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6 Socio-political risks associated with sexual harassment, assault and gender discrimination among institutions of higher education

6.1 Introduction

In 2007, Tarana Burke first used “*Me Too*” to help survivors of sexual assault on college and university campuses across the United States know they were not alone; and to help unite the cause of changing the climate of sexual violence across institutions of higher education (Feloni, 2009). In 2017, actress Alyssa Milano tweeted using the hashtag #MeToo as a response to a *New York Times* article in reaction to the Harvey Weinstein accusations. This went viral and global (Harris, 2018). Suddenly, #MeToo became a global social movement and propelled forward from not only the university systems, but to the entertainment and arts world, and politics. Within a few days, 45% of Facebook users identified at least one family member or friend with the hashtag (CBS News, 2017). Within this rapid-fire move, the conversation moved to include not only sexual assault, but harassment, gender discrimination, racism discrimination, sex/race discrimination, child sexual abuse and intimate partner and workplace violence (Harris, 2018).

Although the movement served to empower women, the LGBTQIAP groups, and children globally, what was also brought to light was the inevitable culture clashes seen world-wide involving vastly different definitions and interpretations of sexual assault and abuse, discrimination, and harassment (Harris, 2018). This had a tremendous impact into various work cultures within higher education, as well as public and private sectors. The increasing social and political risks dealing with #MeToo were either not thoroughly considered or resulted in serious backlash within these environments for both victims and alleged perpetrators (Bower, 2019). This has created more ambiguity, fear, and threats of retaliation within work and educational environments (Bower, 2019).

Additionally, universities and colleges around the world were catastrophically hit by the Coronavirus pandemic (2020). In the United States, some were forced to closed due to financial hardships, loss of tuition revenue and compounded factors affecting most institutions of higher education prior to the pandemic. Any movement and measures which were focused stemming out of #MeToo were sidelined. Then, *The Black Lives Matter* movement took precedence. In wake of George Floyd’s tragic death and the resulting criminal trial of Derek Chauvin (Greene et al. 2019), priorities on university campuses shifted and the #MeToo movement slipped into the background. Due to shutdowns no social protests allowed to continue publicly,

court cases focused on rape and sexual harassment were remanded to remote conferences, the shutdown brought new unanticipated problems for victims and with the media focus on the global pandemic, the fuel needed to escalate the power of the movement was cut (Jeydel, 2020).

With the new administration of President Biden, issues of sexual assault, harassment and sex and race discrimination are slowly moving back to center stage at institutions of higher education nationally. However, there are many lagging and undefined points regarding uniformity in policies and although the United States has a foundation in policy format with *Title IX*, this is not an issue that crosses countries and cultures. With global social unrest from marginalized population groups, the emergence of countries from lockdowns and fifteen months of fear, uncertainty, and anxiety, this is the time for universities internationally reexamine policies of sexual harassment, discrimination, and violence in the hopes to protect, create awareness and more importantly, mitigate financial and criminal risks and liabilities. By examining current trends politically and socially, University stakeholders can design new policies to protect themselves amid ongoing crises while creating better interconnected systems of information, policies, and procedures to enhance their environments for students, faculty, staff, and administrators.

6.2 The United States and the federal government's title IX

The Civil Rights Act of 1964 was created to end any discrimination based on race, color, sex, religion, and one's national origin pertaining to employment (OASAM, 2021). However, it did not set protective shields against gender discrimination on public education systems or federally assisted (funded) programs. This directly comprised if high school and collegiate programs in athletics. Prior to President Nixon's official signature into law, only about 1% of college budgets went towards women's sports. In high schools, male athletes had the advantage, out numbering females 12:1 (Busuvis, 2016).

During President Nixon's Administration in 1972, Title IX was signed into law. The original purpose was to forbid any type of sex discrimination in educational programs and activities that receive any federal funding. This was originally targeted to ensure equal opportunity and funding for women's sports at schools (Busuvis, 2016). The purpose of Title IX not only was to ensure equity for genders involving funding assistance, but it also extended to foster and promote respectful, safe, and secure university/college environments. The American Association of the University of Women (1992) conducted a report entitled, *How Schools Shortchange Girls*. It examined how socioeconomic statuses more than other variables predict educational and professional outcomes for women. It stressed how gender, race and class are

interrelated. The report highlighted that self-esteem outcomes for women ranged based on race, ethnicity, class, and physicality, even though educationally they were on even footing. This clearly confirmed the interconnectedness of issues and emphasized the benefits of Title IX for students (AAUW, 1992). It was established so that students, faculty, and all staff could be protected against incidents of sex-based discrimination and sexual harassment, which includes sexual violence, relationship violence and acts of stalking.

