A CASE STUDY OF ONE STUDENT GENDER-BASED VIOLENCE SURVIVOR'S EXPERIENCES FOLLOWING DISCULOSURE TO A RESPONSIBLE EMPLOYEE

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A Case Study of One Student Gender-Based Violence Survivor's Experiences Following Disclosure to a Responsible Employee

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ABSTRACT

Sexual violence is a major public health concern, which affects college-aged individuals and college-going students at particularly high rates (Fedina et al., 2018; Fisher et al., 2000; Krebs et al., 2007; Morgan & Oudekerk, 2019). Institutions of higher education are required by federal regulation to address sexual violence on college campuses through effective policies and practices; these include Responsible Employee (RE) policies, which require specific employees to report sexual violence perpetrated by or against students at that institution (Ali, 2011; U.S. Dept. of Education, 2001; Final Rule, 2020). No prior research has explored the consequences of RE policies for student survivors, and as such, institutions are required to implement RE policies that directly affect survivors without the benefit of research or systematic inquiry about the outcomes of those policies for survivors. This case study sought to explore the experiences of a student survivor following disclosure to a Responsible Employee, centering the survivor's beliefs, opinions, and perspectives regarding policy outcomes. Findings outline the most salient and impactful aspects of the post-report experience, as described by the student survivor and supported by triangulating data. These include the importance of survivor agency; institutional Title IX procedures; interpersonal interactions with personal and institutional support; environmental and community context; and the power of resilience. By using a conceptual framework grounded in policy analysis, the findings of this study are intended to contribute to effective assessment and implementation of policies and related practices on college campuses. Specific considerations for translation to practice by institutional practitioners are provided.

Keywords: college or university, sexual violence, responsible employee, policy analysis

To “Megan,” whose resilience and fortitude inspire me to give back as well

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Chapter 1: A Case Study of One Student Gender-Based Violence Survivor's Experiences Following Disclosure to a Responsible Employee

Sexual violence is a public health problem that plagues young people, particularly people between the ages of 18 and 24 (Sinozech & Langton, 2014), and college[1] students (Cantor et al., 2015; Conley et al., 2017; Krebs et al., 2007). The problem of sexual violence on college campuses specifically has garnered widespread attention in recent decades—in popular media, academic research, advocacy circles, law, and policy. The attention is well-warranted: it has been estimated that one in every four to five college women has been sexually assaulted while in college (Muehlenhard et al., 2017), and an emerging body of research indicates that many college men are also experiencing sexual violence (e.g., Budd et al., 2017). Further, already-minoritized students such as transgender, genderqueer, and gender non-conforming (TGQN) students are at an even higher risk for experiencing sexual violence (Cantor et al., 2015). Many researchers (e.g., Fedina et al., 2018 or Fisher et al., 2000) estimate that sexual violence is under-reported, and that the numbers of students who experience violence each year may be even higher than the already staggering numbers reported frequently in research and popular media. As the White House's 2014 Not Alone Report succinctly stated, "For too many of our nation's young people, college doesn't turn out the way it's supposed to" because they are subjected to sexual violence, often within the first two years of attendance (p. 6).

Lawmakers and policymakers in the federal government have created law and regulatory guidance with the intent of holding colleges and universities accountable for effective response to (and prevention of) sexual violence on college campuses. These legal requirements and

1 For the purposes of this Capstone, the terms "college" and "university" are used interchangeably to refer to any institution of post-secondary or higher education

recommendations have expanded and evolved rapidly in the last two decades, spawning an entire area of practice in higher education, and countless institutional policies and practices meant to implement federal requirements. Yet very little research has investigated their impact, particularly from the perspectives of student survivors. Without this critical insight, the ongoing development, analysis, and implementation of both federal and institutional laws, policies, and practices is incomplete and insufficient. America's college students deserve the opportunity for meaningful participation in the laws, policies, and practices which are designed to address and redress sexual violence. This study is intended to provide that opportunity, by deeply investigating the experiences of a student survivor who has interacted directly with sexual violence response policies and practices on a college campus.

Law & Policy Landscape

The federal government—primarily via the U.S. Department of Education (DOE)—has issued both law and regulatory guidance which requires colleges and universities to respond to and prevent its occurrence. Much of this guidance falls under Title IX of the Educational Amendments of 1972 ("Title IX"), which states that, "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance" (Title IX, 1972). The full statute is just 37 words in total, and merely outlines the broad charge that individuals be given equal access to education, regardless of sex or gender identity. As such, specific interpretation of the statute's intent and the means by which schools must implement this charge must be found outside of the statute itself. It is thus through subsequent court cases and regulatory guidance that the statute has been interpreted to include sexual violence and harassment as forms of discrimination. This interpretation has also outlined the

specific requirements and recommendations that colleges and universities must follow to prevent sex-based discrimination in the form of sexual violence.

Title IX is enacted via non-legislative rules, also referred to broadly as "guidance" (Anthony, 1992). This guidance takes many forms, but the most common forms utilized to interpret Title IX include rules, policy statements, Dear Colleague Letters, question and answer documents, and guidelines. Guidance is developed outside of formal laws published in the federal register, but still holds power to direct the actions of institutional policymakers and leaders. Additionally, because guidance is developed and issued outside of statutes and laws, it is subject to change more rapidly and dramatically than rules issued through the formal law-making process (Anthony, 1992; Parillo, 2017). This rapid and dramatic change can be seen over the course of the past two decades, as guidance expanded then changed course under the leadership of multiple presidential administrations. Guidance issued under the Obama administration has very different tenor and content than guidance issued under the subsequent Trump administration, and the Biden administration subsequently announced plans to review potential changes to Title IX guidance again just a few months after inauguration (Murakami, 2021).

The U.S. Department of Education (DOE) has been issuing Title IX guidance for decades; it was during the Obama presidential administration, however, that Title IX guidance—particularly with regard to sexual harassment, sexual violence, and gender identity—truly proliferated. Obama-era guidance has been delivered in the form of guidance statements (e.g., U.S. Dept. of Education, 2001), Dear Colleague Letters (Ali, 2011; Lhamon & Gupta, 2014), reference documents (e.g., U.S. Dept. of Education, 2011), question and answer documents (e.g., Lahmon, 2014 or U.S. Dept. of Education, 2017), and checklists (US Dept. of Justice, 2014)

issued by the DOE, as well as the Department of Justice (DOJ) and a specialized White House Task force in 2014. Later, during the Trump administration, the DOE rescinded much of that regulatory framework (Jackson, 2017), and re-issued new regulatory guidance in August 2020 via the Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance Final Rule, or "Final Rule" (2020). Past and current guidance spans all manner of general and specific topics related to sexual violence such as definitions, prevention programming, reporting obligations, adjudication standards, or access to support services.

Responsible Employee Policies as a Response to Sexual Violence

One specific aspect of institutional response that has been outlined in guidance is the requirement that institutions designate and train "Responsible Employees", or

> "any employee who has the authority to take action to redress the harassment, who has the duty to report to appropriate school officials sexual harassment or any other misconduct by students or employees, or an individual who a student could reasonably believe has this authority or responsibility" (U.S. Dept. of Education, 2001, p. 13).

Per this guidance, all colleges and universities must designate and train the Responsible Employees on their campuses to report sexual violence, as outlined in their individual institutional policies and procedures. Wide-reaching Responsible Employee (RE) policies—policies which designate *most* university personnel as Responsible Employees—have increased in their number and scope over the past two decades (Holland et al., 2018; Weiner, 2017). Holland, Cortina, and Freyd's 2018 analysis of campus policies found that 69% of institutions made all employees Responsible Employees, and another 19% of institutions designated nearly all employees as Responsible Employees. According to the authors, "[T]hese findings suggest

that the great majority of U.S. colleges and universities—regardless of size or public vs. private nature—have developed policies designating most if not all employees (including faculty, staff, and student employees) as mandatory reporters of sexual assault" (Holland et al., 2018, p. 10).

Typically, institutional RE policies direct Responsible Employees to report disclosures of sexual violence to the Title IX Coordinator either directly or via a public reporting system (Weiner, 2017). Following a report to the Title IX Coordinator, the Coordinator must then provide information about resources and support to the survivor and must determine whether the institution should pursue adjudicatory action against the perpetrator of sexual violence. The exact steps and process by which these steps occur vary from one institution to the next and are governed by other areas of regulatory guidance. Responsible Employees must report to the Title IX Coordinator regardless of whether the student that experienced sexual misconduct wishes to make a report, as there is no carve-out in regulatory guidance that allows Responsible Employees to *not* report based on survivors' preferences or wishes (Jackson, 2017; Weiner, 2017).

Compelled disclosure in schools, and on college campuses in particular, has been incorporated as a regulatory requirement for multiple pieces of federal safety legislation, including not only Title IX, but also the Clery Act, which imposes requirements on colleges and universities to prevent, report, and investigate sex-based offenses that occur on or near campuses (Clery Act, 1990). Proponents of compelled disclosure requirements and policies "assert that [they] will increase reports—enabling universities to investigate and remedy more cases of sexual assault—and will benefit sexual assault survivors, university employees, and the institution" (Holland et al., 2018, p. 256). The concept of compulsory reporting on behalf of another person originated with Mandatory Reporting (MR) laws; these laws require designated individuals (such as medical providers or school personnel) to report incidents of abuse

perpetrated against vulnerable populations such as children, elders or domestic violence victims (Mancini et al., 2016; Rosenthal, 2017; Weiss & Lasky, 2017). MR laws are grounded in the notion that these individuals are unable to protect themselves and must be protected via reports to authority figures (Holland et al., 2018). While this concept translates well to RE policy requirements in primary and secondary school settings where school administrators continue to act *in loco parentis* (Final Rule, 2020), students in post-secondary institutions are much less likely to be legal minors, or physically or developmentally unable to report for themselves. Herein lies a mismatch between the underlying basis of compulsory reporting RE policies, and student survivors' ability to report for themselves.

The Title IX regulatory requirement for designation and training of Responsible Employees at all institutions was first outlined in the 2001 Revised Sexual Harassment Guidance (U.S. Dept. of Education), and later reemphasized and defined in additional guidance documents. For example, a 2014 Q&A document provided significant technical and practical guidance for colleges and universities, such as defining who must serve as a Responsible Employee; clarifying what information Responsible Employees must report; describing what Responsible Employees should tell students who disclose sexual violence; and providing guidance specifically on student Resident Advisors' (RAs) obligations as designated Responsible Employees (Lahmon, 2014). More recently, the 2020 Final Rule provided significant additional (and, in some cases, different) direction regarding who must report as a Responsible Employee[2]. Under the 2020 rules, policy makers at colleges and universities "decide which of their employees must, may, or must only

[2] Guidance provided in the 2020 Final Rule moved away from use of the term "Responsible Employee," as clearly stated on page 49: "Rather than using the phrase "responsible employees," these final regulations describe the pool of employees to whom notice triggers the recipient's response obligations." However, for the purpose of this study and Capstone report, I will continue to use the term "Responsible Employee" (or "RE") to describe these individuals and policies, in order to maintain clarity, consistency, and coherence throughout discussions of these regulatory requirements

with a student's consent, report sexual harassment to the recipient's Title IX Coordinator," which according to the rule, "respects the autonomy of a complainant in a postsecondary institution better than the responsible employee rubric [previously outlined in DOE guidance]" (Final Rule, 2020, p. 53). The most recent DOE guidance regarding reporting intentionally creates opportunity for institutions to define who is designated as a Responsible Employee, and other aspects of RE policies remain flexible as well, such as the timeframe within which Responsible Employees must report, the mechanisms for reporting, the specific ways that the school responds following a report, and others.

