

SEXUAL MISCONDUCT EDUCATION:
CHALLENGES OF EDUCATING INTERNATIONAL STUDENTS WITH
DOMESTIC EDUCATIONAL ASSUMPTIONS

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ABSTRACT

Sexual Misconduct Education Challenges of Educating International Students With Domestic Educational Assumptions

Doctor of Medical Humanities Dissertation by

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While many institutions of higher education had regularly educated incoming students on sexual and relational violence, the April 2011 Dear Colleague Letter made this a more visible requirement of colleges and universities. Recognizing that the population of higher education is increasingly changing, many institutions did not address the diversity of students in their population and how to more appropriately educate them.

Beyond the fact that over 1 million of our college and university students come from countries throughout the world, the domestic United States students also come from a variety of backgrounds in education. In order to create a better educational offering to our incoming students we must understand the effects of the lack of education on sexual consent and how this impacts many around the world.

With a belief that sexual and relationship violence is a significant public health and safety concern, and the understanding that the federal government has required institutions of higher education to prevent, educate and remediate violence on their campus, we must have a greater understanding of the challenges and opportunities to address this societal problem. Utilizing the established principles for developing quality

comprehensive education programs, this dissertation will culminate in leading the reader towards best practices and principles so they may develop and implement their educational program.

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May this generation of college students continue to tackle head on the scourge of sexual and relationship violence and restore decency back into the world.

This one is for my Lumpy and Lola.

INTRODUCTION

With the most recent changes in the leadership of the federal government, the transition from the Obama Administration to the Trump Administration, sexual education, and issues of sexual and relational violence are again in the national headlines. The confirmation process of Betsy DeVos as Secretary of Education was one of the most contentious debates throughout the presidential transition, shocking to most, as the education secretary is not often a partisan appointee. A portion of the national dialogue was focused on regulation from the federal bureaucracy, with some view as potential steps back from the Obama administration's positive trends, while others applaud the possible changes and a focus on deregulation.

Some of these potential changes between administrations and the Department of Education fall into the requirements implemented by institutions of Higher Education and how they educate and inform students of policies and resources regarding preventing and responding to sexual and relationship violence. Throughout this dissertation, the author will utilize the terms of sexual and relationship violence, which is meant to encompass issues related to sexual harassment, sexual assault, domestic and dating violence, and stalking, all of which need to be presented as part of the co-curricular education of today's college and university-level students.

It is the author's belief that most of the educational requirements set forward by the Department of Education during the Obama Administration, and enacted on college and university campuses throughout the United States, were based on incorrect

assumptions for both domestic and international students' foundational understandings of sexual education. When examining the special population of international students, many campuses are failing to recognize the need for variations in educational modality, and the fallacious reasoning in choosing to assume that all students have been provided the same level of prior educational offerings and real-life experiences resulting in the misperception that all students have equal understanding of these issues.

While researching this topic, it has become clear that even domestic students are coming to campuses with a broad educational background that is often limited in sexuality education, and that the idea of consent for sexual activity is rarely taught prior to attending a college or university. It is therefore imperative that all of the assumptions related to the broad range of issues related to sexuality education and sexual and relationship violence be reviewed and revised, with the goals of understanding the diverse education models that our students receive. Programs should be designed and implemented using best practices so as to present educational offerings for both our domestic and international students that are relevant, clear, and appropriate for all student groups, taking into consideration each individual's uniqueness.

This dissertation will examine the educational requirements of the Campus Sexual Violence Elimination Act (Campus Save) and Violence Against Women Act. Chapter one will show that sexual assault is both a health and safety problem for the United States institutions of higher education, and countries throughout the world. Attention will be directed to the leading four countries that send students to the United States. Chapter two will serve as a review of the requirements placed on colleges and universities, including the variety of federal laws and other regulations regarding prevention, education, and

procedures and methods of responding to incidents of sexual and relationship violence. Chapter three will review domestic sexuality education. We need to understand that sexuality education throughout the states is not equal and that rarely are there any in—depth discussion or review of sexual and relationship violence in curricula until entering colleges or universities. Chapter four will review sexuality education throughout the world, where international committees develop sound principles, and often these are not implemented within the countries equally. Chapter five will focus on the identified current challenges of implementing the federal regulations, to a diverse audience. The final chapter, Chapter six, will utilize some of the already developed tools and principles by domestic and international agencies, and begin to lay out and develop some best practices with the hope that readers will be able to develop a plan of implementation on their respective campus.

Clearly when looking at the data, it is obvious that sexual and relationship violence are a national and international health crisis. Through our work in Medical Humanities, we are able to impact our local, national, and international communities in ways that other professions are not. It will be necessary for us to become capacity builders and constantly integrate the public health needs, with appropriate educational programming and procedures for response.

The Obama White House, primarily through the longstanding commitment of Vice President Joseph Biden, who was the 1994 sponsor of the original Violence Against Women Act, served to change the requirements and regulations in Institutes of Higher Education. This national spotlight led to many false undercurrents and beliefs. This

research project will attempt to clarify some of the resultant misunderstandings and confusion related to the current policies and practices.

One significant positive of the Obama era regulations is the placing on the forefront of national and international discussion the crisis of sexual and relationship violence. There is now a significant conversation and dialogue amongst administrators, faculty members, and students in colleges and universities on ways that they can actively work to address and end sexual and relationship violence.

As we enter a new United States Presidential administration, there are clear uncertainties that abound. Much of this uncertainty centralizes around how the new President and Secretary will enforce the law, and whether the Office of Civil Rights within the Department of Education will develop any new, or diminish any current, regulations. We will review how some of the regulations established through the bureaucracy, namely the “Dear Colleague Letters,” can be changed by the Department of Education, there are other items that cannot be easily changed, as they were passed into law through the Violence Against Women Act.

There are clear challenges when implementing educational tools and programs of any sort on a college and university campus. Federal requirements that were developed, and often attributed to the *Dear Colleague Letter of 2011*¹, were rushed into place by all colleges and universities. While many sought to simply complete the compliance requirement, others have been embroiled in debate on the best way to fully educate and change the culture of dating and relationship violence.

¹ U.S. Department of Education, Office for Civil Rights, *Dear Colleague Letter: Sexual Violence* (Washington, D.C.: U.S. Department of Education, Office for Civil Rights, 2011).

The broad educational differences and understanding, even amongst the traditional-age college student population, is significant amongst the domestic population based on region within the United States. Many students report that they receive little to no education on sexual and relationship violence while in the K-12 educational system². When looking at implementing the educational requirements to students arriving from countries throughout the world, greater complexities are added beyond those of our domestic population. Whether these are based on closed political or social cultures, often sexuality education throughout the world is focused more limitedly on sexual health and disease prevention instead of working to end intimate partner violence.

Research on prevalence and incidence rates of sexual and dating violence is both diverse, and challenging when trying to compare assessments. There has been much national dialogue, which has incorrectly focused on numbers of those impacted by sexual violence, so much so, that even the authors of the assessments have stated that their numbers, based on limited population research, are not true representations of the rate of occurrence within the United States. Recognizing that prior to 2014, there has not been an established domestic standard for assessing sexual and relationship violence, examiners of research data need to be cognizant of discrepancies when comparing similar definitions and actions.

² In October 2016 the author, who serves as a Governor Christie appointee on the New Jersey Sexual Assault Task Force, and other members of the Task Force met with students representing college and university student governments throughout the State of New Jersey. Many of the students stated the first time they were introduced to the topic of consent with sexual activity was when they entered their institution of higher education.

One significant challenge to collecting and interpreting data, as well as educating a diverse student population, is found within the operational definitions of terms around sexual assault. When one fully understands the challenges of data collection in one country, imagine the difficulties in examining such data in international settings. To limit some of these international challenges, this dissertation will look at broad World Health Organization regional data, but also at the data from the four countries that drive the largest population of international students. Open Doors data for 2015 shows that sixty percent of all US international students arrive from China, India, Saudi Arabia, and South Korea³.

The author hopes this work will show more clearly some of the challenges in implementing the requirements that the United States federal government has placed on Institutions of Higher Education. Many of these challenges will become obvious, and some start directly from lack of clear definition of sexual assault amongst researchers, educators, law enforcement professionals, and others. The importance of arriving at a concrete definition of acts of violence would help to more fully educate persons involved in these issues regarding the scope of this health and safety crisis.

As we strive to create conversations and cultures of change, the *Not Alone*⁴ campaign, from the Obama White House, presented the most important statistics needed

³ "All Places Of Origin," *Iie.Org*, last modified 2016, accessed February 13, 2017, <https://www.iie.org/Research-and-Insights/Open-Doors/Data/International-Students/All-Places-of-Origin>.

⁴ White House Task Force, *Not Alone: The First Report Of The White House Task Force To Protect Students From Sexual Assault* (Washington, D.C.: White House, 2014), accessed March 10, 2017, http://109.199.106.79/~center4cocc/resources/not-alone/WH_Task_Force_First_Report.pdf.

for sexual and relationship violence in their tag line, “1 is 2 many.”⁵ It is clear that we must work to drive the reduction of sexual assault incidents not only to help end a current and future health crisis, but also as violence against another should not be tolerated.

The author hopes that this review of data, requirements, current educational trends and challenges, will help inform the readers and assist them in establishing educational programs on their independent campuses. Just as each country in the world has independent cultures, each college and university within the United States has different cultural values and community norms. When assessments of each school are compiled taking into consideration their respective constituencies, these should serve as the only data sets of importance from which to develop appropriate educational programs and responses to impact change within that campus community.

Simply stated, administrators of colleges and universities must establish quality educational programs for all students, including international students. Through the establishment of educational programs, the college and university can more easily equip their students to help end the sexual and relationship violence so that there can be a continued eradication of these life altering, violent events.

⁵ "1 Is 2 Many PSA: 60 Second," *The White House*, last modified 2017, accessed March 3, 2017, <https://obamawhitehouse.archives.gov/1is2many>.

HEALTH AND SAFETY CRISIS

Sexual and relationship violence are two of the most significant health crises of our time and because these acts involve violence, they also present a significant public safety crisis. This chapter will review the data from a variety of sources to highlight the fact that sexual and relationship violence are major problems both in our domestic society as well as throughout the world. Sexual and relationship violence are also at crisis levels within colleges and universities in the United States.

The Obama administration, through the efforts and guidance of former Vice President Joseph Biden, made addressing sexual and relationship violence an area of significant regulation through the Office of Civil Rights in the Department of Education. While the next chapter will focus on the legislation and regulations, this chapter will lay out the data and information showing the impact of this violence, currently at a precarious level, on both individuals and society at large.

Recent data

The National Sexual Violence Resource Center has compiled a data sheet based on resources and significant research on sexual violence.⁶ This collection of data assist in understanding, at a quick glance, the crisis that sexual violence presents throughout the United States.

The Campus Sexual Assault (CSA) Study, which was conducted from 2005-2007, had a primary focus of, "To examine the prevalence, nature, and reporting of various

⁶ National Sexual Violence Resource Center. "National Sexual Violence Resource Center." *NSVRC*. January 1, 2015.

types of sexual assault experienced by university students in an effort to inform the development of targeted intervention strategies.”⁷ This data shows that one in five women will be the victim of sexual assault at some point in their life, while one of every seventy—one man will experience a sexual assault throughout their lifetime.

While this data was analyzed from only two institutions of higher education with population totals below six thousand, it is often quoted, and often misunderstood. Yet, a clear advantage of this study is that it has increased the national dialogue and enhanced the understanding that sexual violence is a significant health and safety crisis in the United States and in our institutions of higher education.

When evaluating the data pertaining to sexual and relationship violence, it is important to recognize the broad range, meanings, and definitions that the terms sexual assault, sexual violence, sexual misconduct, or similar monikers may have. Some have interpreted the findings of one in five women are sexually assaulted to instantly equate twenty percent of all women are raped in college. However, this is not a true understanding of the data, as the questioning and reporting will often list a combination of a variety of crimes, including rape, fondling, etc., in their definition.

Casual reviewers should look at each researcher's definitions and subcategories prior to making assumptions. This is especially true as many college campuses are conducting their own internal assessments (routinely called climate surveys) to gauge the frequency of behaviors on their own campus. It is both false and unfair to blanket report

⁷Christopher P. Krebs, et al. *The Campus Sexual Assault (CSA) Study*. Reserach Report, Washington, D.C.: U.S. Department of Justice, 2007, vii.
<https://www.ncjrs.gov/pdffiles1/nij/grants/221153.pdf> (accessed on July 19, 2016).

data without an understanding of what each assessor may have asked within their assessment.

The CSA study became a very popular headline, yet often misunderstood, as the Obama Administration ratcheted up the regulations on colleges and universities to more fully address the problem of sexual assault. It was through the Department of Education and most specifically the Office of Civil Rights, that the administration increased the need of colleges and universities to enhance their Title IX enforcement. The CSA study was one of the first tools that examined a variety of factors involving sexual violence and assault. The assessment questions and subject area definitions do follow prior survey instruments as a way to categorize crimes.

As definitions have been developed around sexual and relationship violence, there are often times when the internal college or university definitions will not match, and may go beyond those definitions in the criminal and civil legal system. An example of this is that colleges and universities have modified their student codes of conduct terminology to be less based on legal language and more broad in scope to reflect the difference in standards. This means that sexual misconduct, a term most frequently used as a category in a code of conduct, could include activity such as sexual harassment, fondling, rape, sexual exploitation, and other actions that are narrowly defined, yet included within the broader umbrella terminology of “misconduct.”⁸ Another example of

⁸There have been many who have pushed for the removal of legal terminology in student codes of conduct. The Association of Student Conduct Administrators is the international, professional organization that works to set standards and best practices of conduct by administrators on college campuses, and advocates for limiting legal language. Some of the premier experts on codes of conduct are Ed Stoner and John Wesley Lowery

how different the federal government treats colleges and universities from the legal system is also seen in the evidentiary standard. In the criminal system in order to be found guilty of committing an act of sexual or relationship violence, it must be beyond a reasonable doubt. Yet, the standard established by the federal government for colleges and universities to find a student responsible of committing a code of conduct violation is the preponderance of evidence standard, or more commonly stated, as just above the fifty percentile mark, or more likely than not to have occurred.⁹

To assist in the process of understanding data, the United States Department of Justice (US DOJ) defines sexual assault as, “any type of sexual contact or behavior that occurs without the explicit consent of the recipient. Falling under the definition of sexual assault are sexual activities such as forced sexual intercourse, forcible sodomy, child molestation, incest, fondling, and attempted rape.”¹⁰

In defining rape, the US DOJ uses the following definition, revised in 2014, “The revised UCR definition of rape is: Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.”¹¹

who have reviewed this terminology in their Model Code of Student Conduct. The National Center for Higher Education Risk Management also drafted a model code. Colleges and universities have heavily relied upon both the Stoner/Lowery and NCHERM codes as they draft their campus specific standards.

⁹United States Department of Education, Office for Civil Rights, *Questions And Answers On Title IX And Sexual Violence* (Washington, D.C.: United States Department of Education, Office for Civil Rights, 2014).

¹⁰“Sexual Assault | OVW | Department Of Justice,” *Justice.Gov*, last modified 2017, accessed April 3, 2017, <https://www.justice.gov/ovw/sexual-assault>.

¹¹Federal Bureau of Investigation. “Frequently Asked Questions about the Change in the UCR Definition of Rape.” *FBI Recent Program Updates*. December 11, 2014.

As this dissertation has a focus on the international population, it is important to understand that each country has its own definition and laws regarding acts of sexual violence that are often derived from the cultural climate of that country.¹² This study will explore that this is not fundamentally different from even the diverse climates in the United States, as each state has its own unique definitions, variations, and cultural norms, or lack thereof. For example, the State of New Jersey does not have a consent definition as part of its state law.¹³

For the international perspective, let us use the World Health Organization's definition of sexual violence,

any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed, against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting, including but not limited to home and work. Coercion can cover a whole spectrum of degrees of force. Apart from physical force, it may involve psychological intimidation, blackmail or other threats – for instance, the threat of physical harm, of being dismissed from a job or of not obtaining a job that is sought. It may also occur when the person aggressed is unable to give consent – for instance, while drunk, drugged, asleep or mentally incapable of understanding the situation. Sexual violence includes rape, defined as physically forced or otherwise coerced penetration – even if slight – of the vulva or anus, using a penis, other body parts or an object. The attempt to do so is known as attempted rape. Rape of a person by two or more perpetrators is known as gang rape. Sexual

<https://ucr.fbi.gov/recent-program-updates/new-rape-definition-frequently-asked-questions> (accessed November 15, 2016).

¹²It should also be noted that some countries have completely different responses than others, and these differences may be stated in the legal and non-legal response and support to victims. When performing research for this dissertation, it is noted that some countries have virtually no reported information due to the societal norms, or restrictive nature of a government.

¹³The case of the State of New Jersey vs. M.T.S., decided by the Supreme Court of New Jersey on July 30, 1992 found that the affirmation and freely-given permission is needed in order for consent of sexual conduct/involvement to occur. While this finding occurred through the courts, and is often used in cases for criminal prosecution, it has yet to be codified in law.

violence can include other forms of assault involving a sexual organ, including coerced contact between the mouth and penis, vulva, or anus.¹⁴

When examining data, the author of this document will attempt to be as explicit as possible in the definition used as to provide clarity of the underlying result. This is of great importance as one looks at international data and the varying degrees of the research offered.

United States Data

In the National Intimate Partner and Sexual Violence Survey (NISVS), conducted in 2010, it was found that one in five women and one in seventy—one men have been “raped at some time in their lives, including completed forced penetration, attempted forced penetration, or alcohol/drug facilitated completed penetration.”¹⁵ For women, this shows that 19.1% reported being raped during their lifetime using the survey definition. Examined further, 12.2% of women had forced penetration completed, and 5.2% had attempted forced penetration. The use of alcohol or other drugs in completed penetration reports was 8.0%.¹⁶ Unwanted sexual contact of a non-penetrating nature was

¹⁴World Health Organization. *World Report on Violence and Health Report*, Geneva: World Health Organization, 2002. See also, *Global Status Report on Violence Prevention 2014*, United Nations Office on Drugs and Crime, Geneva: World Health Organization, 2014.

¹⁵Sharon G. Smith, Jieru Chen, Kathleen C. Basile, Leah K. Gilbert, Melissa T. Merrick, Nimesh Patel, Margie Walling, and Anurag Jain. *The National Intimate Partner and Sexual Violence Survey (NISVS): 2010-2012 State Report*. Atlanta, Georgia: Centers for Disease Control and Prevention, 2017, 1-2.

<https://www.cdc.gov/ViolencePrevention/pdf/NISVS.Report2010-a.pdf> (accessed on March 6, 2017).

¹⁶Michele C. Black, Kathleen C. Basile, Matthew J. Breidling, Sharon G. Smith, Mikel L. Walters, Melissa T. Merrick, Jieru Chen, and Mark R. Stevens. *The National Intimate Partner and Sexual Violence Survey (NISVS): 2010 Summary Report*. (Atlanta:

experienced by 27.2% of women, while over 44% of all women reported some form of sexual violence victimization other than rape at a point in their lifetime.¹⁷ Men, who already report experiencing sexual assault at a much lower number, reported forced penetration that was completed at .9%, while .4% reported attempted penetration. Beyond being penetrated themselves, males reported that they were forced to penetrate another person against their will at a rate of 4.8%.¹⁸

The assessment continued to show that 51.1% of women reported that the perpetrators of their assault were most often current or prior intimate partners, and just above 40% were assaults perpetrated by acquaintances. Males reported 52.4% of their assaults were perpetrated by an acquaintance.¹⁹ These numbers are staggering when they are compared with the common belief, antiquated education, and bad television detective shows that suggest rape by force is perpetrated by a stranger. The age of rape completion is also telling when we look at the college aged population and reporting. The National Intimate Partner and Sexual Violence Survey of 2010 found that 79.6% of women who had experienced a completed rape had this occur prior to age 25, and 42.2% prior to age 18. For males, 27.8% reported that they had experienced their first rape prior to age 10.²⁰

National Center for Injury Prevention and Control, Centers for Disease Control and Prevention, 2011) 18. <https://www.ncjrs.gov/pdffiles1/nij/rants/221153.pdf>

¹⁷ Ibid., 19.

¹⁸ Ibid.

¹⁹ Ibid., 23.

²⁰ Ibid., 2.

The Campus Sexual Assault (CSA) Study carried out by Krebs, et al. found that 28.5% of women reported experiencing a completed or attempted sexual assault, prior to or while attending, a college or university.²¹ This number is significantly higher than that of the National Intimate Partner and Sexual Violence Survey, but the number of respondents was significantly lower. Likewise the CSA survey found that 16% of women responded that they had experienced an attempted or completed assault prior to entering college, while 19% had experienced an attempted or completed assault while attending college.²²

The CAS Study also showed that the vast majority of those women who report an attempted or completed sexual assault displayed three characteristics: alcohol had been involved, women in their first and second year were more vulnerable, and the majority of victimizers were men that the woman knew or trusted.²³ This data points to some very solid approaches for building and increasing education and prevention efforts, as well as understanding the United States college and university settings.

Founded in January 2014, the Obama Administration's White House Task Force to Protect Students from Sexual Assault provided a variety of resources for Institutions of Higher Education to utilize, including a campus climate survey draft. One university chosen to pilot the study was Rutgers University in New Jersey, and much was learned

²¹ Charles P. Krebs, Christine H. Lindquist, Tara D. Warner, Bonnie S. Fisher, and Sandra L. Martin, "The Campus Sexual Assault (CSA) Study," (Washington, D.C.: U.S. Department of Justice, 2007) xii.
<https://www.ncjrs.gov/pdffiles1/nij/grants/221153.pdf>
 (accessed on July 19, 2016).

²² Ibid.

²³ Ibid., xviii.

from their work. Also, Krebs, et al., utilizing a small consortium of nine colleges and universities, developed findings and recommendations. A significant outcome from both the Rutgers and Krebs teams efforts resulted in findings that focused not only on results, but also on the survey design and questions.

The work of Krebs, et al., is entitled the Campus Climate Survey Validation Study (CCSVS). The CCSVS identified the problem of over-assumption and erroneous headlines, stated the following disclaimer, “neither this sample of nine schools nor the data collected from the students attending them are intended to be nationally representative of all college students or institutions of higher education.”²⁴ Yet, as we look at the variety of campus climate surveys, we do start to identify national trends. These trends, again while not an absolute on each and every campus, are still so very important for cataloging the crisis of the health and safety impacts of campus sexual assault.

Not surprisingly, another key result from both the Rutgers and the CCSVS was the identification of confusion over term definition and how this may have affected the results. As previously discussed, often the newspaper headlines and research data can be confusing to the casual reader, frequently distorting some of the actual findings in subsequent reports. To assist in understanding some of the data, the CCSVS defined the following:

²⁴ U.S. Dept. of Justice’s Bureau of Justice Statistics (BJS), “The Campus Climate Survey Validation Study (CCSVS), Conducted in Spring, 2015 by U.S. Dept of Justice working with RTI International, 23,000 undergraduate students participated in the study conducted in nine colleges and universities.

