

# *Questions in Politics*

The Journal of the Georgia Political Science Association  
Volume IV

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## **A Comparative Analysis of Sexual Assault Policies among Four University System of Georgia (USG) Institutions<sup>1</sup>**

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*This article explores campus sexual assault policies, specifically as it relates to Georgia campuses. Different colleges and universities are examined, including smaller campuses like the University of North Georgia and Georgia College and State University, and larger campuses like the University of Georgia and Georgia Institute of Technology. The policies of these institutions will be examined and compared to the University System of Georgia policy, as well as different federal statutes, to see which policies are more comprehensive and which are simply the minimum required. The policies will be analyzed for effectiveness and inclusivity. The paper will also explore the different obstacles that sexual assault survivors could face, including some of the most common myths that are used against victims, as well as difficulty finding and utilizing resources. Finally, the effects of social media and mass media and how they could be used as both a hindrance and an asset in addressing the issue of campus sexual assault on Georgia campuses in considered.*

**R**ape is an act of power and violence that continues to plague society. Rape was initially not considered a crime against women but rather a property crime against a woman's father or husband (Meier and Nicholson-Crotty 2006, 853). This idea of coverture paints a picture of women simply as property to be bought and sold. Fast-forward to current day, and American women have made

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<sup>1</sup> The author would like to thank Dr. Beth Rauhaus, without whom this article would not have been possible. Thank you for your mentorship and dedication to this project.

tremendous strides in regards of women's rights. They are elected to public office, manage major corporations, and have run for president. One of the most important privileges that women have fought for is the ability to attend institutions of higher education. Colleges and universities as places of learning are expected to be a safe and enriching environment. Young women and men attend these institutions for personal growth and with the hope of becoming contributing members of American society. Faculty also plays an important role in colleges and universities. Their guidance is crucial for these young people on their journey to adulthood. However, students face many dangers on college campuses across the country.

One of the gravest dangers students face is the threat of sexual assault and rape, which runs rampant across American college campuses. According to numerous studies, between 11.5 and 27.2 percent of students have reported some sort of rape and sexual assault (Ziering and Dick 2015). The possibility of up to one in five students experiencing an act of sexual assault in what should otherwise be a secure and constructive learning environment is startling. This becomes more distressing because many more cases of rape and assault go unreported. Recently, the Georgia state legislature has seen a bipartisan movement to make changes to sexual misconduct policies. A group of senators joined together to propose legislation that would require some university officials to work with local authorities in cases of sexual assault or rape on campuses. Unfortunately, the bill was tabled. While this seems like a positive thing, opponents of the movement argued that instituting another party in the process would alienate victims because they would have to continually relive the event (Davis 2015). Nonetheless, there has been movement in the state to change sexual misconduct policies to bring due process more in line with the traditional legal system.

The US Department of Education recently launched investigations of policies and practices of over 50 colleges and universities across the country after an influx of reports of misconduct to the department. In response to these investigations and the "Dear Colleague" letter from the Department of Education to all institutions receiving Title IX funds, a Georgia state representative brought suit against the Department of Education, claiming that current sexual misconduct policy could be discriminatory to the accused, most of whom are men (Johnson 2016). A number of arguments have opposed this change. One argument that is very concerning is that sexual misconduct policies should be created to protect the accused as well. The suit in question "cites concerns that such cases could tarnish the reputations of accused male students, ruin career prospects and cost students their tuition money should they be expelled" (Johnson 2016). One of the major concerns with this logic is that it does not account for the reputation or educational success of the reporting party;

the focus is placed with the accused rather than with the accuser. While the accused certainly have rights that should be preserved, creating policy focused on preserving the accused discounts the victim and could contribute to a growing culture of non-reporting and the perpetuation of rape culture on campus.

