of higher education. I have a compliance survey that I am using to collect initial descriptive statistics from Title IX coordinators and then from there I would be contacting those institutions/coordinators that indicate interest in a follow-up phone interview/document review to complete my study.

Would it be possible for me to use the ATIXA members? If so, how would I obtain permission? I am not sure if it matters or not, but I am currently not a member of ATIXA.

Do you know how many Title IX coordinators/institutions that are current members of ATIXA are Title IV funded?

Any guidance would be greatly appreciated!

Thank you so much!
Melissa M. Nunn, M.S.
Mercer University
Title IX Coordinator
Thanks so much for reaching out. I remember you and I discussing this late last year, yes. It seems that we are happy to assist, in whatever way we can. We have a members-only listserv that we can use to solicit for any research requests that you might have. If you can provide us with the text, we can send it through the listserv. They can then choose to participate, if they wish.

Thanks!

________________________________________
Marianne Price, M.S.
Director of Educational Programs
Association of Title IX Administrators

Marianne@atixa.org

116 E. King Street
Malvern, PA 19355
Tel. (610) 644-7858
Fax (610) 993-0228
www.atixa.org
Hi Ashleigh,
I hope this email finds you doing well. I am not sure if you are the right person to ask this to, but I am hoping if not, you can point me in the right direction.

Beyond being the Title IX Coordinator for Mercer University I am also a doctoral student in the Educational Leadership program here at Mercer University. My dissertation topic is institutional response to the April 4, 2011 Dear Colleague Letter, specifically looking at institutional compliance with policies, procedures, resources for victims, and education and training for all campus constituents. My research is focusing on successful institutions implementation of the Title IX guidance in hopes that my research will provide models for other institutions. As a member of the online CUPA-HR Title IX community, I have really been impressed with the willingness of the colleagues to help with questions, provide resources, and support each other. I come to you today to see if it is possible for me to use this online community to distribute an online self-assessment tool to fellow Title IX Coordinators for my dissertation research. I am currently planning for the proposal phase of my research and once I have passed that, I will obtain IRB approval from Mercer University and will be able to collect data.

Please let me know if this is a possibility or if you need more information. I look forward to hearing from you!

Thank you in advance,

Melissa Nunn
Hi Melissa,

Regarding the e-mail wording, I recommend adding the estimated time for completing the survey. That is the first question, and a pretty influential one, folks want to know when being asked to complete a survey. The e-mail wording has also been reviewed by CUPA-HR’s director of communications and marketing, and besides adding the estimated completion time, there are no other suggestions or concerns. You are free to proceed!

Let me know if you have questions or need anything else.

Best,
Ashleigh
APPENDIX E

DEAR COLLEAGUE LETTER-COMPLIANCE INSTRUMENT APPROVAL EMAILS
Hi Kelly,
My name is Melissa Nunn and I am Ph.D. Student at Mercer University in Macon, Georgia. My dissertation topic is focused around institutional compliance with the April 4, 2011 Dear Colleague Letter. While doing research, I came across your article and instrument. I am very interested in using this instrument and wanted to see if you would grant me permission to do so. Also, who else do I need to contact for permission? I was only able to find Chelsea Carroll's contact information and I have emailed her as well.

If you all grant me permission to use this instrument, I would like more information about the validity of the instrument. Can you tell me what process you all went through to establish validity (i.e. pilot study, etc.)? Was each section of the instrument validated or was it validated as a whole instrument.

Any other information you have that may lead to success in this process would be greatly appreciated. Thank you so much for your time and consideration. I look forward to hearing from you.

Melissa M. Nunn
Ph.D. Student Mercer University

On Mar 15, 2015, at 6:17 PM, Melissa Nunn <Nunn_M@mercer.edu> wrote:
Hello all!
I know it has been awhile since I first emailed, so as I move forward in my dissertation process, I wanted to confirm it is still okay for me to use the Dear Colleague Letter-Compliance Instrument in my doctoral study.
Thank you in advance!

Melissa M. Nunn, M.S.
Hi Melissa,

Thank you so much for your message. I have cc’d my co-authors on this message anticipating that they fully support your research and desire to use our instrument. Were you able to locate the original article? In it we explain how the tool was created and applied to a case study institution. It was published with the intention that other institutions could use the self-assessment so please do feel free to use it.