For the CCSVS, three key types of sexual victimization were measured: sexual assault, rape, and sexual battery. Sexual battery was defined as any unwanted and nonconsensual sexual contact that involved forced touching of a sexual nature, not involving penetration. This could include forced kissing, touching, grabbing, or fondling of sexual body parts. Rape was defined as any unwanted and nonconsensual sexual contact that involved a penetrative act, including oral sex, anal sex, sexual intercourse, or sexual penetration with a finger or object. Sexual battery and rape are mutually exclusive categories (e.g., a victim or a sexual victimization incident would be counted as one or the other, but not both). Sexual assault is the term used to describe any unwanted and nonconsensual sexual contact that involved either sexual battery or rape. It does not include sexual harassment or coerced sexual contact, which were measured separately.²⁵

Survey Data

The CCSVS showed from their review of nine college campuses, an average of 10.3% (range of 4.2% - 20%) for completed sexual assaults on women during the 2014-2015 academic year, and an average of 3.1% (range 1.4% - 5.7%) for males over the same period.²⁶

While the CCSVS was focused more on the assessment tool and incidents over the 2014-2015 academic year, the researchers did have questions regarding the incidence of sexual assault during their time at college, as well as their lifetime. Female students reported a cross-school average rate of 21% (range of 12% - 38%) of sexual assault since arriving at college, while 34% (range of 26% - 46%) reported a sexual assault experienced in their lifetime. Male students reported an average range of 7.0% of sexual

²⁵ Christopher Krebs, Christine Lindquist, et al. "Campus Climate Survey Validation Study, Final Technical Report, (Washington, D.C.: Bureau of Justice Statistics, 2016) 5.

²⁶ Ibid., 69-71.

assaults since arriving to college (a range of 3.7% to 11.8%) and a lifetime sexual assault prevalence rate of 11.2% (range of 8.4% - 16.3%).²⁷

Krebs, et al., produced the widely quoted data set from 2009 that stated that 1 in 5 undergraduate female students will be sexually assaulted while in college. Their review of the 2014-2015 academic year study showed that 1 in 4 female students reported sexual assault during their time in college.²⁸ While Krebs, et al authored both studies, they do continually exercise the use of caution when proclaiming these results as national averages.

To add some additional validation to the prevalence and incidence rates reported by the CCSVS, it can be compared with the Association of American Universities (AAU), another consortium group assessment, to the CCSVS. The AAU developed an assessment, through a partnership and utilizing the research firm, Westat. This climate survey was completed during the spring 2015, replicating the same academic year time frame as the CCSVS. In total, there were 27 Institutes of Higher Education that used the AAU tool. While the CCSVS had a higher response rate by percentage, the AAU tool, with a 19.3% response rate, had a total of 150,072 participants.²⁹

As is typical of research on sexual misconduct, definitions were slightly varied.

The AAU divided questions into victimization types, sexual assault, and sexual

²⁷ Ibid., 86-102.

²⁸ Ibid., 76.

²⁹ Association of American Universities Survey (AAU), "AAU Climate Survey on Sexual Assault and Sexual Misconduct, (2015)," (Washington, D.C.: Association of American Universities, 2015) vi.
http://www.aau.edu/uploadedFiles/AAU_Publications/AAU_Reports/Sexual_Assault_Campus_Survey/AAU_Campus_Climate_Survey_12_14_15.pdf (accessed on October 9, 2016).

misconduct. Sexual assault was focused, “on nonconsensual sexual contact involving two behaviors: sexual penetration and sexual touching.”³⁰ Sexual misconduct victimization tracked the sexual harassment, stalking, and intimate partner violence. Intimate partner violence will be a key term and definition when looking at data collected from around the globe and those assessments, which are discussed below.

The AAU climate survey found that 11.3% of female students stated they had experienced a completed, non-consensual penetration.³¹ When compared to the 14.3% of the CCSVS participants, admittedly some differences in population size, and questioning, this does show some consensus on the number of forced assaults, even though they vary by three percentage points.

As the assessors state, each campus is independent and broad generalizations should not be made from the aggregate results. As noticed, there was a three percent difference between the AAU and CCSVS data. The other industry leading assessment came from Rutgers University.

Rutgers utilized an executive summary, amongst other tools, to disseminate the key findings from their campus climate survey (*#iSPEAK Student Experience, Attitudes, and Beliefs about Sexual Violence Results*).³² Rutgers used the definition found in the White House Task Force’s *Not Alone* tool kit when assessing their campus. That definition states:

³⁰ Ibid., v.

³¹ Ibid., xii.

³² Sarah McMahon et al., *#Ispeak Student Experiences, Attitudes, And Beliefs About Sexual Violence: Results Of The Rutgers University-New Brunswick Campus Climate Assessment* (New Brunswick, NJ: Rutgers University, 2015), accessed February 5, 2017, http://ispeak_campus_climate_assessment_final_report_revised_final_.pdf.

‘Sexual assault’ and ‘sexual violence’ refer to a range of behaviors that are unwanted by the recipient and include remarks about physical appearance, persistent sexual advances that are undesired by the recipient, threats of force to get someone to engage in sexual behavior, as well as unwanted touching and unwanted oral, anal, or vaginal penetration or attempted penetration. These behaviors could be initiated by someone known or unknown to the recipient, including someone they are in a relationship with.³³

Rutgers found that their data was similar to the national averages, and mirrored many of Krebs, et al. findings from 2007, specifically that 1 in 4 (24%) of female undergraduate students reported experiencing sexual violence prior to coming to Rutgers, and that 20% of undergraduate students had experienced unwanted sexual contact since their arrival at the university.³⁴

The Rutgers climate survey reported that for undergraduate women, “13% experienced attempted or completed unwanted sexual contact involving physical force, 15% experienced attempted or completed unwanted sexual contact involving physical force, threats of physical force or coercion, and 9% experienced unwanted sexual contact when unable to provide consent.”³⁵ This in many ways has cross validity with the AAU and CCSVS studies.

While each study does yield a variety of statistics based on their differing questions or definitions, the authors of the AAU study state,

³³ White House Task Force Tool Kit, *Not Alone*. In *The First Report of the White House Task Force to Protect Students from Sexual Assault*. April, 2014. Washington, D.C.

³⁴ "Reports Of Findings | Rutgers School Of Social Work," *Socialwork.Rutgers.Edu*, last modified 2015, accessed February 7, 2017, <https://socialwork.rutgers.edu/centers/center-violence-against-women-and-children/research-and-evaluation/campus-climate-project/reports-findings>.

³⁵ #i SPEAK Student Experience, Attitudes, and Beliefs about Sexual Violence Results, Rutgers University, <https://socialwork.rutgers.edu/file2038/download>, 26.

Overall, these comparisons illustrate that estimates such as “1 in 5” or “1 in 4” as a global rate, across all IHEs is at least oversimplistic, if not misleading. None of the studies that generate estimates for specific IHEs are nationally representative. The above results show that the rates vary greatly across institutions.³⁶

While agreeing with the AAU authors in many ways, and having a personal frustration when the national headlines erroneously proclaim the “1 in 4” or “1 in 5” statistics, the data does clearly show women experience completed nonconsensual sexual penetration at a rate much higher than the *Not Alone* tagline, of “1 is 2 Many.”

Clearly the data shows that the percentages can range depending upon the campus, and the question specificity asked during the assessment. Each Institution of Higher Education is encouraged to conduct their own climate assessment and focus on those numbers. When appropriate, utilizing as many questions from other campus climate survey as possible is critical so that individual campuses may begin to benchmark their data with other colleges or universities and even the with the broad national studies.

If one thinks there are challenges in looking at the domestic data, the international component is all the more difficult.

International Data

While there are significant assessment and data sets on sexual assaults within the United States, and an ever growing and burgeoning amount of data on colleges and universities within the United States, globally, the data is significantly harder to gather. Naturally, there is a desire to collect data, not only to compare incidents across countries,

³⁶ Association of American Universities Survey (AAU), “AAU Climate Survey on Sexual Assault and Sexual Misconduct, (2015),” (Washington, D.C.: Association of American Universities, 2015) xv.
http://www.aau.edu/uploadedFiles/AAU_Publications/AAU_Reports/Sexual_Assault_

but primarily with hope that the data will help to inform the education of, and resources needed, when students arrive in the United States at their colleges.

There has long been a challenge in collecting and interpreting data. Just as was cautioned when looking at domestic United States data, it is also very important to not make broad generalizations when examining reports and research from other nations or the collective regional data sets through the World Health Organization or the United Nations. Beyond what can be termed “cultural differences,” there are also extreme challenges from data collection, ranging from country or region instability, to interpretation and definition development, amongst many other challenges.

Azy Barak, an often-quoted author on sexual harassment and cross-cultural perspectives states that the concept of culture “is essentially on the differences among groups that share common social norms, standards, customs, values, symbols, education, and the like, as being operationally delineated by their clear nationality or ethnicity.”³⁷

While each area of the world is filled with diverse regions, countries, cultures and peoples, we must also recognize that each country may also have diversity within their culture and borders based upon sub-region. Or more bluntly, we must understand that global regions, country norms, and data do not define an individual person.

In 2013, the World Health Organization (WHO) released one of the larger reviews of intimate partner and non-partner rape statistics in their report, “Global and Regional Estimates of Violence against Women: Prevalence and Health Effects of Intimate Partner Violence and Non-Partner Sexual Violence.” The data collected and

³⁷William O’Donohue, *Sexual Harassment: Theory, Research and Treatment*, (Needham Heights, MA: Allyn and Bacon, 1997) 264.

represented research from 79 countries and two territories. The WHO study showed that “35% of women worldwide have experienced either physical and/or sexual intimate partner violence or non-partner sexual violence” in their lifetimes.³⁸

Remembering the importance of definitions, WHO defined Intimate partner violence as:

Self-reported experience of one or more acts of physical and/or sexual violence by a current or former partner since the age of 15 years. Physical violence is defined as: being slapped or having something thrown at you that could hurt you, being pushed or shoved, being hit with a fist or something else that could hurt, being kicked, dragged or beaten up, being choked or burnt on purpose, and/or being threatened with, or actually, having a gun, knife or other weapon used on you.

Sexual violence is defined as: being physically forced to have sexual intercourse when you did not want to, having sexual intercourse because you were afraid of what your partner might do, and/or being forced to do something sexual that you found humiliating or degrading.³⁹

The number of students coming to the United States from other countries totals over 1 million in the most recent academic year of 2015-2016. According to the Institute of International Education, 60% of these students will come from four countries; China, India, Saudi Arabia and South Korea. While we will discuss more about these countries throughout this dissertation, it is important to recognize the diversity in even these top four countries, let alone all of the regions who send students to the United States.

³⁸ World Health Organization, *Global And Regional Estimates Of Violence Against Women: Prevalence And Health Effects Of Intimate Partner Violence And Non-Partner Sexual Violence* (Geneva: World Health Organization, 2013), accessed October 14, 2016,

http://apps.who.int/iris/bitstream/10665/85239/1/9789241564625_eng.pdf?ua=1.

³⁹ World Health Organization, *Global And Regional Estimates Of Violence Against Women: Prevalence And Health Effects Of Intimate Partner Violence And Non-Partner Sexual Violence* (Geneva: World Health Organization, 2013), accessed October 14, 2016, 6.

http://apps.who.int/iris/bitstream/10665/85239/1/9789241564625_eng.pdf?ua=1.

Naturally, students from all ranges of educational background come to the United States to study. Of the students who came to the United States in academic year 2015-2016, 40.9% entered into undergraduate programs, while 33.4% came to study as graduate students. Understanding this demographic and the traditional age of those internationals attending undergraduate programs are important as we examine the data from around the world.

The World Health Organization found that intimate partner violence had a prevalence rate of 29.4% for women in the 15-19 year old age group, and 20-24 year olds had a 31.6% prevalence rate.⁴⁰ This is important when compared to what we have learned about the domestic population and the rates of incidents prior to entering college, and during the most dangerous first and second years. The traditional college student age range is often understood to be between 18 and 22 years of age. This data shows that we may expect that nearly 30% of the international women who attend college in the United States would have potentially be exposed to intimate partner violence.

WHO found that the non-partner sexual violence prevalence rate was at 7.2%, and again a disclaimer is mentioned on the challenges of underreporting by region and culture. It should be noted that the prevalence rate for high income, which includes the United

⁴⁰ World Health Organization, *Global And Regional Estimates Of Violence Against Women: Prevalence And Health Effects Of Intimate Partner Violence And Non-Partner Sexual Violence* (Geneva: World Health Organization, 2013), accessed October 14, 2016, 17.
http://apps.who.int/iris/bitstream/10665/85239/1/9789241564625_eng.pdf?ua=1.

States is 12.6% ⁴¹. The FBI placed the number of rapes reported in the US in 2015 just above 90,000.

While we review the data from the big four college student import countries, this is not a suggestion that students coming to the United States from all of the other countries, which are not mentioned, are not exposed as victims to sexual or relational violence. This dissertation simply strives to point to some of the realities based on those 60% of students from China, India, Saudi Arabia and South Korea, yet, understands that the other 40% are also valued members of our collegiate communities.

On the next page is a table that merges the WHO prevalence rates, while adding the percentage of students who are from those countries.⁴²

Clearly, students arriving from all over the world, and likewise from all over the United States, are exposed to sexual and relational violence. Yet, let us take a brief look at the impact for the large four countries of student import.

⁴¹ Ibid., 18.

⁴² World Health Organization, *Global And Regional Estimates Of Violence Against Women: Prevalence And Health Effects Of Intimate Partner Violence And Non-Partner Sexual Violence* (Geneva: World Health Organization, 2013), accessed October 14, 2016, 17.
http://apps.who.int/iris/bitstream/10665/85239/1/9789241564625_eng.pdf?ua=1.

Region	Prevalence of Intimate Partner Violence (95% confidence interval), %	Prevalence of Non Partner Sexual Violence (95% confidence interval), %	Total % of International Student Population
Asia, Central	22.89 (15.8 to 30.0)	6.45 (0 to 13.0)	0.30%
Asia, East	16.30 (8.9 to 23.7)	5.87 (0.15 to 11.59)	42.10%
Asia, South	41.73 (36.3 to 47.2)	3.35 (0 to 8.37)	18.40%
Asia, South-East	27.99 (23.7 to 32.2)	5.28 (0.94 to 9.61)	5.20%
Caribbean	27.09 (20.8 to 33.3)	10.32 (3.71 to 16.92)	1.10%
Europe, Central	27.85 (22.7 to 33.0)	10.76 (6.14 to 15.38)	2.00%
Europe, Eastern	26.13 (20.6 to 31.6)	6.97 (0 to 14.13)	1.30%
Europe, Western	19.30 (15.9 to 22.7)	11.50 (7.24 to 15.76)	5.50%
Latin America, Andean	40.63 (34.8 to 46.5)	15.33 (10.12 to 20.54)	0.30%
Latin America, Central	29.51 (24.6 to 34.4)	11.88 (7.31 to 16.45)	2.40%
Latin America, Southern	23.68 (12.8 to 34.5)	5.86 (0.31 to 11.42)	4.70%
North Africa/Middle East	35.38 (30.4 to 40.3)	4.53 (0 to 12.74)	10.04%
Oceania	35.27 (23.8 to 46.7)	14.86 (7.48 to 22.24)	0.70%
Sub-Saharan Africa, Central	65.64 (53.6 to 77.7)	21.05 (4.59 to 37.51)	0.30%
Sub-Saharan Africa, East	38.83 (34.6 to 43.1)	11.46 (7.31 to 15.60)	0.70%
Sub-Saharan Africa, Southern	29.67 (24.3 to 35.1)	17.41 (11.48 to 23.33)	0.60%
Sub-Saharan Africa, West	41.75 (32.9 to 50.6)	9.15 (4.90 to 13.41)	1.70%

China

In 2007, the US State Department stated that China reported 31,833 rapes.⁴³ Like most statistics for rape, there is little belief that this is close to the actual number of crimes, and China itself did not recognize the United State's count. While rape is often underreported globally, there are some interesting cultural aspects in China, as well as in other cultures that may have a hierarchical system. This is often mentioned through the interrelation violence category, identifying that many assaults happen within the relationship.

The United Nations Population Fund teamed with Partners for Prevention to study gender based violence and their work in Asia, and studied six countries, including China. The researchers found similar results within the region as WHO had found. While the study was small, 1,103 women and 1,017 men completed the assessment. The participants were all residents from one country and ranged in ages from 18-49.⁴⁴ This study found that 39 percent of women experienced sexual or relational violence, in a physical form, from an intimate partner. Also, 52 percent of men reported perpetrating violence on an intimate partner. While emotional violence was found, it was reported to be only slightly lower, 38 percent of reported being victims of emotional violence, while

⁴³ "US-China Today: Rape In China," *Uschina.Usc.Edu*, last modified 2009, accessed January 6, 2017.
http://www.uschina.usc.edu/w_usct/showarticle.aspx?articleID=13037&AspxAutoDetectCookieSupport=1.

⁴⁴ Partners for Prevention, *Research On Gender-Based Violence And Masculinities In China: Preliminary Findings* (Beijing, China: UNFPA China, 2013), accessed December 6, 2016,
http://www.partners4prevention.org/sites/default/files/resources/china_quantitative_executive_summary.pdf.

a significantly smaller number of men, 42 percent, reported perpetrating emotional violence on their partner.⁴⁵

The researchers in the combined study showed that 10 percent of women reported being raped by a male partner and 14 percent of men reported raping a female partner, and that rape committed by a partner was much more prevalent than rape committed by a non-partner. Of the women surveyed, 7 percent reported being raped by a non-partner, while 8 percent of men reported raping a non-partner. When factoring in for attempted rape, through force or coercion, 14 percent of women reported an attempted rape.⁴⁶

The researchers also found that 86 percent of perpetrators cited their sexual entitlement as the motivation for committing the assault. When age range for those men who first perpetrated rape was studied, it was found that 24 percent of males committed their first rape between the ages of 15-19, while 67 percent were by those aged 20-29. Much like the argument made by the author in the domestic sexuality education chapter, the authors of this study state, “This indicates that the prevention of sexual violence needs to begin with teenagers.”⁴⁷

What is an encouraging trend in China, especially within the youth and traditional college-aged population, is that the dialogue on rape is increasing. One such recent case that acquired international headlines revolved around a student who was coerced to go on

⁴⁵ Ibid., 3.

⁴⁶ Ibid., 4.

⁴⁷ Partners for Prevention, *Research On Gender-Based Violence And Masculinities In China: Preliminary Findings* (Beijing, China: UNFPA China, 2013), accessed December 6, 2016, 6.
http://www.partners4prevention.org/sites/default/files/resources/china_quantitative_executive_summary.pdf.

a date with a supervisor at her internship. She was then assaulted in her hotel room. The incident was discussed extensively on Weibo, one of the most popular social media platforms, and the conversation regarding what is rape, and the role of entitlement, victim decision-making and blaming, and other topics ensued.⁴⁸

India

In their article, *Sexual violence in India: addressing gaps between policy and implementation*, the authors review the National Crimes Records Bureau (NCRB) of India and state, “Alarming, rape cases registered in India went up from 2919 in 1973 to 24,206 in 2011; but convictions dropped by 18%. In 2012, Delhi registered 706 rapes (23.4% higher than 2011) with only one conviction”⁴⁹

Examining the most recent numbers from the NCRB, India reports a total of 130,195 cases of sexual offences occurred. In India, these sexual offences could range from rape, attempt to commit rape, assault on women with intent to outrage her modesty, and insult to the modesty of women.⁵⁰ It is commonly understood since 2007 court cases

⁴⁸ Ting Guo, "Questioning Rape In China," *Opendemocracy*, last modified 2017, accessed January 28, 2017, <https://www.opendemocracy.net/5050/ting-guo/question-of-rape-in-china>.

⁴⁹ P. Sharma, M. K. Unnikrishnan and A. Sharma, "Sexual Violence In India: Addressing Gaps Between Policy And Implementation," *Health Policy and Planning* 30, no. 5 (2014): 656-659, accessed February 6, 2017, <https://academic.oup.com/heapol/article/30/5/656/657922/Sexual-violence-in-India-addressing-gaps-between>.

⁵⁰ *General Crime Statistics - Snapshots*, pdf, 1st ed. (National Crime Records Bureau, 2015), accessed January 11, 2017, <http://ncrb.nic.in/StatPublications/CII/CII2015/FILES/Snapshots-11.11.16.pdf>.

that the modesty of a woman is her sex, and that insulting the modesty of a woman is any non-consensual instances of sexual harassment, up to penetration.

While the vast majority of these offences were intent to outrage her modesty, there were 34,651 rape cases, of which the victim knew the perpetrator 95.5 percent of the time. Like most other countries, the data shows that the majority of rape cases occur when the victim knows the perpetrator. India has been in the international headlines often over the last five years due to horrific rape stories, including gang rapes, rapes of young girls and other crimes. This has lead to the discussion of how India responds, leading to prevalent national conversation as well as the change in some laws.

In October 2015, a report from researchers at Berkeley entitled, *Access to Justice for Women, India's response to Sexual Violence in Conflict and Social Upheaval*, pointed to a variety of recommendations for India to enact. Noting that some of the state regions in India are under political turmoil, the study also showed the already existing challenges for a victim to report including family pressures to length of trial and the routineness of perpetrators being found not guilty.

India has made some significant strides in the last few years in addressing law changes around sexual assault, including establishing the Verma commission⁵¹ that addressed many challenges. Some media stories still point to what they classify as a broken legal system due to the low rate of conviction.

⁵¹ According to the PRS Legislative Research team, the Verma commission was established in December 2013 to address changes in the penal code regarding rape. It is named after its chair, the Honorable J.S. Verma, the former Chief Justice of the Supreme Court.

Much like in China, there are glimmers of hope coming from discussion and topics on education. India media stories are highlighting new education for youth that will hopefully help to prevent cases in the future. It is reported that the Health Ministry has developed new educational materials that has a basis of consent for healthy relationships. This would be a significant shift in the educational program offerings and begins to address the culture of hyper-masculinity and aggressiveness in relationships and cross-gender interactions.⁵²

South Korea

South Korea police report that in 2014, 21,172 rapes occurred resulting in 20,045 arrests. They define rape as “Rape or involuntary sexual acts include rape, forced sexual groping, quasi rape, rape-related injury or manslaughter, sexual assault-related injury or manslaughter, death due to rape, rape or sexual abuse of minors, prison or corrective rape, statutory rape involving minors.”⁵³

Health Impacts

Beyond the toll that the acute violence takes place on the individual and society, there are now documented short and long term health consequences that victims or

⁵² FE Online, "Homosexual Attraction Is OK; 'NO' Means No: Health Ministry Rises Above Indian Stereotypes," *The Financial Express*, last modified 2017, accessed March 6, 2017, <http://www.financialexpress.com/jobs/homosexual-attraction-is-ok-no-means-no-health-ministry-rises-above-indian-stereotypes/560227/>.

⁵³"Status For Occurrence And Arrest Of 5 Major Crimes," *Police.Go.Kr*, last modified 2017, accessed February 17, 2017, <http://www.police.go.kr/eng/main/contents.do?menuNo=500082>.

survivors experience. While we have reviewed definitions on crimes, it is also important to focus on the label that one takes after they have been assaulted. For those who have been assaulted, they are now more commonly referred to as “survivors” by the advocate and therapeutic communities.

The label of survivor carries with it a sense of strength and overcoming, as opposed to the prior, more traditional term of “victim.” As one begins to deal with the significant trauma of surviving an assault, she/he will progress through a variety of stages. Like all trauma experiences, every individual's story and pathway to healing may be different, yet there are some defined stages. The author of this dissertation may use the words victim and survivor interchangeably, yet most often will select the word victim. This is to allow the one whom is overcoming her/his trauma to chose her/his own stage and language, as any self-label or naming is one step towards healing.