RE policy guidance has shifted significantly over just the few years between the 2014 Q&A (Lahmon) and the 2020 Final Rule guidance documents. RE policy guidance may continue to shift in its scope and specific direction in the future, particularly as the current presidential administration reexamines the rules issued in 2020. Thus, schools must not only interpret current guidance, but also anticipate future changes. In short, guidance regarding RE policies, "has been, and continues to be, confusing" (Weiner, 2017, p. 74). It is in this landscape that colleges and universities must develop and implement their own institutional RE policies, by outlining specifically who must serve as an RE, how those individuals will be identified and trained, when and how REs must report, and what steps the institution will take immediately following each report from an RE.

Law and Policy Without Critical Input from Survivors

RE policies affect institutions, institutional leaders, and individual employees, by placing onus on these institutions and individuals to address sexual violence. Most importantly, however, RE policies also affect the student survivors whose experiences and stories are shared each time that a report is made to the Title IX Coordinator. As previously noted, Responsible

Employees must report disclosures of sexual violence to the Title IX Coordinator regardless of whether the student survivor chooses or wishes to make this formal report (Jackson, 2017; Weiner, 2017). While the specific steps that occur after that report will vary widely based on institutional practices, each institution—via their institutional policies and practices—*must* respond, and cannot fail to take *some* action, even in cases where the student does not want to do so. In some cases, this action may simply encompass outreach and offers of supportive resources to the student survivor; in others, this action may go up to and include disciplinary action against the perpetrator of the violence (Final Rule, 2020). In all cases, the specific action that the Title IX Coordinator takes will be driven by institutional policy, which is in turn driven by federal regulatory guidance. As described above, this guidance has been developed over the past two decades and continues to be subject to change. As RE policy guidance is either affirmed or amended in the future, and as institutions attempt to enact these shifting policy requirements, policymakers will necessarily utilize input and feedback in the ongoing policy analysis process (Gill & Saunders, 1992; Weimer & Vining, 2017).

The mutable nature of guidance means that the process of developing, assessing, and analyzing these policies is rife with opportunity for ongoing input, and it is critically important that student survivors then have the ability to provide input and feedback into the RE policy development process, both at the federal and institutional levels. Policy analysis is the systematic review of policy, for the purpose of providing feedback to decision-makers with authority to amend, change, or implement policy (Gill & Saunders, 1992; Weimer & Vining, 2017). Critical Policy Analysis (CPA) specifically provides this feedback through a critical lens, by centering and elevating the perspectives of otherwise underrepresented individuals and communities (Diem et al., 2014; Young, 1999). Additionally, Policy Design Theory (PDT)

emphasizes the importance of feed-forward effects, or policy outcomes for the recipients of policy benefits and burdens when conducting policy analysis (Schneider & Ingram, 1997; Schneider & Sidney, 2009). By conceptualizing the insight that student survivors can offer through a policy analysis lens—specifically, the lenses of CPA and PDT feed-forward effects—we can create a meaningful opportunity for survivor engagement and participation in future policy and practice.

According to the 2020 Final Rule, the purpose of the final regulations regarding reporting is to "ensure that students at postsecondary institutions, as well as employees…have clear reporting channels…for reporting sexual harassment in order to trigger the postsecondary institution's response obligations" (Final Rule, 2020, p. 64). While the DOE has indicated that they wish to develop guidance and encourage policy which balances many institutional and individual interests (Final Rule, 2020), attitudes and opinions about RE policy requirements vary widely. Proponents of RE policies believe that these policies increase accountability for institutions, hold perpetrators responsible for committing violence, and ensure the provision of support for survivors (Portnoy & Anderson, 2015; Rosenthal, 2017; Weiner, 2017; Weiss & Lasky, 2017). These proponents "assert that it will increase reports—enabling universities to investigate and remedy more cases of sexual assault—and will benefit sexual assault survivors, university employees, and the institution" (Holland et al., 2018, p. 256). At the same time, critics of these policies believe that they reduce survivors' autonomy, protect institutions over survivors, and retraumatize survivors (Bidwell, 2015; Deamicis, 2013; Flaherty, 2015; Portnoy & Anderson, 2015; Weiner, 2017). Survivors in particular express fears about negative personal, social, and academic effects that they may experience after reporting, and research has shown that survivors often choose not to report to law enforcement or campus administrators because of

these concerns (Fisher et al., 2000; Fisher et al., 2003; Sable et al., 2006; Sinozich & Langton, 2014).

Though opinions about reporting and RE policies abound, very little research has addressed RE policies directly, and the initial research that has been conducted is quantitative and positivist in nature. Researchers such as Mancini et al. (2016) have begun to explore perceptions and opinions of reporting policies, though this emerging area of research is general in its scope and does not delineate between the beliefs and opinions of the entire community from those of survivors specifically. Additionally, researchers like Holland et al. (2018) have explored the technical aspects of RE policy implementation on college campuses, providing a narrower subset of focused research (e.g., Richards, 2019) regarding the implementation of Title IX regulatory requirements on campuses. Taken together, this literature can help us begin to understand how RE policies are being implemented, and how campus communities might perceive those policies and their outcomes. However, they cannot help us understand the actual consequences of RE policies for survivors who report. Further, none of this research takes a constructivist approach to understanding RE policies from the critically important perspective of the survivors themselves.

Various areas of adjacent literature describe survivors' opinions or experiences of reporting sexual violence, though this literature does not speak directly to survivors' experiences following disclosure to REs specifically. For example, researchers have investigated the perceptions of survivors about mandatory reporting in the medical setting (Rodriguez et al., 1999; Rodriguez et al., 2001), or survivors' perceptions about reporting to police (Fisher et al., 2000; Fisher et al., 2003; Sable et al., 2006; Sinozech & Langton, 2014). None of this research has investigated perceptions or experiences regarding reports to university officials specifically,

and thus cannot speak to the outcomes of RE policies or Title IX policies more broadly. Finally, researchers such as Weiss & Lasky (2017) have interviewed survivors (who did not report) about their theoretical opinions reporting to university officials, though these opinions were not based on actual reporting experiences. These areas of adjacent literature can help us to understand why survivors might not want to report (either to campus officials or to other officials), or the experiences that survivors may have had following a report in a similar, but different, context. However, we cannot learn about whether or how these experiences or opinions translate to reporting in the RE policy context without specifically investigating survivors' experiences following disclosure to a Responsible Employee.

Based on the opinions of RE policy critics, as well as available research in adjacent areas, we can hypothesize that there *may* be serious negative outcomes for survivors following a compelled report. At the same time, we can use that same body of literature to hypothesize that there may also be significant positive outcomes for survivors following a compelled report. At present, we can piece together ideas about the possible outcomes and impact of RE policies for survivors, but these ideas would be suppositions based on popular opinion and adjacent research. Given the potential impact that RE policies may have for survivors, they should have meaningful opportunity to provide feedback about these policies. Further, this vital perspective would provide critical feedback and insight back into the policy analysis process at both the governmental and institutional levels, creating the potential for better informed policy and practice in the future.

Problem Statement

Sexual violence survivors on college campuses may be deeply affected by RE policies, because the formal reports compelled by RE policies result in direct institutional engagement

with survivors about the sexual violence that they experienced, sometimes against their will or express wishes. However, no research to date has explored these student survivors' experiences following disclosures to Responsible Employees, to examine whether or in what ways RE policies may impact them. This creates a conundrum for policymakers, campus administrators, and student survivors alike: institutions are mandated to create and implement RE policies on their campuses, but these policies have been developed and implemented without the benefit of insight from those individuals who may be most deeply affected. Student survivors of sexual violence should be centered in the development and implementation of RE policy requirements, but their perspectives and experiences have up to this point been unsolicited, unheard or ignored in that process. Just as this situation creates a significant problem for current policy and practice, it also creates an opportunity for increased meaningful feedback for future policy and practice. The landscape of Title IX regulatory guidance continues to change, and by making more information about survivors experiences available, that information may then be folded into the policy analysis process in the future.

Research Questions

This study was designed to answer the following research question: What were the student survivor's experiences following disclosure of gender-based violence to a Responsible Employee? More specifically, this study will investigate the following sub-questions:

- What were the student survivor's experiences of *institutional response* following disclosure of gender-based violence to a Responsible Employee?
- What were the student survivor's *personal and interpersonal* experiences (e.g., emotional and psychological, behavioral, relationships with peers and personal support networks) following disclosure of gender-based violence to a Responsible Employee?

Purpose Statement

The purpose of this study is to learn more about the experiences and perspectives of student survivors who disclosed to Responsible Employees, as a means to provide critical input and feedback for RE policy assessment and analysis. This study employed a case study methodological approach to explore a student participant's experiences, utilizing both phenomenological interviews and journal prompts with the student, as well as triangulating data from additional interviews and document analysis, as a means to elicit thick, rich data. I utilized a conceptual framework which incorporates critical perspectives on policy development and analysis to guide this study, in order to highlight and emphasize the perspectives of an essential but under-represented voice in the Title IX and RE policy landscape: student survivors. The conceptual framework, methodological design, and underlying assumptions of this study are intended to center survivors in the policy analysis process.

Chapter 2: Literature Review

The purpose of this study is to learn more about the experiences and perspectives of a student survivor who disclosed to Responsible Employees to provide critical input and feedback for RE policy assessment and analysis. As such, this literature review will provide a basis for understanding critical concepts about student survivor's experiences, as well as the structural and policy-based responses that have been designed to address sexual violence on college campuses. This literature review will also highlight significant gaps in available research which, if addressed, will contribute to the policy analysis landscape and allow for more nuanced and critical policy development and implementation in the future.

The structure of this literature review is as follows. First, this literature review will describe the conceptual framework which underlies and guides the study. Second, this literature review will provide an overview of prior research about the prevalence and scope of sexual violence on college campuses, as a basis for importance of study and attention from governmental and institutional agencies. Third, this literature review will describe the legal framework that compels colleges and universities to prevent and address sexual violence via law and policy. Fourth, this literature review will describe the history and current requirements of Responsible Employee policies on college campuses. Fifth, this literature review will summarize perspectives and opinions regarding Responsible Employee policies; this section will highlight the importance of gathering additional information to fill gaps in research. Finally, this literature review will describe the barriers to reporting sexual violence which have emerged from prior research in adjacent areas.

Conceptual Framework

The conceptual framework guiding this study draws from policy analysis theories and concepts, pulling from both the broad Critical Policy Analysis framework (Diem et al., 2014; Young, 1999), and also incorporating a component of the specific systematic Policy Development Theory (Schneider & Ingram, 1997; Schneider & Sydney, 2009). The purpose of this study was to investigate the phenomenon of survivors' experiences following disclosure to a Responsible Employee. This specific form of disclosure is important to study because the response that follows disclosure to a Responsible Employee are both mandated and guided by policy. As such, the conceptual framework for understanding and studying this phenomenon should focus on policy outcomes and must center and elevate the lived experiences of the student survivors who are directly affected by those policy outcomes.

Policy analysis is the systematic review of policy, for the purpose of providing feedback to decision-makers with authority to amend, change, or implement policy (Gill & Saunders, 1992; Weimer & Vining, 2017); policy analysis need not take a particular form, but instead should "employ whatever theoretical or methodological approach is most relevant to the issue or problem under investigation" (Codd, 1988, p. 235). While the intention of the proposed study is not to conduct policy analysis of RE policies, the proposed study is designed to contribute to the policy analysis landscape by providing new data and information regarding policy outcomes. As such, I will use a policy analysis framework as a lens to investigate the research question: What were the student survivor's experiences following disclosure of gender-based violence to a Responsible Employee?