These types of initiatives are alarming because not only do they continue to condone and gender sexual assault and rape, but they could increase instances of victim shaming which could lead to a further decrease in reporting. The present reluctance to report could be due to many different factors: the continued spread of rape myths and rape culture, a lack of active representation of women in both the street-level bureaucracy and decision-making positions, and the volatile nature of the media. It is necessary, then, to have sexual assault policies in place at institutes of higher learning that are inclusive, comprehensive, and thorough in order to protect the rights and lives of all college and university students. The goal of this work is to examine policies theoretically and to offer an explanation of how policies may set the tone for culture on campus. The research will tie theory to practice by interpreting policies, rather than using a specific policy to argue a point, and discuss possible implications of how the policy may be implemented on campus, how the policies and procedures may create a culture of reporting vs. non-reporting, and how they may possibly deter future acts or reduce the severity of crimes that do happen. This project will examine the sexual assault policies of the University of Georgia, Georgia Institute of Technology, University of North Georgia, and Georgia College and State University, as well as the policies set forth by the University System of Georgia to determine their comprehensiveness and efficiency. The definitions of terms vital to the study of sexual assault and rape on college and university campuses can be found in footnote 1.<sup>2</sup>

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<sup>2</sup> Sexual assault—"rape, sodomy, aggravated sodomy, statutory rape ... sexual battery, and aggravated sexual battery" (University of North Georgia 2015).

Consent—"The state of Georgia does not have an established definition for Consent" (University of North Georgia, 2015). However, different colleges and universities in the State have their own qualifications for lack of consent, which will be specifically defined when necessary.

Title IX—a law that guarantees that no one will be discriminated against due to their sex while attending a facility that receives federal funding. This is the reason why women's athletics has grown, as well as what protects both women and men from experiencing sexual assault at federally funded schools.

Campus Sexual Assault/Rape—according to different reporting regulations, these assaults will be considered in the statistics for the organization only if the incident happened on campus. This would exclude incidents that happen off campus involving university students, as well as those incidents that have no location listed.

## Theories and Literature Review

### Theories

Representative bureaucracy is the theory that passive representation will lead to active representation. This suggests that bureaucrats represent client groups in two different ways. Passive representation occurs when members of minority groups are included in the organization. This would apply to members of different racial and ethnic groups as well as women; or, essentially, to any group underrepresented in the organization (Bradbury and Kellough 2011, 158). Active representation, however, happens when “bureaucrats act in ways that benefit those members of the public who have similar characteristics” (Smith and Monaghan 2013, 51).

Street-level bureaucrats provide services directly to the people and deal with the public daily. While most would not think of classifying university officials, police officers, first responders, or emergency room workers as bureaucrats, these are often some of the first individuals to be involved with incidents where sexual assault has been alleged. Most victims of sexual assaults are women. In the case of sexual misconduct and sexual violence, reporting is remarkably low, often because victims face what is perceived as hostile scrutiny from those to whom they report the claim. Women tend to be more likely to report their attacks to a female officer rather than to a male officer, simply because there is an expectation of a sympathetic response, which is an example of active representation. (Meier and Nicholson-Crotty 2006, 852).

Evidence also shows that women in leadership positions tend to make policy decisions in a way that may favor typically “feminine” issues, like health and human services, reproductive rights, childcare, and sexual assault (Bradbury and Kellough 2011, 160). While representative bureaucracy and the composition of street-level bureaucrats at these institutions are not necessarily studied in this work, both these theories have the potential to affect sexual assault policies in a positive way. Simply by increasing the number of women in leadership positions, as well as at street-level positions, the potential for effective and efficient organizational change that would benefit victims would become a much more likely possibility.