Many current theories had been built on, or are contrary to, the basics of Elisabeth Kubler-Ross’ five stages of grief from her landmark book, *On Death and Dying*.⁵⁴ The stages she listed were: denial, anger, bargaining, depression, and acceptance. While there is most often a series of responses and reactions to trauma, as a result of sexual and relational violence, there is not often a linear or defined path.

In an article by Megan Devine, she reflects on the five stages, “In her later years, Elisabeth Kubler-Ross wrote that she regretted writing the stages the way that she did, that people mistook them as being both linear and universal. Based on what she observed

⁵⁴ Elisabeth Kübler-Ross, *On Death & Dying*, 1st ed. (New York: Macmillan and Co., 1969).

while working with patients given terminal diagnoses, Ms. Ross identified five common experiences, not five required experiences.”⁵⁵

There has been a budding subfield on responding and understanding the role of trauma in caring for, responding to, and developing programs on sexual and relational violence. Trauma informed response is a dissertation all on its own, and will not be broadly discussed here, yet it is important to acknowledge the increasing positive impact that trauma informed response has had not only on responding to victims, but also in better educating all.

The role of trauma plays an important part on the victim from the very beginning of an assault through all aspects of response, whether during reporting, adjudication, therapy, or other aspects of the experience. The American Psychological Association (APA), defines trauma as, “an emotional response to a terrible event like an accident, rape or natural disaster. Immediately after the event, shock and denial are typical. Longer term reactions include unpredictable emotions, flashbacks, strained relationships and even physical symptoms like headaches or nausea.”⁵⁶

Beyond the basics of this definition, significant research has now shown that the brain reacts to the trauma while the assault is occurring. In her research, Rebecca Campbell, PhD, shows how the body’s nervous and chemical systems respond to trauma. These responses from the brain can impact the ability of the victim to respond, remember

⁵⁵ "Why We Need To Change Our Approach To Grief," *The Huffington Post*, last modified 2013, accessed January 13, 2017, http://www.huffingtonpost.com/megan-devine/stages-of-grief_b_4414077.html.

⁵⁶ "Trauma And Shock," *Http://Www.Apa.Org*, accessed January 21, 2017, <http://www.apa.org/topics/trauma/>.

certain aspects well, and others not so well, and to have memories return over time.⁵⁷ To reiterate, a main area of importance here is to understand that there will be an automatic body response, which may impact a variety of reactions both acutely, as well as long term, throughout the healing process of the traumatized individual.

As we educate on sexual and relational violence, we should make certain that trauma response is highlighted. This will help explain to some why memories are coming at different times, why a victim may recognize a cologne but not a face, and why some memories may only be remembered after some time has elapsed during investigations.

While the trauma response is important to recognize, so is the impact of the trauma on the individual, and the high cost to society by the sexual and relational violence. The three phases to victim response, as noted in the book *Things Fall Apart: Victims in Crisis*⁵⁸, are impact, recoil, and reorganization and all of these have different reactions and responses. The Canadian Rape Victims Support Network, retitled these as reaction, recoil and reorganization.⁵⁹

The impact or reaction phase occurs immediately after the assault, and feelings of shock, disbelief, fear, anger, shame, guilt and other emotional reactions may take place. The recoil phase often has periods of that will lead to a sense of resolution, often to, again,

⁵⁷ "The Neurobiology Of Sexual Assault: Implications For First Responders In Law Enforcement, Prosecution, And Victim Advocacy Presenter-Campbell-Transcript," *Nij.Gov*, last modified 2012, accessed January 20, 2017, <https://nij.gov/multimedia/presenter/presenter-campbell/Pages/presenter-campbell-transcript.aspx>.

⁵⁸ Morton Bard and Dawn Sangrey, "Things Fall Apart: Victims In Crisis," in *The Crime Victim's Book*, Morton Bard ed. 1st ed. (Basic Books, 1979), 28-35.

⁵⁹ "Recovery And Healing After A Sexual Assault," *Recovery And Healing After A Sexual Assault - Rape Victims Support Network*, accessed January 23, 2017, <http://assaultcare.ca/healing/#ref1>.

be replaced with denial. Reorganization begins to take place as the survivor puts the assault and its impact into perspective on their overall life and healing.

The United States Center for Disease Control (CDC) lists the following as some of the physical consequences of sexual violence, including more than 32,000 pregnancies annually from rape. Victims often cite dealing with chronic pain, gastrointestinal disorders, headaches, sexually transmitted infections, and genital injuries or gynecological complications.⁶⁰

Psychological impacts are both acute and chronic. Acute feelings are like those in the above impact or reaction stage, while long-term consequences include depression, change in sleep behaviors, suffering from effects of post-traumatic stress disorder, anxiety, low self esteem and even attempted or completed suicides. The CDC list indicates the incidents of sexual violence on social connections ranging from strained relationships with friends, family, work colleagues and even a lower likelihood of marriage.

A final category is that of risk behaviors that are not uncommon for those that have been victimized by sexual violence. Where some victims may choose to abstain from sexual behavior, others may partake in high risk sexual practices including participating in unprotected sex, and other risky behaviors including using drugs or alcohol and having significant diet changes.

⁶⁰ "Sexual Violence Consequences," *Cdc.Gov*, last modified 2016, accessed November 17, 2016, <https://www.cdc.gov/violenceprevention/sexualviolence/consequences.html>.

In 1996, the National Institute of Justice found that the annual cost to treat rape amounted to \$127 billion dollars in medical care and that life consequences resulting in a reduction in quality of life occurs. The authors state, “the aggregate out-of-pocket costs of rape are about \$7.5 billion, roughly equal to the out-of-pocket costs to burglary victims and less than the approximately \$9 billion cost to larceny victims. Yet, the crimes of burglary and larceny have much less severe psychological effects on victims.”⁶¹

Researches placed the cost in 2008 of \$151,423 per rape, or \$7.9 billion, which keeps the out-of-pocket rates close to the \$7.5 billion in 1996. The BLS stated there were 52,470 reported rapes in the United States in 2008, when compared to 95,769 reported in 1996. Importantly, while costs to treat and respond to rape are aggregately static over the years, it is necessary to acknowledge that the rate of assault is significantly down.

The Obama Whitehouse stated that the average cost of surviving rape for all victims is between \$87,000 - \$240,776 per rape. To frame this on an individual level, Laura Hilgers listed in a New York Times article regarding the cost of the rape of her daughter while in college. She stated that the projected expenses was \$245,573.63, which \$100,573.63 stemmed from cash out of pocket, and \$145,000 were lost wages for her and her daughter as college graduation was delayed.⁶²

When looking at relationship violence, it also has a staggering impact on the individual and society. While many of the health and psychological impacts are the same,

⁶¹ National Institute of Justice, *Victim Cost And Consequences: A New Look* (Washington, D.C.: U.S. Department of Justice, 2017), accessed March 15, 2017, <https://www.ncjrs.gov/pdffiles/victcost.pdf>.

⁶² Laura Hilgers, "What One Rape Cost Our Family," *New York Times*, 2016, accessed February 24, 2017, https://www.nytimes.com/2016/06/24/opinion/what-one-rape-cost-our-family.html?_r=0.

the CDC also shows that often greater impact on social interactions occur with relational violence including an isolation or lost of social circles and homelessness due to fleeing violence and violent partners.⁶³

In 2003, the CDC completed a study showing that an estimated 5.3 million victimizations occur annually, resulting in 2 million injuries to women aged eighteen and older. Of those injuries, 550,000 required medical intervention and attention. The loss of work inside and out of the home combined totaled more than 13.6 million days. The financial ramifications remain high as well, with \$4.1 billion in direct medical cost for medical and psychological treatment, and nearly another billion lost in salary and wages.⁶⁴

Concluding Thoughts

Clearly the driving factor for reduction should be the prevention of violence and heinous acts on humankind. The impact on both the person and society due to the act of violence is significant. When coupled with the financial implications, there is significant value and importance for reducing the number of acts of violence.

⁶³ "Intimate Partner Violence: Consequences," *Cdc.Gov*, last modified 2015, accessed January 22, 2017, <https://www.cdc.gov/violenceprevention/intimatepartnerviolence/consequences.html>.

⁶⁴ National Center for Injury Prevention and Control, *Costs Of Intimate Partner Violence Against Women In The United States* (Atlanta: Center for Disease Control, 2003), accessed October 10, 2016, <https://www.cdc.gov/violenceprevention/pdf/IPVBook-a.pdf>.

Policy and laws are working, as shown in the World Health Organization's report, *The Economic Dimensions of Interpersonal Violence*. It reports that the United States 1994 Violence Against Women Act resulted in a \$14.8 billion in savings from averting victims' cost. Additional studies show that providing shelter for victims of relational violence had a significant cost ratio benefit.⁶⁵

As countries start to have shifts in educational approaches and responses to sexual assault the educational component of prevention must catch up. While citizens of the United States are not immune to inter-relational violence, the impact of this throughout the world is significant. It also is important to remember that the victim of an assault, most likely, is in a relationship with them, or knows her/his attacker. This is a reality for assaults on a college campus as well. While media and movies of the past may have portrayed the perpetrator to be an unknown entity creeping from the woods, the vast majority occurs within the confines of a building, and the assailant is known.

Globally and on college campuses, sexual and relational violence is often unreported. While there are burgeoning new resources for students at colleges and universities, many students may not take full advantage of them. Campus climate surveys still show that students are more likely to report first, and often only, to a friend. This makes the educational offerings that colleges and universities offer to students vitally important.

⁶⁵ World Health Organization, *The Economic Dimensions Of Interpersonal Violence* (Geneva: World Health Organization, 2004), accessed February 2, 2017, <http://apps.who.int/iris/bitstream/10665/42944/1/9241591609.pdf>.

As the Obama Administration stated, “1 is 2 many.” It is time for all citizens to work to end the scourge of sexual and relationship violence. The individual and societal costs are staggering, with victims rarely returning back fully to a sense of their self prior to the assault.

LEGISLATIVE AND REGULATORY REQUIREMENTS

Shortly after the Campus Sexual Violence Elimination Act (Campus SaVE) and the Violence Against Women Act (VAWA) regulations were passed, many institutions scrambled to redevelop their programs on sexual and relational violence prevention, education and response. While many institutions of higher education may have had some, or many of the newly imposed regulatory programs, positions, or other pieces in place, there became a heightened awareness of the regulated mandates thereby enforcing that all in the United States higher education marketplace become compliant with these new federal regulations.

Many within and outside of higher education focus on the “Dear Colleague letter” of April 2011, often are unaware that there have been significant legal and regulatory impacts through prior legislation and regulation. Yet, clearly, the April 2011 letter changed the dialogue on campuses throughout the United States. The first paragraph in the letter helped to explain the renewed focus on ending sexual and relationship violence. It states,

Education has long been recognized as the great equalizer in America. The U.S. Department of Education and its Office for Civil Rights (OCR) believe that providing all students with an educational environment free from discrimination is extremely important. The sexual harassment of students, including sexual violence, interferes with students’ right to receive an education free from discrimination and, in the case of sexual violence, is a crime.⁶⁶

⁶⁶ U.S. Department of Education, Office for Civil Rights, *Dear Colleague Letter: Sexual Violence* (Washington, D.C.: U.S. Department of Education, Office for Civil Rights, 2011).

This chapter examines some of the historical legislation and federal government regulations, prior to the 2011 “Dear Colleague Letter,” as well as some of the legislation, Obama White House *Not Anymore* information, and Department of Education guidance after April 2011. For the most part, the vast legal cases that have been either settled outside or decided in the courts of law, as well as any findings from the Department of Education’s Office of Civil Rights reviews of colleges and universities, often their own “Dear Colleague Letter,” will be largely ignored. This is purposeful as this dissertation is focusing on the educational requirements and not the rights of students in hearings or the responsibilities of the colleges and universities, or any of the many other areas that may have been reviewed. While these may be mentioned in passing, especially within this chapter on requirements, they will only be in the background as we focus on the educational requirements and the challenges that these create when dealing with both domestic and international students.

Legislative Review

President Richard Nixon first signed Title IX into the Education Amendments on June 23, 1972. The law, which had some exclusions at the time, read, “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.”⁶⁷ While much of the original focus on this law may have been equity in education at a broad level, including the area of athletics, it has

⁶⁷ "Title IX, Education Amendments Of 1972," *Dol.Gov*, last modified 1972, accessed August 20, 2016, <https://www.dol.gov/oasam/regs/statutes/titleix.htm>.

sprung forth significant impacts in just about every aspect of the educational industry, from pre-kindergarten through college and university life.

Post the “Dear Colleague letter” of 2011, one of the largest growing specialties within higher education, is that of a trained Title IX official. The naming of these positions, and the programs that they create and oversee, ties directly into the legislation. If one asked an administrator in 2010 where the office of Title IX was located, they may have been sent to the athletics department as even then, the focus was on equity in athletics, financial aid, or other areas. Today, focus is primarily on the prevention, education, response, and adjudication of incidents around sexual and relationship violence.

Another significant piece of legislation affecting colleges and universities specific to the area of sexual and relationship violence is the Crime Awareness and Campus Security Act, later renamed The Jeanne Clery Act of 1990.⁶⁸ Commonly referred to as the Clery Act, this act requires colleges and universities to report crimes on their campus. Jeanne Clery was a 19 year-old student at Lehigh University in Bethlehem, Pennsylvania when she was raped and murdered by another student in her residence hall. Jeanne’s murder pushed her parents to lobby for a change in law, with the primary focus on mandating colleges and universities to detail their security policies, as well as publishing their crime statistics for the three prior years.

⁶⁸ S. Daniel Carter, "Campus Save Act," *Jeanne Clery Act*, last modified 2013, accessed February 5, 2017, <http://www.cleryact.info/campus-save-act.html>.

The Clery Act has had amendments, most recently through the 2013 reauthorization of VAWA. While some of the crime—reporting methods and categories have changed, the basics remain. These include properly counting and recording crimes, fire safety policies and incidents and public safety policies, as well as keeping all records for six years. Most noticeable to the public are the crime statistics that are released by each institution

Often cited as a response to the lack of states appropriately addressing relationship violence, the Violence Against Women Act of 1994 was the first major, and most prolific, federal law to address the violence against women. The act required a comprehensive response to sexual assault, domestic violence, and stalking crimes. With a focus on grant funding, VAWA 1994 was drafted and guided through the legislative branch by then-Senator Joseph Biden. President Clinton signed it into law and some of the most significant aspects of the law, including \$1.6 billion in funding for investigating crimes and the establishment of the Office of Violence Against Women within the Department of Justice, were established or created. Another new area introduced in the law was the offering of relief for non-citizen women who may have been battered and who prior may have been to afraid to file a complaint due to their immigrant status.⁶⁹

The 1998 Amendments to the Higher Education Act of 1965 led to the expansion of the Clery Act to allow the Secretary of Education to assess fines to institutions who deliberately misrepresent their crime statistics. These fines remained rather minimal and

⁶⁹ FaithTrust Institute, *History Of VAWA*, pdf, 1st ed. (Seattle, WA: Faith Trust Institute, n.d.), accessed September 20, 2016, <http://www.ncdsv.org/images/historyofvawa.pdf>.

were seldom used as an enforcement tool until the second term of the Obama Administration when the Department of Education's Office for Civil Rights increased and accelerated their investigations and fining of institutions. The 1998 amendment also provided for the awarding of grant funding to colleges and universities through the Office of Violence Against Women.⁷⁰

President Clinton added additional support to grant funding while strengthening some federal laws with the signing of the Violence Against Women Act of 2000.⁷¹ This allowed for acceptance of the "dating violence" subject matter in grant programs. This new term would make it somewhat challenging after the April 2011 Dear Colleague Letter, as colleges and universities struggled with how best to codify this violation, which often clashes with the state law definitions. Additional expansions were added to the ability of local law enforcement to respond to batterers and expanding stalking laws. The "T" and "U" visas were first authorized in 2000, granting some relief to immigrants who may be the victim of crimes. "T" visas are available for victims of human trafficking, while "U" visas are available for those who have suffered substantial physical and/or emotional abuse from a crime.⁷²

⁷⁰ "The History Of The Violence Against Women Act," *National Center On Domestic And Sexual Violence*, accessed November 23, 2016, http://www.ncdsv.org/images/OVW_HistoryVAWA.pdf.

⁷¹ "History Of VAWA | Legal Momentum," *Legalmomentum.Org*, accessed November 21, 2016, <https://www.legalmomentum.org/history-vawa>.

⁷² "Victims Of Criminal Activity: U Nonimmigrant Status," *USCIS*, last modified 2016, accessed January 21, 2017, <https://www.uscis.gov/humanitarian/victims-human-trafficking-other-crimes/victims-criminal-activity-u-nonimmigrant-status/victims-criminal-activity-u-nonimmigrant-status>.

In 2005, President George W. Bush signed into law the Violence Against Women Act 2005 (VAWA 2005). VAWA 2005 was the first legislation to offer direct funding for direct services of sexual assault agencies and added a \$15 million grant limit for colleges and universities per year from 2008-2011.⁷³

Agency Regulations

While the Violence Against Women Acts and other legislation were being updated throughout the 1990s and 2000s, the Department of Education was also issuing updated guidance in the area of responding to sexual assault on campus. In January of 2001, the Department of Education released the *Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties*. This document truly was a precursor for much of the requirements laid out in the “Dear Colleague Letter” of 2011. As the preamble states, “it (the guidance) was grounded in the longstanding legal authority establishing that the sexual harassment of students can be a form of sex discrimination covered by Title IX.”⁷⁴

While many believe the designated and responsible employees first appeared in the April 2011 letter, it was the OCR “Dear Colleague letter” (2001) that instituted a category of employee called designated employees. Designated employees are those that

⁷³ "The Violence Against Women Act Of 2005: Summary Of Provisions," accessed November 16, 2016, <http://nnedv.org/downloads/Policy/VAWA2005FactSheet.pdf>.

⁷⁴U.S. Department of Education Office for Civil Rights, *Revised Sexual Harassment Guidance: Harassment Of Students By School Employees, Other Students, Or Third Parties* (U.S. Department of Education Office for Civil Rights, 2001), accessed November 23, 2016, <http://U.S. Department of Education Office for Civil Rights>.

handle and respond to sexual harassment, have adequate training to know what constitutes harassment and what the procedures are for when someone files a grievance.⁷⁵

Throughout the 2000s, there were other letters and guidance coming from the Office of Civil Rights that continued to address sexual violence and harassment, bullying, and retaliation. All of these would foreshadow principles and requirements that were then more deeply expanded in the 2011 guidance. While these documents were steady, many institutions of higher education were caught off guard when April 2011 arrived.

Educational Requirements

The Dear Colleague Letter of 2011 stated, “OCR recommends that all schools implement preventive education programs and make victim resources, including comprehensive victim services, available.”⁷⁶ While many institutions may have had a significant portion of these already available within their orientation programs, a significant refocus on education occurred as new policies, positions, and procedures were all implemented. We will discuss later that there was little to no significant guidance on international students or other special populations. However, clearly the thought here was that some form of education must be in place, without an understanding of the modalities colleges and universities should develop and employ to most effectively transmit the education.

⁷⁵ Ibid.

⁷⁶ U.S. Department of Education, Office for Civil Rights, *Dear Colleague Letter: Sexual Violence* (Washington, D.C.: U.S. Department of Education, Office for Civil Rights, 2011).

The letter did give some guidance by the Office of Civil Rights on when and where these new trainings should take place, “Schools may want to include these education programs in their (1) orientation programs for new students, faculty, staff, and employees; (2) training for students who serve as advisors in residence halls; (3) training for student athletes and coaches; and (4) school assemblies and ‘back to school nights.’”⁷⁷ The “Dear Colleague Letter” also stated that the education should include information on, “what constitutes sexual harassment and sexual violence, the school’s policies and disciplinary procedures, and the consequences of violating these policies.”

Much of the April 2011 “Dear Colleague Letter” focused on enforcement and, naturally, recommended that education should also contain information on the reporting of incidents, specifically how to report these incidents and to whom. As was already known, there often may be alcohol or other drugs involved with campus sexual assaults. Schools were, therefore, encouraged to address this in the training, and stated, “that use of alcohol or drugs never makes the victim at fault for sexual violence.”⁷⁸

To help cement the training, as well as document it, the Dear Colleague Letter advised that materials be developed on preventing and responding to sexual and relationship violence for students, faculty, coaches, and administrators, with a focus on rules, policies, and the resources available both on and off the campus. A recurring theme of importance for this education is constantly reminding to whom a student or employee should contact if they are victims of violence or learn of victims of violence. This is a fundamental positive as often these educational programs are given, in combination of

⁷⁷ Ibid.

⁷⁸ Ibid.

other educational programs, and much information may be forgotten. The process of educating the community on whom to reach out to is vitally important as one may not remember specific policies or resources, but he/she can more easily remember a person or office to contact.⁷⁹

The “Dear Colleague Letter” goes beyond simply educating the students and stated that educational materials should also be directed towards the faculty and staff members. Not only may employees be the victim and/or perpetrators of violence, but they also may have students come to them to report an incident or for support. The guidance encouraged all reports by students to employees to be sent to an appropriate officer, which created the now very visible role of the Title IX coordinator.

Codifying Regulations into Law

The Campus Sexual Violence Elimination Act (Campus SaVe Act) was signed into law by President Obama on March 7, 2013, as part of the Violence Against Women Reauthorization Act 2013.⁸⁰ The large importance of codifying much of the Department of Education’s Office of Civil Rights regulations into signed law is currently evident, and much discussed, as the Trump administration takes aims at reducing regulation on all industry, including higher education.

The education requirements of the Campus SaVE Act further required that all Institutions of Higher Education must provide programs on prevention and awareness.

⁷⁹ Ibid.

⁸⁰ S. Daniel Carter, "Campus Save Act," *Jeanne Clery Act*, last modified 2013, accessed February 5, 2017, <http://www.cleryact.info/campus-save-act.html>.

While part of this focus is tailored to educating new and incoming students and employees, it is also required that education and programs be continually offered. The law tried to help solidify some of the more important aspects, as well as clarify some of the more confusing and vague areas of the “Dear Colleague Letter.” The law required:

A statement that the college or university prohibits sexual and relationship violence; Provide to all the college’s or university’s definition of domestic violence, dating violence, sexual assault and stalking. These definitions should be based on the definition within their state or jurisdiction, yet colleges and universities must collect and report statistics based upon the federal definitions; Colleges and Universities were instructed to provide the definition for consent within their jurisdiction, which in New Jersey is a challenge as there is no state definition of consent; There should be education and teaching on how to be a bystander, whether through reporting what one sees occur, or by standing in to prevent or end a potential violent episode; Ways to prevent the risk of sexual or relationship violence to occur; Information on disciplinary proceedings on the individual campus and the victims’ rights.⁸¹

As the regulations and laws progressed, it made it clear that colleges and universities need to provide education to their students regarding sexual assault, rape, domestic and dating violence, stalking, retaliation, and bystander—upstander education. Additionally the focus needs to look at educating towards special populations including same-sex, international, and others areas.

This dissertation will routinely remind readers of the need to understand the definitions and how they are different based on the researcher, country, region, or other definer. Some terms may seem broader, while others may seem overly narrow terms and

⁸¹ U.S. Department of Education, Office for Civil Rights, *Dear Colleague Letter: Sexual Violence* (Washington, D.C.: U.S. Department of Education, Office for Civil Rights, 2011).

definitions. This is very important as we look at the broad range of students that attend colleges and universities within the United States.

Where much of the educational language may be on intimate partner violence globally, in the United States we expand into other categories of violence including dating and domestic violence. In areas of sexual consent, some states may have affirming or effective informational language versus language based on the recently controversial norm of “no means no.” The nuances will continue, yet as we look to educate, we must strive to narrow the definitions within our campus communities that make the most sense for our populations. The inherent goal is to educate the members of our community on our standards, policies, and practices.