Critical Policy Analysis

Authority and power play a critical role in the development and implementation of all policies of public interest (Stone, 2012; Pusser, 2015). RE policies have been implemented by institutional administrators at the behest of the federal government (U.S. Dept. of Education, 2011). While these policies are premised on the idea that they are supporting and responding to the needs of the disenfranchised—that is, survivors of sexual violence—there has been little inclusion of survivors' perspectives in prior research. Those with more power than survivors have developed practices and created normative responses to sexual violence on college campuses through the use of RE policies, while survivors may continue to bear the burden of any potentially unintended outcomes of those RE policies. This inequity has empowered institutions, administrators, and political actors in the process of developing and implementing RE policies, while simultaneously disempowering student survivors in that same process (Driessen, 2019; Holland, et al., 2018; Richards et al., 2017). By assessing RE policies through a critical lens, we can attend to the inequity of power inherent in the RE policy development and implementation process thus far.

Critical Policy Analysis (CPA) serves as a useful framework for approaching the study of RE policies by offering a constructivist and critical alternative to traditional policy analysis frameworks. Policy analysis has traditionally relied upon "functionalist, rational, and scientific models" of thought (Diem et al., 2014, p. 1068). According to Diem et al. (2014), the fundamental tenets of mainstream or traditional policy include the assumptions that: change or reform is a deliberate (sequential, incremental, and/or political) process that can be planned or managed; policy action is driven by logical preferences or goals; information necessary for policy decisions is "obtainable, cumulative, and capable of being expressed to others" (p. 1071); and policies or practices can be effectively evaluated such that problems can be identified and

addressed. This traditional approach to policy analysis is decidedly positivist, and this approach does little to elevate the voices and perspectives of the disempowered. Further, traditional policy analysis frameworks do little to acknowledge the non-linear and socially constructed nature of policy development and implementation (Diem et al., 2014).

Critical theoretical perspectives on policy analysis, on the other hand, allow for a constructivist approach, which in turn can influence "the way one identifies and describes policy problems, the way one researches the problem, the policy options one considers, the approach one takes to policy implementation, and the approach taken for policy evaluation" (Young, 1999, p. 275). CPA follows in this vein, as a family of policy analysis approaches through a critical lens. According to Diem et al. (2014), there are five fundamental foci of all CPA research and literature. First, CPA acknowledges the difference between "policy rhetoric and practiced reality" (p. 1072), by acknowledging the actual outcomes experienced by those affected by the policy. Second, CPA emphasizes the political and social roots of policy and how it emerged or was developed over time. Third, CPA assumes that policies result in an inequitable distribution of power, resources, and knowledge about or pertaining to implementation of the policy, which creates policy "winners" and "losers" (p. 1072). Further, CPA takes the position that policies have the ability to create or heighten social stratification through inequality and privilege. Finally, CPA emphasizes and explores the ways that non-dominant groups "resist processes of domination and oppression" (p. 1072). With these tenets as a foundation, scholars utilize CPA as a means to investigate the underlying epistemological assumptions of the policy process, to reveal and address power imbalances in the policy process, to investigate the ways that stakeholders make meaning of the policy process, and to engage in activism through research (Diem et al., 2014).

Diem et al. (2014) also noted that critical policy scholars dedicate significant attention to the "complex systems and environments in which policy is made and implemented" (p. 1073) and are more likely to use qualitative than quantitative research approaches. CPA provides a framework for exploring policies and their effects on those around them, which acknowledges and incorporates issues of equity, lived experience, and social interaction that can meaningfully affect the lived experiences of those who interact with policy outcomes. CPA has been utilized in many areas of study, and there are many different specific theories and approaches utilized by CPA scholars in their work (Diem, et al, 2014). Examples of specific critical analysis approaches that have been applied in higher education research include Intersectionality-Based Policy Analysis (e.g., Hankivsky et al., 2014), Feminist Critical Policy Analysis (e.g., Marshall, 1997; Richards et al., 2017; Shaw, 2004), or Engagement Theory (e.g., Taylor, 1997). While CPA is a valuable framework for understanding policies, it is not a single approach, so concepts from a specific systematic approach provide more structure for exploring the phenomenon of this study.

Policy Design Theory & Feed-forward Effects

Policy design theory (PDT) is a specific and systematic approach to policy analysis which serves as a useful addition to this conceptual framework. Specifically, one important aspect of policy analysis borrowed from PDT is an emphasis on understanding and incorporating policy outcomes (or, *feed-forward effects)* into meaningful understanding of a given policy. Because the purpose of this proposed study is to understand the experiences of student survivors for the purpose of meaningful policy analysis, this emphasis on policy outcomes is a useful way to incorporate those survivor experiences back into the policy analysis process.

PDT, as first conceptualized by Schneider and Ingram (1997), is a social constructionist policy analysis framework, which posits that “the characteristics of [policy] design emerge from a political and social process, and these characteristics in turn feed forward into subsequent political processes" (Schneider & Sydney, 2009, p. 105). According to Schneider and Sidney (2009), PDT highlights three components of a policy which should be analyzed: policy construction; social constructions underlying policy; and policy consequences, referred to as *feed-forward effects*. Policy construction includes the content of the policy components, such as the benefits and burdens, target populations, rules, incentives, and implementation structure (Schneider & Ingram, 1997). Social constructions refer to “an underlying understanding of the social world that place meaning-making at the center” (p. 106) and are important for not only understanding the origins of policy construction, but also for understanding the impacts of policies (Schneider & Sidney, 2009). Lastly, the policy feed-forward effects refer to the impact of the policy on those who receive policy benefits or burdens; feed-forward effects are important because the impact and outcomes of a policy inform the political landscape for future policy development (Schneider & Sidney, 2009). This feedback loop is heavily derived from the systems theory framework, wherein the outcomes of a policy then inform future iterations of the policy itself (Schneider & Sidney, 2009).

The PDT framework highlights the lack of empirical research which has addressed the feed-forward effects of RE policies, particularly for student survivors. While current literature addresses and describes the components of policy construction, and also provides insight into the social construction underlying the policies, virtually no literature exists that addresses the central policy consequences of RE policies. In other words, we have not systematically explored the feed-forward effects of RE policies for student survivors, despite the fact that these survivors

may bear the burden of policy outcomes and consequences. Policymakers, researchers, and practitioners can and should analyze and evaluate RE policies by placing emphasis on these feed-forward effects.

Traditionally, PDT has been applied primarily as an approach to understanding and analyzing large-scale democratic policies, such as incarceration policies (e.g., Schneider, 2006) or healthcare policies (e.g., Walt et al., 2008). PDT has not been widely utilized in higher education research specifically, though a few higher education researchers have utilized this framework. For example, PDT was employed by Umbricht, Fernandez, and Ortegus in their 2017 study of higher education funding policies. As these authors stated, "political science literature has been underutilized in higher education research" (p. 649) but can be particularly useful for emphasizing the meaningful unintended consequences that policies can have on target populations, and the feedback loop that should inform future policy development and implementation (Umbricht et al., 2017). Additionally, in his 2018 dissertation, Jacob Hester also utilized aspects of PDT to analyze higher education funding policies; however, Hester focused primarily on social constructions as a basis for that study. These studies have demonstrated that PDT holds promise as a complex and critical way to understand and analyze educational policy.

Integrated Conceptual Framework

The concept of feed-forward effects, borrowed from Policy Development Theory, fits well within the broader context of Critical Policy Analysis as an integrated conceptual framework for this proposed study (See Figure 1). The purpose of this study is to understand the outcomes, or feed-forward effects, that student survivors experience following disclosure of sexual violence to an institutional Responsible Employee. The five fundamental foci of CPA, and the underlying goals of investigating epistemological assumptions, power imbalances, and

effects for vulnerable populations, will guide my approach to both understanding and investigating the research question through a critical lens. Additionally, by focusing on the policy outcomes, or feed-forward effects, of RE policies for student survivors, I will narrow and focus on a single critical component of the policy process which deserves attention in research.

Prevalence

Data concerning the prevalence of sexual violence on college campuses not only underscores the importance of study of this topic, but also underlies governmental attention which has resulted in law and policy. Understanding prevalence is critical for the study of sexual violence policies and policy outcomes in particular, as these policies only exist to address the extensive occurrence of sexual violence on campuses (Fedina, Holmes, & Backes, 2015). The following section of this literature review will provide an overview of research and data regarding the prevalence of sexual victimization, particularly as it applies to college students. This literature will demonstrate that sexual violence occurs at a higher rate on college campuses than in the college-aged general population; further, the literature will illuminate the ways that students' identities and experiences may further increase the likelihood of victimization. Together, this body of literature justifies ongoing attention to the problem of sexual violence on college campuses.

As reported by the Rape, Abuse & Incest National Network (RAINN), a sexual assault is perpetrated an average of every 73 seconds in the United States, resulting in one of every six women and one in every 33 men experiencing completed or attempted rape (RAINN, n.d.). Further, according to recent data from the National Crime Victimization (NCVS), violent crimes of rape and sexual assault (defined as "completed or attempted rape, completed sexual assault with serious or minor injuries, and completed forced sexual assault without injury") increased

each year from 2016 to 2018, with a rate of 2.7 individuals per every 1000 aged 12 or older experiencing rape or sexual in the 2018 data collection year (Morgan & Oudekerk, 2019). More narrowly, according to Sinozech and Langton (2014), females between the ages of 18 and 24 had the highest rate of rape and sexual assault victimization of all age groups between 1995 and 2013. However, while sexual violence victimization occurs across the entire population and among adolescent individuals in particular, college-going students are at a particularly high risk for experiencing sexual violence.

Early research on sexual violence victimization on college campuses primarily studied the experiences of college women; this research increased in specificity over time from sexual violence experiences that college-going women had at any time point, to sexual assault experienced specifically while enrolled. Researchers such as Koss, Gidycz, and Wisniewski (1987) or Miller and Marshall (1987) studied self-reported sexual victimization by women, though Koss et al. studied all experiences of college women since the age of 14, while Miller and Marshall studied women's experiences specifically while enrolled. Koss et al. (1987) found that their sample of college women experienced victimization at 10-15 times higher rates than the general college-aged population, and Miller and Marshall found that 27% of women in that study reported experiences of nonconsensual sexual intercourse, either through physical or psychological coercion. Following these two early studies, Finley and Corty (1993) garnered a nationally representative sample to investigate instances of sexual violence which occurred specifically on college campuses, and found that between 15-18% of college women experienced sexual assault, and between 16-27% of college women submitted to sexual intercourse under psychological pressure. These early studies demonstrated rates of victimization among college

women and began to set the stage for later oft-cited statistics about the sexual victimization of college women.

Since the early 2000s, researchers have dedicated increased attention to the prevalence of sexual violence on college campuses specifically, providing not only additional volume of data, but also nuanced contemporary data that tells a richer story about prevalence among students of various communities and identities. This increased attention can be attributed, in part, to more nuanced data collected through national studies (such as Fisher, Cullen, and Turner's 2000 National College Women Sexual Victimization Study), and to the emergence of metanalyses (such as Fedina, Holmes, and Backes' 15-year review conducted in 2015).

Estimates of sexual violence victimization rates among college students vary greatly, "which is largely related to how these victimization experiences are measured and defined in studies as well as overall differences in research design and methodology" (Fedina et al., 2018). For example, in their systematic review and analysis of 34 studies of prevalence between 2000 and 2015, Fedina et al. (2018) found that prior researchers had concluded that anywhere between 0.5% and 8.4% of college women experience completed rape, and that anywhere between 1.8% and 34% of college women and between 4.8% and 31% of college men experience unwanted sexual contact during college. The authors attributed this wide inconsistency in prior findings to under-reporting, differences in research design, variance in data collection methods, inconsistency in definitions, and variance in composition of the research samples.