6.3 The evolution of title IX from financial issues to rape in the United States

If Title IX in the United States were to help keep schools in check regarding sex discrimination in athletics, how did it become applied to sexual assault across college campuses? Even further how did university campuses evolve into their own courts when examining occurrences of sexual violence and intimate personal violence?

During the late 1960's, 1970's and 1980's we saw the development of the second wave of feminism in this country and internationally. Initially in the United States, we saw the beginnings post World War II when women in the United States had been out in great numbers in the workforce, and now encouraged, if not remanded back into the home to their tradition societal sex roles. Internationally, in 1967, the *International Alliance of Women Congress* was held in London, United Kingdom. A proposal had been moved forward to study and evaluate women in respective countries. This was led by the United Nations Commission on the Status of Women (ECOSOC, 2010). Organizations worldwide evaluated the conditions of women in the workplace and home and urges countries to establish their own National Commissions on the subject (ECOSOC, 2010).

There was also movement on the issues of domestic violence and sexual assault. Beginning in the 1970's with Brownmiller's (1975) publication, *Against Our Will: Women, Men & Rape*, the United States became part of our national agenda. Brownmiller's assertion was that men benefited from acts of sexual violence because the threatening nature of rape and its acts kept women subordinated. Her work discussed the acts of acquaintance and marital rape at a time when those typologies of the crime did not even exist in American language and criminal law (Brownmiller, 1975; Beneke, 1982). This work had a huge impact on reshaping laws against marital rape and gave people a new social and legal understanding of rape. Brownmiller helped transform rape from an "expression of sexuality to an expression of power" (Brownmiller, 1975, 5). Her research also brought controversial attention on the international scene with descriptions of rape in wartime as "a weapon of terror" and resulting merely as collateral damage from conflict (Beneke, 1982, 13).

Rape myths are considered false beliefs about sexual violence, rapists, and survivors. There has been extensive research conducted regarding the impact of rape myths and how they can influence law enforcement, attorneys, judges, juries, rapists and even victims themselves. They originated from cultural stereotypes beginning in the United States with traditional gender roles. The jurist Matthew Hale sustained the concept rape myths through legal writings which later were supported in the American Court systems for decades (Geis, 1978). Although the issue of rape myth acceptance was investigated post-Brownmiller's work, there were many criminologists and social scientists pointing out misconceptions of sexual violence, for example, that victims were "asking for it" and that men rape due to uncontrollable desires. Martha Burt (1980) in her research on rape myth acceptance defined them as "prejudicial, stereotyped and false beliefs about rape, rape victims and rapists" which create "a climate hostile to rape victims (Burt, 1980, 217). Timothy Beneke's *Men on Rape* (1982) addressed the cultural emphasis on rape myths and the range of viewpoints that men had on sexual violence at the time of publication. He addressed the use of negative and violent connotations about women through the English American language and how that reinforces stereotypes.

Susan Estrich wrote *Real Rape* (1987) after she had been raped in the 1970's by a stranger. The police at the time asked her if she knew the perpetrator. When she said no, the reply was "Oh, then you were really raped" (Estrich, 1988). Her book led to the movement of reconceptualizing sexual violence. Thus began the advocacy movement attacking rape myths, one of which is that rape can only exist if committed by a stranger and highlighting the epidemic of rape on college campuses. What was brought out of the shadows was not only the inadequate response by the criminal justice system to sexual violence (stranger rape, acquaintance/date rape, gang rape, and marital rape) but how insufficient colleges and universities were handling these types of complaints. More so, what they were not doing to raise awareness and prevent this crime. Even today, we know that between 85–90% of sexual assaults on college campuses are committed by perpetrators known to the victim (RAINN, 2020).

6.4 Jeanne Clery and the 1991 campus crime act

The rules of Title IX officially alerted permanent in 1986 with the rape and murder of Jeanne Clery on Lehigh University's campus (Pennsylvania, USA). Although the crime was perpetrated by a stranger, Ms. Clery's parent became strong advocates of criticizing American campuses regarding students' safety issues. They founded Security on Campus and led the crusade to change domestic law resulting in the legislative reform, the 1991 Clery Campus Crimes Act. On one regard, campuses had to recognize the problem and scope of rape in their environment and were now

required to fully disclose yearly crime rates. Colleges were forced to take preventive measures to protect students and face possible legal liabilities when faced with these incidents (Graham & Konradi, 2018). However, problems are still evident today. Rape is still underreported, many cases are considered he said/she said, and complicated factors involving student freedom, alcohol and drugs makes complaints difficult to sort. Additionally, there are complicated relationships between campuses and local law enforcement agencies. Complex situations have significantly increased due to the response and inclusion of the criminal justice system, the financial and social impact on universities from legal suits focused on and negative media exposure (Graham & Konradi, 2018).