Institutions of higher education need to constantly address the environment and culture that make up their campuses. They need to ensure that all of their students feel welcome, and that the environment is fostering a quality academic and social education as this is the basis for the Title IX legislation. The last thing that any campus desires is an environment that would be hostile. Through education, colleges and universities can help to create a healthy and safe campus culture by promoting environments that enhance the educational opportunities for all. Simply informing new students of the community values and policies that are in place often begins creating a positive environment.

Reporting options as part of an education requirement are important to ensure that colleges and universities focus on all aspects of the community. While it is always hard for people to come forward and report a relationship or sexual violence incident that may have happened to them, we need to be cognizant of the fact that those coming to

educational institutions in the United States may be coming with a completely different understanding of what happens in their home country versus what happens in the United States. Just as we are cognizant of the fact that different citizens in the United States may have different understandings of police officers in systems and how they support them in their communities, so often buried is that same understanding may also with international students.

While there may be many different responses and reactions, we need to ensure that we have student-focused resources both on and off campus. It is important that as we introduce to and educate our students on the processes, which we have developed and are available on campus, that students are aware of who to contact for a variety of different areas. This includes confidential reporting through the Counseling Center, Health Services, a University Chaplain, Rape and Victim Center, or off-campus resources.

As we are required to explain to our students the reporting options, including the time frames in which they should report, confidential reporting options, and the differences between on and off campus processes, we need to be careful to make sure that we are being appropriately sensitive and cognizant of needs of each individual student. It is imperative that colleges and universities have an integrated team that consults with their International Student and Scholars program staff, not only to educate them on the policies, procedures, and resources, but also so that those employees can share information about their community.

International students are directly mentioned in the Frequently Asked Questions guidance that came from the Office of Civil Rights in 2014. (Notation). “A school must

also ensure that any school reporting forms, information, or training about sexual violence be provided in a manner accessible to students who are English language learners.”⁸²

Additionally, institutions of higher education are asked to ensure that international and undocumented students are aware of their Title IX rights and are recommended to work with their international offices and staff to create appropriate educational documents. Thankfully, there are some colleges and universities that have been able to collect significant resources for students and translate information about Title IX into a variety of languages. The clear leader in this area is the State University of New York system.

Our Students: Who are they, Where are they From

According to the National Center of Educational Statistics, there were 17.5 million undergraduate and 3.0 million graduate students in the United States in the fall of 2016).⁸³ Of the 17.5 million, 10.5 million were attending four-year institutions, while the remaining 7 million were attending community colleges. As expected, there were more full-time students, 77 percent whom were in attendance at four-year institutions. In contrast, only 41 percent of those attending community colleges were full-time.

For the purpose of this dissertation, we will be focusing more on public and private-not-for-profit institutions of higher education. In part, this decision is made based

⁸² United States Department of Education, Office for Civil Rights, *Questions And Answers On Title IX And Sexual Violence* (Washington, D.C.: United States Department of Education, Office for Civil Rights, 2014).

⁸³ "Characteristics Of Postsecondary Students," *Nces.Ed.Gov*, last modified 2015, accessed August 16, 2016, https://nces.ed.gov/programs/coe/indicator_csb.asp.

upon the number of international students and the type of institutions that they attend. The Institute of International Education, which tracks students coming into the United States, reports that very few international students enter into private-for-profit institutions of higher education.⁸⁴

Additionally, the market differences between the more traditional public and private, not-for-profit institutions are vast for the domestic population as well. An interesting note in the data shows a clear divide amongst the private, for-profit sector and their more traditional counterparts. Differences occur not only in types of academic programs offered but also in the student demographic. At public and private, not-for-profit institutions, the majority of undergraduates are white, sixty-two and sixty-seven percent respectively. For profit institutions, only forty-eight percent are white. While another dissertation could focus on the often predatory practices of the for-profit college industry, we will look at the other striking difference between transmission of educational offerings.⁸⁵ This difference in the modality of education exists where fifty-eight percent of students at private, for-profit institutions will participate in their education solely in an on-line format.

Excluding the private, for-profit higher education marketplace, the majority of students who were full-time were aged 25 and younger. The percentage of students attending part-time is rather evenly distributed amongst the age ranges, except for those

⁸⁴ "All Places Of Origin," *Iie.Org*, last modified 2016, accessed February 13, 2017, <https://www.iie.org/Research-and-Insights/Open-Doors/Data/International-Students/All-Places-of-Origin>.

⁸⁵ "Characteristics Of Postsecondary Students", *Nces.Ed.Gov*, last modified 2015, accessed August 16, 2016, https://nces.ed.gov/programs/coe/indicator_csb.asp.

attending public four and two -year institutions, in which more than half of part-time students were under the age of 25.⁸⁶

According to the Institute of International Education and their Open Door Academic Year 2013-2014 report,) international students in the United States are enrolled in the following ways: 41.8 percent undergraduate, with 7.9 percent in Associates programs and 34 percent in Bachelor's programs; 37.2 percent in graduate programs; 9.0 percent are in non-degree bearing programs, and the final 12 percent are in optional practical training programs. For this time period, there were a total of 886,052 international students studying in the United States, representing 4 percent of the higher education population.⁸⁷

Women account for a larger percentage of college students than males. In fall of 2016, 11.7 million women attended institutions of higher education, while only 8.8 million males were in attendance. For the international student population, there is an opposite gender ratio where 56 percent being male and 44 percent being female. There are also clear regional differences impacting international students, their gender, and study in the United States. For example, Eastern Europe students are 58 percent female, while Western Asia are 77 percent male.⁸⁸

⁸⁶ Ibid.

⁸⁷ "Open Doors," *Www.Iie.Org*, last modified 2016, accessed October 21, 2016, <https://www.iie.org/Research-and-Insights/Open-Doors>.

⁸⁸ "SEVP: Student And Exchange Visitor Program," *Www.Ice.Gov*, last modified 2014, accessed November 19, 2016, <https://www.ice.gov/doclib/sevis/pdf/by-the-numbers1.pdf>.

The Open Door report shows that during the 2013-2014 academic year, of the nearly 58 percent of international students studying in the United States, 31 percent were from China, 11.6 percent were from India, 7 percent were from South Korea and 6 percent were from Saudi Arabia.⁸⁹ The largest state recipients were California, New York and Texas, which attracted 35 percent of the international populations to their school. When examining by international region and continent, California attracted the most students from Europe (19 percent), followed by, Asia (18 percent), Australia and Pacific Islands (17 percent); Texas attracted 13 percent of the students from Africa, New York attracted 14 percent of students from North America (Canada and Mexico) and Florida attracted 19 percent of the students entering from South America.⁹⁰

It is not surprising that the top academic program draws for international students were business and science programs. While some may assume that driving factors are the cost for international students being higher than their domestic counterparts, or cultural aspects in country of origin may push students more towards hard and basic sciences, than the arts or liberal arts. Yet, trends for all students point toward more practical and skill based degrees than the humanities and arts. Data shows that business and hard

⁸⁹ "Open Doors," *Www.Iie.Org*, last modified 2016, accessed October 21, 2016, <https://www.iie.org/Research-and-Insights/Open-Doors>.

⁹⁰ "SEVP: Student And Exchange Visitor Program," *Www.Ice.Gov*, last modified 2014, accessed November 19, 2016, <https://www.ice.gov/doclib/sevis/pdf/by-the-numbers1.pdf>.

sciences degrees are significantly higher in 2013 than in 2002 in trend with global industry advances.⁹¹

In order to study or serve as a scholar in the United States, a person will need to acquire a visa. While each country of origin may have different processes, the United States has clear rules and designations. Prior to obtaining a visa, a student or scholar must obtain an I-20, or the “certificate of eligibility” to attend an educational institution.

According to the United States Department of State, there are a variety of visas one can obtain to enter the United States. The most common educational visas, as described from the US state department, are

F-Visa - a visa issued to student in a university, high school, private elementary, seminary, conservatory, other academic institution or language training program.

J-Visa - a visa for an exchange visitor program, scholar, professor

M-Visa - for a student at a vocational or other recognized non-academic institution

B - Visa - is for a short term, non credit or degree bearing, educational work.

The visa will also be categorized and designated with a number, either a “1” or a “2.” “1” visas are for students, while the “2” visa is for their dependents.

The Obama Administration also cleared some access for undocumented students through the Deferred Action for Childhood Arrivals (DACA). This action allowed for those individuals who arrived as children to be protected from deportation. DACA also allowed these individuals to access federal financial aid. While this was not a visa program, it did open up additional pathways for these students to attend colleges and universities. With the current change in presidential administration, there is currently a

⁹¹ "The Condition Of Education - Postsecondary Education - Undergraduate Degree Fields," *Nces.Ed.Gov*, last modified 2015, accessed September 19, 2016, https://nces.ed.gov/programs/coe/indicator_cta.asp.

lack of clarity on what will happen to this program and the individuals who are utilizing this deferred action.

Also, as was discussed before, there are some specialized visas for international and undocumented persons in the United States if they have become a victim of violence. A “T” visa is available to persons who may have been victims of human trafficking. “U” visas can be obtained if you are a victim of a crime of violence, including sexual or relational violence.

Internationals and VAWA

While these special visas are important for victims to be aware of, and often local sexual assault and domestic violence nonprofit agencies are able to assist, there is an abundance of other considerations for colleges and universities to consider. It is very common for students or scholars to exhibit significant trauma responses, including impact on academic performance. Some easy ways to address these responses with domestic students may also be perceived to be problematic for some international students.

University hearing officers, advisors, and others that would assist a student in accommodations need to understand that there are differences when working with students who are international and undocumented versus their domestic counterparts. It is strongly advised that staff should sit down with members of the international student and scholars office regularly and prior to any incidents occurring. As areas of immigration law may change routinely, there should be ongoing education and dialogue between all aspects of the institution.

A student's immigration status can lead to variances in how incidents of violence are responded to. For example, a common accommodation that is made for victims of sexual or relationship violence is a reduction in course load or credit hours. However, in order for an international undergraduate student to maintain their visa, they must maintain a full-time status or have 12 credits for each semester, or 9 credits for graduate students. Therefore, any accommodation that is made should be discussed with the institution's designated immigration officer, called the designated school official. Oftentimes, there may be short-term relief which will allow a student to be able to fall under the 12-hour credit requirement with appropriate documentation. It is important when we look at educating international students that they should not ever fear that their visa would be jeopardized based upon being a victim of sexual relationship violence.⁹²

It is important for international and undocumented students to begin relationship building or, minimally, be aware of the resources on their campus. As part of new student orientation for international students, there must be a time for education on both the institutional policy and resources, as well as resources within the community and at the local, state, and federal level. Additionally, there should be times for students to interact with members of the institutional staff so that they are able to begin to understand and know of the varied members that make of the educational community. This can include the officers of Public Safety, Title IX officers, members of the hearing boards, Residence

⁹² United States Department of Education, Office for Civil Rights, *Questions And Answers On Title IX And Sexual Violence* (Washington, D.C.: United States Department of Education, Office for Civil Rights, 2014).

Life, victims advocate offices, and other offices that are appropriate on the individual student's campus.

There are a few considerations to keep in mind when developing educational programs for international students pertaining to the areas of sexual and relationship violence. In chapter three and four, we will explore some of the differences in culture education. We must also be cognizant of some of the industry language that will seem foreign, often to both our domestic and international students alike. Clearly one program does not fit all, so we must learn to adapt and adopt.

DOMESTIC SEXUALITY EDUCATION

While it is believed that there have always been individual teachers or administrators that have taught some aspects of sexual education, it was not until Ella Flagg Young, Chicago's Superintendent of Schools in 1913, said "Certainly, it is important for the growing child to know his own body as it is to know arithmetic."⁹³ This would mark the first major organized school system to attempt to bring sexual education into the curriculum. The campaign did not last long and nor did Flagg as she was asked to resign after the Catholic Church spoke against the initiative.⁹⁴

Young's efforts, like others in the conversation in 1913, were to primarily address sexual hygiene in the war against prostitution and disease. Prior to this framework for sexual education, the message was primarily targeted to young men to help educate them on avoiding the "secret vice" of masturbation. Naturally these messages were intertwined with Christian religious principles and philosophies.

Early Education

It was in 1892 that the National Education Association called for "moral education in the schools."⁹⁵ Much of this may have tied into the increased mobility of the society. Families were beginning to separate as children would have left the small communities, where they were watched and raised, and were now in more urban

⁹³ Jeffrey P. Moran, "'Modernism Gone Mad': Sex Education Comes To Chicago, 1913," *The Journal of American History* 83, no. 2 (1996): 481.

⁹⁴ Johannah Cornblatt, "A Brief History Of Sex Ed In America," *Newsweek*, 2009, accessed November 14, 2016, <http://www.newsweek.com/brief-history-sex-ed-america-81001>.

⁹⁵ Ibid.

environments where freedoms and opportunities for exploration were abound. This movement was one of the first where the community lost the ability to control and impact the morals of all of their youth.

Throughout the early 1900s, the educational programming and messaging were changing from a need for public health, back to a desire for morality. This is a trend that would remain to present. School education has a challenging time in keeping all of the personal and religious beliefs of their communities, or government, outside of the curriculum. Yet, education again responded to the public health concerns including responses to “venereal diseases,” the ill effects of prostitution, and the negatives of masturbation that held much of the conversation and educational focus. The prevailing factors remained, based in societal norms and religion and very often focused on the potential negatives of sex. Sex, after all, was primarily for procreation through marriage. The outcome was more important than the act.⁹⁶

The federal government of the United States, via the Army and Navy, began to address sexuality education in preparation of, and then in response to World War I. While a preventive focus on diseases existed, it was not overly effective, as nearly one-third of soldiers throughout the war may have been sidelined from duties as they were suffering from the effects of gonorrhea and syphilis.⁹⁷ It was in 1918 that the federal government,

⁹⁶ John Elia, *School-Based Sexuality Education: A Century Of Sexual And Social Control*, 1st ed. (Westport: Praeger, 2009).

⁹⁷ Jeffrey P. Moran, ““Modernism Gone Mad”: Sex Education Comes To Chicago, 1913,” *The Journal of American History* 83, no. 2 (1996): 481.

during the sixty-fifth Congress, pushed for more sexuality education in response to an outbreak of disease and authorized the Chamberlain-Kahn Act.⁹⁸

As was true of prior sexual education efforts, the Army and Navy implemented educational training for the marines, soldiers, and sailors that focused on the negative effects of sex. While other factors were also impacting the United States in the 1910s, ranging from prostitution to influx of immigrants, there were a genre of films created to help address the issue of hygiene. One such film, “Damaged Goods,” was shown to illustrate the devastating effects of sleeping with a prostitute would have on a military man’s life, as he would pass syphilis on to his future wife and children. The film was meant to provoke a strong and intense amount of shame and fear, featuring family devastation as a way to inform and change behavior.⁹⁹

Sexuality education had a minor boom in the 1930’s - 1960’s in the United States.

Cornblatt states,

In the 1930s, the U.S. Office of Education began to publish materials and train teachers. In the 1940s and '50s, courses in human sexuality began to appear on college campuses. In 1964, Mary Calderone, a physician who had been the medical director at Planned Parenthood, founded the Sexuality Information and Education Council of the United States (SIECUS). SIECUS was created in part to challenge the hegemony of the American Social Hygiene Association, which then dominated sex-education curriculum development. In 1968, The U.S. Office of

⁹⁸ "Sixty-Fifth Congress Of The United States: An Act Making Appropriations For The Support Of The Army For The Fiscal Year Ending June Thirtieth, Nineteen Hundred And Nineteen: Chamberlain-Kahn Act," *Brocku.Ca*, last modified 2007, accessed January 11, 2017, https://brocku.ca/MeadProject/USA/Chamberlain_Kahn_1918.html.

⁹⁹ Sarah Mirk, "The Weird, Fascinating History Of America's Sex Ed Films," *Alternet*, last modified 2014, accessed October 16, 2016, <http://www.alternet.org/sex-amp-relationships/weird-fascinating-history-americas-sex-ed-films>.

Education gave New York University a grant to develop graduate programs for training sex-education teachers.¹⁰⁰

This boom began to professionalize not only sexuality education, but also those that would educate. By adding medicine, science, and research into the discussion, the foundations for evidence-based educational programs were being successfully created.

It was partially in response to the sexual revolution of the 1960's and early 1970's that the United States political system was shifting. The rise in the religious right was partially fueled through a backlash to sexual education. In their forty-page pamphlet, "Is the Schoolhouse the Proper way to Teach Raw Sex," author, Gordon Drake assails SIECUS and others, feeding into the frenzy that communists were taking over the minds of educators as a way to get at youth, and deconstructing the moral fiber of the country.

¹⁰¹ While the United States had been seeing significant shifts in thought in the 1900s, the conversation on sexuality education was again being driven by a fear tactic. Expanding on the earlier fears that the loss of a small community's impact on educating their own, now the conversation was focused on the complete loss of the nation.

It is important to note that during these formative years of sexual education in the United States, the focus remained on a hetero-normative conversation. Homosexuality was still viewed as a psychological disease. If any mention of homosexuality existed, it

¹⁰⁰ Johannah Cornblatt, "A Brief History Of Sex Ed In America," *Newsweek*, 2009, accessed November 14, 2016, <http://www.newsweek.com/brief-history-sex-ed-america-81001>.

¹⁰¹ Gordon Drake, "Is the Schoolhouse the Place to Teach Raw Sex?" *Christian Crusade*, 1968.

was to teach the student to avoid homosexuals, as they were portrayed as predators, preying on youth.¹⁰²

This context is important as we entered the 1980s, and emergence of the Human Immunodeficiency Virus (HIV) and the Acquired Immune Deficiency Syndrome (AIDS). At this point, the impact of the religious right led to a decade's lack of medical and science-based information on sexual education. The basing of education on shame, avoidance, and hetero-normative concepts served as a significant fuel source for the explosion of this disease in the United States, especially within the gay male community.

While much has been documented about the Reagan administration's glaring ignorance and avoidance of even mentioning HIV or AIDS, it was during the 1980's that the two current pathways for sexuality education were being developed and defined. The first pathway focused on the comprehensive approach to sexuality education, while the second pathway concentrated on abstinence-only education.¹⁰³ These two program tracks would fuel debates over many decades, up until the current Obama and Trump administrations, with billions of dollars being funded into educational programs.

Abstinence--only

In 1981, the Adolescent Family Life Act (AFLA) was signed into law. Commonly called the "chastity law," it funded programs to promote and educate adolescents to have

¹⁰² Nathaniel Wright, "GLBTQ Sex Education," last modified 2005, accessed September 17, 2016, http://www.glbqtarchive.com/ssh/sex1_education_S.pdf.

¹⁰³ "Sex Education In The United States," *Www.Plannedparenthood.Org*, last modified 2012, accessed September 27, 2016, https://www.plannedparenthood.org/files/3713/9611/7930/Sex_Ed_in_the_US.pdf.

self-discipline in the area of sex. While the American Civil Liberties Union fought the legislation, ultimately prevailing at the Supreme Court level, it took twelve years for the case to come to an end. While the court stated that all federal funded programs must delete references to religion, many had already adopted the programs created by religious non-profits, therefore promoting and pushing abstinence as the core for sexuality education.¹⁰⁴

Despite protest and the court ruling, abstinence-only programming and education continued to obtain funding from the federal government. In 1996, Congress attached funding to welfare legislation that would give financial support to exclusively abstinence-only programs, ensuring that, during the Clinton administration, hundreds of millions of dollars would be funded towards these programs. This became known as Section 510 of the 1996 Welfare Reform Act.¹⁰⁵ Besides controlling how the federal dollars were committed, in order for any state to receive the grant funding, they would have to match \$3 for every \$4 granted by the federal government. This control of both state and federal funds, tied through Welfare dollars, led to billions being spent on often ill-informed and grossly inadequate educational programs. The Bush administration continued the abstinence-only education, and as reported by nonmoremoney.org, almost \$2 billion was spent on abstinence-only sexual education during the eight years of the Bush administration.

¹⁰⁴ Ibid.

¹⁰⁵ "SIECUS - A History Of Federal Abstinence-Only-Until-Marriage Funding FY10," *Siecus.Org*, last modified 2011, accessed October 14, 2016, <http://www.siecus.org/index.cfm?fuseaction=page.viewpage&pageid=1340&nodeid=1>.

For over thirty years, the United States continually offered abstinence as the only form of sexuality education to significant portions of the youth that was often the only education in the formal setting. This was finally altered in 2009 when the Obama administration recognized the importance of evidence-based sexuality education and began to push funding for those programs. The Obama administration and Congress, “eliminated the two discretionary federal funding streams for abstinence-only-until-marriage programs—the Community-Based Abstinence Education grant program and the abstinence-only-until-marriage portion of the Adolescent Family Life Act. In addition, Congress allowed the third funding stream, the Title V abstinence-only-until-marriage program, to expire on June 30, 2009.”¹⁰⁶

In December of 2004, Representative Henry Waxman released a report on the impact of abstinence-only education entitled, *The Content of Federally Funded Abstinence-Only Education Programs*. The report evaluated the content of the most popular curriculum funded by federal grants. It was noted in the executive summary that for federal budget year 2005, \$170 million was spent on abstinence-only educational programs.¹⁰⁷

Yet, even more damning than the cost of these abstinence-only educational programs, was the false, distorted, and misleading information about reproduction and sexual health within eighty percent of the curricula. The report points to some startling

¹⁰⁶ Ibid.

¹⁰⁷ United States House of Representatives Committee on Government Reform - Minority Staff Special Investigations Division, *The Content Of Federally Funded Abstinence-Only Education Programs* (Washington, DC: United States House of Representatives, 2004).

mistakes, including misrepresentation on the effectiveness of condoms preventing pregnancies and sexually transmitted infection; false information on the risks of having an abortion; blatantly incorrect scientific data shared on HIV transmission, and even how life is conceived. These curricula often played into incorrect gender stereotypes and falsehood.

Christopher Trenholm and colleagues from Mathematica Policy Research, Inc. released a study of four of the Section 510 (Welfare Act) programs in a 2007 report entitled, *Impacts of Four Title V, Section 510 Abstinence Education Programs*. The report studied four programs, all of which were above 50 hours of education either in school, or as an after school program.¹⁰⁸

On areas of abstinence and sexual partners, the study found that, “youth in the program group were no more likely than control group youth to have abstained from sex and, among those who reported having had sex, they had similar numbers of sexual partners and had initiated sex at the same mean age.”¹⁰⁹ Both the control and study group reported having their first intercourse at 14.9 years of age, and 25% of them reported having had three or more sexual partners.

Thankfully, Trenholm found that most students understood the impact of sexually transmitted diseases (STDs) and that those who had been in the programs had a greater understanding and retention of what an STD is, and what are some of the differing types.

¹⁰⁸ Christopher Trenholm et al., *Impacts Of Four Title V, Section 510 Abstinence Education Programs* (Princeton, NJ: Mathematica Policy Research, Inc., 2007), accessed November 7, 2016, <https://www.mathematica-mpr.com/our-publications-and-findings/publications/impacts-of-four-title-v-section-510-abstinence-education-programs>.

¹⁰⁹ *Ibid.*, xvii.

However, the student group was less knowledgeable about the potential short-term and long-term health risks of the STD. The study found that there was no long-term impact of pledges of abstinence until marriage, but that there was some benefit from peer support in a person's ability to maintain the pledge. As students matriculated into higher academic grade levels, they often left the pledge behind.