Another theory that could function as a catalyst for changes made at an organizational level, rather than at an individual level, is a trauma-informed social policy. Trauma-informed social policy focuses promoting a safe and confidential environment for victims and those experiencing adversity (Bowen and Murshid 2016, 223). An important aspect of trauma-informed social policy is transparency and trust. People expect as much transparency as possible from the bureaucracy; they want to know what is going on and how processes are being carried out. Historically, in cases of campus sexual

assault, the administration of the universities and the university police have been very secretive about assaults and sometimes tried to dissuade victims from reporting. There has also been evidence of victim shaming and questioning of the validity of claims women make against their attackers on campus (Paludi 2016, 51). This idea of transparency leading to trustworthiness cannot be ignored. If college administrations and campus police are more transparent and follow through on these accusations of assault, the students on campus may come to trust them more and feel less like they will be judged for reporting their attack.

### **Rape Culture and Questions of the Validity of Accusations**

Rape culture is a term that is used to show how “[s]exual violence and rape [are] being validated, justified, and obfuscated” in society (Boux and Daum 2015, 153). Rape culture is used in American society to talk about rape and sexual violence in a way that almost normalizes the behavior in a way that will sometimes blame the victim. We often hear when a woman is raped or assaulted that she was “asking for it” because of what she might have been wearing or if she was under the influence of something, and where

rape is understood to be ... a tool of social control ... an unfortunate side-effect of alcohol-infused events, a turn-on for males and females alike when depicted in mainstream media and pornography, [or] the right of husbands and male significant others to force their wives and female partners to have sex against their will. (Boux and Duam 2015, 154)

These situations are seen often in environments where victims are discouraged from reporting their attacks for different reasons (Boux and Daum 2015, 154).

Many of these situations can be seen on college campuses. Victims on college campuses often also have to deal with the idea of “real rape,” or the idea that a rape or assault must be violent and perpetrated by a stranger to be considered an actual assault (Boux and Duam 2015, 152). Many times, rapes that occur on college campuses are often considered “acquaintance rapes,” or assaults in which the parties know each other (Boux and Duam 2015, 172). Not only do victims of acquaintance rape have to deal with the accusation of their rapes not being “real rape”; they also have to deal with being accused of reporting “bad sex” as an assault “bad sex” myth paints “rape victims [as] liars and/or [that they are] trying to cover ‘bad sex’” (Boux and Duam 2015, 183). While this certainly happens in some cases, it does not happen a majority of the time, so it is vital that policy be created to be inclusive and comprehensive in order to promote a campus culture of respect and that will encourage reporting. Sexual misconduct

policies should take these concerns into account and include these scenarios in order to provide the best environment for the community as a whole.

### **Social Media and Its Influence**

On college campuses, social media can be an invaluable tool for rape victims. Sites like Facebook and Twitter allow victims to come together in places like support group pages, which gives them a support system and sometimes a place to ‘call out’ their attackers. Studies show that 56 percent of American adults own a smartphone, and those aged 18–44 only use their smartphones for making phone calls 16 percent of the time (Boux and Duam 2015, 167). This means that these adults are using their phones more for other types of communications, like texting and social media. Another service that is very often used for the transfer of data is YouTube, which claims to have one billion viewers a month and “reaches more U.S. adults ages 18–34 than any cable network” (Boux and Daum 2015, 168). These increases in online communication and immediate accessibility to day-to-day interactions give both victims and law enforcement a place to find or bring evidence of rape and sexual assault. People share almost everything on social media, and this type of situation is no different. This could give law enforcement and legal officials access to evidence of rape and sexual assault that may not have been otherwise reported.

The downside is that this open forum can also work to spread different rape myths, like the idea of “real rape” (Boux and Daum 2015, 169). Those who perpetrate these crimes can use social media as a place to brag with a certain sense of anonymity. The idea that people can essentially say what they want on social media without any immediate repercussions can breed an environment that could reinforce rape myths, like the “she is lying” myth (Boux and Daum 2015, 169). However, this could also work in reverse. Social media could give a platform for victims to come together for support, but it could also give them solid evidence for their cases brought against their attackers. Prosecutors could use the evidence, such as videos and text postings that are put on social media, to supplement their cases.