I'm sorry if I haven't answered your questions-- if you'd like more information feel free to write back to any of us. I'd love to read your piece when you are done.

Take care,
Kelly

Hi Melissa,

I’m still good with you using it.

Mara

Hi Melissa,

I’m also fine with you using the instrument for your research.

Best wishes,
Chelsea
On Mon, Mar 16, 2015 at 11:45 AM, Hasbun, Miriam <miriam.hasbun@uconn.edu> wrote:
I am also fine with you using it.

Miriam
Sent from my iPhone

From: Margaret Hayes [mailto:margarethayes@depauw.edu]
Sent: Monday, March 16, 2015 1:43 PM
To: Kelly Grab
Subject: Re: Permission to use instrument

Absolutely!

Best,
Maggie

From: Samantha Muntis [mailto:samantha.muntis@gmail.com]
Sent: Monday, March 16, 2015 10:09 PM
To: Melissa Nunn
Subject: Re: Permission to use instrument

Hello Melissa,
Sure, I'm fine with you using the instrument for your research.
Best wishes,
Samantha Muntis
APPENDIX F

DEMOGRAPHIC INFORMATION AND OPEN-ENDED SURVEY QUESTIONS
Thank you for reviewing the cover letter and agreeing to participate in this research study. These demographics and open ended survey questions will allow me to understand the diversity of the research participants and your institutions. At the end of this survey, if you would like to participate in a follow-up phone interview, you will have the opportunity to provide me with your name, email address, and phone number. Thank you for your participation!

Demographic Information

1. How many total years have you served in the role of Title IX Coordinator at a college or university?

2. How many years have you served as the Title IX Coordinator at your current institution?

3. Please identify your gender (sex)
   Female
   Male
   Intersex
   Other (please specify)

4. What is your age?
   18-25
   26-35
   46-55
   56-65
   Over 65

5. What is your race/ethnicity? (Check all that apply)
   African American
   Black
   Asian/Pacific Islander
   Hispanic/Latino(a)
   American Indian or Alaska Native
   White/Caucasian
   Other (please specify)

6. Your institution is:
   Public
   Private
   Other (please specify)
7. Institutional type:
   Two-year
   Four-year or more
   Other (please specify)
8. How many students attend your institution?
   Less than 5,000
   5,000-15,000
   15,000-30,000
   More than 30,000
9. Please indicate your highest degree earned:
   High School Graduate
   Associate’s Degree
   Bachelor’s Degree
   Master’s Degree
   Doctoral Degree
   Juris Doctorate
   Other (please explain)
10. Do you have any other responsibilities/titles within the institution? If yes, please describe.
11. Please assign a pseudonym to the following:
    Your institution:
    Yourself:
12. Would you be willing to participate in a follow-up interview?
    Yes
    No
13. If yes, please provide your name, email address, and phone number.
    Name:
    Email Address:
    Phone Number:

Open Ended Survey Questions:
1. What different responsibilities do you possess in your role as the Title IX coordinator?
2. What have been your greatest challenges in implementing the 2011 DCL Title IX regulations on your campus?
APPENDIX G

DEAR COLLEAGUE LETTER-COMPLIANCE INSTRUMENT
Dear Colleague Letter-Compliance Instrument

Please complete the self-assessment for your institution.

Directions for use: Select the implementation level for your institution that matches each required or recommended compliance item as follows:

Not implemented = there are currently no such actions occurring on your campus, and no definite plans have been made for implementing such actions.

Planned to be implemented = indicates that there is a definite plan emerging or created that will implement the recommendation or requirement on your campus at some point in the future.

Partially implemented = items are those which have started to be implemented, but are not considered complete at the time of filling out the DCL Compliance Instrument.

Fully implemented = items are those which are totally or completely in use/available within the campus environment.

For the purpose of this tool “Title IX Coordinator” can refer to either the main coordinator or any deputy or designee thereof.