The Supreme Court first linked the concept of sexual violence to sexual harassment in a 1979 Title IX case involving a medical student at the University of Chicago (Zirkel, 1998). And later raised the Title IX liability bar for schools with *Gebser v Lago Vista* (1998) applying the deliberate indifference standard. This meant that if a school was aware of an act of harassment or violence and ignored it, the school is liable for damages in a civil lawsuit (Zirkel, 1998). This resulted with colleges and universities trying to cover themselves legally by being more aware of the social problem of rape, supporting victims, creating sexual assault response teams, and moving forward with misconduct policies and training for faculty, staff, and students (Zirkel, 1998).

6.5 The dear colleague letter of 2011 and the normalizing of rape culture on American campuses

The Dear Colleague Letter (U.S. Department of Education, 2011) was disseminated to 7000 schools in response to questions and confusions surrounding the Department of Education, the Office of Civil Rights and issues pertaining to Title IX. The letter took a specific tone including sexual assault statistics indicating one in five women are victims of completed or attempted sexual assault while in college (U.S. Department of Education, 2011). In the letter, the definition of harassment and hostile environments is reiterated. It explained that a formal complaint is not a necessary requirement to trigger an investigation. Meaning if the school has any knowledge of possible harassment and sexual violence occurring, they are required investigate and include local law enforcement authorities if there are signs of criminal conduct/behavior. The letter also elaborates on issues of confidentiality for the victim's safety and offered concrete examples for institutions of learning to formulate programming for prevention, awareness, and safety. The letter advocated for a Title IX Coordinator to be available for students, faculty and staff which regards to filing a complaint and for oversight on

procedures. There were additional details and guidance for assisting complainants and alleged perpetrators regarding safety in dormitories, classes and walking around campuses (Richards, 2020).

In 2013, The United States reauthorized the *Violence Against Women Act*, and revised Clery to expand on issues of sexual violence to include: Intimate partner/dating violence and stalking (Wu & Denby, 2020). Other forms of conduct include bullying and/or hazing, electronic/social media harassment, any gender-based discrimination, sexual racism, and retaliatory actions from the complainant (Richards, 2020). New measures also expand for campuses to off campus housing, immediate areas (a perimeter) outside the campus, to internships, to study abroad programs (Wu & Denby, 2020).

6.6 Examining issues of sexual harassment on American University and college campuses

Sexual harassment is defined as: “Unwelcome sexual advances, requests for sexual favors, direct or indirect threats or bribes for sexual activity, sexual innuendos and comments, sexually suggestive jokes, unwelcome touching or brushing against a person, pervasive displays of materials with sexually illicit or graphic content, and attempted or completed sexual assault” (Beavers and Halabi, 2017, 558). Sexual harassment, like any form of sexual violence can have long lasting effects and extends to victims feeling like outcasts or the potential to self-blame. Many acts of sexual harassment are covert, thus making physical evidence of the act visible. Claims are situational, verbal with an emotional impact that significantly affects the victim (Beavers & Halabi, 2017). Many victims do not report the incident due to stigmatization and retaliatory actions. Within institutions of higher education, examples of sexual harassment impact the academic and learning experience of students, faculty, and staff. The educational environment becomes a harmful one. It can be a primary obstacle for individuals to obtain educational and professional goals. Many victims of sexual harassment leave their institution without completing degrees (Petersen and Ortiz, 2016).

Dr. Martin Philbert, Chief Academic Officer (Provost) for University of Michigan was terminated by the University in 2019. Dr. Philbert, originally hired as a faculty member in the sciences, was under investigation where he was accused of sexual harassment of multiple women, including graduate and colleagues over seven years. In November 2020, University of Michigan reached settlement for over 9 million dollars with the women, who documented suffering sexual, emotional, and psychological abuse by Dr. Philbert (Svrluga, 2020).