### **The Media**

Social media is not the only form of media that can be used to both reinforce and battle rape myths. Mass media is consumed in America and around the world every day. The media can be used for many different purposes in society, including informing the public in order to influence policy agenda-setting, as well as gatekeeping. Gatekeeping occurs when the media determines what stories and issues are “important” for the public to consume while withholding “unimportant” stories. On the surface, it would seem that the media and policy making might not be connected. Voltmer and Koch-Baumgarten (2010) discuss

the “volatility” of the media and the focus on “newsworthy” events as reasons that make it may seem the media is not involved in policymaking decisions (2). Most of the time, something does not stay relevant in the news for long and is gone as soon as something more “breaking” comes along. This goes completely against the traditional way in which policy is developed and implemented. Often, changes in policy are motivated by structural issues and take time to carry out (Voltmer and Koch-Baumgarten 2010, 2). However, public opinion can serve as a most beneficial indicator of what policy changes are desired, but much of public opinion comes from what people read or see in the media. This can sometimes pose a problem for policymakers, because they are expected to act as leaders, not just on the whim of the public (Voltmer and Koch-Baumgarten 2010, 2).

Another problem that can come with issues of rape and sexual assault is the portrayal of women and “women’s issues” in the media. Women’s issues are often seen as “soft” news stories and not hard-hitting stories that demand a lot of airtime. An issue like sexual assault tends to be seen as a “women’s issue” and therefore may not get the airtime it is due. Another issue with sexual assault and rape specifically in the media is how rape culture has permeated mass media. Often when a story about a rape or sexual assault is delivered, a woman’s intentions are called into question. People often immediately ask, “What was she wearing?” or “Was she drunk?” or “Did she give him the wrong idea about her intentions?” The immediate victim shaming that happens when these cases are being reported on the news is startling. This happens often when college athletes are involved. Athletics, like football and basketball, bring a tremendous amount of revenue to college and universities as well as build up their reputation. This could cause some concern for the university when an accusation is brought against a star athlete; if the story gets out, people could stop making donations or going to games, it could possibly damage the reputation of the school (Ziering and Dick 2015). Because media coverage could serve as a signal to policy makers about what issues are important to the people, the rapid change of issues that are covered in regard to campus sexual assault, or to sexual assault in general, could send the message to these policy makers that it is not a concern to the public.

### **Title IX**

Title IX of the Education Amendments of 1972, more commonly referred to as simply Title IX, was signed in June 1972 by Richard Nixon. Title IX guarantees that “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” (US Department of Education 2015). This covers a multitude of areas, including sexual harassment. If a student is sexually

assaulted or raped and their attacker remains on the campus, it could be deemed discrimination on the basis that it would create a hostile and unfit learning environment. These regulations apply to all institutions that receive federal funding, including “approximately 16,500 local school districts, 7,000 postsecondary institutions, as well as charter schools, for-profit schools, libraries, and museums ... vocational rehabilitation agencies and education agencies of 50 states, the District of Columbia, and territories and possessions of the United States” (US Department of Education, 2015).

If a complaint is brought to the attention of the US Department of Education, they will initiate an investigation into the allegations brought against the school and proceed accordingly. This is exactly what has happened in recent years across the country.

### **Institutional Background**

#### **University of Georgia**

The University of Georgia (UGA), located in Athens, has one of the most well-known college football programs in the region and was the first state-supported and state-chartered university in the country. It is one of four research universities in the University System of Georgia and has an enrollment of just over 35,000.

#### **Georgia Institute of Technology**

The Georgia Institute of Technology, or Georgia Tech (GA Tech), is located in Atlanta. They are a research university with a student enrollment of just over 23,000. Georgia Tech is one of the schools in Georgia that has been in the news regarding their sexual misconduct policies and issues of sexual assault and rape on campus, specifically those involved with fraternities and sororities. One fraternity recently came under fire when an email sent by a senior member detailed that the brothers should just get girls drunk enough and they will sleep with them (“GA Tech Fraternity Brother Sends ‘Rape Bait’ Email, Issues Apology Letter” 2013). This clearly violates Georgia Tech’s sexual misconduct policy, which states that “consent cannot be gained by force, intimidation or coercion, by ignoring or acting in spite of objections of another, or by taking advantage of the incapacitation of another, where the respondent knows or reasonably should have known of such incapacitation” (Georgia Institute of Technology 2016, 2).