Despite this variance across a wide body of research, the oft-cited one-in-four or one-in-five statistics are used most commonly as a simple metric for prevalence. Fisher et al. (2000) estimated that, "over the course of a college career—which now lasts an average of 5 years—the percentage of completed or attempted rape victimization among women in higher educational

institutions might climb to between one-fifth and one-quarter" (p. 10). While simplified, this estimate generally holds true in later research (e.g., Krebs et al., 2007) and continues to serve as a useful at-a-glance number for the uninitiated (Muehlenhard et al., 2017). This statistic is also cited directly in federal regulatory guidance. One example is the opening sentence of the White House Not Alone report Executive Summary (2014), which plainly stated, "One in five women is sexually assaulted in college" (p. 3). Further, the current 2020 Final Rule (the current federal non-legislative rules framing and governing Title IX enactment, described further in the "Legal Obligations to Prevent and Address Sexual Violence on Campuses" section below) reads,

> "One in five college women experience attempted or completed sexual assault in college; some studies state one in four. One in 16 men are sexually assaulted while in college. One poll reported that 20 percent of women, and five percent of men, are sexually assaulted in college" (p. 184).

By quoting these statistics consistently in regulatory guidance documents, the U.S. Department of Education has clearly signaled their buy-in to this commonly cited prevalence rate. Further, the Department has also implied (or in some cases explicitly stated) that this rate of victimization is a motivating factor in the development and implementation of regulatory requirements.

Much of the research regarding prevalence of sexual violence focuses either primarily or entirely on the experiences of women. Indeed, research inclusive of men's and women's experiences consistently indicates that women experience sexual violence at higher rates than men, both in the general (Morgan & Oudekerk, 2019) and in college student populations (Cantor et al., 2015; Conley et al., 2017; Krebs et al., 2007). This is not to say, however, that men do not also experience sexual violence. Budd, Rocque, and Bierie (2017) found differences in the context of sexual assault experiences between men and women, including differences in

perpetrator characteristics such as the age, gender, and number of perpetrators. Further, recent studies such as the AAU Campus Climate Survey on Sexual Assault and Sexual Misconduct have begun to measure prevalence of sexual violence perpetrated against transgender, genderqueer, and gender non-conforming (TGQN) students. These studies demonstrate that TGQN students are at just as high—if not higher—risk of experiencing some forms of sexual violence, such as sexual contact involving physical force or incapacitation (Cantor et al., 2015).

Several additional demographic, experiential, and contextual factors may correlate with the likelihood that students will experience sexual violence while at college. Such factors include race and ethnicity, sexual orientation, history of trauma and victimization, personal characteristics (such as personality indicators or mental health diagnoses), use of alcohol and other drugs, or membership in certain social organizations (Conley et al., 2017; Coulter & Ranking, 2017; Fisher et al., 2000; Krebs et al., 2007). Students are at a particularly high risk for experiencing sexual violence during the first weeks of their first year—referred to as the "Red Zone" (Kimble et al., 2010). Additionally, researchers have dedicated attention to use of alcohol and other drugs (AOD) prior to incidents of sexual violence and found that many incidences of sexual violence are perpetrated while victims are under the influence of, or incapacitated by, AOD (Cantor et al., 2015; Krebs et al., 2007; Warner et al., 2017). This growing body of research indicates that—while simple statistics like one-in-four are useful and impactful—the true numbers of students of various communities and identities who experience sexual violence are much more nuanced.

While statistics and data provide a staggering picture of the prevalence of sexual violence on college campuses, we also know that research very likely does not tell the whole story. As Fisher, Cullen, and Turner (2000) and Fedina, Holmes, and Backes (2015) have pointed out,

research on sexual victimization is plagued by under-reporting, variance in data collection methods, limitations or variations in samples and survey instruments, failure to address systemic contributors to sexual violence, and failure to study the multiple ways that many individuals can be victimized. Because of these limitations, it is likely that research regarding prevalence may not provide a full picture of the extent to which college students are experiencing sexual violence while enrolled. If researchers pay increased attention to these limitations in their methodological choices, future research may yield additional data to more thoroughly demonstrate prevalence in a more complete and nuanced manner.

Regardless of variance in specific estimates of sexual violence rates, it is abundantly clear through decades of research that sexual violence is a significant public health concern on college campuses. Just as the White House Not Alone Report indicated that sexual violence occurs at incredibly high rates, the same report made clear that these numbers have prompted attention, focus, and oversight by the federal government in recent years. As the report stated, "The [Obama] Administration is committed to turning this tide…with a mandate to strengthen federal enforcement efforts and provide schools with additional tools to help combat sexual assault on their campuses" (p. 6). Such attention and efforts emerged through regulatory guidance, reports, and other guiding resources designed to enforce expectations for colleges and universities to address sexual violence.

Legal Obligations to Prevent and Address Sexual Violence on Campuses

While the staggering statistics regarding prevalence of sexual violence on college campuses suggest a moral imperative to effectively address this violence, there are also legal imperatives to do so. Colleges and universities are engaged in a complex legal relationship with their students, wrought with increasing tension and contradiction (Kaplin & Lee, 2014; Lake,

2015; Manning, 2018). Courts, regulatory action, and public opinion have made it so that institutions are guided by a complicated matrix of legal accountability and responsibility for student safety and well-being (Kaplin & Lee, 2014; Lake, 2015). These requirements are defined through legal concepts including tort liability and negligence obligations and compliance with regulatory guidance; if institutions fail to meet these requirements and obligations, they face consequences through both the courts and through federal agencies such as the Department of Education and Department of Justice. The following section of this literature review will provide a framework for understanding and applying these legal concepts in the context of Title IX and RE policies specifically, and for understanding colleges and universities' legal obligations to address campus sexual violence.

Tort Liability and Negligence

Even before the specific obligations that institutions have to prevent and address sexual violence, colleges and universities have general responsibilities to address harm or potential harm to their students under the tort law concept of negligence (Alexander & Alexander, 2017; Kaplin & Lee, 2014; Lake, 2015). A tort is "broadly defined as a civil wrong" (p. 97), and tort law requires that institutions refrain from harming or injuring individuals to whom they owe some duty of care (Kaplin & Lee, 2014). Torts are not crimes, breaches of contract, or property laws; rather, "a civil action for tort is initiated and maintained by the injured party for the purpose of obtaining compensation for an injury suffered" (Alexander & Alexander, 2017, p. 501). One is considered legally liable for negligence under tort rules when they owe a "duty of care" to another person, and when failure to fulfill that duty leads to injury (Alexander & Alexander, 2017; Dall, 2000; Massie, 2008). While strangers or acquaintances generally assume no legal duty of care, individuals or actors may enter into a "special relationship" with one

another under certain circumstances, meaning that one individual or entity has a positive duty of care for another; under this relationship, a "foreseeable risk" of harm creates a duty to take "reasonable action" to mitigate or prevent that harm (Alexander & Alexander, 2017; Dall, 2000). Restatements are written and published by the American Law Institute and are intended to "better enunciate the prevailing precedents of the myriad judicial opinions on subjects of common law such as torts…" (Alexander & Alexander, 2017, p. 17). In 2005, the Restatement (Third) of Torts Section 314A explicitly clarified that a special relationship exists between a school and its student, providing significant guidance to indicate that schools, including institutions of higher education, may have a legal duty to prevent some risk to their students' health and safety (Massie, 2008). As Lake (2015) succinctly applied this concept to the college and university environment, "in general, if someone has been inured physically by some university misconduct or omission, that person looks to the law of torts for potential remedy" (p. 68).

In addition to institutional liability for failure to meet duty of care standards and/or failure to meet federal regulatory requirements, institutions can also be liable for the behaviors of individuals within their employ under the concept of agency law. Agency law—particularly as applied to tort liability—assumes that employers at institutions must assume responsibility for the actions of their employees, so long as those employees are acting within the scope of their professional responsibilities (Kaplin & Lee, 2014). Responsible Employees who act or *fail to act* in their institutionally designated obligations would likely fall under the general concept of agency law. By failing to report known sexual violence, as is required through federal law and institutional policy, Responsible Employees effectively make the institution liable for that failure. Further, agency law principles may apply in cases where institutional employees fail to

prevent sexual violence prior to its occurrence. As agents of the institution, employees must be aware of their obligations, and how to enact them, in order to prevent institutional liability for sexual violence committed against students.

A long, complex, and at times conflicting history of state and federal court cases guide institutions in understanding where they have a duty to their students, and how to effectively meet that duty of care in order to avoid negligence liability (Dall, 2003; Lake, 2015). The courts' interpretation of this duty has also shifted over time, as American higher education has moved through varying notions of the relationship between institution and student (Dall, 2003; Lake, 2015). Duty in the area of sexual assault specifically seems to extend beyond duty in other areas of student safety duty, and six cases make up the primary body of case law in this area (Lake, 2015): *Johnson v. State of Washington* (1995), *Nero v. Kansas State University* (1993), *Stanton v. University of Maine System* (2001), *Freeman v. Busch* (2003), *L.W. v. Western Golf Association* (1999), and *Delta Tau Delta v. Johnson* (1999). These cases are rooted in prior case law which established schools' duty of care toward students under other (non-sexually based) circumstances.

Together, the findings and decisions in these cases indicate that institutions have an affirmative duty to address foreseeable harm in the form of sexual violence on college campuses for both students and other visitors, and that this harm could include both on-campus threats, as well as intruders from off-campus. However, as shown in *L.W. v. Western Golf Association* for example, this duty is not absolute in all cases, and "duty does not necessarily mean liability" (Lake, 2015, p. 157). This body of case law sets a legal precedence for institutions' obligation to address and prevent sexual violence, but regulatory guidance sets additional, more specific, legal requirements to prevent harm.

Compliance with Regulatory Guidance

Until relatively recently, student safety has been the almost sole purview of the courts (Kaplin & Lee, 2014; Lake, 2015). However, starting in the early twenty first century, regulatory action and guidance has begun to drive institutions' responsibilities in the area of sexual violence (Kaplin & Lee, 2014; Natow, 2017). Additionally, other acts such as the 2013 reauthorization of the Violence Against Women Act (VAWA) or application of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1990 (Clery Act) further bolstered the realm of legal obligations to address sexual violence on college campuses outside of tort obligations. This legal and regulatory guidance far exceeds tort-based negligence standards, by outlining a specific recipe for compliance that goes well beyond "reasonable care" as defined by the courts (Kaplin & Lee, 2014). In fact, the fact patterns of many major guiding cases in the world of tort liability application, "if presented today, would provoke major disapprobation from the Department of Education" (Lake, 2015, p. 168).

Legal directives and guidance are issued and enacted via rules by federal agencies. A rule, in this context, is “the whole or part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy or describing the organization, procedure or practice requirements of an agency" (Anthony, 1992, p. 1320). Rules regarding the ways that private individuals and institutions should or must behave are enacted either through law (legislative rules) or in the form of guidance (non-legislative rules) (Anthony, 1992; Parillo, 2017; University of Minnesota Law School, N.D.). Non-legislative rules, also referred to broadly as “guidance,” take many forms; these rules can include interpretive rules, opinion letters, policy statements, policies, program policy letters, Dear Colleague Letters, regulatory guidance letters, rule interpretations, guidelines, staff instructions,

manuals, question and answer documents, enforcement policies, and others (Anthony, 1992). Specific Title IX guidance from 2001 to present, particularly as it relates to Responsible Employee policies, is described in more detail in the next section of this literature review.

Within the grouping of non-legislative rules, two major categories are policy statements and interpretive rules. Interpretive rules do not make new law, but rather expand upon or explain existing law; these rules thus rest on the authority of the legislative rule that they interpret (Anthony, 1992). Policy statements effectively make new statements of rules but do so without the force or authority of the legislative body and rulemaking process because they do not rest on the authority of existing legislative rules (Anthony, 1992). Anthony (1992) offers a helpful simplified framework for conceptualizing the many types of rules:

> "Norms that interpret can be issued either legislatively or non-legislatively. Norms that do not interpret can also be issued either legislatively or non-legislatively. All issued legislatively…are legislative rules, whether they interpret or not. Those that are not legislative are either interpretive rules or policy statements, depending upon whether they interpret or not" (p. 1324).