*Some items may not be applicable to all institutions—even if they are “required” items according to the Dear Colleague Letter. Any such items are noted with an asterisk within this instrument.
Table G1

Proactive Efforts (Noneducational) of the Dear Colleague Letter-Compliance Instrument

<table>
<thead>
<tr>
<th></th>
<th>Not Implemented</th>
<th>Planned to be implemented</th>
<th>Partially Implemented</th>
<th>Fully Implemented</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Proactive Efforts (Non-educational)</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>15.</td>
<td>The institution publishes a notice of non-discrimination stating that it does not discriminate on the basis of sex in its educational programs and activities, and that Title IX requires it not to discriminate in such a manner.</td>
<td></td>
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<tr>
<td>16.</td>
<td>The notice of non-discrimination is widely distributed to all students, employees, and applicants for admission or employment at the institution.</td>
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<tr>
<td>17.</td>
<td>The institution has adopted grievance procedures regarding sexual discrimination (including sexual harassment and violence) which apply to any complaints filed by students against school employees, other students, or third parties.</td>
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<tr>
<td>18.</td>
<td>The institution publishes its Title IX grievance procedures in a language that is easy for students and staff to understand.</td>
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<tr>
<td>19.</td>
<td>The institution sends a notice of grievance procedures to students and employees, including where complaints may be filed.</td>
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<tr>
<td>20.</td>
<td>The institution has a designated Title IX Compliance Coordinator (“Coordinator”).</td>
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<tr>
<td>21.</td>
<td>In the case of multiple Title IX Coordinators, the institution states the responsibilities for each such individual within its Title XI Notice. *</td>
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<tr>
<td>22.</td>
<td>In the case of multiple Title IX Coordinators, the institution designated one coordinator as having ultimate oversight responsibilities, and other coordinators have titles indicating that they are in supporting roles of the main coordinator.*</td>
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<td></td>
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<tr>
<td>23.</td>
<td>The institution provides the name or title and contact information to all students and employees.</td>
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<tr>
<td>24.</td>
<td>The Coordinator is available to meet with students.</td>
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<tr>
<td>25.</td>
<td>The Coordinator reviews all Title IX complaints.</td>
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<tr>
<td>26.</td>
<td>The Coordinator is tasked with looking for any global/systemic issues relating to Title IX compliance within the institution.</td>
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<tr>
<td>27.</td>
<td>This individual is prohibited from having any other job duties that may create a conflict of interest (such as responsibilities as a judicial hearing officer and/or general counsel duties).</td>
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<tr>
<td>28.</td>
<td>The Title IX Coordinator received appropriate training, including:</td>
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<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. Training on sexual harassment and violence;</td>
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<td></td>
<td></td>
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<td></td>
<td>b. Training on institutional Title IX grievance procedures;</td>
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<td></td>
<td>c. Training on how to conduct a Title IX investigation;</td>
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<tr>
<td></td>
<td>d. Training on the relationship of alcohol and drug abuse and sexual violence.</td>
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<td></td>
</tr>
</tbody>
</table>
Table G1 (continued)