Also in 2007, Douglas Kirby published his study, *Emerging Answers*, which studied the reduction of teenage pregnancy.¹¹⁰ While this study focused on both evidence-based, as well as abstinence-only education, it showed that abstinence-only education did very little to impact any change in behavior of teens. Some of the findings included that not a single one of the abstinence-only based programs raised the age of first consent nor helped teens to postpone having sex; no programs changed the sexually active into abstinent, and that the use of condoms and other contraceptives did not see an increase in usage because of these programs.

In spite of the way that much of the federal funding was distributed, sexuality education was being taught in school systems. Gladys Martinez, et al, wrote for the Centers for Disease Control on their findings from their 2010 research on sexual education. Their paper, "Educating Teenagers About Sex in the United States" highlighted aspects from a variety of studies during the years of 2006-2008. The researchers found that 96% of female teenagers and 97% of male teenagers reported that

¹¹⁰ Douglas Kirby, *Emerging Answers 2007: Research Findings On Programs To Reduce Teen Pregnancy And Sexually Transmitted Diseases*. (Washington, DC: National Campaign to Prevent Teen and Unplanned Pregnancy, 2007), accessed September 15, 2016, https://thenationalcampaign.org/sites/default/files/resource-primary-download/EA2007_full_0.pdf.

they had received some formal sexuality education. Another interesting finding was that parents were more likely to talk with females (63%) than with males (40%) about how to say no and abstain from sex.

Martinez and colleagues also found that over 90% of both males and females reported being taught about sexually transmitted diseases, while just under 90% learned how to prevent such diseases. Most students reported learning first about sexuality education in grades 6-8, albeit a significant percentage of these were taught from the abstinence-only based program than from other models.¹¹¹

Developing Programs

Much of the health education and evidence-based programs for sexuality education had a foundational root from the School Health Education Study (SHES) which was completed between 1961-1963. The SHES examined 1,100 elementary schools and 350 secondary schools from 135 districts in 38 states. The primary conclusion was that health education in public schools was appalling.¹¹²

The SHES team developed a model for training and education based on 10 ideals, which helped to formulate the progressive health education model in public schools. This framework was adopted and adapted by many developers of health education, including the Sexuality Information and Education Council of the United States (SIECUS).

¹¹¹ Gladys Martinez, Joyce Abma and Casey Copen, *Educating Teenagers About Sex In The United States*, ebook, 1st ed. (Atlanta, GA: Center for Disease Control, 2010), accessed October 16, 2016, <https://www.cdc.gov/nchs/data/databriefs/db44.pdf>.

¹¹² "School Health Education Study 1961–1962: Journal Of Health, Physical Education, Recreation: Vol 33, No 1," *Tandfonline.Com*, last modified 1962, accessed May 4, 2017, <http://www.tandfonline.com/doi/abs/10.1080/00221473.1962.10621475>.

SIECUS published their first Guidelines for Comprehensive Sexuality Education - Kindergarten-12th Grade in 1991, with updates in 1996 and 2004. The experts that SIECUS assembled in the early 1990s were tasked with, “creating an ideal model of comprehensive sexuality education by developing a framework of the concepts, topics, skills, and messages young people should learn and determining the age-level at which each should be introduced.” Utilizing the framework of breaking broad topics into subtopics and then into appropriate age grouping for education, the SIECUS Guidelines have been used as an educational tool both in the United States and in other countries.

SIECUS’ six key topics are the following:

Key Concept 1: Human Development. Human development is characterized by the interrelationship between physical, emotional, social, and intellectual growth.

Key Concept 2: Relationships. Relationships play a central role throughout our lives.

Key Concept 3: Personal Skills. Healthy sexuality requires the development and use of specific personal and interpersonal skills.

Key Concept 4: Sexual Behavior. Sexuality is a central part of being human, and individuals express their sexuality in a variety of ways.

Key Concept 5: Sexual Health. The promotion of sexual health requires specific information and attitudes to avoid unwanted consequences of sexual behavior.

Key Concept 6: Society and Culture. Social and cultural environments shape the way individuals learn about and express their sexuality.¹¹³

From these six key concepts, the overall goal, or outcome, has an impact on what SIECUS calls Life Behaviors. SIECUS has a complete list of Life Behaviors of a Sexually Healthy Adult, which are:

¹¹³ Sexuality Information and Education Council of the United States, *Guidelines For Comprehensive Sexuality Education: Kindergarten-12Th Grade, Third Edition* (SIECUS, 2004), accessed October 13, 2015, <http://www.siecus.org/index.cfm?fuseaction=document.viewDocument&documentid=185&documentFormatId=217&CFID=213010486&CFTOKEN=5ca57f1fce6125f2-F892C6D6-93B9-AC6A-F884AB66F35D493E>.

A sexually healthy adult will: Appreciate one's own body; Seek further information about reproduction as needed; Affirm that human development includes sexual development, which may or may not include reproduction or sexual experience; Interact with all genders in respectful and appropriate ways; Affirm one's own sexual orientation and respect the sexual orientations of others; Affirm one's own gender identities and respect the gender identities of others; Express love and intimacy in appropriate ways; Develop and maintain meaningful relationships; Avoid exploitative or manipulative relationships; Make informed choices about family options and relationships; Exhibit skills that enhance personal relationships; Identify and live according to one's own values; Take responsibility for one's own behavior; Practice effective decision-making; Develop critical-thinking skills; Communicate effectively with family, peers, and romantic partners; Enjoy and express one's sexuality throughout life; Express one's sexuality in ways that are congruent with one's values; Enjoy sexual feelings without necessarily acting on them.¹¹⁴

In order to achieve these goals, the SIECUS lesson plans are then broken down into topical areas entitled, "Topics," which will be used to address the six key concepts built on the learning outcomes known as "Life Behaviors." The "Sub concepts" are the essence of the teaching plan and ultimately relate to the desired life behavior. The final subcategory is called the "Developmental Messages," which "are brief statements that contain the specific information young people need to learn about each topic."¹¹⁵

The guidelines are broken down into four levels of introduction into the curriculum based on age and grade of a student. "The levels are: Level 1: middle childhood, ages 5 through 8; early elementary school; Level 2: preadolescence, ages 9 through 12; later elementary school; Level 3: early adolescence, ages 12 through 15; middle school/junior high school; Level 4: adolescence, ages 15 through 18; high school."¹¹⁶

¹¹⁴ Ibid., 16.

¹¹⁵ Ibid., 17.

¹¹⁶ Ibid.

One possible negative of this design is that the creators of the Guidelines have placed the developmental messages at the level that they are first to be discussed. While there is some call for educators to reintroduce some of these messages as students advance in age and grade, they are not explicitly listed.

The Government Accountability Office (GAO) released a study in November of 2010 entitled, *K-12 Education, Many Challenges Arise in Educating Students Who Change Schools Frequently*. This study tracked students and their mobility by following a cohort of kindergartners from 1998 through 2007. Findings indicated that the majority of students changed schools two times or less, while 18% changed schools three times or more before starting high school. (GAO 4) While some of these are natural movements, for example changing a school based on promotion, GAO did find that for those who have lower income, are racially diverse, lived in either a rental property or with relatives, or did not have a father in the home, comprised the largest population of those whom are “more mobile.”¹¹⁷

The GAO report found that student mobility had a negative effect on the student’s overall academic achievement. Not ignoring the other studied factors for student achievement, economic status and parental education level being two large components, mobility was found to play a role in student success. The GAO study states, “the body of research suggests that students who changed schools more frequently tended to have lower scores on standardized reading and math tests and to drop out of school at higher

¹¹⁷ United States Government Accountability Office, *K-12 Education Many Challenges Arise In Educating Students Who Change Schools Frequently* (Washington, DC: United States General Accountability Office, 2010).

rates than their less mobile peers.”¹¹⁸ If impact is made in a significant way on more popular and heavily educated subjects of math, science and writing, it will also have an impact on the smaller curricular parts, including health education and the sexuality education component. As the SIECUS Guidelines are not overly repetitive in the developmental messages, and they are used to build from one lesson to another, it is important that they be repeated to introduce to new students, or reinforce to others, the prior messages.

Evidence—based Programs

The work of SIECUS led to the development of a variety of comprehensive sexuality education programs, many of which were part of the *Emerging Answers* research. Having already discussed the abstinence-only programs, and the lack of any change noted in behavior on sexual activity, we should look to the more positive results of the comprehensive education-based programs.

Kirby states in *Emerging Answers*, “more than 80 percent of U.S. adults believe that comprehensive sexuality education programs, which emphasize abstinence, but also encourage condom and contraceptive use, should be implemented in schools.”¹¹⁹ When they examined the curriculum-based education programs, they found that students delayed initiation of sex, reduced the frequency of sex, and increased using contraceptive devices and condoms.¹²⁰

¹¹⁸ Ibid., 16.

¹¹⁹ Kirby, 14.

¹²⁰ Kirby, 15.

Throughout the history of sexuality education, there has been much fear and an incorrect belief that teaching students about sex would hasten their desire to participate in sexual activity. Likewise, the recent thirty year push for abstinence-only education had an underlying argument that if students were educated on contraception, this would increase the likelihood of sexual activity. In the review of the programs, Kirby found, “No comprehensive program hastened the initiation of sex or increased the frequency of sex, results that many people fear. Emphasizing both abstinence and protection for those who do have sex is a realistic, effective approach that does not appear to confuse young people.”¹²¹

In the review of best educational programs, the researchers classified programs into three sub-areas to include those that focused on sexual factors, those that focused on non-sexual factors, and those that combined both sexual and non-sexual factors. Sexual factors-based programs focused, “on changing the psychosocial risk and protective factors that involve sexuality: that is, teens’ knowledge, beliefs, and attitudes about sex, perceived norms, their confidence in their skills to avoid sex or to use condoms or contraception, and their intentions regarding sexual behavior and the use of contraception.”¹²² While there are a variety of models for disseminating these programs, like clinic-based education, school-based, student and parent combined education and others, the programs all had education and discussion based on realistic situations and how the student could effectively avoid or respond in those moments and situations.

¹²¹ Kirby, 16.

¹²² Kirby, 14.

Beyond just teaching about sexual factors, some programs focus on nonsexual factors. Research has shown that teenage girls are often protected from unwanted pregnancy and delay sexual initiation when they remain in school, and can focus on a positive future and have a strong connection with either, or all, their family, education or faith-community. Some programs that are being initiated, which have yet to show an effective impact on the reduction of pregnancy, but are yielding other positive impacts, are service learning programs and vocational education. (Kirby 19) Both of these program types are able to connect the teen to a more formal education in action, which enhance many of the desired impact of nonsexual factor programming. Yet these and other programs of community engagement do not have enough research to drive to strong conclusions on effectively delaying sexual initiation or reducing pregnancy or STDs.¹²³

The third area of comprehensive programs is the uniting of both the sexual and nonsexual factors efforts. While studies are not fully conclusive on greater effectiveness of these hybrid programs, there are signs that, when combined education and connection to the community are intertwined, students have the ability to gravitate on their own to educational cores they chose.

Just as SIECUS laid the groundwork for program development, Kirby pulled together a matrix of seventeen Characteristics for Effective Curriculum-Based Programs. Laying out the program into three phases, the process of developing the curriculum, the

¹²³ Kirby, 19.

contents of the curriculum itself, and the process of implementing the curriculum, the seventeen goals are listed below.¹²⁴

The Process of Developing the Curriculum

1. Involved multiple people with expertise in theory, research, and sex and STD/HIV education to develop the curriculum
2. Assessed relevant needs and assets of the target group
3. Used a logic model approach that specified the health goals, the types of behavior affecting those goals, the risk and protective factors affecting those types of behavior, and activities to change those risk and protective factors
4. Designed activities consistent with community values and available resources (e.g., staff time, staff skills, facility space and supplies)
5. Pilot-tested the program curriculum goals and objectives

The Contents of the Curriculum Itself

6. Focused on clear health goals—the prevention of STD/HIV, pregnancy, or both
7. Focused narrowly on specific types of behavior leading to these health goals (e.g., abstaining from sex or using condoms or other contraceptives), gave clear messages about these types of behavior, and addressed situations that might lead to them and how to avoid them
8. Addressed sexual psychosocial risk and protective factors that affect sexual behavior (e.g., knowledge, perceived risks, values, attitudes, perceived norms, and self-efficacy) and changed them
9. Created a safe social environment for young people to participate
10. Included multiple activities to change each of the targeted risk and protective factors
11. Employed instructionally sound teaching methods that actively involved participants, that helped them personalize the information, and that were designed to change the targeted risk and protective factors
12. Employed activities, instructional methods, and behavioral messages that were appropriate to the teens' culture, developmental age, and sexual experience
13. Covered topics in a logical sequence

The Process of Implementing the Curriculum

14. Secured at least minimal support from appropriate authorities, such as departments of health, school districts, or community organizations
15. Selected educators with desired characteristics (whenever possible), trained them, and provided monitoring, supervision, and support

¹²⁴ Kirby, 22.

16. If needed, implemented activities to recruit and retain teens and overcome barriers to their involvement (e.g., publicized the program, offered food or obtained consent)
17. Implemented virtually all activities with reasonable fidelity

What is centrally important about the Kirby review of programs is that there are clear and replicated positive changes in behavior for comprehensive curricular-based sexuality education, which is far superior to that of abstinence-only programs. While there is a need to tailor these programs to the communities in which they are offered, there should always be an integrated approach that promotes abstinence as well as providing appropriate education on tools to reduce pregnancy, sexually transmitted disease and infections for those who do not chose abstinence. There should also be appropriate education on human anatomy and how the body functions.

While there are clear reasons why community specific education should be offered, this author would challenge these concepts as ones that are negative when impacting student's attendance in college settings, which will be explored later. The United States Department of Education has made significant requirements on higher education to educate their students on sexual and relationship violence and to create a change in culture. It is clear that this education needs to be introduced sooner into the educational journey in both the formal, and informal, development of adolescents.

Current State Programs and Teaching

The National Conference of State Legislatures (NCSL) tracks the sexuality education requirements for all fifty states and the District of Columbia, and lists current state laws on its website. Noting that all states are involved in sexuality education, there

is evidence that there is diversity in the information taught by states. NCSL does note that only twenty-one states mandate sexuality education and HIV education, of which twenty states require this to be medically accurate. They also note that thirty-eight states and the District of Columbia permit parents to be involved with sexuality education, including thirty five states and the District of Columbia which allow parents to opt their children out of sexuality education. The Guttmacher Institute states that as of April 2017, only three states, Arizona, Nevada and Utah, require parental consent to receive sexuality education.¹²⁵ Guttmacher also shows that only two states, California and Louisiana, require that the sexuality education cannot promote religion.

As discussed above, there are a variety of programs that are offered to students, ranging from abstinence-only to evidence-based curriculum. What state a student is educated in can lead to considerable differences within these programs, and it is incorrect to assume that students are receiving the education equally or from a national standard. While some larger countries in the world have similar differences within geographical location, the United States, with a lack of national sexuality education program, places the students who cross state line for any reason, including college at a great disadvantage.

College administrators, faculty, staff, and students have been tasked with reducing the number and impact of sexual and relationship violence on college campuses. However, the K-12 system has significantly failed their students and the institutions of higher education by not addressing some of these programs within their educational

¹²⁵ "Sex And HIV Education," *Guttmacher.Org*, last modified 2017, accessed March 4, 2017, <https://www.guttmacher.org/print/state-policy/explore/sex-and-hiv-education>.

requirements. Guttmacher shows that twenty-eight states and the District of Columbia require teaching skills on healthy sexuality, “including avoiding coerced sex,” and focusing on preventative activities that potential victims can do, as to not become a victim of sexual or relational violence.¹²⁶

The language choice, and educational direction of only risk-reduction of victimization, is telling, but also confirms the information that college administrators and others have been sharing. It may be that the first time a student is being informed and educated about sexual consent and issues around sexual and relationship violence when they step foot on a college campus for the first time. It is also important to know that many of the educational tools are teaching girls and young women how to make a healthy decision and avoid being coerced into sexual behavior. Yet we continue to fail to teach boys, and girls, to not be coercive in their attempts to have sex, almost never sending the message that being a perpetrator of sexual assault, dating violence or other violent activities is inappropriate and that they have within their power the ability to address those that do use violence or coercion to their advantage.

The burden that is placed on colleges and universities to address sexual and relational violence is significant. Results for failed response include negative headlines, fines from the federal government, civil damages through lawsuits, and damage to both the student and community. It needs to become incumbent on the K-12 educational system to educate students on consent, how to properly obtain consent and how to create

¹²⁶ Ibid.

and have healthy sexual encounters and relationships, all while taking ownership of one's own sexual safety and health.

Concluding Thoughts

Analyzing research on student health and pregnancy indicated that the United States can educate students, with some success, on sexual health and disease prevention, as well as on pregnancy reduction. The National Campaign to Prevent Teen and Unplanned Pregnancy reports that nearly all-teen pregnancies are unplanned, and that only 38% of teen girls who have a child before age 18 will obtain a high school diploma.¹²⁷

While the United States has reduced the teenage pregnancy rate, which remains at its lowest level since recording began, the United States still remains the leader in teenage pregnancy for the industrial world. In the United States, one in four girls will become pregnant at least once by the age of 20.¹²⁸

In the United States, the CDC estimates that 20 million new diagnoses of a sexually-transmitted infections (STIs) occur annually. More alarmingly is that half of these occur to those in their teenaged through college years, with over 10 million STIs occurring in those aged 15-24.

The United States has had some great success in the reduction of teenage pregnancy, and due to the Obama administration, changes to the types of educational

¹²⁷ "Teen Pregnancy," *The National Campaign To Prevent Teen And Unplanned Pregnancy*, last modified 2016, accessed March 5, 2017, <https://thenationalcampaign.org/why-it-matters/teen-pregnancy>.

¹²⁸ Ibid.

programs funded for education has occurred. The data on pregnancy and STIs shows that youth are participating in sexual activities and, therefore, would benefit from a comprehensive approach to sexual education.

It truly is up to the individual to decide how they will put that education in place and if delaying sexual activity through abstinence is the correct choice for them. Likewise, they should be exposed to accurate and factual education that informs them how to best understand and honor their bodies and choices. Clearly, youth will make decisions that may be risky, but it is dangerous for the society at large to not educate them on sexual health and safety.

Most importantly, sexual education must begin to more fully address the scourge of sexual and relationship violence. As we have already seen, teenagers are not immune to sexual assault and dating violence. If the United States is to ever change its culture around sexual and relationship violence, education to teens should include prevention and upstander techniques. It is on all of us to change the culture, and early education is a pivotal part of this.

GLOBAL SEXUALITY EDUCATION

Sexuality education has benefited from the advancement of other sciences and professional fields, whether it was the development of biology as a science in the early and middle 1800's or through the enhancements of modern medicine in the 1900's. Likewise, public health and public education were becoming specialties throughout the globe during the same time period. The combination of these disciplines would lead to the fusing of science, medicine, and education into public health models.

It was not just soldiers from the United States that had contracted venereal disease during the First World War, but soldiers and citizens from Europe as well. This would spark the medical and health communities in Europe to respond, just as they did in the United States. The challenge of incorporating a quality, comprehensive based sexual education has long been a challenge, often with government leaders, educators, scientists, and the religious leaders all weighing in on curricular design or serving as the primary road block¹²⁹. Jill Lepore, in her article reviewing Zimmerman's book *Too Hot to Handle: A Global History of Sexuality education, Facts of Life, Sex Around the World* writes,

Wherever it is taught, sex ed carries with it a national character and a political slant. (So does a lot of what's taught in high schools.) In Russia, a 1925 essay titled "Sexual Education in the Context of Marxist Pedagogy" condemned masturbation as counterrevolutionary. In Mexico, sexuality education in schools was recommended by the socialist government, and protested by the Catholic Church.¹³⁰

¹²⁹ Jill Lepore, "The Facts Of Life," *Foreign Affairs*, last modified 2015, accessed March 9, 2017, <https://www.foreignaffairs.com/reviews/2015-06-16/facts-life>.

¹³⁰ Ibid.

In February of 1974, the World Health Organization called together a group of professionals from varied countries with “a special knowledge and experience in teaching, research, or clinical practice in the field of human sexuality.”¹³¹ The meeting had a variety of goals regarding educating on human sexuality for educators and practitioners. From this conference, the WHO released the 1975 report defining sexual health as, “Sexual health is the integration of the somatic, emotional, intellectual and social aspects of sexual being, in ways that are positively enriching and that enhance personality, communication and love.”¹³² The report continues:

Fundamental to this concept are the right to sexual information and the right to pleasure. According to Mace, Bannerman & Burton (op. cit.) the concept of sexual health includes three basic elements:

1. A capacity to enjoy and control sexual and reproductive behaviour in accordance with a social and personal ethic,
2. Freedom from fear, shame, guilt, false beliefs, and other psychological factors inhibiting sexual response and impairing sexual relationship,
3. Freedom from organic disorder, diseases, and deficiencies that interfere with sexual and reproductive functions.

Thus the notion of sexual health implies a positive approach to human sexuality, and the purpose of sexual health care should be the enhancement of life and personal relationships and not merely counseling and care related to procreation or sexually transmitted diseases.¹³³

For the first time the authors of the report internationally validated that a person should be educated so that they can have more pleasure and freedom to control their choices in an way that also assists them in the prevention of disease. Since this time, there have been numerous regional and global meetings to establish guidelines and programs

¹³¹ World Health Organization, *Education And Treatment In Human Sexuality: The Training Of Health Professionals*, Report of a WHO Meeting (Geneva: World Health Organization, 1975), accessed January 4, 2017, 5.
http://apps.who.int/iris/bitstream/10665/38247/1/WHO_TRS_572_eng.pdf.

¹³² Ibid., 6.

¹³³ Ibid.

for sexual education. As the world has become more globalized, one would think that the regional, cultural, religious, and country beliefs would begin to expand or intertwine, making the conversations on sexual health and education more inclusive and broad. Jonathan Zimmerman states in a New York Times article, *The World's Problem with Sex Ed*,

Enthusiasts of globalization often confuse it with liberalization. As people and ideas move around the world, the argument goes, ideals of individual liberty will replace the strictures of inherited tradition. The story of sex ed suggests otherwise. Globalization has served to curtail rather than expand school-based sexual instruction. The more the world has become interconnected, the more sex ed has come under attack.¹³⁴

The Madrid Consensus Paper, *Science-Based Sexuality Education*, was generated at the end of the World Meeting of Experts on Sexuality education which was held in Madrid, Spain on June 20-21, 2011. This meeting convened many experts from Spain, and both Latin and South America. In an effort to assist in breaking down the movements and directions of global sexuality education, they chose to identify the two central roles and functions as that of information and education. The preface of the report states,

It is important to distinguish between *sexual information* (transmission of facts and data about how the body works and how to prevent situations that are frequently associated with, or cause health problems) and genuine sexuality education. Sexuality information is geared toward the “accrual” of a collection of facts and data that are usually “dispensed” in such a way as to be taken in without critique or assimilation. In contrast, *sexuality education* is designed to develop and foster certain skills and attitudes in interpersonal relations in a particular society. In sexuality education processes the facts and data

¹³⁴ Jonathan Zimmerman, "The World's Problem With Sex Ed," *The New York Times*, 2015, accessed November 10, 2016, <https://www.nytimes.com/2015/03/09/opinion/the-worlds-problem-with-sex-ed.html>.

acquired encourage anticipatory thinking and analysis so that impulsive action does not prevail over logical thinking.¹³⁵

This is an interesting delineation and definition. Often some may view the dissemination of information as the completion of the education. Yet, this discussion shows that the push for greater sexuality education throughout the globe needs to fully enable the individual to critically think while making choices so that they can obtain optimal sexual health. As the country's citizens take control over their sexuality and enhance their sexual health, the whole country may see an uptick in the overall sexual health. The focus on education through this model will have the ultimate outcome of modifying individual and societal attitudes and understanding.