The Association of American Universities released results from a 2019 study on their Climate Survey on Sexual Assault and Misconduct. Over 181,700 students from

33 institutions of higher education participated. This was a follow-up to their 2015 campus climate survey. The rate of non-consensual contact or contact occurring despite the inability to consent rose to 26.4% with undergraduate female students. Overall, rates for nonconsensual sexual contact with women or those in the LGBTQIAP communities were higher than for men (AAU.edu, 2019). In April 2013, at Columbia University in New York City, Ms. Emma Sulkowicz, was a senior (4th year student) majoring in visual arts filed a complaint with University administrators requesting her fellow seniors, Paul Nungesser, from Germany, be expelled from the University alleging he had raped her in her dormitory room in August of 2012 (Young, 2017). After a campus investigation, Nungesser was found not responsible for the alleged incident. Following the outcome of that investigation, Sulkowicz filed a report against Nungesser with the New York Police Department (NYPD). After the District Attorney's office met with students and university officials did not pursue criminal charges. who did not pursue charges, Ms. Sulkowicz produced for her senior thesis, a performance piece entitled, *Mattress Performance (Carry that Weight)?* This involved the student carrying a dormitory mattress around campus representing the "burden rape victims carry" every day. It also was a statement in response to Columbia's handling of the complaint. In 2015, Mr. Nungesser filed a Title IX gender discrimination lawsuit against Columbia and various stakeholders alleging the University facilitated gender discrimination resulting with Ms. Sulkowicz receiving academic credit for the project and thus encouraging permissive behavior which resulted in bullying behavior by other students, forcing him to leave the institution (Young, 2017). Although initially dismissed, Mr. Nungesser refiled, and Columbia settled with non-disclosure amendment (Young, 2017).

Other studies have shown that Studies have also shown that fraternity men are three times more likely to commit an act of sexual assault than those who are not involved in Greek life. This can be in part due to the social status Greek life represents and it is easier to dominate and control those who are new to campus life (Sanday, 1996). Greek life are social organizations found notably at American and Canadian institutions of higher education whose goal is to provide unification through groups where they may live together and form social and professional networks after leaving the college environment. Greek life is formed with the use of Greek letter organizations and separated usually by gender into creating sororities and fraternities (Sanday, 1996). Research has consistently shown in the United States that affiliations with Greek organizations has led to increased amounts of sexual assault and harassment on college campuses (Valenti, 2014). According to Seabrook, et al. (2016, men who belong to fraternities are 3 times more, likely to commit acts of sexual violence than other college men.

It was noted a significant increase that students indicated a better knowledge base about sexual harassment and sexual violence that in earlier studies. Additionally, there was an increase on the knowledge of policies and procedures on their campuses with respect to sexual assault and reporting (AAU.edu, 2019). American and

Canadian Universities have also revamped their approach in programming to include “Bystander Intervention” training programs. This type of programming, which is applicable to students, faculty, staff, etc. at schools’ teachings individuals the tools and empowers them to intervene and/or stop the inappropriate conduct occurring (Bannon & Foubert, 2017). Examples include buddy systems for students when they attend parties or implementing policies at campuses for information sharing and knowing when to report. It is a form of prosocial behavior that can have a beneficial impact on stopping sexual violence at colleges and universities (Evans, et al., 2019).

6.7 Sexual assault on university campuses internationally – enabling rape and victim blaming

Whereas the United States has continued updating terms and guidelines for universities, the international front is vastly different. Acts of sexual violence and victimization are handled quite differently and with less uniformity than the United States (Kalra & Bhugra, 2013). The United Kingdom and throughout Europe a structural systemic violence of sexual aggression exists. Although countries differ on definitions of university rape based on the demographics and nature of their campuses, the problem is still prevalent. For example, in the UK, since 2017, universities have paid off students to essentially “gag” students while trying to control any criticism and negative media attention on their institutions and forcing the victims to sign non-disclosure agreements (NDAs) (Bennett, 2019). It has been noted that students have been threatened with expulsion, retaliatory actions by campuses and women felt they were treated more like an inconvenience, than a priority (Bennett). The student group *Project Warwick Women* (2021) which has organized sit ins in protest over the University handling of the 2018 “*Rape Chat*” scandal, where women were targets of a chat groups where men had discussed violent sexual actions about them (Millard, 2019). The University’s handling of the event had been considered misguided and protesters believe Warwick has created a “a culture of fear” for women and has demonstrated their ambivalence and lack of support when dealing with victims of sexual violence (Millard 2021).

Across Spain in 2020, prior to the pandemic, there were specific incidents of rape and harassment that spawned a country wide protest (Jones, 2021). In April of 2021, three men, noted “The Sabadell Wolfpack” were convicted and sentenced to thirteen years for the rape of an 18-year-old woman in Sabadell, Spain (Jones, 2021). The “Wolfpack case: was given in reference to a gang rape in Pamplona during the running of the bulls’ festival in 2016. That year 16 men were arrested at San Fermin Fiesta and investigations ranged from incidents of rape, attempted rape, and sexual

assaults (Jones, 2021). Although the crime was not committed on a university campus, it supports the statistics of victimization of college-age women and the support of a rape prone culture. On the cusp of #MeToo, there was an outcry for an overall and reexamination of Spain's sexual crimes and legislation (Jones, 2021).

