



Campus Sexual Harassment: Advances in Data

- Annual Security Reports (ASRs) are the primary avenue for gathering information on incidents of gender-based violence on any given college campus - ASRs are limited by narrow inclusion criteria (e.g., Clery geography, use of UCR definitions, campus security authorities).¹
- In a recent study of all public, private, and independent institutions in a Mid-Atlantic state (N = 42)² ASRs only captured about half of the incidents of sexual assault and about one third of the "other" sexual misconduct cases like stalking and dating violence reported to Title IX Coordinators. The sheer number of cases "lost" illustrates the inadequacy of ASRs in capturing the scope of gender-based violence.

Sexual Misconduct Incidents in Institutions of Higher Education: Internally Reported and Publicly Reported Data

Incident Type	Internally Reported Data Academic Year 2015 N=1,054		Publicly Reported Data Calendar Year 2015 N=347	
	Sexual Assault I	238	22.58%	101
Sexual Assault II	105	9.96%	51	14.70%
"Other" Sexual Misconduct	692	65.65%	195	56.20%

Note. Totals from Internally Reported Data omit 22 cases (n=1,035) because Title IX Coordinators had too little information to classify these cases.

Sexual Assault I

238 vs. 101

Sexual Assault II

105 vs. 51

"Other" Sexual Misconduct

692 vs. 195

- Little is known about the context of incidents of gender-based violence reported by college students or the campus adjudication process or outcomes of reported cases.^{3, 4}
- Examination of a population of incidents reported to Title IX Coordinators in Mid-Atlantic state (n=1,054) suggest that few reports result in a formal Title IX complaint, and fewer still result in a finding of responsibility or suspension/expulsion of the responsible student. The primary outcome of reports are victim services, not perpetrator punishments.²

Internally Reported Sexual Misconduct Incident Information, Title IX Processes, and Case Outcomes for Institutions of Higher Education: Academic Year 2015

	Number of incidents (N=1,054)	Percent of incidents	Mean (SD) per institution (N = 42)
Time to Report			
Number of incidents reported within 24 hours	325	30.74%	25.10 (31.58)
Number of incidents reported within the same semester	513	48.67%	7.71 (9.86)
Number of incidents reported after a semester or more	217	20.59%	12.21 (15.95)
Number of incidents with non-student perpetrator/s	452	42.88%	10.76 (14.29)
Incident Location			
On campus or school sponsored activity	605	57.30%	14.40 (16.25)
Off campus	361	34.25%	8.60 (12.65)
Undisclosed	88	8.35%	2.26 (5.19)
Reports to law enforcement	299	28.37%	7.12 (11.14)
Formal Title IX complaints	258	24.48%	6.14 (6.79)
Finding of responsibility	119	46.12%	2.83 (3.12)
Disciplinary Action			
Suspension	34	28.57%	0.85 (1.26)
Expulsion	22	18.49%	0.55 (0.86)
Other	68	57.14%	1.74 (2.57)
Appeals	36	30.25%	0.88 (1.23)
Accommodation			
Alternative housing	67	6.36%	1.60 (3.77)
Referral to counseling/health services	755	71.63%	17.98 (27.24)
No-contact order or stay away order	307	29.13%	7.31 (7.90)
Interim suspension	52	4.93%	1.24 (1.63)
Academic accommodations	214	20.30%	5.22 (6.53)
Other	217	20.59%	5.56 (8.42)

Note. More than one disciplinary action could occur for each formal complaint. Multiple accommodations could be made for each incident.

- **more than 30%** occurred off campus
- **28%** were reported to law enforcement
- **less than 25%** resulted in formal Title IX complaint
- **less than half** of formal complaints resulted in "responsible" finding
- **less than half** of responsible students were suspended or expelled
- **most frequent** accommodations were counseling referrals and no-contact orders

- The data above indicates significant attrition from reporting to formal complaint/adjudication process; however, the underlying causes of the attrition are unknown.
- Analyses of all reported incidents from public, private, and independent institutions in a Northeastern state (N = 1, 745) again show that less than a quarter of reported incidents result in formal complaints - here the majority of formal complaints are withdrawn or resolved through informal resolutions.⁵
- About 32% of formally processed cases resulted in a "responsible" finding, and less than half of incidents with a finding of responsibility resulted in a suspension or expulsion; transcription notations were used in about half of incidents with a responsible finding.

Internally Reported Sexual Misconduct Incident Title IX Processes and Case Outcomes for Institutions of Higher Education: January 2018 - May 2108

Incident Information	Number of incidents (N = 1,745)	Percent of incidents	Mean (SD) per institution (N = 210)
Reporter/institution sought out Title IX judicial conduct process	407	23.32%	1.94 (3.48)
Cases processed through Title IX judicial conduct process	334	82.06%	1.59 (3.15)
Cases withdrawn from Title IX judicial conduct process or resolved through informal resolution	199	59.58%	.95 (6.02)
Cases with a final finding of "not-responsible"	81	24.25%	.39 (.82)
Cases with a final finding of "responsible"	106	31.74%	.50 (1.07)
Expulsion	11	10.38%	.05 (.28)
Suspension	33	31.13%	.16 (.51)
Other	67	63.20%	.32 (.81)
Transcript notation: Code of Conduct Violation	36	33.96%	.17 (.46)
Transcript notation: Withdrawal with Code of Conduct Charges Pending	15	14.15%	.07 (.59)

References

1. Clery Center for Security on Campus (2016). Clery handbook for campus safety and security. Retrieved from www2.ed.gov/admins/lead/safety/handbook.pdf
2. Richards, T.N. (forthcoming, 2019). No evidence of "weaponized Title IX" here: An empirical assessment of sexual misconduct reporting, case processing, and outcomes. *Law and Human Behavior*.
3. Penney, S. W., Tucker, L., & Lowry, J. W. (2000). National baseline study on campus sexual assault: Adjudication of sexual assault cases. College Station, TX: Association for Student Judicial Affairs.
4. McCaskill, C. (2014). Sexual violence on campus: How too many institutions of higher education are failing to protect students. Retrieved from www.mccaskill.senate.gov/SurveyReportwithAppendix.pdf
5. Data publicly available from the New York Office of Higher Education's Office of Research and & Information Systems; full analyses available from Tara Richards at tararichards@unomaha.edu