#### **University of North Georgia**

University of North Georgia (UNG), known as NGCSU in some of the data, is a state university with four campuses, the main one being located in

Dahlonega. UNG is one of the nation's senior military colleges and has a very large military population.

### **Georgia College and State University**

Georgia College and State University (GCSU) is a state university located in Milledgeville, which is southeast of Atlanta and northeast of Macon. GCSU has an enrollment of over 6,000, which includes undergraduate and graduate programs.

### **Methods and Research Design**

The intention of this policy study is to determine whether or not the sexual assault and misconduct policies of the University System of Georgia are sufficiently representative and inclusive and to see how different university policies compare to the USG policies. The schools selected for the study provided different settings, demographics of students, and sizes, allowing for a fairly inclusive study to determine if the policies currently in place at these institutions line up with USG policies and if any exceed the minimum requirements or need to be expanded. The University of Georgia and Georgia Institute of Technology are classified as research universities within the University System of Georgia. These institutions focus on research to benefit the state as a whole as well as a commitment to teaching and learning. The University of North Georgia and Georgia College and State University are classified as state universities, meaning that they focus on benefiting their region of the state as well as working to benefit students in an interdisciplinary way.

The choice of schools studied is significant because each institution represents different areas of the state and, therefore, different populations. However, they still have similarities in their policies. Locating the policies for these institutions was vital in order to determine to easily assessable they were. Most of the policies were fairly simple to find with a simple Internet search, while some took longer to find. The data that was studied were the definitions of relevant terms, where the individual policies drew inspiration from, what resources were readily available to members of the communities affected by the policies, and what committees or groups were available to advocate for the inclusivity of these policies. These categories were chosen because they would show the similarities and differences between the policies while also determining how inclusive they were.

The enrollment data for all four institutions appears in Table 1. The number of the enrolled students between the University of Georgia and Georgia Tech are fairly similar, while the University of North Georgia has almost double the student population of Georgia College and State University. The data also show

**Table 1: Enrollment Data**

	<b>UGA</b>	<b>GA Tech</b>	<b>UNG</b>	<b>GCSU</b>
Female	57.2%	30.6%	56%	61%
Male	42.8%	69.4%	44%	39%
White	68.4%	46.2%	76%	81.6%
Asian	10.1%	16.1%	3.4%	1.6%
Black or Other	8.3%	5.6%	4.6%	7.7%
African American				
Hispanic	5.00%	5.6%	11.4%	4.8%
American Indian or	<1%	<1%	0.2%	<1%
Alaska Native				
Hawaiian or	<1%	<1%	*	<1%
Other Pacific Islander				
Multiracial	3.4%	2.3%	3.0%	
Not Reported	4.6%	1.4%	1.4%	<1%
International	–	21.9%	–	–
Total Enrollment	36,574	25,034	18,219	6,889
PELL Funds	\$27,350,719	\$10,896,174	\$25,179,845	\$5,354,195

\*UNG combines Asian and Hawaiian or Other Pacific Islander into a single group.

Sources: UGA: University of Georgia (2016); GA Tech: Georgia Institute of Technology (2015); UNG: University of North Georgia (2015b); GCSU: Georgia College and State University (2015b), with PELL Funds data for UNG from Georgia College and State University (2016).

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that females make up the majority of enrolled students at all of the institutions with the exception of Georgia Tech, where there are twice as many males.