<table>
<thead>
<tr>
<th>I. Proactive Efforts (Non-educational)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td>29. The Coordinator is available to assist school law enforcement unit employees regarding appropriate response to reports of sexual violence.</td>
</tr>
<tr>
<td>30. The Coordinator has access to all law enforcement unit notes and finding as necessary for Title IX investigations, without compromising the criminal investigations.</td>
</tr>
<tr>
<td>31. Law enforcement officials are instructed by the institution to inform complainants of their rights to file a Title IX grievance with the school in additional to filing criminal complaints.</td>
</tr>
<tr>
<td>32. Law enforcement officials report incidents of sexual violence to the Title IX Coordinator when they receive consent from the complainant to do so.</td>
</tr>
<tr>
<td>33. The institution performs a regular assessment of student activities and groups to ensure that there is a not a problematic behavior occurring or established culture that support and perpetuate sexual harassment and/or sexual violence.</td>
</tr>
<tr>
<td>34. The institution, with the assistance of student leaders, conducts a campus “climate check” to assess the effectiveness of existing efforts to prevent sexual harassment and violence, and uses information from this check to inform future planning/actions.</td>
</tr>
<tr>
<td>35. The notice of non-discrimination includes language defining what constitutes sex discrimination under Title IX, including sexual harassment and sexual violence.</td>
</tr>
<tr>
<td>36. The notice of non-discrimination policy includes examples of behaviors that are considered to fall within the definition of sex discrimination, harassment, and/or violence.</td>
</tr>
<tr>
<td>37. Title IX grievance procedures are sent electronically to the entire campus community.</td>
</tr>
<tr>
<td>38. Title IX grievance procedures are available in hard copy at various locations throughout campus.</td>
</tr>
<tr>
<td>39. Title IX grievance procedures are included as a summary or attachment in:</td>
</tr>
<tr>
<td>a. Employee Handbooks</td>
</tr>
<tr>
<td>b. Student Athlete Handbooks</td>
</tr>
<tr>
<td>c. Student Activity Group Handbooks</td>
</tr>
<tr>
<td>d. The institution’s Code of Conduct</td>
</tr>
<tr>
<td>e. Course or other institutional catalogs</td>
</tr>
<tr>
<td>40. Title IX grievance procedures are “prominently posted” on institutional websites.</td>
</tr>
<tr>
<td>41. The Coordinator regularly communicates Title IX requirements to school law enforcement officers.</td>
</tr>
<tr>
<td>42. The Coordinator reviews all of the materials relating to a judicial case or hearing of a sexual harassment or violence complaint to determine if a Title IX remedy might be available to a complainant which might not be available under current campus disciplinary or conduct policies.</td>
</tr>
</tbody>
</table>
Table G2

Victim Support Services of the Dear Colleague Letter-Compliance Instrument

<table>
<thead>
<tr>
<th>II. Victim Support Services</th>
<th>Not Implemented</th>
<th>Planned to be implemented</th>
<th>Partially Implemented</th>
<th>Fully Implemented</th>
</tr>
</thead>
</table>

43. The institution notifies the survivor of available support services upon receipt of a complaint.

44. Students are allowed to change their academic situation if they are in courses with their alleged harasser in cases of sexual violence.

45. The institution provides or facilitates medical services for sexual violence survivors.

46. The institution provides or facilitates counseling services for sexual violence survivors.

47. The institution provides or disseminates a crisis number or on-call service for students who are sexually assaulted.

48. The institution offers those who have complained of sexual violence the ability to move out of a course shared with a perpetrator/request that the alleged perpetrator be removed from the shared course.

49. The institution offers those who have complained of sexual violence the ability to drop or retake courses without negative ramifications including:
   a. No impact on academic record.
   b. Waiver of course fees for the affected courses/term(s).

50. The institution offers tutoring as a support service for those who have experienced sexual harassment or sexual violence.
Table G3

*Educational Measures and Services of the Dear Colleague Letter-Compliance Instrument*

<table>
<thead>
<tr>
<th>III. Educational Measures &amp; Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not Implemented</td>
</tr>
</tbody>
</table>

51. The institution provides adequate training (defined by DCL as being trained on what is considered sexual harassment and sexual violence, warning signs of problematic behavior or distress as it relates to sexual harassment and violence, and how to respond to potential incidents of sexual harassment and violence) to the following campus constituents, as recommended by the DCL:
   a. Professors
   b. School Law Enforcement Employees
   c. School Administrators (including student affairs staff)
   d. School Counselors
   e. General Counsel
   f. Health Personnel
   g. Resident Advisors (Student residence hall employees)

52. The school law enforcement officers are trained on Title IX grievance (non-criminal or judicial) procedures and in possession of copies of the institution’s Title IX policies.

53. The institution educates employees and students about how to file a Title IX complaint.

54. The institution educates employees and students about how to contact the Title IX Coordinator.

55. The institution’s new student orientation provides educational information about or has programming related to sexual harassment and sexual violence.

56. The institution’s new employee orientation provides educational information about or has programming related to sexual harassment and sexual violence.

57. Student athletes and coaches receive training or educational information on sexual harassment and sexual violence.

58. The institution has programming or distributes information during the year that encourages students to report incidents of sexual violence.