The federal government, via the Office of Management and Budget (OMB), offers little definitive guidance regarding appropriate use of the non-legislative rulemaking process, though it does recommend opportunity for public feedback for significant guidance documents, and a formal notice and comment period for economically significant guidance documents (Office of Management and Budget, 2007). Despite the fact that federal agencies have many options to utilize the non-legislative rulemaking as a means to interpret or define the agencies' goals and preferences, there is little formal guidance—and conflicting interpretation—about whether, when, and how these rule-making processes should be utilized. In the context of Title IX

interpretation and subsequent enforcement, the DOE has utilized the rule-making process to impose the will of the federal agency very differently across presidential administrations in the twenty first century. While the *actual* enforceability of Obama- and Trump-era guidance may vary because of the differing means by which each was vetted in the rulemaking process, it remains to be seen whether the *perceived* enforceability and authority is meaningfully different.

Legal Remedies for Failure to Address Violence

Broadly speaking, legal remedies for violation of legal rights and obligations can include suing an institution in court; seeking enforcement through regulatory agencies; enforcement of compliance requirements through administrative mechanisms; complaints brought by federal agencies on behalf of individuals; and mediation or arbitration; available remedies in a given case depend on the source of legal responsibility (Kaplin & Lee, 2014). Individuals seeking remedies for violation of tort law negligence claims must do so through the court, for example (Alexander & Alexander, 2017), and successful suits have resulted in hundreds of thousands of dollars in damages (Richards & Kafonek, 2015), in addition to negative reputational damage.

Remedies for failure to comply with regulatory requirements, however, take a different form. Compliance with civil rights legislation in education—including Title IX—is generally enforceable because it is necessary for ongoing access to federal student financial aid dollars (Kaplin & Lee, 2014; Natow, 2017; Final Rule, 2020). Statutes delegate enforcement power to the federal agencies disbursing federal financial assistance, and authority for administering and overseeing Title IX compliance has been delegated primarily to the Department of Education, though the Department of Justice has also played a significant role in recent guidance and enforcement. Institutions who fail to comply with Title IX and its attending regulatory guidance

face action from these departments (Kaplin & Lee, 2014; Natow, 2017; Tani, 2016; U.S. Dept. of Education, n.d.).

Just as guidance and focus on the issue of sexual violence proliferated under the Obama administration, so too did enforcement: as the Chronicle of Higher Education's *Title IX Tracker* web site states, "In this era of enforcement, the government has conducted 502 investigations of colleges for possibly mishandling reports of sexual violence" (n.d.). Investigations can be extensive and can take years at a time, resulting in "a letter of findings, which the college does not see until the end of the process, and a negotiated resolution agreement detailing the policies and procedures a college must adopt or change" (The Chronicle, n.d.). Under the Trump administration, the DOE scaled back its enforcement efforts, and sought to resolve open investigations more quickly (Brown, 2017; DeSantis, 2017; Huseman & Waldman, 2017). The Biden administration has also announced plans to review potential changes to Title IX guidance again (Murakami, 2021), but has not specifically indicated what enforcement measures might be implemented for noncompliance. Regardless, ongoing fulfilment of all current Title IX regulatory requirements remains important for college campuses; institutions continue to expend incredible resources to ensure compliance (Hartocollis, 2016).

It is the responsibility of colleges and universities to address sexual violence so long as it continues to occur on their campuses. This responsibility extends from both tort law and legal liability, and from obligations outlined in Title IX regulatory guidance. Institutions are responsible both through their established policies and practices, as well as the actions (or inaction) of the individual employees acting on behalf of the institution. Failure to meet these responsibilities can result in significant legal implications, and as such, it is critical that institutions design policies and practices which align with their obligations.

Responsible Employee Policy Requirements and Obligations

Title IX is the primary law which specifically directs colleges and universities are to address and prevent sexual violence on their campuses. However, as noted in the first chapter of this proposal, the statute itself is just 37 words long. Because of its brevity, the law lacks substantive practical guidance for enactment by institutions; thus, the DOE has issued additional regulatory guidance to provide specific compliance requirements and recommendations. In addition to this guidance from federal agencies, institutions in many states are guided by state legislation which also directs response to sexual violence on college campuses, including reporting mandates (DeMatteo et al., 2015; Holland et al., 2018; Mancini et al., 2016). It is within this regulatory and legislative framework that institutions find their obligations to implement Responsible Employee policies, and direction regarding the specific components of those policies. The following section of this literature review will first describe Title IX and the evolution of regulatory guidance as it relates to Responsible Employee Policies. This section will also provide an overview of the state laws which relate to reporting sexual violence on college campuses. Finally, this section will provide a summary of available literature regarding institutions' compliance with these federal and state legal requirements. Together, current legal and regulatory requirements, obligations, and implementation form the starting point for future Responsible Employee policy analysis and potential policy change.

Title IX Responsible Employee Regulatory Guidance

The 2011 "Dear Colleague Letter" issued by the DOE is widely cited as the first significant piece of Title IX guidance to outline an expectation that institutions designate "responsible employees," or staff members who must report known or suspected sexual violence perpetrated by or against students at that institution (e.g., Mancini et al., 2016; Weiss & Lasky,

2017). As that letter states, "schools need to ensure that their employees are trained so that they know to report harassment to appropriate school officials, and so that employees with the authority to address harassment know how to respond properly" (Ali, 2011, p. 4). However, the 2001 Guidance document issued by the DOE, which was published and disseminated a full decade earlier, provides a much more extensive explanation of Responsible Employee requirements and definitions. According to the 2001 *Revised Sexual Harassment Guidance,* a Responsible Employees is an employee who "has the authority to take action to redress the harassment," or "who has the duty to report to appropriate school officials sexual harassment or any other misconduct by students or employees," or an individual "who a student could reasonably believe has this authority or responsibility" (U.S. Dept. of Education, 2001, p. 13).

Further guidance regarding responsible employees was delivered by the DOE in a 2014 follow-up document ("Q & A"), which sought to provide "technical assistance" and "additional guidance concerning [schools'] obligations under Title IX" (Lahmon, 2014, p. ii). The Q & A document reiterated the requirement that all Responsible Employees report sexual violence; further defined who must serve as a Responsible Employee; clarified what information Responsible Employees must report; described what Responsible Employees should tell students who disclose sexual violence; and provided guidance specifically on student Resident Advisors' obligations as designated Responsible Employees (Lahmon, 2014). While this Q & A document in particular provided significant guidance, schools still retained some flexibility in applying the requirements on their own campuses, particularly as they determined which specific employees would be designated as Responsible Employees.

An additional source of informal guidance on this topic has been Resolution Agreements issued by the U.S. DOE's Office of Civil Rights (OCR) in conjunction with colleges and

universities. These agreements are published as documents at the conclusion of Title IX noncompliance investigations, and they describe the OCR's findings and school's ongoing obligations and best practices regarding compliance with Title IX regulatory requirements in the future (U.S. Dept. of Education, n.d.). In particular, the 2015 University of Virginia and OCR Resolution Agreement implied that *all* institutional employees should be designated as REs, though some other resolution agreements, such as the 2016 Hunter College resolution agreement, did not make this implication (Holland, 2018, p. 258). As Weiner (2017) noted, many schools have interpreted and applied the available guidance to develop "wide net" policies, wherein most—if not all—institutional employees are designated as Responsible Employees, even in the absence of a clear mandate to do so. Despite availability of both formal guidance and informal guidance offered in multiple forms over the course of more than a decade, institutions have been left with latitude—and, in some cases, conflicting feedback—about the specific implementation of Responsible Employee policies on campus, particularly regarding which faculty, staff, and employees are designated as REs.

Institutions operated under this amalgam of guidance between 2001 and 2017; however, in February of 2017 the DOE formally rescinded guidance issued during the Obama administration (Jackson, 2017), leaving schools with a dearth of federal guidance regarding Responsible Employee policies (Brown, 2017). Then, in May of 2020 the DOE issued new guidance regarding institutional Responsible Employee obligations and policies. According to these revised regulations,

> "Rather than using the phrase "responsible employees," these final regulations describe the pool of employees to whom notice triggers the recipient's response obligations. That pool of employees is different in elementary and secondary schools than in postsecondary

> institutions. For all recipients, notice to the recipient's Title IX Coordinator or to "any official of the recipient who has authority to institute corrective measures on behalf of the recipient" (referred to herein as "officials with authority") conveys actual knowledge to the recipient and triggers the recipient's response obligations." (Final Rule, 2020, pp. 50-51).

These revised guidelines allow postsecondary institutions increased latitude regarding Responsible Employee designations on their campuses, by further describing who "must, may, or must only with a student's consent, report sexual harassment to the recipient's Title IX Coordinator" (Final Rule, 2020, p. 54). The 2020 Final Rule did not, however, outline specific practical recommendations about the substance of reporting, such as what information Responsible Employees must report or what Responsible Employees should tell students who disclose sexual violence (as the previous 2014 Q & A document had). As such, current regulatory guidance provides institutions with more flexibility, but also less practical support for application in their own institutional RE policies and practices.

State Legislative Framework

In addition to federal legislation and guidance, all 50 states have implemented additional legislation to address sexual violence on college campuses (DeMatteo et al., 2015; Richards & Kafonek, 2015), and some states have implemented policies specific to mandatory reporting or responsible employee obligations (Holland, 2018; Mancini et al., 2016; Richards & Kafonek, 2015). According to Richards and Kafonek (2015), 28 states considered a total of 70 bills relevant to sexual assault in higher education during the 2014-2015 legislative session alone; 34% of these bills "contained provisions that aimed to either enact new mechanisms or increase existing procedures for reporting sexual assault on campus" (p. 98), and nine of those bills

specifically proposed requirements for mandatory reporting to law enforcement or state prosecuting authorities. As of the time of their publication in 2016, Mancini et al. identified California, New Jersey, Rhode Island, and Virginia as states with current or pending legislation relating specifically to required reporting. Per a law passed in 2015 in the state of Virginia, for example, a committee of administrators must review all reports of sexual violence committed against students to determine whether it is necessary to disclose that information to a law-enforcement agency or state's attorney (Mancini et al., 2016; Richards & Kalonek, 2015). That same law also reiterated mandatory reporting by Responsible Employees to the Title IX Coordinator (Richards & Kafonek, 2015). A California law signed in 2015 similarly authorized disclosure of information about assailants to local law enforcement, and also called for new campus data collection and reporting procedures (Richards & Kafonek, 2015).

As colleges and universities develop and implement institutional policies that address sexual misconduct—particularly through reporting and compelled disclosure policies—these institutions must interpret and apply intertwined federal and state-level legislative and non-legislative requirements regarding reporting. This web of requirements is not only extensive and subject to change with each new federal regulatory guidance document or state legislative session, but may in fact create conflicting requirements for schools. As Richards & Kafonek (2015) emphasized, in some cases, state "mandatory reporting laws would create an impasse for [institutions of higher education]—they could not simultaneously comply with both federal and state law*"* (p. 119).

RE Policy Requirement Compliance & Implementation

Despite the fact that extensive federal guidance regarding Title IX has been available over the past two decades, little research has been conducted to assess compliance with various

Title IX regulatory requirements, or to investigate the manner in which schools are implementing these requirements on their individual campuses. Even less research has addressed the ways that RE policy requirements specifically are being implemented.