### **Findings**

Analysis of the policies of the four institutions and the University System of Georgia (USG) reveal some similarities between the policies of all, as well as some telling differences. As can be expected, all four universities have very similar policies and policy language when compared to the USG policies. All five institutions include specific definitions of types of assault and relevant terms. Table 2 (pages 118 and 119) illustrates what details are included in the policies and how they compare to the University System of Georgia.

### **The University System of Georgia**

The University System of Georgia (USG) is the institutional body that governs all public universities in Georgia. Within the USG, the Board of Regents is the governing committee that is made up of nineteen members appointed by the governor (University System of Georgia 2017a). One of the main duties of the

Board of Regents is to create policy that will allow “The Board ... [to promulgate] rules and policies for the governance of the University System and its constituent units” (University System of Georgia 2017a). These rules and policies will function as a model and example for the member institutions’ creation of policy. The current sexual misconduct policy for the USG was created in March 2015 and all member institutions are expected to have similar policies in place by July 1, 2016 (University System of Georgia 2016). Table 1 illustrates what details are included in the policies and how they compare to the University System of Georgia.

The USG policy uses the Violence Against Women Act (VAWA) as a model for their sexual assault policy and is committed “to offer students, faculty, counselors and law enforcement referrals for victim assistance and education about crime” (University System of Georgia 2017b). The title of this statute, however, is misleading. It implies that only women are seen as victims and protected by these policies. This is a problem because campus sexual assault and rape is not limited to the scenario of a woman being the victim and a man being the aggressor. Many “critics of the VAWA argue that because violence is a problem for both men and women, the fact that the VAWA only addresses the needs of women is both too narrow and too paternalistic; it suggests that women need special protection” (Conway, Ahern, and Steuernagel 2005, 217). Simply the VAWA referencing just women in the title gives the impression that the VAWA applies only to women.

However, those who support VAWA claim that the language of the act itself is gender neutral and can be applied to anyone (Conway, Ahern, and Steuernagel 2005, 217). The language in the USG policy seems to follow this pattern: “the University System of Georgia is committed to ensuring a safe learning environment that supports the dignity of all members of the University System of Georgia community” (University System of Georgia 2016, 3). The sexual misconduct policy never specifies that only women are to be covered but rather refers to victims and aggressors simply as people or persons. The policy also includes sex and gender as protected classes. This gender-neutral language would ideally cover all members of the campus communities, but using only the VAWA as a guide could pose some concerns.

The USG Web site has a section detailing the different resources and committees that are available through the University System of Georgia, their major committee being the Violence Against Women Steering Committee. This committee “was formed to identify practices for preventing and responding to violent acts against women” (University System of Georgia 2017b). This committee, while intended to work with campuses to create policy that will help the student body as a whole, seems to be gendered. The mission is to assist women, therefore leaving a large portion of the student populations unprotected.

Table 2: Campus Assault Policies Compared

	How is sexual assault defined?	What is being said about campus violence?	Groups, networks, and resources available for students	Relevant committees or groups within the organization
University System of Georgia (USG)	<p>“Consent: Words or actions that show a knowing and voluntary willingness to engage in mutually agreed-upon sexual activity. Consent cannot be gained by force, intimidation or coercion, by ignoring or acting in spite of objections of another, or by taking advantage of the incapacitation of another, where the respondent knows or reasonably should have known of such incapacitation. Consent is also absent when the activity in question exceeds the scope of consent previously given. Past consent does not imply present or future consent. Silence or an absence of resistance does not imply consent. Minors under the age of 16 cannot legally consent under Georgia law.”<sup>71</sup></p> <p>“Dating violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the alleged victim.”<sup>72</sup></p> <p>“Sexual Assault: An umbrella term referring to a range of nonconsensual sexual contact, which can occur in many forms including but not limited to rape and sexual battery.”<sup>73</sup></p> <p>Exact same language as USG Policy</p>	<p>Uses Violence Against Women Act as a model.</p> <p>Includes sex and gender as protected classes</p>	<p>No specific mention of required or suggested on campus resources.</p>	<p>The Violence Against Women Steering Committee<sup>4</sup></p>
UNG		<p>Includes sex and gender as protective classes.<sup>5</sup></p>	<p>Does not list available resources online for students.</p>	<p>None</p>
GCSU	<p>No mention of silence not signifying consent, as well as minors under 16 not being able to consent as per Georgia law. Goes more in depth about the details of sexual assault.<sup>6</sup></p>	<p>Includes sex and gender as protective classes.<sup>7</sup></p>	<p>Includes 8 on-campus student resources and educational programs.<sup>8</sup></p>	<p>Coordinated Community Response Team<sup>9</sup></p>