France, the topic of sexual harassment and rape demonstrate the systemic violence immersed in their culture. For many, rape and sexual harassment are more of a "rite of passage" (Rose, 2016). Regarding institutions of higher education, the French university system is loosely organized and is not seen as a focal point of socialization among students. In fact, there is little evidence of college communities, which is in stark contrast to many campuses in the United States (Rose, 2016). Greek systems do not exist, and clubs are more targeted to disciplines, not social networking. Students live in off campus housing and have meals off site. Their legal interpretation of rape is complex. A rape charge is possible if there is evidence of "force, threat, violence or surprise" (Rose, 2019). If not, it can be tried under a lesser offense/charge. This evidentiary issue applies to children as well as France does not have a legal age of consent (Rose, 2016). Currently, otherwise it is tried as the lesser offense of sexual assault. That applies to children as well, as France has no legal age of consent. Currently there are bills working through parliament regarding status of minors. However, France's interpretation of rape has maintained serious for French students. Recent accusations towards alleged perpetrators of sexual assault at *Sciences Po*, an esteemed university directed towards political science, government administration and civics, was recently highlighted as an institution where students have been exposed to high rates of sexual assault and even threats of retaliation and attitudes of indifference by university administrators (Rose, 2016).

In 2016, Cologne Germany was under a microscope from the New Year's Eve, where 1,000 women accused men of sexually groping, molesting and assault took place, and the Mayor of Cologne suggested women adopt "a code of conduct" to help prevent this behavior. Interpretation of this comment lend to accusations of victim-blaming and perpetuating a rape culture within the country (Yan & Mazloumsaki, 2016). According to Stewart (2021), Catherine Serou attending The State University of Nizhny Norgorod, near Moscow, Russia went missing after June 15th, 2021, and her body was soon after discovered, murdered by a young man.

Northern Ireland has been noted as having a problem with rape culture (WRDA, 2018). In 2017 in Belfast, a restaurant, *Ribs and Bibs* advertised a cheap lunch with the slogan, '*ya can beat the wife but ya can't beat a 5-pound lunch!*' (Pollack, 2019). Initially, the management of the business tried to downplay and focus on the humor by posting to viewers on social media to '*get a life, it's a bit of wit*' (Pollack, 2019). What is so shocking is that with Northern Ireland in 2016, Public Safety of Northern Ireland cited receiving a particularly high level of IPV calls (averaging one call every 18 minutes). Although a backlash, comprehending that a person believed that it was ok to use domestic/intimate partner violence was a good risk as a marketing tool for advertising and public relations, is astonishing, and indicative that sexual harassment and

violence against women has not been treated with the same level of awareness and prevention.

In 2021, the Police in Northern Ireland were outed on Twitter after passing leaflets out to University students and linking alcohol to rape. Comments on the flyers included: The flyers messages leaned toward “victim-blaming,” which outraged students and local women’s groups in Ireland (Taylor, 2021). Victim blaming is the perception that a victim of a crime is somehow responsible for the crime occurring and could have been in control of the outcome (Fox & Cook, 2011). There has been historical as well as and current prejudice towards survivors of sex crimes, sexual harassment, and intimate partner violence due to the possible relationship status of perpetrator and victim prior to the commission of a crime. It also is directly correlated with rape myths and the idea that women are somehow responsible for their own victimization due to how the look, dress, and react (Bieneck and Krahe, 2011).

The PSNI have issued an apology and investigating why the flyers were distributed and identified they were old flyers. The leaflets made comments for example as “Alcohol is the number one drug for rape. How much have you already taken?” (Taylor, 2021). “We have identified the source of these leaflets as being shared in error by the authorities,” the spokesperson said (Taylor, 2021). A representative of the *Rape Crisis Network* in Northern Ireland said the re-emergence of the flyers and their distribution on university campuses is “unfortunate” (Taylor, 2021). It is evident that the PSNI did not measure the social and political risks on many levels. First, the decision to recycle old flyers after the social movements against sexual violence and the global impact on rape and sexual harassment. Second, that they would not anticipate a backlash. In this instance, the consideration that moving forward with this activity may have a lasting stain on PSNI, especially with young women.