Given national political attention to sexual violence on college campuses, much of the research that has been conducted and reported over the past decade has been solicited or funded by federal agencies. These broad studies of Title IX compliance have sought to understand what schools are doing to respond to sexual violence on their campuses. One of the earliest and most oft-cited studies of campus response to sexual violence was Karjane, Fisher, and Cullen's (2002) report, Campus Sexual Assault: How America's Institutions of Higher Education Respond, for the National Institution of Justice. This report focused on basic compliance requirements on campuses, such as the availability of written sexual assault response policies; definitions of various forms of sexual misconduct; who on campus was trained to respond to reports of sexual assault; reporting mechanisms; victim resources; investigation and adjudication procedures; and policies which encouraged or discouraged reporting (Karjane et al., 2002). Within the large, nationally representative sample, the researchers found broad swaths of institutions that had failed to provide even minimal information about sexual violence response on campuses—for example, only 58.2% of the institutions studied provided a clear, stated sexual violence policy, and 2.7% of the institutions explicitly stated that they had no such policy (Karjane et al., 2002). This finding stands in relief against guidance published by the DOE just a year earlier, indicating that regulatory procedural requirements at that time "include issuance of a policy against sex discrimination and adoption and publication of grievance procedures providing for prompt and equitable resolution of complaints of sex discrimination" (U.S. Dept. of Education, 2001, p. 4). Karjane et al.'s (2002) report did not explicitly address institutions' RE policies directly and

made no mention of who was designated as a RE, or how these individuals were notified of or trained in their required reporting responsibilities. Instead, the researchers looked at reporting options for students more broadly, finding that 84% of surveyed schools offered confidential reporting, 46% offered anonymous reporting, and 75% provided reporting contacts, with campus or local police the most frequently named contact (Karjane et al., 2002). For a number of years, Karjane et al.'s study provided the most comprehensive picture of institutional enactment of Title IX requirements, but this picture provides no insight into RE policy enactment in particular.

Subsequent research has heavily referenced Karjane et al.'s 2002 study. Broadly speaking, research in recent years has produced mixed feedback about institutions' overall compliance with Title IX regulatory requirements. For example, while Tara Richards' 2016 follow-up study to Karjane et al.'s (2002) study found that institutions are largely in compliance with basic components of Title IX regulatory guidance, a report produced for Senator Claire McCaskill in 2014 strongly criticized institutions' compliance. Both the McCaskill report (2014) and Richards (2016) concluded that not all institutions are in full compliance with Title IX regulatory requirements, but each frame the current status of compliance very differently. Whereas Richards concluded that "significant gains have been made" (2016, p. 26) and institutions of higher education have increased their focus and energy dedicated to addressing sexual violence, the McCaskill report was highly critical in its tone, citing a series of failures throughout the report.

Regardless of framing, these research reports do not address policies specific to RE reporting requirements but often address reporting mechanisms and practices more generally. Richards (2016) compared her findings regarding reporting directly to the 2002 study, stating that "from 2002 to 2015, the percentage of [institutions of higher education] identifying

mechanisms for confidential reporting of sexual assault declined slightly from 76% to 73%, however, mechanisms for anonymous reporting increased from 43% to 75%" (p. 1994). The McCaskill (2014) report also compared against Karjane et al. (2002), stating "The 2002 NIJ Report results showed that approximately 16% of institutions did not allow confidential reporting. The Subcommittee's survey results showed an improvement, but approximately 8% of institutions in the national sample stated that they still do not allow confidential reporting" (p. 6). So, while the McCaskill report found *higher* rates of anonymous reporting options, the report nonetheless framed institutions' reporting options as a "failure to encourage reporting of sexual violence" (p. 5). These conflicting conclusions about the effectiveness with which institutions are implementing best practices in reporting policies and mechanisms further complicate the landscape of understanding policy enactment.

Holland et al. (2018) seem to have conducted one of the only studies to assess implementation of RE policies (framed in their study as "compelled disclosure" policies) specifically. Acknowledging the fact that institutions have latitude regarding implementation of RE policies on their campuses (as described above), Holland et al. (2018) sought to identify the RE policies published at their sample institutions, and also to determine the scope of these policies. The researchers found that 69% of the sample schools identified all employees as mandatory reporters, 19% identified most employees as mandatory reporters, 4% identified few employees as mandatory reporters, and 8% had ambiguous policies; they found no meaningful differences across different institution types regarding which category they fell into (Holland et al., 2018). Holland et al.'s findings align with Weiner's (2017) assertion that many institutions choose to implement "wide net" reporting policies which designate most of their employees as responsible employees or mandatory reporters. These findings are indicative of the legitimate

room for interpretation that institutions can employ, while still remaining in compliance with RE requirements outlined in federal guidance (and, in some cases, state law). Since the 2020 Final Rule allows schools even broader latitude than the guidance that was in place at the time of Holland et al.'s study, we could reasonably expect even greater variance in future studies of institutional application of RE policies.

While the research described above provides some insight into schools' compliance with Title IX regulatory requirements at various points in time, these requirements are subject to rapid change, and it is thus difficult for research to remain up to date. Further, as Richards (2016) importantly noted, regardless of basic compliance with regulatory requirements, "administrators, policy makers, and curriculum developers must work to advance efforts to move [institutions of higher education] beyond a focus on compliance with mandates to better adherence with best practices" (p. 26). As researchers explore the existence or prevalence of various compliance requirements in institutional policies, those same researchers consistently cite the need for continued research regarding the effectiveness or outcomes of such policies.

Community Perspectives on Compelled Disclosure Policies

Recent literature investigates community members' perspectives and opinions regarding required reporting policies on college campuses. In addition to RE policies specifically, this literature is also mixed with articles and studies that address other "compelled disclosure" laws and policies. Compelled disclosure laws and policies are a broader category of laws and policies that require specific individuals to report sexual violence on behalf of others (either in the college context or outside of it). This includes RE policies, as well as Mandatory Reporter (MR) laws and policies, that require designated individuals (such as medical providers or school personnel) to report incidents of abuse perpetrated against vulnerable populations such as

children, elders or domestic violence victims (Mancini et al., 2016; Rosenthal, 2017; Weiss & Lasky, 2017). The following section of this literature review will address perspectives, beliefs, and opinions about compelled disclosure policies more broadly, as well as RE policies specifically, in order to provide additional context that informs our current understanding of required reporting policies and their potential impact.

This section will first describe the ways that available literature does and does not address the experiences of sexual violence survivors, particularly in the college setting and RE policy context. Next, this section will summarize the supporting and critical community perspectives about compelled disclosure policies, and RE policies specifically; these perspectives are culled from not only research, but also popular media and gray literature. Finally, this section will describe the systematic research which has investigated perspectives on compelled disclosure policies and their impact on survivors and the broader community.

Extent and Limitations of Compelled Disclosure Literature

Researchers and popular media have each provided insight into general perceptions of compelled reporting; both areas of literature describe reasons why students, staff, faculty, and other community members might support or be critical of these policies in theory. Further, researchers have begun to explore perceptions and opinions of reporting policies in more systematic ways (e.g., Mancini et al., 2016; Rosenthal, 2017), primarily through survey-based research with broad campus community populations. This limited but emerging literature base indicates that students and campus community members hold very mixed opinions about required reporting. Further, while popular opinions of reporting policies coalesce around themes, these themes are not well connected to available research regarding on-campus perceptions of reporting policies and practices.

In addition to being sparse, available research does not address survivor beliefs specifically; in many cases, it also does not address RE policies directly, but rather addresses related compelled disclosure policies. Instead, researchers have gathered data from broad swaths of campus communities (e.g., Mancini et al., 2016), and their findings lack the critical targeted opinions and perspectives of sexual violence survivors in particular, much less survivors who have actually reported through REs specifically. This targeted, and critical, perspective is absent entirely from research regarding RE or other compelled disclosure policies on college campuses. Adjacent research (e.g., Rodriguez, McLoughlin, & Nah, 2001), has explored the perceptions of survivors of domestic violence whose victimization was reported to law enforcement due to required reporting laws in a healthcare setting. While this literature helps us to understand the experiences of survivors in the compelled disclosure context broadly, the relevance of this adjacent literature is attenuated by its distance from the specific policy at hand.

Critical and Supporting Perspectives

Critics of RE policies, and compelled disclosure policies broadly, believe that they can either passively fail to support, or in some cases actively harm, survivors. According to critics, harm to survivors can occur by: prioritizing institutional liability over survivor well-being (Bidwell, 2015; Deamicius, 2013); reducing autonomy about when and how survivors can choose to report their experiences (Deamicis, 2013; Flaherty, 2015; Mancini et al., 2016; Portnoy & Anderson, 2015); retraumatizing survivors through the reporting and subsequent adjudication processes (Mancini et al., 2016); and reducing survivors' ability to access support through trusted employee resources, particularly faculty (Flaherty, 2015; Mancini et al., 2016). Further, critics of these policies believe that they can also harm institutional efforts to address violence and effectively build safer communities (Flaherty, 2015; Holland et al., 2019; Weiss & Lasky,

2017). This harm to institutions can occur through a reduction of reports from students (Flaherty, 2015; Holland et al., 2018); over-taxation of institutional resources and dilution of response due to required disclosures of all reports (Weiss & Lasky, 2017); or encouragement of the "anti-cooperative effect" wherein potential reporters and survivors distance themselves from each other to avoid reporting obligations (Weiss & Lasky, 2017).

Supporters and proponents of RE and other compelled disclosure policies believe that these policies support not only survivors, but also the overall campus communities. This perceived support for survivors includes perpetrator accountability (Mancini et al., 2016; Richards & Kafonek, 2015), and increased access to resources (Holland et al., 2019). Perceived support and positive outcomes for the community and institution include increased institutional transparency and accountability (Flaherty, 2015; Portnoy & Anderson, 2015); clarification of employee expectations and responsibilities (Holland et al., 2019); increased reports leading to increased ability for institutions to respond to violence (Holland et al., 2019); and support of the cultural message that sexual violence will not be tolerated (Deamicis, 2013).

Some supporting perspectives are in direct contention with critical perspectives; for example, Flaherty (2015) and Mancini (2016) noted that community members believe that compelled disclosure may lead victims to report less and thus access less support, while Holland et al. (2019) found that community members believe that compelled disclosure may lead to more reports (likely through Responsible Employees), and thus increased access to support. However, little research has been conducted to systematically understand whether these beliefs and opinions are borne out in reality. Further, research that exists addresses general community perspectives, and does not delineate between the opinions of survivors (much less survivors who

have actually experienced the reporting and response process) and the opinions of other community members.

Systematic Research

Little literature has addressed whether the supporting and dissenting perceptions, opinions, and perspectives described above are actually validated through rigorous systematic research. Further, just as opinions are mixed, so too are the limited available findings that investigate the perspectives of campus community members. For example, according to Holland et al. (2019) there is some evidence through research to support claims that compelled disclosure policies may increase the number of reports that an institution receives or increase victims' access to support and resources (referencing Mancini et al.'s 2016 study). However, the authors also concluded that most available evidence contradicts *other* common supporting beliefs about the positive impact of compelled disclosure policies (Holland et al., 2019).

Two recent studies have directly addressed community perspectives about compelled disclosure policies on college campuses: Mancini et al.'s 2016 study about opinions of mandatory reporting laws, and Rosenthal's 2017 dissertation about perceptions of responsible employee policies specifically. Mancini et al. (2016) sought to understand student perceptions of MR policies—specifically, policies that would require reporting of sexual violence on campus to local police—in place at a large public institution in the state of Virginia through quantitative analysis. Mancini et al. (2016) found that 66% of students reported that they support or strongly support MR policies. Additionally, the authors found that higher percentages of students expected positive outcomes (such as increased survivor assistance or accountability), than expected negative outcomes (such as diminished survivor autonomy or survivor re-traumatization) of required reporting under MR laws. More than half of the student participants

in the study indicated that they were more likely or much more likely to report with MR laws in place. Mancini et al.'s (2016) study indicated that many students may view MR laws in a positive light despite popular concerns raised about compelled reporting (e.g., Deamicis, 2013; Flaherty, 2015; Portnoy & Anderson, 2015).