Table 2: Campus Assault Policies Compared (continued)

	How is sexual assault defined?	What is being said about campus violence?	Groups, networks, and resources available for students	Relevant committees or groups within the organization
<b>UGA</b>	Uses the Civil Rights Act of 1964 as a model, rather than USG Policy or VAWA policy. Defines sexual harassment, rather than sexual assault. The term consent is not specifically defined, although similar language to the consent definition used by the other institutions is included. <sup>10</sup> Includes details of threats and submission as forms of harassment. <sup>11</sup> Specifically includes same-sex harassment as a violation of the policy. <sup>12</sup>	Makes mention of adhering to federal and state laws. <sup>13</sup> Mentions many more protected classes. <sup>14</sup>	Includes 15 on-campus student resources and 3 community resources in policy. <sup>15</sup>	Lists specific University administrators that handle sexual assault/harassment cases. <sup>16</sup>
<b>GA Tech</b>	Uses same language as USG; however, does not include a definition of dating violence.	Links directly to the USG policy Does not list any specific protected classes.	Includes 8 on-campus student resources and “innumerable” community resources. <sup>17</sup>	VOICE <sup>18</sup>

Notes:

- 1–4. (University System of Georgia, 2016)
- 5. (University of North Georgia, 2015a)
- 6–9. (Georgia College and State University, 2015a)
- 10–16. (University of Georgia, 2015)
- 17–18. (Georgia College and State University, 2015a)

There is also no mention in the policy or on the USG Web site itself of what on campus resources are required or recommended. This is a problem because different colleges and universities could have very different resources that may not be inclusive enough to benefit the students most effectively.

### **University of Georgia**

At first glance, UGA's policies seem to be the most inclusive and comprehensive; they include many more protected classes such as different sexual orientations and gender identities rather than simply sex and gender. They are also the only ones who specifically include same-sex harassment as a violation of the policy. According to the *Washington Post*, seventeen forcible sex offenses were reported on campus between 2010 and 2012 (*Washington Post*). Their policies outline consent as:

without clear words or actions that are knowingly, freely and actively given indicating permission to engage in mutually agreed upon sexual activity ... or where a person is incapable of giving consent due to the use of drugs or alcohol, or due to an intellectual or other disability.  
(University of Georgia 2015)

However, there are some issues with this policy. UGA has recently come under fire in the media after changing their reporting methods as they pertain to sexual assaults. In 2014, UGA changed its reporting policy to include rapes that were committed off campus and reported to third-party groups. This new reporting practice caused the number of assaults at UGA to skyrocket, going from 6 in 2013 to 71 in 2014. However, the policy was reversed in 2015, bringing the number of assaults down to 11 (Shearer 2015). The reversal of this policy caused the data to fall more in line with what was happening at other southern universities, allowing UGA to seem much more ordinary in that sense.

The "Non-Discrimination and Anti-Harassment Policy" (University of Georgia 2015) on the surface seems like a reputable and beneficial policy. However, it includes all types of harassment and discrimination and does not isolate sexual harassment and misconduct. They also use the Civil Rights Act of 1964 rather than the USG policy or VAWA as a model. This poses a concern because it could lead to sexual misconduct and sexual assaults being lumped in with other types of harassment and not being addressed appropriately. UGA does, however, have a tremendous list of on-campus and off-campus resources for students listed in the policy as well as proper administrative contacts. The policy was fairly simple to locate.