Amnesty International recently released data of a study featuring 1000 participants of college-age in the Netherlands (2021). According to results, 1 in 10 women have been raped by the time they complete college – with most perpetrators being someone they knew or met before (Cluskey, 2021). “What’s most shocking is that so many students are becoming the victims of rape in such a short period of their lives, typically the three or four years while they’re studying”, said Dagmar Oudshoorn, the Director of Amnesty Netherlands (Cluskey, 2021). More troubling is that only a small percentage of the students assaulted were aware of who they should approach in their educational institutions to help them in the immediate aftermath. With 3% claiming they reported the crime to “a university mentor”, while 40% claimed they never told anyone at the university about what occurred (Cluskey, 2021).

In a subsequent interview Martine Goeman, an Amnesty International representative, stated about the results, “While of course universities and colleges are not responsible for the rape, they could certainly do more to help the victims and to create an environment where this is unacceptable. That is particularly true because in the majority of cases revealed, the attackers were known to the victims, from a party or a date, for instance. We are not talking about strange men hiding in the

bushes.” (Cluskey, 2021). Again, a pattern seen across Europe was identified in this study as well. There is a substantial difference between female students and male regarding perceptions about sexual assaults. Thirty seven percent of males indicated a woman was more likely to be a victim of rape if she wore sexually suggestive clothes, Twenty-five percent of women agreed. Even more significant is that 6% of males surveyed believed a kiss after a date meant consent for sexual intercourse (Cluskey, 2021).

6.8 What are the sociopolitical risks to colleges and universities?

Rape culture has become increasingly normalized not only in American society, but around the world. Mismanagement by college and university administrators happens not only due to the negative views enforced by social media and news organizations surrounding our criminal justice system, but also the perception that colleges and universities protect their own reputations over their students (Wu & Denby, 2020). Rape culture is accepted and has been in many cultures and societies for a long time. It is unrealistic to suggest that colleges and universities can change the mindset of students in addition to preventing the actions of sexually aggressive individuals. In U.S. culture, we have seen examples supporting rape myths and victim blaming. The 1977 movie, *Looking for Mr. Goodbar*, highlighted at the time in America, women’s confusion about independence, sexual freedom, mental health and understanding sexual violence through the character of Teresa Dunn (played by actress Diane Keaton). Many interpreted the main character as being mentally ill and not acting like a “proper” woman, thus an active participant in her own murder (Gubar, 1987). In 1986, the rape and murder of Jennifer Levin by Robert Chambers (i.e., The Preppie Killer) was when media instigated anger from women’s groups, suggesting Jennifer Levin’s social status, sexuality and alcohol use were the main contributors of her death. Not the individual who strangled her and watched her die. Victim blaming has been an ongoing theme within our society. Victim blaming, whether in entertainment or real-life criminal cases reinforces and normalizes a rape supportive culture. It is an accepted understanding within the criminal justice discipline that sexual violence is based on elements of power, control, anger, and domination (Zeisler, 2019). Additionally, as with violence, people appear to be desensitized to a rape supportive culture (Zeisler, 2019).

Unfortunately, from cases mentioned and many more, universities and colleges deal with cases of sexual assault and sexual harassment poorly and their victims (whether students, staff, or faculty) are often left to deal with on their own, not given appropriate information on procedures and policy or are pressured into not pursuing criminal and/or civil remedies (Hingston, 2021; Rice & Zegart, 2018). In

some instances, the alleged perpetrator may be suspended or moved off a campus, there may be a closed hearing or alternative sanctions that are not always binding, as they do not occur in a criminal courtroom (Graham & Konradi, 2018).

University and college administrators are at serious risk, if they do not put procedures in place and adhere strictly to policy as dictated by the institution. Mitigating risks for institutions of higher education today is crucial. In the United States we have seen a significant drop of enrollment numbers with admissions (Hingston, 2021). For many schools, tuition revenue is paramount (Hingston, 2021). The coronavirus pandemic, low birth cohorts and high tuition rates have put additional stresses for college campuses to survive.

6.9 Considerations for universities and colleges in efforts to combat sexual harassment and assault: The impact of sociopolitical risks

According to the *Center of Disease Control and Prevention, The National Center for Injury Prevention and Control* and the *Division of Violence Prevention* (November 2016), recommendations were made to provide a framework to combat sexual harassment and violence on campuses. These recommendations include: a comprehensive prevention strategy that targets the campus' infrastructure and bridges into community partnerships to execute successful rape prevention and sexual harassment strategies (Dills, et al., 2016). Focusing on the audiences including students, faculty, and staff of the campus. Looking at these groups to develop effective programming, campaigns, and messages through the academic and social environment of the school. Encourage the campus administrators to create community partnerships with all stakeholders invested in the institution's success. By building these bridges within the community, it will naturally generate continuous sustainability. Finally, it is recommended to conduct ongoing evaluations and assessments to discover what works, what does not, thereby honing policies and procedures to construct a safe environment (Dills, et al., 2016).