Rosenthal sought to assess student survivors' and other campus community members' views of RE policies in 2017; while the study was conducted for the purpose of a master's thesis and was not published in a peer-reviewed publication, the study was well-designed and provides preliminary research in an area that is otherwise unexplored. Rosenthal's (2017) findings highlighted perceived advantages and disadvantages of RE policies among student survivors. Emergent themes around perceived advantages included increased awareness of the problem of violence and protection of both victims and reporters. Emergent themes around perceived disadvantages included deterrence of reporting by victims and negative victim experiences with adjudicatory processes. These findings are consistent with the concerns expressed by critics (Bidwell, 2015; Deamicis, 2013; Flaherty, 2015; Portnoy & Anderson, 2015), and they provide a preliminary basis for understanding the potential negative outcomes of RE policies for survivors. However, while Rosenthal (2017) investigated the opinions of student survivors specifically, it is important to note that she did not investigate the opinions of student survivors *whose experiences had been reported via RE policies*. This important distinction indicates that the perspectives of these participants, while valuable, are not necessarily based in direct experience with RE policies specifically.

Mancini et al.'s (2016) and Rosenthal's (2017) findings indicate that students may generally hold more neutral or positive views than negative views about compelled disclosure policies, and that negative views generally align into common themes about concern for impact

on survivors. However, Mancini et al.'s (2016) and Rosenthal's (2017) research falls significantly short of fully addressing conflicting perspectives about compelled disclosure, by exploring only general perceptions and opinions; the research does not explore the actual experiences of survivors or individuals who disclosed to responsible employees or mandatory reporters. This limitation is endemic in all available literature regarding community perceptions of compelled disclosure policies.

Taken together, this literature provides preliminary information about the *potential* impact of compelled disclosure laws and policies on survivors but falls short of exploring the critical perspectives of student survivors who have actual experiences with these policies. The lack of robust exploration of this topic in research makes evidence-based assessment of RE policies potentially ineffective, and hampers practitioners' and policy-makers' ability to implement meaningful change through policy and practice. Research regarding the perceptions of student survivors who have disclosed to a Responsible Employee and experienced the resulting procedures would be particularly important in the future to inform RE policy and practice.

Barriers to Reporting

Just as community perspectives on compelled disclosure policies describe potential outcomes and impact of those policies, barriers to survivor reporting are also often rooted in concerns about the potential negative outcomes and impact that reports may cause. Violent crimes, and particularly crimes of a sexual nature, are often underreported (Truman & Langton, 2015). In fact, in a 2018 report for the Bureau of Justice Statistics, Morgan and Oudekerk found that the rate of violent crimes that went unreported to police increased over the previous three years, while the rate of violent crimes remained steady. Just as survivors underreport in the

general population, student survivors also choose not to report—either to campus administrators or to police—in the majority of cases (Cantor et al., 2015; Fisher et al., 2000; Fisher, Daigle, Cullen, & Turner, 2003; Krebs et al., 2007). In fact, student survivors are even less likely to report to police than non-student survivors (Sinozech & Langton, 2014). Despite high rates of violence and policies designed in part to increase reports, literature provides evidence of the multitude of reasons that survivors of sexual violence choose *not* to report. No research has explored the experiences that survivors have had following disclosure to Responsible Employees specifically. However, literature regarding barriers to reporting provides insight into the *potential* negative experiences that survivors fear as a result of reporting. These reporting barriers are important contextual information for understanding the potential impact of RE policies on student survivors' experiences. As Richards and Kafonek (2015) succinctly asserted,

> "Given that very few victims of sexual assault voluntarily report their victimization to law enforcement (Fisher et al., 2003), and under mandatory reporting, any allegation of sexual assault reported to university administrators would be automatically reported to law enforcement, it follows that mandatory reporting may dissuade victims from reporting allegations of sexual misconduct to campus administrators" (p. 119).

Literature related to victims' personal descriptors and demographics that predict reporting rates is closely intertwined with literature about barriers to reporting. As Sabina and Ho (2014) summarized, research about reporting rates among college student victims provides an indication of the personal, demographic, and experiential characteristics associated with survivor's likelihood of reporting. The authors found that the following factors increased likelihood that survivors would report to police specifically: sustaining serious injury; location of assault occurring on-campus; not using alcohol or other substances at the time of the assault;

experiences of more "serious" forms of sexual violence (e.g., penetrative sexual assault); greater memory of the assault; higher levels of student self-efficacy; and being concerned about family members finding out. These findings align with Cantor et al.'s (2015) finding that "the percentage of students who report nonconsensual sexual contact varies greatly by the type of sexual contact (penetration or sexual touching) and whether or not it involves physical force, alcohol or drugs, coercion, or absence of affirmative consent" (p. iv). Mennicke et al. (2019) also found that young, heterosexual white women who are affiliated with a student organization and have experienced multiple victimizations are most likely to report. Personal characteristics and demographic data are not included or addressed in all research regarding barriers to reporting but may provide additional contextual information about student survivors' choices to report or not report.

Literature about potential or actual barriers to reporting is available in four general areas: general concerns and opinions that reports will cause harm for survivors; reasons that survivors have cited for not wanting to report; survivors' opinions following reporting experiences; and survivor's opinions about mandatory reporting of domestic violence in the medical setting. Across these areas of literature, five types of barriers to reporting emerge, with each demonstrated in three or more areas of adjacent literature. These categories of barriers include: fear of retaliation; concern about experiencing negative emotions; expectations that outcomes of reporting will not be effective; concerns about confidentiality; and fears about reduction of autonomy or agency. The remainder of this literature review will summarize each of these barriers in turn.

Retaliation

Survivors express concerns that they will experience retaliation following a report to authority figures (Fisher et al., 2003; Sable et al., 2006; Rodriguez et al., 1998; Rodriguez et al., 2001; Sinozich & Langton 2014; Sullivan & Hagan, 2005). This is true among college-aged students (Fisher, et. al, 2003; Sable et. al, 2006, Sinozich & Langton, 2014), as well as among victims of domestic abuse in the medical setting (Rodriguez, et. al, 1998; Rodriguez et. al, 2001; Sullivan & Hagan, 2005). Concerns about retaliation among college-aged individuals have only been investigated in the context of reporting to law enforcement and have not yet been assessed in the context of reporting to university officials (Fisher, et. al, 2003; Sinozich & Langton, 2014); nonetheless, this barrier to reporting could certainly translate to the university setting. Survivors are more likely to fear retaliation by their perpetrator following experiences of domestic violence outside of the university context (Rodriguez, et. al, 1998; Rodriguez et. al, 2001; Sullivan & Hagan, 2005), while college-aged survivors are more likely to fear retaliation by peers (Fisher, et. al, 2003; Sinozech & Langton, 2014). Student survivors are, in fact, so concerned about potential retaliation by peers that they are less likely to report to law enforcement than non-student survivors (Sinozich & Langton, 2014).

Negative Emotions

Survivors also express concerns that they may experience negative emotions such as shame, guilt, embarrassment, or humiliation, as a result of reporting (Ahrens, 2006; Fisher, et al., 2003; Sable, et al., 2006; Sullivan & Hagan, 2005; Weiss & Lasky, 2017). Survivors of domestic abuse cite fear of humiliation in particular as a primary barrier to reporting to law enforcement (Sullivan & Hagan, 2005). College students or college-aged individuals, however, cite multiple additional negative emotions as barriers to reporting, including one or more of the

emotions embarrassment, shame, or guilt (Fisher, et al., 2003; Sable, et al., 2006; Weiss & Lasky, 2017); this aligns with findings in the general non-student population as well (Ceelen et al., 2019). Student survivors who initially chose to report victimization also reported that negative reactions from professionals, friends, or family reinforced negative emotions such as self-blame, and discouraged additional reporting in the future (Ahrens, 2006). Each of these emotions is similar and can be clustered together under the umbrella of "negative emotions."

Reporting Outcomes

Survivors also express concerns that the outcomes of reporting (i.e., criminal or university conduct processes) will not be effective, and they cite this concern as a significant impediment to reporting (Ahrens, 2006; Fisher, et al., 2003; Rodriguez, et al., 1998; Sable, et al., 2006; Sullivan & Hagan, 2005). This concern is particularly salient when survivors consider reporting to law enforcement, as survivors fear or believe that their report will not yield appropriate or desired outcomes in the courts (Fisher, et al, 2000; Fisher, et al., 2003; Rodriguez, et al., 1998; Sable, et al., 2006; Sullivan & Hagan, 2005). Specific descriptions of this concern include fear of being treated "hostilely" by police (Fisher, et al., 2000); "lack of confidence that reporting will lead to positive outcomes" (Fisher, et al., 2003); "mistrust" of the legal system (Rodriguez, et al., 1998); fear of "not being believed" by authorities (Sable, et al., 2006); and fears that reports will not "be taken seriously by authorities" or "abusers will not be held accountable" (Sullivan & Hagan, 2005). Ahrens (2006) studied reporting to "support providers," as opposed to law enforcement, and also found that survivors indicated that negative reactions from professionals led them to question whether future disclosures would be effective. This particular barrier to reporting has been identified by survivors of sexual violence or abuse

specifically (as opposed to the general population, as some other authors have studied), bolstering the primacy of this concern and barrier to reporting.

Confidentiality

Additionally, survivors and community members worry that survivors will be forced to share confidential information about themselves or their experiences with others as a result of reporting (Fisher, et al., 2000; Sable, et al., 2006; Sinozich & Langton 2014). Concerns about disclosure of confidential information range from not wanting other people to know about the assault (Fisher, et al., 2000), to simply feeling that an assault was a "personal matter" that they preferred not to discuss with authorities (Sinozich & Langton, 2014). This concern has also been expressed among broader groups of college students, who posited that survivors of sexual assault may not choose to report to law enforcement because they do not want their friends or family to know about the assault, or because they have concerns about confidentiality (Sable, et al., 2006). Sable et al.'s (2006) study made no delineation between survivor and non-survivor respondents in their survey population, but these authors' findings remain relevant because they explore student perceptions and potential concerns about reporting in the college environment specifically.

Reduction of Autonomy and Agency

Finally, both survivors and community members worry about reduction of survivors' autonomy or self-determination with regard to university or criminal processes following report (Rodriguez, et al., 1998; Mancini, et al., 2016; Sullivan & Hagan, 2005). Survivors of domestic abuse indicate that they prefer not to report their abuse to law enforcement because they wished to maintain confidentiality and autonomy (Rodriguez, et al., 1998). Similarly, survivors of domestic abuse cite fears that their "self-determination and autonomy will be reduced" as a

significant barrier to reporting to law enforcement (Sullivan and Hagan, 2005). While these findings are less directly related to student reporting, they nonetheless demonstrate a desire among survivors to maintain autonomy and choice when it comes to responding and reporting after experiencing a form of interpersonal violence. Mancini, et al. (2016) found that concerns about autonomy and choice may inhibit reporting of sexual violence in the college context specifically. In their study, the researchers conducted a survey among a general college student population about potential barriers to reporting to campus officials and found that "reduced victim autonomy" was among the top three highest-rated potential barriers to reporting. While Mancini, et al. did not delineate between survivors and non-survivors in their study population, their findings nonetheless offer a window into the perceptions and beliefs of college students when it comes to reporting sexual violence to campus officials specifically.

Additional barriers to reporting have been identified in this body of literature, but have not been consistently cited across multiple areas of literature, and were thus not detailed above. These barriers include concerns that survivors will: have their mental health history exposed (Sullivan & Hagan, 2005); experience unwanted media attention (Sullivan & Hagan, 2005); experience changes to behaviors, such as avoiding school events (Weiss & Lasky, 2017); and be retraumatized (Ahrens, 2006; Mancini, et al., 2016) as a result of reporting. Many of these barriers also align with themes that have emerged in popular media (Bidwell, 2015; Deamicis, 2013; Flaherty, 2015; Portnoy & Anderson, 2015).