### **Georgia Institute of Technology**

Although Georgia Tech has had some issues with fraternities and sororities in relation to sexual misconduct on campus, they do have one of the only policies

that explains that incapacitation prevents consent. Incapacitation would include drunkenness, and the actions that would transpire in the situation described in the e-mail would not be considered consenting. This is one example of the positive details that are included in this policy. The policy also includes on-campus resources for students and other members of the university community. There are, however, some things that are vague or left out entirely. Georgia Tech's policy does not specifically define dating violence, which could lead to some ambiguity as to what would be protected under the policy. Dating violence, much like spousal violence and rape, is one of the actions that seem to have been harder to regulate and protect. Another limitation of this policy is that it does not list any specific protected classes but simply covers all members of the university community.

### **University of North Georgia**

The enrollment for undergraduate and graduate students is just of 17,000 on all four campuses. The combined data for North Georgia College and State University and Gainesville State College as reported in the *Washington Post* for 2010 to 2012 was four forcible sex offences. The University of North Georgia policies, as of their 2015 publication, does not necessarily define consent, but rather defines lack of consent. Their definition states, "the act must be committed either by force, coercion, intimidation, or through use of the victim's mental incapacity or physical helplessness (including intoxication)" (University of North Georgia 2015b).

The Sexual Misconduct Policy for UNG uses the same language as the USG policy, almost word for word. It includes sex and gender as protected classes and the purpose of the policy is to ensure "a safe learning environment that supports the dignity of all members of the University of North Georgia community" (University of North Georgia 2015b). This very similar language to the USG policy. The UNG policy also uses gender-neutral language and includes sex and gender as protected classes. However, there are no resources for students listed on any university publications and there are no on-campus committees that were formed to ensure proper handling of these incidences. I found that the policy is fairly easy to find with a simple Internet search, while the whole USG policy was slightly more difficult to locate.

### **Georgia College and State University**

GCSU's policies are similar to USG policies, as well as to the policies of the other institutions I studied. The GCSU policy does go more in depth about the definition of sexual assault and what would constitute it. However, there are some differences in GCSU's policies. Their definition of consent does not include anything about silence not signifying consent. Sex and gender are the only classes listed as protected classes. The policy lists eight on-campus resources

for students, including specific administrators and their contact information for students, as well as a copy of the incident reporting form that students would need to fill out in the event of an incidence of rape or sexual misconduct. There is an established committee that works with the campus community to create policies and resources that will benefit the university community as a whole.

### **Conclusions and Future Research**

Some data show that up to 80–90 percent of sexual assault victims on college campuses do not come forward, according to a study that was carried out for the Department of Justice, which looked at two large schools (Gray 2014). Although this data may not apply to all campuses and situations, it does not seem entirely farfetched. Women and men alike often do not want to report their assaults for different reasons; they could feel ashamed and do not want people to know, or they may think administrators and authorities will not believe them. The data would strongly suggest that a rape culture that shames victims exists on college campuses. This is a societal construct that will not easily go away. Changing this culture will require policies that are comprehensive and inclusive in order to provide the best and most fulfilling environments for all members of university communities.

In order to address deficiencies in campus sexual assault and misconduct policies, research should focus on representativeness, inclusiveness, and comprehensiveness. Currently, most of the members of the Board of Regents committee responsible for policy are men. While that does not necessarily mean that they will not create the best and most inclusive policies, it is possible that increasing the number of women on the panel could place greater focus on these sorts of “feminine” issues. The same can be said for having a greater number of women on campus police forces and in other street-level administrative positions. By having more women available to victims, there is a possibility that reporting will go up and administrators will gain a better understanding of what is needed within the community and how that could be reflected in the policies.



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