Recognizing and acknowledging that sexual violence in any form is a global social and health problem and must be prioritized on every college and university campus. By doing so, University members can begin to mitigate the sociopolitical risks they may be faced with if every there is an incident (or multiple ones) on their campuses. The approach as discussed in the previous paragraph takes from the social-ecological model. This means building efforts stemming from individual actions to cooperating and growing relationships within the community. The ultimate result being that this will change societal attitudes amidst a rape supportive culture and

result in solid prevention efforts and clear policies and practices regarding sexual violence (Mackenzie, 2010).

When dealing with sexual harassment, post-*#MeToo* movement, Universities across the globe need to be aware of all the social and political risks they face when dealing with a sexual harassment case or worse. Major known risks for universities around the globe are familiar; student recruitment, retention, financial sustainability, organizational sustainability, solid infrastructure and means of reasonable business continuity (Rice & Zegart, 2018). However, within these basic categories, universities need to strategically plan and anticipate for potential social and political crises that can impact one or all threats that previously believed was controlled or managed effectively.

6.10 Sexual harassment and assault complaints – mitigating the risks

Even though universities have attorneys, human resources and in the United States, Title IX Coordinators in place, this does not mean there will be negative consequences for the institution. Schools must not only prepare their student body for potential dangers, but faculty and staff as well. We have seen from *#MeToo* the power of social media and the impact it can have on institutions reputation. Even international schools, though loosely organized in structure and campus life (in some ways similar to development to community colleges in the United States) must still be proactive in programming, accessing counseling or help and have a solid hierarchical chain of command for reporting and oversight of the situation or case. Goals of the universities are to mitigate, when possible, not hide the issue under the carpet. That simply brings more negative attention and the strong probability of a backlash on the institution. Faculty, staff, and peer leaders should undergo and maintain training not only on procedures but on bystander tactics and not feel pressured about any retaliatory measures that they may face as a consequence. High level administrators must be opened to working with community leaders and law enforcement does not judge a situation from their own perception and assess it from the mindset of “what is best for the university”. This viewpoint will only backfire in the 24 hour-news cycle and global social media outlets existing today. It is not enough to just have institutions of higher education plan for civil lawsuits, NDAs, and plug in programming to cover the bases. University and college campuses all over the globe should work to layout the groundwork for fundamental uniformity with codes and guidelines so that any member of the Academy (students, faculty, staff, and members of administration, etc.) have an understanding that they are and will be protected by incidents of sexual aggression and violence.

6.11 Recommendations to help prevent sociopolitical risks regarding sexual harassment and assault on your campus

It is crucial for institutions of higher education to layout policies and procedures regarding incidents of sexual harassment and aggression (including cyber bullying, off campus events, traveling abroad, internships and externships, etc.). These policies need to be readily available on websites, in cooperative agreements with internship and community partners and discussed amongst potential students and parents. There has been a long practice of diminishing crime around and on a college campus for fear it would hurt a school's reputation. Now is the time to embrace what the rates are and how the university is taking steps to protect not only their student population, but all population groups on their campuses. Highlight proactive programs like Bystander Intervention, *Take Back the Night* rallies. Have open discussions on the global impact of sexual harassment and assault and openly discuss how it impacts all genders and sexual identities and orientations.

A survey from 2019 by the association of American Universities found that 27% of US female college seniors experienced some form of unwanted sexual contact and/or sexual violence within their four years at college (AAU, 2019). The Rape, Abuse, Incest National Network (RAINN) found that most acts of sexual violence indicated that they were committed by “the conscious decisions of a small percentage of the community to commit a violence crime” (RAINN, 2020). This infers that that a significant issue of rape involves repeat offenders. In the United States, RAINN recommended a three-tier approach for colleges and universities to prevent and raise awareness of sexual violence, thereby mitigating risks for campuses. The first is to advocate bystander intervention and trainings. This will empower members of the campus community to be involved and respond when confronted with sexual violence. The second is to employ risk reduction techniques by promoting ongoing training on the education of sexual assault on campuses and empowering students, faculty and administrators with awareness and teaching s on personal safety. Finally, to train and education on an ongoing basis the legal ramifications and factors associated with sexual violence, especially on discussions with regard to consent and use of alcohol and drugs (RAINN, 2020). These approaches emphasize campus transparency and reduce sociopolitical risks for campuses.