As educational programs have been developed, often they have been based on public health. It is often easier to focus in on the health components of the education, and international agencies and some governments have been working aggressively to educate as a prime way of reducing disease, pregnancy, and even sexual crimes.¹³⁶

The United Nations Educational, Scientific, and Cultural Organization (UNESCO), worked with the Joint United Nations Programme on HIV/AIDS (UNAIDS), the United Nations Population Fund (UNFPA), the United Nations Children's Fund

¹³⁵ Felipe Murillo et al., *Science-Based Sexuality Education Madrid Consensus Paper: Recommendations Of An International Expert Group* (Madrid: Spanish Association of Sexology Specialists, Spanish Academy of Sexology and Sexual Medicine and the Institute of Sexology and Psychotherapy, 2012), accessed March 9, 2017, iii. <http://www.desexologia.com/wp-content/uploads/2012/09/Science-Based-Sexuality-Education-Madrid-Consensus-Paper-FINAL.pdf>.

¹³⁶ United Nations Educational, Scientific and Cultural Organization (UNESCO), *International Technical Guidance On Sexuality Education An Evidence-Informed Approach For Schools, Teachers And Health Educators* (Paris: UNESCO, 2009), accessed January 5, 2017, <http://unesdoc.unesco.org/images/0018/001832/183281e.pdf>.

(UNICEF), and the World Health Organization (WHO) to produce the *International Technical Guidance on Sexuality Education* in December 2009 (Technical Guidance). In the forward, they state, “Currently, far too few young people are receiving adequate preparation which leaves them vulnerable to coercion, abuse, exploitation, unintended pregnancy and sexually transmitted infections, including HIV.”¹³⁷ They continue to point out that only forty percent of 15-24 year olds had received accurate information on HIV/AIDS, while forty-five percent of new HIV/AIDS cases occur within the same age group.¹³⁸

Just as discussed in the domestic sexual education chapter, there is a decision that societies must make; to give youth appropriate information and education or allowing them to remain with little to no education, or even worse, misinformation. The Technical Guidance was written for health and educational professionals, and is accompanied by a second volume that focuses on the learning objectives to be covered for children and youth, beginning at age five.¹³⁹

The Technical Guidance first looked to define the rationale for sexuality education. The primary goal, “is that children and young people become equipped with the knowledge, skills and values to make responsible choices about their sexual and social relationships in a world affected by HIV.”¹⁴⁰ As discussed before, one will see that the most significant driver and defined role of sexual education in the world is the reduction of STIs, and primarily HIV/AIDS.

¹³⁷ Ibid., iii.

¹³⁸ Ibid.

¹³⁹ Ibid.

¹⁴⁰ Ibid., 2.

The Technical Guidance does expand beyond the focus of HIV/AIDs and states that sexuality education usually has multiple objectives that are mutually reinforcing. These are: “to increase knowledge and understanding; to explain and clarify feelings, values and attitudes; to develop or strengthen skills; and to promote and sustain risk-reducing behavior.”¹⁴¹ These broad objectives are easily used by a variety of topics, whether they are on risk reduction of STIs or sexual coercion, or abstinence and proper use of condoms. The Technical Guidance does push back on some of the male power dynamics, as well as recognizing that many societies will silence or stifle women, girls, and sexual minorities.

The Madrid study defined sexuality education slightly different than UNESCO, stating, “comprehensive sexuality education, considered as a life-long process that informally and formally provides and transforms knowledge, attitudes, skills, and values related to all aspects of human sexuality.”¹⁴²

Regardless of the definition, both reports, and most every expert agrees, that comprehensive sexuality education is the standard that should be used for instruction. In the Technical Guidance, they reviewed 87 programs that were implemented and reviewed, throughout the world, including both developed and undeveloped nations. As we have

¹⁴¹ United Nations Educational, Scientific and Cultural Organization (UNESCO), *International Technical Guidance On Sexuality Education An Evidence-Informed Approach For Schools, Teachers And Health Educators* (Paris: UNESCO, 2009), 3. accessed January 5, 2017, <http://unesdoc.unesco.org/images/0018/001832/183281e.pdf>.

¹⁴² Felipe Murillo et al., *Science-Based Sexuality Education Madrid Consensus Paper: Recommendations Of An International Expert Group* (Madrid: Spanish Association of Sexology Specialists, Spanish Academy of Sexology and Sexual Medicine and the Institute of Sexology and Psychotherapy, 2012), accessed March 9, 2017, 5. <http://www.desexologia.com/wp-content/uploads/2012/09/Science-Based-Sexuality-Education-Madrid-Consensus-Paper-FINAL.pdf>.

already discussed in domestic sexuality education, many programs that have been reviewed were done so through the work of Douglas Kirby in *Emerging Answers*.

Both UNESCO and Kirby found similar results, in part as both reviewed some of the same studies. Finding that more than a third of the programs delayed sexual intercourse, decreased the frequency of intercourse, and the number of sexual partners. The Technical Guidance also found that the abstinence-only programs had limited, if any, impact on delaying sexual intercourse.¹⁴³ The review also discussed that the programs did not produce a negative effect (most often defined as increasing sexual activity), yet there was concern that most of the programs did not adequately address the transmission of HIV/AIDS in many parts of the world.¹⁴⁴ This last concern was that much of the programs educate solely about the sexual transmission of HIV/AIDS, and did not more fully recognize drug-use as playing a role.

There has seemingly been a global awakening since the middle 2000's with respect to sexuality education. In 2008, health and education ministers from Latin America and the Caribbean signed onto the *Preventing through Education* program, looking to increase the application of comprehensive sexuality education in the schools. They recognized that this must be a partnership between both the health and education communities. UNAIDS and African countries have committed to education as a way to reduce the spread of HIV/AIDS. UNESCO points to community, school, and parent

¹⁴³ United Nations Educational, Scientific and Cultural Organization (UNESCO), *International Technical Guidance On Sexuality Education An Evidence-Informed Approach For Schools, Teachers And Health Educators* (Paris: UNESCO, 2009), 14. accessed January 5, 2017, <http://unesdoc.unesco.org/images/0018/001832/183281e.pdf>.

¹⁴⁴ *Ibid.*, 17.

partnerships in countries throughout the world as ways that appropriate implementation of education are occurring.¹⁴⁵

In looking at the big four countries of international students arriving in the United States, there also appears to be an awakening, and a limited change in the dialogue and behaviors around sexuality education.

China

In China this past year, one school district was publicly shamed for teaching children in the second grade about sex. As is the norm in most developed countries, the parental outrage was sent via social messaging, and the uproar so significant that the school pulled curriculum.¹⁴⁶ However, there were significant comments stating that the material and education were needed. This public dialogue is significant for any country, let alone one that has a historically closed-off approach to sexuality education.

Other media reports, including *Chinese Classrooms Need to Talk about Sex*, highlight the variety of needs for greater sexual education within China. These include, “calling for better sexuality education to combat child sex abuse, rising rates of sexually

¹⁴⁵ United Nations Educational, Scientific and Cultural Organization (UNESCO), *International Technical Guidance On Sexuality Education: An Evidence-Informed Approach For Schools, Teachers And Health Educators* (Paris: UNESCO, 2009). accessed January 21, 2017, <http://unesdoc.unesco.org/images/0023/002357/235707e.pdf>.

¹⁴⁶ Echo Huang, "A Chinese Textbook Is Finally Teaching Proper Sex Ed, But Some Parents Are Having None Of It," *Quartz*, last modified 2017, accessed March 18, 2017. <https://qz.com/925037/a-chinese-textbook-is-finally-teaching-proper-sex-ed-but-some-parents-are-having-none-of-it/>.

transmitted diseases, and unwanted pregnancies.”¹⁴⁷ The need for comprehensive sexual education is needed in China as pre-marital sex, STIs, and unwanted pregnancies are on the rise, with reports of over 13 million abortions annually due to unwanted pregnancies.¹⁴⁸

Researchers in China have also noted that comprehensive sexuality education has increased contraceptive use, including the use of condoms and the reduced coercion of a partner into having sex.¹⁴⁹ These are the goals of a comprehensive program, and when they are implemented, there is a hope that more doors will open. In their study, *Where do Chinese adolescents obtain knowledge of sex? Implications for sexuality education in China*, the researchers found that Chinese youth obtained most of their education on STIs from physicians, while mass media and schoolteachers were viewed as the most important sources for other sexuality education. Obviously, there is significantly more control over the educators, than a random social media post, so the infusion of a

¹⁴⁷ Jemimah Steinfeld, "Chinese Classrooms Need To Talk About Sex - CNN.Com," *CNN*, last modified 2014, accessed March 16, 2017.
<http://www.cnn.com/2014/06/19/world/asia/china-sex-education/>.

¹⁴⁸ Chengcheng Jiang, "What Happens When Only 1.2% Of Chinese Women Take The Pill: 13 Million Abortions," *Time*, 2013, accessed March 18, 2017.
<http://world.time.com/2013/09/30/what-happens-when-only-1-2-of-chinese-women-take-the-pill-13-million-abortions/>.

¹⁴⁹ Bo Wang et al., "The Potential Of Comprehensive Sex Education In China: Findings From Suburban Shanghai," *International Family Planning Perspectives* 31, no. 2 (2005): 63-72, accessed October 14, 2016,
<https://www.guttmacher.org/sites/default/files/pdfs/pubs/journals/3106305.pdf>.

comprehensive, evidence-based sexuality education program will benefit the students in receiving the education from one of their most trusted sources.¹⁵⁰

India

India, as a member state of the United Nations, affirmed both the 1994 United Nations Conference on Population and Development as well as the 1999 Sexual and Reproductive Rights for youth. This affirmation required India to provide comprehensive sexuality education to children and youth.¹⁵¹ The lack of comprehensive sexuality education in India was reported to the United Nations Human Rights Council, showing the failings of India to successfully implement the program. Part of this documentation highlighted how the lack of implementing the education played a continued role in disease transmission and sexual assault and abuse on children.¹⁵²

The report was largely in response to twelve of India's states that refused to launch India's Adolescence Education Program (AEP) in 2005. It is estimated that India's youth population, aged 10-19, is approximately 250 million.¹⁵³ This number of

¹⁵⁰ Liying Zhang, Xiaoming Li and Iqbal H. Shah, "Where Do Chinese Adolescents Obtain Knowledge Of Sex? Implications For Sex Education In China," *Health Education* 107, no. 4 (2007): 351-363.

¹⁵¹ Neha Sood and Prateek Suman, *Report To The United Nations Human Rights Council For The Universal Periodic Review Of The Republic Of India* (Ottawa: Youth Coalition for Sexual and Reproductive Rights (YCSRR), n.d.), 2. accessed February 3, 2017, <http://www.sexualrightsinitiative.com/wp-content/uploads/India-UPR-1-YC.pdf>.

¹⁵² *Ibid.*, 3.

¹⁵³ Vangmayi Parakala, "We Don't Want No Sex Education," *Http://Www.Livemint.Com/*, last modified 2016, accessed January 19, 2017, <http://www.livemint.com/Leisure/OBznUYp58DcRHfdX1r9V9K/We-dont-want-no-sex-education.html>.

children is staggering, especially with the country's refusal to not provide a comprehensive program for sexuality education. As discussed earlier, there has been significant dialogue in India on sexual assault, coercion, rape, and child sexual abuse.

The discussion in India does seem to be having some success in overturning this philosophy. In 2016, there was renewed implementation of sexuality education in schools and, as we saw in a prior chapter, there is new education being distributed in 2017.¹⁵⁴

The new education program, currently being distributed to educators, allows for a full implementation of comprehensive sexuality education and also states that homosexual attraction is normal. India's law still outlaws homosexual intercourse, but this new educational material is looking to expand understandings, relax behaviors and strive for acceptance.¹⁵⁵ As the UNESCO report stated, it is imperative for girls, women, and sexual minorities to obtain more power and control over their bodies and rights, which is a significant part of any sexuality education program.¹⁵⁶

South Korea

In South Korea, sexuality education has had some ups and downs over the last decade. One area of positive success in South Korea is the routine assessment of

¹⁵⁴ FE Online, "Homosexual Attraction Is OK; 'NO' Means No: Health Ministry Rises Above Indian Stereotypes," *The Financial Express*, last modified 2017, accessed March 6, 2017, <http://www.financialexpress.com/jobs/homosexual-attraction-is-ok-no-means-no-health-ministry-rises-above-indian-stereotypes/560227/>.

¹⁵⁵ Ibid.

¹⁵⁶ United Nations Educational, Scientific and Cultural Organization (UNESCO), *International Technical Guidance On Sexuality Education An Evidence-Informed Approach For Schools, Teachers And Health Educators* (Paris: UNESCO, 2009), iii, accessed January 5, 2017, <http://unesdoc.unesco.org/images/0018/001832/183281e.pdf>.

adolescent and youth behavior. Yet a 2007 assessment of 75,000 students aged 13–18 presented mixed results on the efficacy of the education. The data showed that the average age of first intercourse was 14.2 years old; that contraceptives were used only 38.2% of the time and that when used, it was used improperly 21.6% of the time. Of those that responded, 72.2% stated that they had received some form of sexuality education, which is also a significant positive that there is some education and discussion occurring.¹⁵⁷ With those positives, it does appear that the rate of adolescents having intercourse is on the rise, and that sexuality education needs to be enhanced and move more towards the comprehensive evidence-based programs offerings as even some basic information, including the ability of condoms to prevent pregnancy and limit diseases, has been passed along incorrectly.

Where India has seemingly stimulated new understanding on homosexual relationships within their education, South Korea is just the opposite. The Human Rights Watch reports that in March 2017, South Korea has removed information on homosexuality and gender identity from their sexuality education curriculum. What is significantly jarring is that in January of 2017, Seoul hosted the UNESCO school violence and bullying symposium but failed to join the other twenty-four nations in signing a call-to-action for inclusivity in education.¹⁵⁸

¹⁵⁷ Im Soon Lee et al., "A Survey On The Sexual Behavior Of Adolescents In South Korea: The Third Survey In 2007," *Korean Journal of Obstetrics and Gynecology* 53, no. 6 (2010): 512.

¹⁵⁸ "South Korea Backslides On Sex Education," *Human Rights Watch*, last modified 2017, accessed March 9, 2017, <https://www.hrw.org/news/2017/02/17/south-korea-backslides-sex-education>.

Saudi Arabia

In a limited 2009 research study focusing on females in central Saudi Arabia, the researchers state that the lack of a formal sexual education program was evident. They found that 42% of female students were more likely to discuss sexual matters with their friends, while only 15.8% discussed with their mothers. Not surprisingly, 17.3% of those studied stated that they had discussed sexual matters with their domestic help. When asked about their teacher's attitudes, 61% of the females stated that their teachers had negative attitudes towards sexual-related questions. Only a third of the females knew that syphilis was a sexually transmitted disease and, only 14.5% knew that hepatitis B was sexually transmitted.¹⁵⁹

There is not much else that occurs in sexuality education in Saudi Arabia, which does not come as a surprise based on the religious and traditional aspects of their culture.

Concluding Thoughts

When one evaluates the variety of program types and implementation of sexuality education throughout the world, there are some clear differences depending upon the region. While different cultures have different beliefs, there are also some regional differences; developed countries are typically more open to sexuality education, while undeveloped countries may be lacking proper resources and education.

¹⁵⁹ AlJoharah Alquaiz, Maha Almuneef and Hafsa Minhas, "Knowledge, Attitudes, And Resources Of Sex Education Among Female Adolescents In Public And Private Schools In Central Saudi Arabia," *Saudi Med* 33, no. 9 (2012): 1001-1009, accessed February 2, 2017, 1001.
https://www.researchgate.net/publication/230829426_Knowledge_attitudes_and_resources_of_sex_education_among_female_adolescents_in_public_and_private_schools_in_Central_Saudi_Arabia.

The role of religion and the government type, and their level of control will also inform the educational offerings. It is becoming more and more evident that the comprehensive evidenced-based education is needed to lay the appropriate foundation and return back to the individual the ability to make informed choices over their body. The role of women in society, and cultural view on children, also lead to significant challenges, but also provide greater opportunities when education is adjusted to show equal respect.

Education must be inclusive of information, but also strive to create self-empowerment and cultural change. Recognizing that sexual minorities do exist is beneficial not only to the individual minority themselves, but also to the greater society. Clearly, information on contraception, disease reduction, and anatomy are important for a central part of the education. A focus on reducing sexual coercion is also vitally important.

It is easy to look at other countries and make broad assumptions and judgments, but let us not forget that sexuality education in the United States has also been subject to the control of religion and ideological political leadership. Just as unenlightened conversations occur internationally, they also occur domestically. Social media is a tool that must be tapped so it will be utilized in a better and more purposeful way. Education will need to go beyond the simple passing of information, and curricula will need to be developed that will encourage the empowerment of the self, while limiting exploitation and coercion.

EDUCATION IN PRACTICE

When the Title IX educational requirements for colleges and universities came out in the April 2011 Dear Colleague Letter, the rush in the higher education marketplace to implement programs lead to a variety of options and modalities. There was a quick rush of program development and smart and enterprising businesses pushed their way into the market offering programs for students and employees, while others developed training opportunities for the professional responders. The requirements identified educational responsibilities in multiple ways and to multiple person types.¹⁶⁰

Arguably, a large portion of the education should focus on the end user, or student. Other training requirements focus on those who are to implement the Title IX programs, while other may focus on those who are responding to incidents or crisis.

The federal government, through guidance, also has shown the importance of educating staff and faculty. Most higher education employees are going to be deemed “responsible employees,” or those that a student could reasonably think would have enough authority to act in their interest should they disclose sexual harassment, sexual assault, dating or domestic violence or stalking. This defining of responsible employees became a shift in practice for many faculty, who forever have developed close relationships with students, where conversations can often become intimate about oneself and they may have shared information. Now, as responsible employees, these faculty and staff must share what they have been told, or learned about the possibility or actual

¹⁶⁰ U.S. Department of Education, Office for Civil Rights, *Dear Colleague Letter: Sexual Violence* (Washington, D.C.: U.S. Department of Education, Office for Civil Rights, 2011). 14.

occurrence of sexual and relationship violence to the Title IX coordinator.¹⁶¹ Naturally, in order to be effective, but also to understand their own federal responsibilities, the faculty and staff members must be informed on policies, procedures and what to report to the institution, amongst other things.

To make matters more confusing to some on the college campus, The Clery Act has another standard of employees, entitled, campus security authorities, or CSAs. Clery only defines a crime as being reported when it is brought to the attention of a CSA. This means that an assault could have occurred, but was never reported to a CSA, so therefore it is not even viewed as a crime. The simplified definition of a CSA is, “If someone has significant responsibility for student and campus activities, he or she is a campus security authority.”¹⁶² Clery states that those that work in the police department or public safety offices are CSAs as are those that work outside of a police or security department who generally meet the criteria for being campus security authorities include:

a dean of students who oversees student housing, a student center or student extracurricular activities; a director of athletics, all athletic coaches (including part-time employees and graduate assistants); a faculty advisor to a student group; a student resident advisor or assistant; a student who monitors access to dormitories or buildings that are owned by recognized student organizations; a coordinator of Greek affairs; a Title IX coordinator; an ombudsperson (including student ombudspersons); the director of a campus health or counseling center; victim advocates or others who are responsible for providing victims with advocacy services, such as members of a sexual assault response team (SART) or

¹⁶¹ U.S. Department of Education, Office for Civil Rights, *Dear Colleague Letter: Sexual Violence* (Washington, D.C.: U.S. Department of Education, Office for Civil Rights, 2011). 4.

¹⁶² U.S. Department of Education, Office of Postsecondary Education, *The Handbook For Campus Safety And Security Reporting, 2016 Edition* (Washington, D.C.: U.S. Department of Education, Office of Postsecondary Education, 2016), 4-3. accessed November 7, 2016, <https://www2.ed.gov/admins/lead/safety/handbook.pdf>.

other sexual assault advocates; and officers from local law enforcement who are contracted by the institution to provide campus safety-related services.¹⁶³

Naturally, the need to educate those that are more closely involved with responding to a sexual or relationship violence issue will require more in depth and specific training. This would include those in residence life, public safety, student affairs, athletics, and student discipline and Title IX employees. There currently is not an annual minimum number of training hours placed on these employees, yet these employees must be trained regularly and the training should be documented.¹⁶⁴

While we will see that the guidance, from the Dear Colleague Letters, Clery and VAWA are all beginning, finally, to reference each other, allowing for consistency to be developed across the law and regulations. This consistency will help all institutions of higher education to develop education at a higher standard, and even create some centralized and national themes. If a student is to transfer between institutions, they will have some general knowledge from their original institution that can be transferred to their experience at the next institution. While institutional personnel may be different, policies and broad topics will be the more inline. Laws and responding agencies will be jurisdictional specific, but the impact of sexual and relational violence on an individual and community are global. Teaching someone to be an upstander is not campus specific, but has the same educational message and impact whether they attend a college or university or are employed in the work force.

¹⁶³ U.S. Department of Education, Office of Postsecondary Education, *The Handbook For Campus Safety And Security Reporting, 2016 Edition* (Washington, D.C.: U.S. Department of Education, Office of Postsecondary Education, 2016), 4-3, accessed November 7, 2016, <https://www2.ed.gov/admins/lead/safety/handbook.pdf>.

¹⁶⁴ Ibid., 4-11.

Requirements

There are requirements that have been placed on schools by Office of Civil Rights regulation, the Violence Against Women Act (VAWA) and the Clery Act. We have already reviewed some of these requirements in a prior chapter, but we will break these down and look at some ways that they are being implemented.

The Clery Act requires that colleges and universities provide a statement describing the programs in place that “promotes awareness and educate people about preventing dating violence, domestic violence, sexual assault and stalking.”¹⁶⁵ The handbook also states that the training should take place on the local definition of consent, as well as educating on safe and positive ways for one to be an upstander, as well as ways for all to mitigate their risk of being assaulted. They further define prevention programs as:

comprehensive, intentional and integrated programming, initiatives, strategies and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that are: culturally relevant; inclusive of diverse communities and identities; sustainable; responsive to community needs; informed by research or assessed for value, effectiveness or outcome; and consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.¹⁶⁶

Clery breaks the programming down into primary prevention and awareness style programs and encourages that the college or university to tailor the programming to the specific audience. As a reminder, the federal government requires that all incoming

¹⁶⁵ U.S. Department of Education, Office of Postsecondary Education, *The Handbook For Campus Safety And Security Reporting, 2016 Edition* (Washington, D.C.: U.S. Department of Education, Office of Postsecondary Education, 2016), 8-3. accessed November 7, 2016, <https://www2.ed.gov/admins/lead/safety/handbook.pdf>.

¹⁶⁶ Ibid.

students and employees be exposed to, and have the opportunity, to be trained. Obviously, the education for students should be different from employees, as employees have additional requirements than do students. Again, different instructional styles should be utilized to engage the audience and allow for lessons to be presented at the appropriate level.