59. Educational programing offerings include information defining sexual harassment and assault, school policies that relate to these issues, and states the penalties for violating the aforementioned policies.
### III. Educational Measures & Services

<table>
<thead>
<tr>
<th>Not Implemented</th>
<th>Planned to be implemented</th>
<th>Partially Implemented</th>
<th>Fully Implemented</th>
</tr>
</thead>
</table>

60. The institution created educational materials containing the following information:

a. What is considered sexual harassment or sexual violence;
b. What to do if a student experiences sexual violence or sexual assault;
c. Contact information for victim support services;
d. How to file a complaint with the institution;
e. How to contact the Title IX Coordinator;
f. Description of how the school responds to allegations;
g. Response/reporting measures for a student or employee who learns about a sexual violence incident.

61. The institution distributed the above educational materials:

a. By posting them throughout school buildings;
b. By giving the materials out during orientation;
c. By placing materials within employee handbooks;
d. By placing materials within student activities handbooks;
e. By placing materials within student athlete handbooks.

62. The institution created a committee of students and staff to:

a. Determine how to best educate students on sexual harassment and sexual violence.
b. Assess how well educational measures are working/whether students seem to know and understand the information being presented to them.
Table G4

Incident Investigation and Judicial Proceedings of the Dear Colleague Letter-Compliance Instrument

IV. Incident Investigation & Judicial Proceedings

<table>
<thead>
<tr>
<th></th>
<th>Not Implemented</th>
<th>Planned to be implemented</th>
<th>Partially Implemented</th>
<th>Fully Implemented</th>
</tr>
</thead>
</table>

63. Title IX Coordinator has reviewed disciplinary procedures to ensure that they comply with prompt and equitable requirements of Title IX.
64. The institution allows students to file sexual harassment and/or sexual violence complaints against fellow students regardless of where the incident occurred.
65. Judicial Office requires training of any investigator in sexual harassment and sexual violence prior to that individual performing investigations of such cases.
66. Judicial Office requires training of any judicial decision makers who preside over sexual harassment and sexual violence cases.
67. Judicial Office/Investigator seeks and receives consent from the individual who was harassed and/or assaulted to prior to beginning the incident investigation.
68. The institution acts promptly to investigate possible sexual harassment and/or sexual violence even when a complaint has not been filed if the school knows, or reasonably should know, of possible harassment (in accordance with Title IX investigation procedures).
69. Investigator or Judicial office informs complainant of his or her rights to file a criminal complaint.
70. Investigator investigates whether additional students might have been harassed and/or victimized by the alleged perpetrator of the sexual harassment and/or violence.

Confidentiality during required investigation:
71. Confidentiality is maintained for the complainant if and when requested.
72. The complainant is notified that complete confidentiality may limit the school’s ability to respond to the complaint.
73. If confidentiality can no longer be ensured, complainant is notified.

Judicial Process:
74. Institution does not use mediation process in cases of sexual violence.
75. The judicial office uses preponderance of evidence standard (“that it is more likely than not that the alleged sexual harassment or violence occurred; “Dear Colleague Letter, p. 11) in any sexual harassment or violence case.
76. Both parties have the opportunity to present witness during the hearing.
Table G4 (continued)

IV. Incident Investigation & Judicial Proceedings

<table>
<thead>
<tr>
<th></th>
<th>Not Implemented</th>
<th>Planned to be implemented</th>
<th>Partially Implemented</th>
<th>Fully Implemented</th>
</tr>
</thead>
<tbody>
<tr>
<td>77.</td>
<td>Both parties have the opportunity to submit evidence during the hearing.</td>
<td></td>
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<tr>
<td>78.</td>
<td>Institution affords identical opportunities to both parties to be heard/be aware of the charges and what the other party has stated, as well as equal access to advisors and/or attorneys (if permitted at all).</td>
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</tbody>
</table>

*After close of judicial investigation:*

| 79. | Both parties are notified of judicial outcome of investigation/judicial conference in writing. |
| 80. | Institution does not require complainant to sign or verbally agree to a non-disclosure statement in relation to the outcome. |
| 81. | If institution offers an appeal process, then it applies to both complainant and respondent.* |
| 82. | Parties are notified of appeals process in writing after the judicial outcome. |