University systems should partner with local law enforcement. Although most campuses have their own security personnel, it is imperative that they work directly with local enforcement for information sharing, collaborative efforts, and programs, and creating community ties is only beneficial for schools. Collaborating with student groups and integrating programming with campus security and student government. Throughout the world there has been a growing “Us versus Them” them among citizens and law enforcement. Internationally as well as in the United States

it corresponds with government interventions and decentralization of enforcement (Beck, 2016). That feeling transcends to college environments. By Institutions taking the lead and integrating how campus safety measures are beneficial and service students well, it fosters a sense of public and personal safety.

Universities need to monitor social media outlets carefully. They need to have their finger on the pulse of events and happenings at their campuses. If incidents occur, it is better to be open about them and not attempt to squash or deceive the public. Attorneys for Universities and Colleges need to be aware and receive training and updates on practices regarding issues of sexual harassment and sexual aggression. From examples given and many more easily found, the pattern has been for schools to take either a “no-accountability” outlook or a more bellicose tone about the incident. Neither perspective benefit anyone, especially not the institution.

In August 2021, two major events occurred in the United States involving sexual harassment and rape and highlight how the sociopolitical risks need to be considered and ongoing throughout not only universities but within government agencies. Both examples show a lack of consideration for social and political risks at an agency/university level as well as social and reputational. If certain factors had been taken into consideration and were ongoing with assessment and a focus on areas of risk reduction, the outcomes, could have been preventable at best, or their impact minimized with such severe consequences.

A lawsuit was filed against Brown University in Providence, Rhode Island which students have accused the school of allegedly being dismissive and uncaring to students who have come forward to report acts of sexual assault and harassment (Associated Press, 2021). One attorney for the women who filed the suit though that in the post #MeToo movement, this behavior was apathetic and indifferent and reflective of the University’s lack of concern for their students’ safety and wellbeing. The complainants accused Brown University of a poor response procedure to their complaints and that this is a direct violation of Title IX policies. This resulted not only in negligence but “an intentional infliction of emotional distress” (Associated Press, 2021). They also accuse the University that policies and training on sexual misconduct do not meet the federal standards (Associated Press, 2021).

New York State’s former governor, Andrew Cuomo resigned in disgrace based on the findings of an investigation conducted by New York State’s Attorney General, Letitia James and two outside attorneys (Klepper, 2021). Accusations made by 11 women that the former governor Cuomo inappropriately touched, made repeated references about their physical appearances and sexually suggestive comments, were highlighted, validated by the investigation, led to Cuomo’s resignation, and opened him up to other possible civil and criminal investigations (Klepper, 2021). Cuomo’s reaction and denial immediately showed a lack of accountability and understanding on his part. His response severely backfired for him. Once considered an advocate and leader on women’s rights, these accusations showed a broader culture of abuse and how sexual harassment is at its root, an expression of power and

control. If the Governor of New York State had been proactive about his alleged behavior and monitored himself and gave a different commentary regarding the comments and allegations made against him, there may have been a vastly different outcome. If his immediate staff around him raised awareness, identified his behavior if deemed inappropriate, and correlated it to the negative consequences (i.e., his political future, his administration and legacy), perhaps the public would have seen a different path for Andrew Cuomo (Klepper, 2021). The ability of holding one's behavior accountable and related to their actions is easier when one continuously assesses the risks, not only to the person, but their position, their agency and how it would impact those around you. Considering one's reputation, stigma, career staining and permanent effects on those affected by you can drastically reduce and mitigate the consequences. The significance of weighing out social and political risks, however, should not only be considered by those maintaining leadership, but it should also be examined at every level of leadership – extending from university/college leadership to peer-based college activities/organizations like fraternities, sororities, residential life, and athletes.

It is understood that rape is social and public health problem. Even with all the initiatives, social and political movements, the statistics of sexual violence around universities and college campuses remain high. Victimization of people is the highest between 16–26 (Booth, et al., 2014). Sexual harassment in the college setting with students, faculty and staff remains a constant occurrence. Policies such as Title IX should be monitored and supported by higher education institutions. Further, it is recommended that all universities and colleges, whether in the United States, Europe, Online should establish universal policies in relation to sexual harassment and assault. Whether it occurs on or off campus, or online, protections should be put in place for all students. This would help secure policies and protections for students studying abroad as well. It is within the best interests of institutions of higher education to pay closer attention to the social and political risks they face when confronted with an incident involving harassment or rape. By taking steps to mitigate, preparing, and educating their administrators, faculty, employees, and students, it will create and nurture a safer, successful atmosphere for all.

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