The VAWA reauthorization in 2013 added specificity that the April 2011 Dear Colleague Letter did not. The Office of Civil Rights did release a Frequently Asked Questions (FAQs) document in 2014, which made the requirements slightly more clear. VAWA stated that the training programs should include:

Require institutions to provide to incoming students and new employees and describe in their annual security reports primary prevention and awareness programs. These programs must include: a statement that the institution prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking, as those terms are defined in these final regulations; the definitions of these terms in the applicable jurisdiction; the definition of “consent,” in reference to sexual activity, in the applicable jurisdiction; a description of safe and positive options for bystander intervention; information on risk reduction; and information on the institution's policies and procedures after a sex offense occurs.¹⁶⁷

Online Training

The first wave of programming to hit many aspects of the marketplace were online educational modules, which flooded professional listservs, conferences, magazines and email inboxes. For many years, businesses, including institutions of higher education, have utilized online training modules for employees on a variety of topics, including

¹⁶⁷ "Violence Against Women Act," *Federal Register*, last modified 2015, accessed February 5, 2017, <https://www.federalregister.gov/documents/2014/10/20/2014-24284/violence-against-women-act>.

sexual harassment. These programs seemed like a natural way for many to address these new requirements.

Many institutions of higher education, and the professionals on campus did not fully understand the original guidance, especially around the educational requirements. There is no hard mandate that states that all students must be educated, just that all students must be given the opportunity to be educated. Frankly, a lot of colleges and universities were already incorporating some of these topics into new student orientation, which would have made them compliant in spirit. There were new topics that did need to be added to the trainings, but this was not overly insurmountable.

Indeed, many colleges and universities were already utilizing some form of online training for incoming students around alcohol and other drugs. This comfort of using online programs led to many to simply rush to add these online offerings to their college and university programs, often in a way to check the box that they had been compliant in the educational requirements. Just like general sexuality education, there were some programs that were poorly developed, and others that were much more comprehensive and based on informed research.

One of the most significant negatives of the rush to create programming, and about online programs in general, is that they are often implemented once, and then shelved for the year, until the next crop of incoming students arrive. While the letter of the requirements may have been met, no one could successfully argue that there was a high quality level of education that was occurring. With “one and done” implementation there was a lack of follow-up or continued discussion of on and off campus resources,

policies, how to be an upstander and so many other topics that lacked immersion. As this dissertation has shown, often, students are first exposed to significant educational information only when they arrive on a college campus. Blasting them with all of this information in August, and expecting them to retain this throughout their stay is simply bad pedagogy.

The College and University Professional Association for Human Resources (CUPA-HR) stated in their document, *Best Practices in Training and Compliance Around Title IX, VAWA and the Clery Act*, “In order to facilitate culture change on campus, institutions must go above and beyond the minimum requirements of VAWA, Title IX and Clery Act laws.”¹⁶⁸ This is an important sentiment, especially as the Obama Administration was heavy on regulation and punishment through fines, colleges and universities needed to take a step back and focus on their mission, which largely is to transform individuals, and society and culture at large, through education.

The requirements from the government were meant to increase collaboration, both with on campus and off campus constituencies, agencies, nonprofit entities and law enforcement. These conversations, often codified in memorandums of understanding, allowed for expansion of services to students and employees, while also building connections of support for programs.

The CUPA document continued to say, “Training implementation is meant to be a collaborative effort that creates a unified climate change involving each person on

¹⁶⁸ Sondra Solovay, "Best Practices In Training And Compliance Around Title IX, VAWA And The Clery Act," *The Higher Education Workplace*, 2017, 33. accessed January 21, 2017, <https://www.cupahr.org/hew/files/HEWorkplace-Vol7No3-Title-IX-VAWA-Clery-Training-feature.pdf>.

campus. An evidence-based, instructional design approach can create real, lasting change among employees and students.”¹⁶⁹ This will be the defining area for programs that are highly effective and comprehensive, versus those that simply exist for the sake of fulfilling basic requirements. Working across campus is imperative to educate students, especially those whom are international.

Training Areas for Students

As discussed above, the requirements of training include educating not only on policy and procedures but also topical areas. Throughout this dissertation, it has been shown that there is often a lack of quality education in the United States and throughout the world on sexual health and safety, and even worse on sexual and relational violence. Colleges and universities now have a prime opportunity to assist this current generation of students in changing the culture of violence towards each other.

The Clery handbook gives a comprehensive break down of the requirements, making clear the areas and topics that must be addressed. It starts with the brief guidance on establishing the curricula, stating they should be, “comprehensive, intentional and integrated programming, initiatives, strategies and campaigns.”¹⁷⁰ It is also important to take all of these aspects and place them into the appropriate sub communities, e.g. faculty, students, responders, etc. We do need to be intentional in our design and implementation

¹⁶⁹ Ibid., 151.

¹⁷⁰ U.S. Department of Education, Office of Postsecondary Education, *The Handbook For Campus Safety And Security Reporting, 2016 Edition* (Washington, D.C.: U.S. Department of Education, Office of Postsecondary Education, 2016), 8-3, accessed November 7, 2016, <https://www2.ed.gov/admins/lead/safety/handbook.pdf>.

to different parts of the campus community. A basic example of this is that it is inappropriate to have the same training format and process for an eighteen-year-old first year undergraduate student and a forty year old graduate student.

Another way to increase the basic intentionality is to look at the academic calendar and align training and programs with the “of the months.” For most colleges and universities, orientation time frames will be over the summer, in August and in January. Using these moments as the time to best capture new, incoming students, it is recommended that the basic educational programming should occur. Other theme months and days are: January is National Stalking Awareness Month; February is National Teen Dating Violence & Awareness Month; March is National Women’s Month; April is both Sexual Assault Awareness Month and Alcohol Awareness Month, as well as incorporating National Student Athlete day on April 6th; June is traditionally gay pride month; October is National Domestic Violence Awareness Month, as well as National Coming Out day on October 11th; and November brings International Student Education Week.

It is imperative to recognize that there used to be a belief that the first six weeks of a college experience were the most dangerous for a female student as the chance of assault was higher.^{171, 172} Yet much of the sexual assault data points to the first two years as times when students may be assaulted with greater frequency, is often the most

¹⁷¹ "Campus Sexual Violence: Statistics | RAINN," *Rainn.Org*, last modified 2017, accessed January 9, 2017, <https://www.rainn.org/statistics/campus-sexual-violence>.

¹⁷² Jane Greenhalgh, "The Start Of School Is Not The Only Risky Time For Campus Rape," *NPR.Org*, last modified 2014, accessed October 9, 2016, <http://www.npr.org/sections/health-shots/2014/09/08/345630985/the-risk-of-campus-rape-may-be-higher-at-different-times-of-the-year>.

dangerous for a new student. This makes the importance of the training and education that transpires over orientation to be continued throughout the first semester. In other words, it would be wrong to not have some sexual assault awareness and educational programming early in the Fall, instead of just holding it during Sexual assault Awareness month in April.

Returning to the Clery guidance, they define primary prevention and awareness programs as such:

Primary prevention programs are defined as programming, initiatives and strategies intended to stop dating violence, domestic violence, sexual assault and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions. Examples of these programs might include programs that promote good listening and communication skills, moderation in alcohol consumption and common courtesy.

Awareness programs are defined as community-wide or audience-specific programming, initiatives and strategies that increase audience knowledge, and share information and resources to prevent violence, promote safety and reduce perpetration.¹⁷³

Colleges and universities should work to create their programming so that it is building in topic and exposure, but still ensuring that it has basic and foundational information. There is a breadth of knowledge that is being acquired in the higher education and Title IX marketplace currently, and much can be put into place. Some of these programs are based out of tragedy, while others are based solely out of research.

¹⁷³ U.S. Department of Education, Office of Postsecondary Education, *The Handbook For Campus Safety And Security Reporting, 2016 Edition* (Washington, D.C.: U.S. Department of Education, Office of Postsecondary Education, 2016), 8-4, accessed November 7, 2016, <https://www2.ed.gov/admins/lead/safety/handbook.pdf>.

An example of a program based out of tragedy include the Jersey Battered Womens' Services, Morristown, New Jersey, "Yellow Card" campaign¹⁷⁴. This program strives to educate student-athletes on healthy relationships and offers tips for upstander intervention. A driving force for this program was the murder of a University of Virginia women's lacrosse player, Yeardley Love. Yeardley was beaten to death by her college boyfriend, an athlete on the men's lacrosse team. While the One Love Foundation, started by Yeardley's family, has generated a lot of education and discussion, even local organizations have implemented or developed new programs based on this national story.¹⁷⁵

Another interesting area of education with research is based out of a Canadian study, generating international headlines, showing that female students who were training in resistance is assisting in the prevention and decline of perpetration of sexual assault.¹⁷⁶ While resistance education has some naysayers in the sexual assault prevention, advocacy and training circuit, there is some evidence that teaching resistance does assist in the reduction of sexual assault perpetrations. The trial showed, "that a rigorously designed and executed sexual assault resistance program was successful in substantially reducing

¹⁷⁴ "No2datingabuse," *No2datingabuse.Org*, accessed August 18, 2016, <http://no2datingabuse.org>.

¹⁷⁵ "One Love Foundation," *One Love Foundation*, accessed February 12, 2017, <http://www.joinonelove.org>.

¹⁷⁶ Charlene Y. Senn et al., "Efficacy Of A Sexual Assault Resistance Program For University Women," *New England Journal of Medicine* 372, no. 24 (2015): 2326-2335, accessed January 21, 2017, <http://www.nejm.org/doi/full/10.1056/NEJMsa1411131#t=article>.

the occurrence of sexual assaults among first-year female university students, including those at higher risk because of previous rape victimization.”¹⁷⁷

Another area of the educational requirements is teaching bystander education. The outcome of this education is to encourage the community to become involved in ending the perpetration of violence by taking steps to intervene. While some now coin this as upstander intervention, with the intent to show that you are being more active than standing by, it is recognized widely by both terms interchangeably.

In the often cited primer, *Rape Prevention Through Bystander Education: Bringing a Broader Community Perspective to Sexual Violence Prevention*, the authors define bystanders as, “Bystanders are defined as individuals who witness emergencies or criminal events and by their presence may have the opportunity to provide assistance, do nothing, or contribute to the negative behavior.”¹⁷⁸ The ability of the bystander to choose to engage or not, is something that should be addressed in educating and training students. Clearly the importance that only those who engage can change the culture in a broad way, but also for those who engage at a time of crisis could be the ones who assist in preventing or stopping an act of violence from occurring.

Bystander training should include techniques to assist students, and others, in overcoming what has been coined as the “bystander effect.”¹⁷⁹ By teaching techniques to

¹⁷⁷ Ibid., 2334.

¹⁷⁸ Victoria Banyard, Elizabeth Plante and Mary Moynihan, “Bystander Education: Bringing A Broader Community Perspective To Sexual Violence Prevention,” *Journal of Community Psychology* 32, no. 1 (2004): 61-79.

¹⁷⁹ The bystander effect was coined following the Kitty Genovese murder in New York City in 1964 by the psychologist Latane and Darley. The Genovese murder was witnessed by a variety of her neighbors, all which did nothing. It is believed that the more

engage, there are a variety of steps that can be taken. As was common in the American Red Cross First Aid training, the very first thing to do is survey the scene, or assess the situation. When examining what is before you in a critical review, a bystander is then able to decide what is the best option to take going forward. Analyzing options allows for a variety of responses and differing action steps.

It is always important to teach bystanders that they do have the ability to make decisions that they feel are most safe for them and the others around. There are many ways that this education can be role—played and it is encouraged that students practice these interventions. The variety of options on a college campus includes not only getting personally involved, but also calling others, including law enforcement, resident assistants and others to address any situation.¹⁸⁰

Challenges with International Students

While almost all students will struggle with certain aspects of Title IX education and programming, international students are at some basic disadvantages. Beyond the obvious of language skills, there are cultural barriers that may also exist. Often, online programs are utilized prior to, or during the first few months, of a student's arrival to

bystanders there are that are inactive, that others will remain inactive. The partial purpose of the current bystander training is to illustrate that if the power to be inactive is resultant of witnessing others stand idly by, than that phenomenon can be reversed, and choosing to engage may also lead others to engage.

¹⁸⁰ One tool that was found to have a wealth of information on how to implement a bystander intervention program was Stop Sexual Violence, a program developed by the State of New York. You can access this resource at:
<https://www.health.ny.gov/publications/2040.pdf>

campus. While many of these tools are good, there are challenges for international students spanning from the content, to translation and new laws and ideas.

Another very basic challenge is the usage of Roman numerals in the Title IX programming. Many students, whether domestic or international, are not fully aware of the Roman numeral structure. It is incumbent upon colleges or universities to adopt the number 9 as the way to introduce the programming. Title 9 is much more understandable than Title IX.

Concluding Thoughts

Colleges and universities have the responsibility for developing educational programs for their incoming students and employees. These programs should be comprehensive and broken into logical parts based upon the community. With the requirements from the federal guidance to educate on sexual assault, sexual harassment, dating and domestic violence, and stalking there are many ways that these topics can be explored.

When developing a training calendar, make certain that the program is ongoing throughout the year. Repeated exposure to training and programs is very valuable to help change the campus culture, as well as serves as a prevention tool for the students. In the next chapter we will explore a variety of ways to build a program, working to be as inclusive as possible.

BUILDING AN INTERNATIONAL PROGRAM

This dissertation has reviewed the requirements, regulations and some of the challenges that exist in addressing building a comprehensive education program to combat sexual and relationship violence. What has become clear is that throughout the world and the United States, there exist a broad range of educational offerings, and in many cases failures from elementary and secondary schools in laying an appropriate foundation for sexuality education.

UNESCO's *International Technical Guidance on Sexuality Education*

An evidence-informed approach for schools, teachers and health educators (Technical Guidance, Volume Two) states, "Few young people receive adequate preparation for their sexual lives. This leaves them potentially vulnerable to coercion, abuse and exploitation, unintended pregnancy and sexually transmitted infections (STIs), including HIV."¹⁸¹ What is interesting about that statement is that the significant push for sexuality education around the world is the reduction of sexually transmitted infections (STIs), yet the youth's exposure and vulnerability to sexual coercion is the first area to be noted.

Clearly, there needs to be a focus of sexuality education on the reduction of risk, and in large part the primary risk is to STIs and HIV/AIDS. Studies from around the globe show that the increase in STIs and HIV/AIDS that is occurring is coming primarily from the exposure of those who are youth through young adults, as their exposure to

¹⁸¹ United Nations Educational, Scientific and Cultural Organization (UNESCO), *International Technical Guidance On Sexuality Education: An Evidence-Informed Approach For Schools, Teachers And Health Educators* (Paris: UNESCO, 2009), 2, accessed January 21, 2017, <http://unesdoc.unesco.org/images/0023/002357/235707e.pdf>.

sexual relationships has increased, yet they lack the ability to identify ways of reducing their risk exposure to diseases. The Technical Guidance, Volume Two, states that, “There is an urgent need to address the gap in knowledge about HIV among young people aged 15-24, with 60 percent in this age range not being able to correctly identify the ways of preventing HIV transmission.”¹⁸²

What is also an interesting trend is the delaying of marriage throughout the world. The United Nations *World Fertility Report* showed that for developed countries, the singulate mean age at marriage (SMAM) for females rose from 22.3 years of age in the decade of the 1970s to 29.4 years old in the 2000’s. For developing countries the mean range was 23.5 years old, and the least developed countries, the range remained the lowest at 20.7 years old. The report also highlighted that childbearing outside of marriage rose from 7.1 percent in the 1970s up to 22.8 percent in the 2000s.¹⁸³ This data points to the additional need of sexuality education in the area of disease protection and pregnancy planning, yet as has already been reviewed, inter-partner violence remains high throughout the world.

It is clear that the school setting offers the most opportunity to impact the greatest number of adolescents and youth. As has been learned, comprehensive evidence-based

¹⁸² United Nations Educational, Scientific and Cultural Organization (UNESCO), *International Technical Guidance On Sexuality Education An Evidence-Informed Approach For Schools, Teachers And Health Educators* (Paris: UNESCO, 2009), 2, accessed January 5, 2017, <http://unesdoc.unesco.org/images/0018/001832/183281e.pdf>.

¹⁸³ United Nations, Department of Economic and Social Affairs, Population Division, *World Fertility Report 2009* (United Nations, 2011), accessed October 20, 2016, xii, http://www.un.org/esa/population/publications/WFR2009_Web/Data/WFR2009_Report.pdf.

sexuality programs are instrumental in reducing risk of pregnancy, delaying initiation of sexual activity and are important in the reduction of the individual's exposure to sexual coercion. Education that is offered should be culturally and age appropriate, and the expertise that is already exhibited in curricular design for other subjects can be mirrored in building not only a sexuality program within the school setting, but also a Title IX compliant program for higher education.

Resources Available

There are available a variety of educational guidance tools that have been established by UNESCO and the Sexuality Information and Education Council of the United States (SIECUS). UNESCO's *International Technical Guidance on Sexuality Education* contains two volumes documenting the need for a comprehensive based education as well as offering sample age specific educational offerings for countries throughout the globe. Similarly, SIECUS' *Guidelines for Comprehensive Sexuality Education*, contains grade appropriate information and structured planning to assist educators in planning a comprehensive sexuality education program. In his research on program effectiveness in *Emerging Answers*, Douglas Kirby also identified seventeen characteristics of an effective curriculum program.¹⁸⁴ These models will provide

¹⁸⁴ Douglas Kirby, *Emerging Answers 2007: Research Findings On Programs To Reduce Teen Pregnancy And Sexually Transmitted Diseases*. (Washington, DC: National Campaign to Prevent Teen and Unplanned Pregnancy, 2007), 131, accessed September 15, 2016, https://thenationalcampaign.org/sites/default/files/resource-primary-download/EA2007_full_0.pdf.

significant guidance for colleges and universities to develop a program to address the needs of all of their students, including international students.

As has been shown, there are often times when external forces impact the design and implementation of comprehensive education based programs, including those from parents, governments, cultures and religion. In order to minimize these organizations have worked to increase the education of the appropriate leaders, as well as showing data that of the overall impact that lack of quality education has on the country and its citizens.

Likewise, college campuses routinely have a vast array of constituents that educators need to balance, including faculty, students, administration, staff, parents, alumni and local communities. All of these constituents should be involved in some way in reducing sexual violence on the campus, and should be included in the discussion and design of the campus philosophy and goals for reduction.

By utilizing the expertise of UNESCO and SIECUS, as well as the research from *Emerging Answers*, a standardize way to develop a program for implementing the Title IX and VAWA requirements will be developed. The foundations of these program will go a long way into ensuring that colleges and universities are developing a program that will be comprehensive and based on best practice and design.

Developing the Curriculum

Colleges and universities often have a wealth of resources and sub—area expertise on a variety of topics. Likewise, because of systems that may already be in place, which were more formalized by the federal requirement of memorandums of

understanding with local nonprofit agencies and law enforcement, there are great resources in the surrounding communities and state. Often a challenge is bringing these parts together to work effectively.

A primary impediment to getting parties to work together is that often there is significant misunderstanding of roles and responsibilities. Add to this the limited resources that are available, there are plenty of possible roadblocks to working together. Faculty often are not fully informed of what a staff members response may need to be, external agencies may harbor incorrect assumptions of campus life based on one-off experiences or national headlines, staff often don't know the sub—specialty areas that faculty may have, pervasive fear of litigation and exposure of processes, political relationships with the local, county and state authorities, are all examples of the perceived challenges. Yet, far to often, outreach and connections that could be greatly, and mutually, beneficial are missed solely because of lack of knowledge and the simple commitment to learn to get to know each other and each other's roles.

Despite those challenges, colleges and universities should develop multi-disciplinary teams to address policy and response as well as creating prevention activities and educational programs. It is strongly recommended that a team consist of the Title 9 coordinator, student affairs professionals, on and off campus counselors, advocates and educators, faculty, on and off campus law enforcement officials, students and representatives from special populations (e.g., member of international services staff, GLBTQIA advisor, etc.).

The first goal should be to begin to develop mutual respect and appreciation for

the diversity of thoughts and ideas that each representative will bring. Team building exercises may be necessary to develop the cohesiveness of the group and enough trust and respect so that each party may be direct in challenging and responding to one another in a productive dialogue.

The second goal, and first team project, will be assessment. It will be important to assess the program(s) currently in place for education around the institution. It is not uncommon for each orientation; sub-school and departments that may all have historical and valuable educational programs and activities. What the author suspects is that there will be many more programs that are offered that may be implemented by a particular department that may be stand-alone, and not interconnected to a larger goal and plan. For example, the Women's study department may run a campus-wide take back the night march, while the health services department may offer free condoms and the counseling center a support group for victims, etc. A program audit for events will be a necessary part of this first assessment step.

The second part of this assessment of programs is to evaluate the program, event, lecture, etc. itself. Are they matching the institutional values and educational goals? Are they based on correct information that is valid and appropriate? Are they focused on a diverse subsection of the population or general? Are they taught by experts, emerging experts, or general staff or students? Is the information being offered in such a way that it is both engaging, but also is broad to hit multiple audience members? Who is the intended audience, and would international students be able to grasp the concepts and ideals?

A third part of the assessment is understanding who your audience is. How many are domestic versus international? What states did your domestic students go to school in and what are the laws in that state on teaching sexuality education with the inclusion of sexual and relationship violence? What are the home countries of your international students? How many international students were educated in the United States for high school? What is the baseline of education that your international, and domestic, students have when it comes to sexual and relationship violence? What terms do the international students understand and recognize on general sexuality education and with sexual and relational violence (it is not uncommon for most internationals to label things as sexual coercion that in the United states may be more commonly called sexual harassment, through sexual assault)? Additional questions can easily be generated and implemented based on a whole host of things, whether it is for understanding what your learning outcomes should be based on, population size, undergraduate or graduate student, institution type, etc.

Some final parts of the assessment that should be conducted include identifying the best time line for implementation of events, programs or education. Also understanding the resources that are available to you on and off campus. Identifying funding for programs, etc. Once the identification of the needs, challenges, resources and student population are completed, then the curriculum can begin to be developed.

In *Emerging Answers*, Kirby listed the following five steps in the process to develop a curriculum:

- 1) Involving multiple people with expertise in theory, research, and sex and STD/HIV education to develop the curriculum

- 2) Assessed relevant needs and assets of the target group
- 3) Used a logic model approach that specified the health goals, the types of behavior affecting those goals, the risk and protective factors affecting those types of behavior, and activities to change those risk and protective factors
- 4) Designed activities consistent with community values and available resources (e.g., staff time, staff skills, facility space and supplies)
- 5) Pilot tested the program.¹⁸⁵

UNESCO's Technical Guidance, Volume Two recommends covering four components of learning. These are, information that is needed to be shared, but also provided in a way that piques curiosity and attention; how to explore individually and collectively the values, attitudes and social norms; develop interpersonal and relationship skills that promote the acquisition of those skills; and taking responsibility for their personal behavior, while also learning to respect others and their rights.¹⁸⁶

SIECUS encourages those creating curriculum, or evaluating programs to possibly implement, to first prioritize the topics and learning outcomes, while listing the common information that will be learned. Goals should be set for the overall program, as well as for each session, including development of assessment. Skill development is vital, and programs should include accurate information and stray from using guilt, fear and shame.¹⁸⁷

¹⁸⁵ Douglas Kirby, *Emerging Answers 2007: Research Findings On Programs To Reduce Teen Pregnancy And Sexually Transmitted Diseases*. (Washington, DC: National Campaign to Prevent Teen and Unplanned Pregnancy, 2007), 131 accessed September 15, 2016, https://thenationalcampaign.org/sites/default/files/resource-primary-download/EA2007_full_0.pdf.