*83. Judicial office or equivalent ensures that investigation of incident will be as prompt and equitable as possible through the following measures:*

| a. | Sets a time frame for complete investigation (DCL states that on average these investigations should take approximately sixty days, though the time frame may be longer or shorter depending on the complexities of the case). |
| b. | Sets a time frame for both parties to receive outcome notifications. |
| c. | Sets a clear time frame for both parties to appeal the outcome/finding, if applicable. * |

| 84. | Judicial Office minimizes ramifications for individuals reporting sexual violence situations where illegal substances (underage alcohol or drug consumption) were involved. |
| 85. | Incident investigation includes ascertaining whether school employees knew about sexual harassment or sexual violence and failed to report such incidents. |
| 86. | Parties are not allowed to directly cross examine one another during judicial proceeding. |
| 87. | Parties are notified of the outcome at the same time. |
| 88. | The institution has an appeal process in place. |
APPENDIX H

SEMISTRUCTURED PHONE INTERVIEW PROTOCOL
Semistructured Phone Interview Questions

All information will be kept confidential. Your name will appear as a pseudonym and any identifying information related to your institution will be kept confidential and pseudonyms will be used. Your participation is completely voluntary, and you may ask to end the interview at any time. The phone interview will be recorded using an audio recorder. You may ask that the recorder be turned off at any time. I will also take written notes. I am going to ask you a series of questions about Title IX compliance at your institution, training of campus constituents, as well as resources and support available to victims of sexual violence.

I am starting the audio recorder now.

1. Tell me about your position on campus.
   a. How is your position involved in campus sexual violence prevention, education, and services?

2. What role do you play in sexual violence awareness on your campus?

3. How did the Dear Colleague Letter impact your campus policies and procedures related to sexual violence?
   Probes:
   a. Do you have a nondiscrimination statement?
   b. Do you have specific grievance procedures?
   c. Discuss any changes made to policies after the release of the 2011 DCL.

4. What has your institution done to ensure compliance with the April 4, 2011 Dear Colleague Letter?

5. How is information about sexual violence policies and procedures distributed to campus constituents?

6. How does your institution educate students about sexual harassment and sexual violence?
   Probes:
   a. What mediums are used?
   b. Were these educational efforts in place prior to 2011?
   c. If yes, discuss any changes or updates that have been implemented since the release of the 2011 DCL.

7. What methods of reporting sexual violence are available to students?
   Probes:
   a. How are students informed of these options?
b. Were these efforts in place prior to 2011?
c. If yes, discuss any changes or updates that have been implemented since the release of the 2011 DCL.
d. Please discuss any changes in the number of reported incidents since the release of the DCL.

8. What campus resources are available to students who are victims of sexual violence or to friends of someone who has been victimized?
   a. Are medical services available on and/or off campus?
   b. Are counseling services available on and/or off campus?
   c. Are academic accommodations offered?
   d. Are housing accommodations offered?
   e. What coordination between services occurs?
   f. How accessible are these services in regards to physical location and office hours?
   g. Were these services available prior to the release of the Dear Colleague Letter?
   h. If yes, please discuss any changes or updates that have been implemented since the release of the Dear Colleague Letter.

9. How do you educate and train faculty and staff about sexual violence?
   a. Are they trained on recognizing signs of sexual violence?
   b. Are they informed of their duty to report?
   c. Were these educational efforts available prior to the release of the Dear Colleague Letter?
   d. If yes, please discuss any changes or updates that have been implemented since the release of the Dear Colleague Letter.

10. How does your institution investigate Title IX complaints?

11. Describe your institution’s most successful form of sexual violence education outreach.

12. What other offices or individuals on your campus have been crucial to ensuring Title IX compliance on your campus?

13. As we are approaching the end of this interview, is there anything else that you would like to share with me about your experiences in your role with the DCL and implementation on your campus?

14. Anything else you would like to add?
Thank you for your participation. I will follow up with you once the interview has been transcribed. If there is anything you want to add or omit from the interview, please contact me at Melissa.M.Nunn@live.mercer.edu. I am stopping the audio recorder now.