¹⁸⁶ United Nations Educational, Scientific and Cultural Organization (UNESCO), *International Technical Guidance On Sexuality Education: An Evidence-Informed Approach For Schools, Teachers And Health Educators* (Paris: UNESCO, 2009), accessed January 21, 2017, <http://unesdoc.unesco.org/images/0023/002357/235707e.pdf>.

¹⁸⁷ Sexuality Information and Education Council of the United States, *Guidelines For Comprehensive Sexuality Education: Kindergarten-12Th Grade, Third Edition*

Again, using the information garnered by the Emerging Answers report in reviewing the effective characteristics of a curriculum based program, they found that the best programs had three curriculum goals and objectives. These are “focused on clear health goals... focused narrowly on the behavior leading to these health goals...addressed sexual psychosocial risk and preventive factors that affect behavior, and changed them.”¹⁸⁸

When the team developing the training curriculum is assembled, information should be given for review, including current policy, education activities and campus climate assessment data. A review of current practices, including their strengths, weaknesses and opportunities for growth and change should coincide with the review of any assessment data. The curriculum team should be educated on, and fully understand the requirements for training and education from the federal guidance, the Violence Against Women Act, the Clery Act and any local laws or requirements. Once the team is educated on all of these factors, they should begin to develop the training based upon the sub areas: sexual harassment, sexual assault, dating violence, domestic violence and stalking.

(SIECUS, 2004), accessed October 13, 2015, 48,
<http://www.siecus.org/index.cfm?fuseaction=document.viewDocument&documentid=185&documentFormatId=217&CFID=213010486&CFTOKEN=5ca57f1fce6125f2-F892C6D6-93B9-AC6A-F884AB66F35D493E>.

¹⁸⁸ Douglas Kirby, *Emerging Answers 2007: Research Findings On Programs To Reduce Teen Pregnancy And Sexually Transmitted Diseases*. (Washington, DC: National Campaign to Prevent Teen and Unplanned Pregnancy, 2007), 22 accessed September 15, 2016, https://thenationalcampaign.org/sites/default/files/resource-primary-download/EA2007_full_0.pdf.

A point to note and recognize is that much of the training we are discussing is mandated and is focused on the Title IX, VAWA and other requirements. Another avenue for colleges and universities to explore for undergraduate orientation, or other common programming times, is to have educational offerings on general sexuality education. It would be good to review the basics regarding sexual health and safety, including the usage of contraception and condoms, understanding the impact of STIs, etc. There are plenty of sexologists that offer presentations, or colleges and universities could look towards their health services, counseling or other staff for presentations.

The Office of Civil Rights recommends that minimally the topics below are incorporated into training, as well resources available on campus for confidential reporting, how to obtain accommodations and who to speak with.

In the Questions and Answers document released in April 2014,

OCR recommends that, at a minimum, the following topics (as appropriate) be covered in this training:

- Title IX and what constitutes sexual violence, including same-sex sexual violence, under the school's policies;
- the school's definition of consent applicable to sexual conduct, including examples;
- how the school analyzes whether conduct was unwelcome under Title IX;
- how the school analyzes whether unwelcome sexual conduct creates a hostile environment;
- reporting options, including formal reporting and confidential disclosure options and any timeframes set by the school for reporting;
- the school's grievance procedures used to process sexual violence complaints;
- disciplinary code provisions relating to sexual violence and the consequences of violating those provisions;
- effects of trauma, including neurobiological changes;
- the role alcohol and drugs often play in sexual violence incidents, including the deliberate use of alcohol and/or other drugs to perpetrate sexual violence;
- strategies and skills for bystanders to intervene to prevent possible sexual

- violence;
- how to report sexual violence to campus or local law enforcement and the ability to pursue law enforcement proceedings simultaneously with a Title IX grievance; and Title IX's protections against retaliation.¹⁸⁹

The topics listed above, if it was simply the training would be insanely dry, and more likely than not, lack retention by the audience. While it is important for any college or university to continually train, educate and notify the campus community, each individual campus should review how best to implement these topic areas as training topics.

In looking at the requirements above, and knowing the diversity in background, skills and abilities of an international student, it is instantly obvious that some in the audience will be exposed for the first time to these terms and concepts. This makes this community more vulnerable throughout the educational process at even the most basic level of not fully understanding some of the terms, the nuisances of the English language and culture only exasperating the challenge.

For educating international students, it is important to remember that for many their home country may have much more open, or restrictive, laws on alcohol. As programs are designed additional points to take into consideration are relationships citizens have with law enforcement and general cultural, or societal, stances of intervention.

¹⁸⁹ United States Department of Education, Office for Civil Rights, *Questions And Answers On Title IX And Sexual Violence* (Washington, D.C.: United States Department of Education, Office for Civil Rights, 2014) 41.

Kirby, in *Emerging Answers*, speaks towards the best practices for implementing the curriculum, which range from securing appropriate support, selecting appropriate educators, recruiting the students to educate, and implementing all activities with reasonable fidelity.¹⁹⁰

They also found that the activities and teaching methods,

Created a safe and social environment for young people to participate; included multiple activities to change each of the targeted risk and protective factors; employed instructionally sound teaching methods that actively involved participants, that helped them personalize the information, and that were designed to change the targeted risk and protective factors; employed activities, instructional methods, and behavioral messages that were appropriate to the teens' culture, developmental age and sexual experience; covered topics in a logical sequence.¹⁹¹

What Could a Program Look Like

Taking all of the source information above, there are some clear pathways for designing an implementing a quality program. As the program gets drafted, each college or university should incorporate their own identity into the education, even if simply using institutional specific names, markers, common knowledge, themes from marketing, etc. The more that the program is grounded in the specific culture, the more it will be ingrained in the student's mind. For colleges and universities that do not have a strong, independent cultural identity, they could focus on the greater society trends.

¹⁹⁰ Douglas Kirby, *Emerging Answers 2007: Research Findings On Programs To Reduce Teen Pregnancy And Sexually Transmitted Diseases*. (Washington, DC: National Campaign to Prevent Teen and Unplanned Pregnancy, 2007), 22 accessed September 15, 2016, 22 https://thenationalcampaign.org/sites/default/files/resource-primary-download/EA2007_full_0.pdf.

¹⁹¹ Ibid.

An initial focus area is the passive marketing and messaging that takes place throughout the campus. These written materials, signs, posters and other advertisement or informational posts should be inclusive of different messages.¹⁹² It is important that the messaging be varied with some that may be heavily targeting a prevention narrative, while others may be promotional in nature. The attention to developing these passive educational activities should take in to account the collective audience, and even when practical, written in a variety of languages.

We have learned that a large portion of the international education uses different terminology and these should be incorporated into both the passive and active educational processes. One prime example of this would be defining sexual coercion and sexual harassment. Where students from the United States may more easily understand the sexual harassment concepts, international students may not. The term interrelationship violence is also more heavily used in the educational offerings around the world than in the United States. Breaking down these concepts in the passive and active experiences will be important.

Passive programming should be placed on the same cycle as that of active programs, including specific and targeted messaging during the appropriate of—the—months. This

¹⁹² Researchers at the Stanford Graduate School of Business, remind us that there are times when a consumer's cultural background does impact their purchasing decisions. In her November 1, 2005 article, *When Does Culture Matter in Marketing*, Alice LaPlante reviews studies in which consumers from the United States differ from those in Asian societies when it comes to billboard and other quick messaging. The author informs that the Asian participants favored messaging that had preventative information, while the Anglo Americans favored messaging that was promotional. Therefore, it is important that the messaging be derived that inclusive of both promotional and prevention.

could include preventive education on domestic violence month in October and sexual assault in April. While it makes logical sense to update passive efforts by the national calendar and prevention efforts, there should also be targeting within certain zones of the college or university. Postings in athletic areas, international centers, arts buildings, etc., can all have different hooks to their messages that are audience appropriate.

Orientation Programs

While the requirements of the federal government are to provide educational opportunities to all incoming students and employees¹⁹³, and we should also be cognizant of building comprehensive educational offerings throughout the academic calendar, most often we will have programming integrated into new student and new employee orientation. Online modules do have a presence in these areas, and many colleges and universities employ these, with a time sensitive deadline for new members of their college or university.

For in person education of new incoming students, there should be broad programming for the whole cohort, yet it is also appropriate and recommended to add supplemental components based upon demographics. Three common subgroups to offer additional education on arrival are in the areas of athletics, international, and transfer populations.¹⁹⁴

¹⁹³ Dear Colleague Letter, April 2011 pg. 14

¹⁹⁴ It should be noted that here we will focus on primarily undergraduate populations. It makes the most sense for graduate students to be a completely separate training program that is based on the appropriateness of their program. For example,

Athletic populations can have additional components on bystander education, as well as understanding their unique roles as college and university representatives. They should also be educated and trained on their role in the recruitment process. The National Collegiate Athletic Association provides a variety of resources, including the October 2016 primer, *Sexual Violence Prevention, An Athletics Tool Kit for a Healthy and Safe Culture*. Athletes also should be reminded of the Title IX coordinator on the campus, and how best to interact with them, including understanding their ability to work independently of the often hierarchical aspects of an athletic department.

Transfer students have most likely obtained exposure to the general educational offerings around sexual and relationship violence from their prior institution. Therefore, while the basic information should be shared on the prevention, reporting and other required areas, a particular focus on the policies, services and other offerings at the current institution is important.

International education should expand upon the information that is provided to all students during the orientation process. These should include a deeper conversation on the laws of the United States, including the protections that they as students are afforded. Learning that there are resources on and off the campus for both confidential and non-confidential reporting is valuable, and that there are advocates that can assist them both in the legal and other processes.

International students should be apprised of the availability of different resources from the United States government in response to violence. These include the “U” and “T”

students in graduate medical programs should have different modules than those in business or divinity education.

visas that were described in a previous chapter. Another area of importance is that these students should be informed of the complexity and roles of advocates, non—profit agencies and law enforcement. If coming from a country where great mistrust exists with law enforcement, these on and off campus professionals may be a new, and welcomed, resource to students.

International students should be instructed on the availability of interim measures that they could obtain from the college or university. A reminder that coordination between international services and other departments exist, especially of the interim measure would possibly interfere with their visa status. There are remedies that often go unexplored, as there is lack of correct knowledge.

Colleges and universities should work to ensure that the information provided in regards to Title IX should be easily understood to students who are not native English speakers. Forms, policies, processes and other information should be easily understood no matter the native language.¹⁹⁵

Orientation leaders for International students should be diverse. Often there may be issues of respect and hierarchy within a culture. By offering a variety of student leaders from throughout the world, new international students will gain exposure to other student resources outside of their own country, or region, of origin.

Definitions, not only in the policy, but also those that are broad, should be reviewed with the international students with greater detail. Making correlations between

¹⁹⁵ The State University of New York system has the most advanced information for students, broken down into over a hundred languages. These resources are open and adaptable to other colleges and universities, and practioners are encouraged to reach out to the SUNY Title IX office so they can employ these resources on their own campus.

home cultures and the United States will be important, for example the United States definition of sexual harassment versus a global definition of coercion. Domestic and dating violence differences should also be explained, as the role of men and women are equal under law in the United States.

It is also needed to recognize that there are similarities between the domestic United States students and their international counterparts. One main area is that those students within the traditional college aged populations are similar in their recognition that acts of sexual and relationship violence are abhorrent and that this is a societal ill which can be addressed fully. The usage of social media in China, India, and South Korea, as well as other countries, has opened up a dialogue that may not have existed before. Another similarity is the rate of those who have been victims of sexual and relationship violence, as numbers throughout the globe are similar to those that are experienced in the United States and at colleges and universities.

On—going Education

A key to the on—going education is that it is recommended to be peer driven. Much of the information that is developed by the professional staff and faculty of the college or university will be better received if a student peer presents it. This will help to ensure that the dialogue between student and student is valued, as well as increasing the student to professional dialogue through identified student leaders. Peer educators are also often excellent bridge builders from students to staff and faculty.

The utilization of programming throughout the academic year should include a variety of modalities. While a lecture may be most appropriate in some venues, the use of

entertainment in infusing the educational components is key. These can come in the form of movie-discussions, to performed plays and skits, to coffee houses and poetry or take by the night marches, denim days¹⁹⁶, etc.

There will be times when a programmer and educator will become discouraged, based upon audience size, failed delivery or lack of enthusiasm around their topic.

Recognize that these valleys will exist, but that change will take place in individual students or the campus at large, even if not it is not evident at first. Know that the work that you are doing is admirable and that even through incremental steps, awareness will become enlightenment.

¹⁹⁶ Denim day is an international program in which education on rape and sexual assault occurs throughout the world. The campaign was begun after the Italian Supreme Court overturned a conviction and ruled that a woman could not have been raped as her jeans were too tight and she must have assisted her assailant in removing them. Throughout the world people wore denim as a way to support survivors and educate others on sexual violence.

CONCLUSION

As one looks to implement the required prevention and education component of Title 9 programs found in the guidance of the Violence Against Women Act¹⁹⁷, Department of Education Office of Civil Rights Dear Colleague Letters¹⁹⁸, Campus Sexual Violence Elimination Act¹⁹⁹ and the Clery Act²⁰⁰, they should be cognizant of the message development and sharing especially for the international student population. It is clear that programs should reflect the college and university's values as well as describe the campus climate.

The review of data shows that there is a significant health and safety crisis that is caused by sexual and relationship violence, which is disproportionately experienced by girls and women²⁰¹. While this violence may manifest itself differently in each separate incident, there are clear and recognizable patterns that are seen. Each world region or country may have differing factors that impact the victims and society at large, but there

¹⁹⁷ American Council on Education, *New Requirements Imposed By The Violence Against Women Reauthorization Act* (Washington, DC: American Council on Education, 2014), accessed August 9, 2015, <http://www.acenet.edu/news-room/Documents/VAWA-Summary.pdf>.

¹⁹⁸ U.S. Department of Education, Office for Civil Rights, *Dear Colleague Letter: Sexual Violence* (Washington, D.C.: U.S. Department of Education, Office for Civil Rights, 2011).

¹⁹⁹ S. Daniel Carter, "Campus Save Act," *Jeanne Clery Act*, last modified 2013, accessed February 5, 2017, <http://www.cleryact.info/campus-save-act.html>.

²⁰⁰ U.S. Department of Education, Office of Postsecondary Education, *The Handbook For Campus Safety And Security Reporting, 2016 Edition* (Washington, D.C.: U.S. Department of Education, Office of Postsecondary Education, 2016), accessed November 7, 2016, <https://www2.ed.gov/admins/lead/safety/handbook.pdf>.

²⁰¹ National Sexual Violence Resource Center, *Sexual Violence And Health: Research Brief* (Atlanta: Center for Disease Control, 2012), accessed February 3, 2017, 47-48. http://www.nsvrc.org/sites/default/files/publications_nsvrc_researchbrief_health-sexual-violence.pdf.

are clear signs that sexual and relationship violence have a significant impact on the health, wealth and well-being of those who experience it.

While the percentages may vary, the vast majority of sexual and relationship violence is perpetrated by someone who is known to the victim, and a stranger perpetrates a much smaller percentage of assaults. This also holds true for victims of violence on a college campus. It is most common that the victim is either in a relationship, a friendship or new acquaintance as opposed to an unknown individual. On a campus, alcohol has often been seen as a contributing factor, but unless utilized as a facilitating act, alcohol is never tied into causation.

This dissertation has shown that data sets are often difficult to compare, as there is neither a national, collegiate or international norm for assessment and assessment question development. Globally, the World Health Organization has conducted assessments that bring some cohesion to data by region, yet there are also some definition challenges dependent upon the survey used²⁰².

Many college and university campuses have conducted sexual and relationship violence climate surveys within the last five years. This data is capturing a significantly more valid rate of committed acts of violence for each institution. These assessments will help to clarify the actual numbers of sexual and relationship acts of violence, as well as their severity. Hopefully, this new collection of data will begin to address any

²⁰² To read the World Health Organization study, you can do so at, World Health Organization, *Global And Regional Estimates Of Violence Against Women: Prevalence And Health Effects Of Intimate Partner Violence And Non-Partner Sexual Violence* (Geneva: World Health Organization, 2013), accessed October 14, 2016, http://apps.who.int/iris/bitstream/10665/85239/1/9789241564625_eng.pdf?ua=1.

misconceptions regarding the data, as well as making the problem of violence seem more real and understandable to the campus community.

Understanding the impact that is experienced on the campus is invaluable for prevention and educational efforts, as well as policy development and response. While it is extremely difficult to develop a true national prevalence percentage, in large part do to assessments varying in the definition of sexual assault, these campus snapshots will point to the health and safety crisis that exist within the United States, as well as on each campus.

The Bureau of Justice Statistics and researchers throughout the United States have worked to develop some standards in assessing the prevalence and impact of sexual and dating violence²⁰³. Clearly a campus leader in this arena is Rutgers University in New Jersey, as their researchers have been aggressive in not only evaluating their campus climate, but also their assessment tool. It is of great importance for each independent college and university researcher to ensure that their efforts at data collection allow for the accuracy. The development of definitions and questions is a necessary first step. If questions are asked at a level that is overly broad, it will skew data. As was seen with the “1 in 4”²⁰⁴ and “1 in 5”²⁰⁵ data, even the researchers responsible for those studies argued that their data is not representative throughout the higher education industry.

²⁰³ To look at the criteria and standards that were developed by Krebs, et al., you can read Christopher Krebs et al., *Campus Climate Survey Validation Study Final Technical Report* (Washington, DC: RTI International, 2016), accessed November 17, 2016, <https://www.bjs.gov/content/pub/pdf/ccsvsfr.pdf>.

²⁰⁴ The “1 in 4” number was generated by Christopher P. Krebs et al., *The Campus Sexual Assault (CSA) Study* (Washington, D.C: RTI International, 2007), accessed July 19, 2016, <https://www.ncjrs.gov/pdffiles1/nij/grants/221153.pdf>.

Data should be benchmarked and evaluated, but compared appropriately. To infer that twenty—five percent of women are raped based on the “1 in 4” number is grossly inaccurate, as that number counts those that may have experienced other unwanted and nonconsensual contact. While it is not appropriate to kiss or touch someone without his or her consent, it is not comparable to nonconsensual penetration. Often, an uninformed person will state that these numbers are the same, even as data shows that women experience nonconsensual penetration at a significantly lower level than the “1 in 4” number.

Another area that the “1 in 4” rate is significant is when examining the teenage pregnancy rate within the United States. Douglas Kirby’s work, *Emerging Answers*, shows that the more than thirty percent of girls and women in the United States will become pregnant prior to their twentieth birthday²⁰⁶. This continues to show that general sexuality training should also be included at the collegiate level.

To appropriately educate it’s students, the college or university must utilize their own data garnered from the campus climate survey. While all should work to end the scourge of sexual and relationship violence, the numbers that matter for each campus are the ones that reflect their community and student population. As previously seen in the

²⁰⁵ The “1 in 5” number was reported in “AAU Climate Survey On Sexual Assault And Sexual Misconduct (2015) | Association Of American Universities,” *Aau.Edu*, last modified 2017, accessed October 9, 2016, <https://www.aau.edu/key-issues/aau-climate-survey-sexual-assault-and-sexual-misconduct-2015?id=16525>.

²⁰⁶ Douglas Kirby, *Emerging Answers 2007: Research Findings On Programs To Reduce Teen Pregnancy And Sexually Transmitted Diseases*. (Washington, DC: National Campaign to Prevent Teen and Unplanned Pregnancy, 2007), accessed September 15, 2016, 12. https://thenationalcampaign.org/sites/default/files/resource-primary-download/EA2007_full_0.pdf.

Association of American Universities Climate Survey on Sexual Assault and Sexual Misconduct in 2015²⁰⁷, there is a wide range of experienced nonconsensual penetration. By reporting the results of the specific campus, the college or university will be better able to work with their constituents to impact their culture and institute significant change.

The information that was found on sexuality education is also alarming, not only in the greater global community, but also within the United States. Colleges and universities have been given an unfair task of singlehandedly working to end sexual and relationship violence. The examination of sexuality education within the United States has shown that only twenty—eight states educate on sexual misconduct²⁰⁸. To further compound this, often the states that do educate their primary and secondary aged students do so from a limited risk—reduction framework. While it is important to educate those on reducing risk, rarely is the message that assaulting another is both illegal, and morally and ethically wrong, shared with this audience. We must add this simple message to our elementary and secondary school sexuality education programs.

We have also seen that the United States has spent hundreds of millions of dollars educating students in an abstinence only education model. Researches have identified abstinence only education as not being effective in changing onset of sexual activity or

²⁰⁷ David Cantor et al., *Report On The AAU Campus Climate Survey On Sexual Assault And Sexual Misconduct* (Rockville, MD: Westat, 2015), accessed October 11, 2016, xiv.

https://www.aau.edu/sites/default/files/%40%20Files/Climate%20Survey/AAU_Campus_Climate_Survey_12_14_15.pdf.

²⁰⁸ "Sex And HIV Education," *Guttmacher.Org*, last modified 2017, accessed March 4, 2017, <https://www.guttmacher.org/print/state-policy/explore/sex-and-hiv-education>.

reducing sexually transmitted infections or pregnancy and recommend utilizing a comprehensive, evidence based educational approach²⁰⁹. Likewise, the World Health Organization and United Nations agencies have developed education efforts based upon the comprehensive, evidence based educational curricula. It is clear that experts agree it is important to educate students comprehensively, including abstinence. The education programs must also go beyond simply disease and pregnancy prevention and focus on reducing sexual and relationship violence.

International students are an important subsection of the higher education marketplace in the United States, with over a million students attending colleges or universities in 2015. While the diversity of these students truly spans the globe, China, India, Saudi Arabia and South Korea students comprise sixty percent of all internationals in attendance.²¹⁰ Just as was advised for educating on the specific campuses climate data, colleges and universities should know the demographics of their institution and delve into each countries educational beliefs and cultural standards. It should also be remembered that each independent country often has internal regional differences, so while many generalizations may be accurate, they should not be believed to be all inclusive of each person's experience.

²⁰⁹ United States House of Representatives Committee on Government Reform - Minority Staff Special Investigations Division, *The Content Of Federally Funded Abstinence-Only Education Programs* (Washington, DC: United States House of Representatives, 2004).

²¹⁰ "All Places Of Origin," *Iie.Org*, last modified 2016, accessed February 13, 2017, <https://www.iie.org/Research-and-Insights/Open-Doors/Data/International-Students/All-Places-of-Origin>.

There are successful tools already on the Title 9 marketplace for implementing a broad education that can be easily added to any campus. Yet, greater success will occur if the program and education are tailored to each specific campus. International students should be educated in a more individual and direct way than that of their domestic counterparts.

In order to educate the international students, a clear plan should be developed. Assessing the community members, their needs, country of origin, language abilities and other general areas will assist the group working to build the education program, implement a substantive and quality program. A quality program should include a primer on United States laws, state and local laws and campus policies. Resources for both on and off campus should be explained, especially those that may be established for greater assistance, e.g. advocates.

Training of international students should not be conducted in the same format as those of their domestic counterparts. Conducting the training in an environment that is more intimate in size will be conducive for learning, and peer—to—peer training is invaluable. Keeping abreast of emerging trends in the student's home country can also assist in developing a more rounded curriculum, as relating to things from home is beneficial for connections.

This author hopes to continue to research and work with international populations to develop campus specific education and activities. The richness that all of our students, as well as, those coming from abroad, bring to our campus is immense. As educators it will benefit all on our campus to have a more complete engagement. Developing a

culture that is open and welcoming will begin to build bridges for our students so that there is a greater comfort when they would need to reach out in times of crisis.

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