Research literature clearly demonstrates that there are many factors that cause survivors to fear reporting. For survivors of sexual violence, these fears real and meaningful. However, researchers have done little to explore whether these fears are borne out in lived experiences after survivors report in the university setting. This proposed study is intended to be a first step

in that direction by exploring the actual experiences of a survivor after reporting, specifically after reporting through a Responsible Employee.

Summary of Literature Review

This literature review describes prior research and available information about the prevalence of sexual violence on college campuses, the ways that governmental entities have developed and enforced reporting policies intended to be responsive to that violence, and the ways that survivors and community members view those policies. Additionally, this literature review explores the reasons that, despite law and policy designed to encourage reports, survivors may still choose not to report experiences of sexual violence, and the outcomes and experiences that survivors fear as a result of reporting. In order to understand that experiences that survivors actually have following a report—and thus to understand the effects and outcomes of these reporting policies—we must investigate those experiences directly, from the perspectives of survivors themselves.

Chapter 3: Methodology

The purpose of this study was to investigate the experiences of a student survivor following disclosure to a Responsible Employee, as a means to contribute meaningfully to the RE policy analysis and application landscape. To this end, I utilized a case study methodological approach to answer the following research question: What were the student survivor's experiences following disclosure of gender-based violence to a Responsible Employee? Further, I sought to answer the following sub-questions:

- What were the student survivor's experiences of *institutional response* following disclosure of gender-based violence to a Responsible Employee?
- What were the student survivor's *personal and interpersonal* experiences (e.g., emotional and psychological, behavioral, relationships with peers and personal support networks) following disclosure of gender-based violence to a Responsible Employee?

Justification of Research Design

Creswell (2014) described qualitative research as "an approach for exploring and understanding the meaning individuals or groups ascribe to a social or human problem," and further indicated that, "those who engage in this form of inquiry support a way of looking at research that honors and inductive style, a focus on individual meaning, and the important of rendering the complexity of a situation" (p. 4). By utilizing a qualitative research approach and design, I hoped to elucidate and elevate the voices of the individuals who have directly experienced the phenomenon of interest. Survivors of sexual violence deserve to be centered in research—particularly in preliminary or nascent research—regarding any aspect of sexual violence policy or practice, including RE policies. The qualitative approach enabled this centering, and rather than utilizing pre-determined variables which look for variance

representative of entire populations, I allowed the data to emerge throughout the study, and analyzed and presented the data as it is articulated and conveyed by the participants.

I also undertook this study within a social constructivist research framework, and sought to deeply and inductively understand the phenomenon of one survivors' experiences, rather than deductively narrowing that understanding (Creswell, 2014; Creswell & Poth, 2018; Mackenzie & Knipe, 2006). I intended to elicit the subjective views of the participants in the study, and to look for patterns of meaning among those views as a means to deepen my understanding of the phenomenon from the perspective held by survivor, as well as other data sources which could provide context for the survivor's bounded experiences (Creswell & Poth, 2018). Many of the underlying assumptions of this study could lend themselves to a transformative research framework that seeks to elevate the voices of the marginalized specifically for the purpose of improving those individuals' lives or condition (Creswell & Poth, 2018). While I undertook this study as a means to center the voices of survivors—who I argue have been marginalized both in the context of their own experiences and in the context of policy development—I do not specifically seek change based on the data and findings that emerged from this study; rather, I seek understanding. This understanding is the first step toward *potential* meaningful change in the future, particularly as it applies to RE policy development; however, change is not the purpose of my research.

I assumed a relativist ontological stance, wherein I embraced the notion of multiple realities and honor the realities of survivors themselves as valid and true (Creswell, 2014; Creswell & Poth, 2018). Further, I took a constructivist epistemological stance which attempted to lessen the distance between researcher and participants as a means to gather and convey participants' knowledge of the phenomenon under investigation (Creswell, 2014; Creswell &

Poth, 2018). Finally, I assumed an axiological stance that acknowledged the biased and value-laden nature of research (Creswell, 2014; Creswell & Poth, 2018); rather than claim that I brought no preconceived notions or biases to this study, I worked to understand these biases and present them in a manner that contextualizes my research design, decisions, and findings. Taken together, these assumptions and beliefs led me to a qualitative, inductive research methodology (Creswell, 2014); specifically, I utilized a case study approach which gathers data from participants through written prompts and interviews, as well as written policy relevant to the participants' experiences.

Creswell & Poth (2018) described case study research as an approach in which the researcher "explores a real-life, contemporary bounded system (a case)…through detailed, in-depth data collection involving multiple sources of information" (p. 97) in order to provide an in-depth understanding of the case. This study sought to explore and describe the experiences of one student survivor, who reported an experience of sexual or gender-based harassment or violence specifically in the context of a graduate professional school. As Creswell and Poth (2018) and Stake (1995) indicated, an instrumental case study describes the individual case as a means to illustrate and better understand a particular issue or problem. Thus, the case study approach taken in this study will utilize the individual experiences of one student survivor, along with triangulating data to provide additional context regarding that survivor's experiences, to illustrate the broader phenomenon of student survivors' experiences following a disclosure of sexual or gender-based violence to a Responsible Employee.

Positionality and Researcher as Instrument Statement

In qualitative research, the researcher does not serve as a supposed neutral observer of the phenomenon of interest; rather, the researcher is herself an instrument in the research process,

and “her presence in the lives of the participants… is fundamental to the methodology” (Marshall & Rossman, 2016). My positionality within the institution and the community where the study took place, and my conception of and prior experience with the research problem, not only informed and contextualized my research approach, but also informed the study’s design and methodology. I approached this study as a true practitioner-scholar, who is concerned with the significant impact that RE policies can have on student survivors, and the paucity of research about this important topic. In addition to my role as a student researcher, I concurrently serve in a role as a staff member—and Responsible Employee—at the institution where this study took place. Specifically, my professional role includes responsibility for directly supporting student survivors following a report of sexual violence to the institution, as well as developing, overseeing, and critically analyzing institutional practices and resources available to survivors. I fully intend on utilizing the data and findings of this study to feed directly back into my own practice, in addition to providing insight which can inform broader policy analysis and development and practice beyond my own. My professional role outside of research energizes and informs my interest in the problem and has motivated me to devote attention and resources to this research project. On the other hand, I had to temper my pre-existing knowledge, conceptions, and biases about the student experience and the outcomes of RE policies in the research process, and to allow the participants’ perspectives to guide my findings rather than rely on my own prior experiences. As I undertook this study—and since then—I found that both my research and my practice have benefited from and informed the other. My prior and ongoing practice in the field—supporting students and supervising other professionals who do the same—has benefited from this new insight and perspective on the student experience; where I had previously been necessarily much more objective and neutral in my understanding of students’

post-report experiences, this study allowed me the opportunity to delve much more deeply into the internal experiences of a student survivor, and to take their perspective as absolute truth. At the same time, research benefited from my extensive prior and ongoing understanding of and experience with the broader policy and practical landscape of Title IX post-report response mechanisms and practices.

As a consumer of data and research, I naturally tend toward post-positivist thinking; I attribute this largely to my prior academic training which focused on quantitative research design. However, as I approached this research problem, investigated available literature, and contemplated the research questions that most effectively and meaningfully addressed survivors' experiences, I concluded that the current study demands a constructivist paradigmatic approach for multiple reasons. First, it became evident throughout my review of the literature that the specific experiences—and thus the opinions and beliefs that they hold, as well as the outcomes that they experience—of survivors are all but absent from the literature. It would thus be logistically difficult, if not methodologically unsound, to develop measures of these experiences for the purpose of quantitative research, as we have no research-based conception of survivors' experiences which I could operationalize and attempt to measure. Moreover, I concluded that approaching and constructing a research study which centers survivor voices is the most appropriate way to honor those survivors' experiences. Survivors of sexual violence have by definition been marginalized and oppressed at the hands of their assailants *and* by the very policies intended to protect them and respond to that violence (Driessen, 2019; Holland, et al., 2018; Richards et al., 2017). I believe that this research project should instead *center* survivors and provide an opportunity for ownership of their experience. Because the survivor who chose to participate in the study was giving of herself, my hope is that—in addition to contributing to

the research base for improved practice and policy development—this was a positive experience for her.

My overlapping roles as professional and researcher could create actual or perceived biases in my research through participant selection, data collection, or data analysis. Recognizing that I cannot fully extricate myself from my biases (Creswell & Poth, 2018), I sought to mitigate them with procedural rigor and trustworthiness. I combated personal and professional biases by creating opportunities for others to provide feedback about study design and implementation. In order to address any perceived biases by participants, I acknowledged my professional role at the institution and allowed participants to decline participation if they have had prior contact or knowledge of my professional work or if they felt this work would prevent their comfortable and open participation in the study. I combated biases in the data collection procedures by relying on the interview guide and consistent, neutral interview questions. Finally, I combated personal biases in the data analysis procedures by utilizing content analysis procedures and by checking findings with multiple stakeholders (including participants, campus administrators, and peers) to enable multiple perspectives on the validity of study findings.

Population

The proposed study took place at a mid-sized southeastern research university, referred to for the purpose of this study as "Responsible Employee University (REU)". REU was selected in part because of its well-defined Responsible Employee policy, and the clear institutional response procedures in place following student disclosure to a Responsible Employee. REU is thus well-positioned as a research site where the participant (as a student at REU) has experienced the phenomenon being studied (Creswell & Poth, 2018). REU was also selected

because of my familiarity with the institution and research setting; this familiarity deepened my understanding of and access to the participant pool, increased ease of data collection, and assisted me in building trust with participants (Marshall & Rossman, 2016). My familiarity with, and prior connections to, REU also raise potential ethical and practical concerns about researcher bias (Creswell & Poth, 2018; Marshall & Rossman, 2016); these potential concerns were addressed through trustworthiness strategies and particular emphasis on validation (Creswell & Poth, 2018). Prior to engagement with participants or in sampling procedures, I secured approval from the institutional review board at REU.

Participants & Sampling Strategy

The purpose of this instrumental case study is to better understand the phenomenon of survivors' post-report experiences following disclosure to a Responsible Employee through deep exploration of one survivor's experiences; I therefor employed purposeful sampling to identify a participant who could speak to the broader phenomenon in question (Creswell & Poth, 2018; Hays & Singh, 2012). The case study approach describes the experiences of one student survivor, referred to in this section as the "primary participant." Further, I identified additional participants for the study who could provide triangulating data to support and provide additional context regarding the primary participant's experiences; these additional participants are referred to in this section as "secondary participants."

Primary Participant

I utilized criterion or typical case sampling to identify and select a primary participant who represented an "average example" (Hays & Singh, 2012, p. 168) of the phenomenon; that is, a participant was identified based on defined individual characteristics and the manner in which they disclosed. The purpose of the proposed study is not to broadly represent the entire

population of students who have reported sexual violence to a Responsible Employee—rather, this study is intended to provide a *preliminary* description of this phenomenon. Thus, this sampling strategy is appropriate for garnering a participant whose characteristics and experiences may be similar to the experiences of others who have experienced this relatively unexplored phenomenon (Hays & Singh, 2012).

The primary participant was deemed eligible for this study based on biographical characteristics, and the manner in which her experience of sexual violence was reported to the university. Biographical characteristics which qualified potential participants for the study included: a current student, between the ages of 18-24, who was enrolled at REU at the time of disclosure. These characteristics have been identified as common characteristics in prior research regarding victimization and reporting (Fisher et al., 2003; Sable et al., 2006; Sinozech & Langton, 2014). Further, only students whose experience of sexual violence was reported through a Responsible Employee were eligible to be included; this means that students who reported via other means (such as directly through an online reporting portal, or whose peers reported) would not be eligible.

In order to identify and secure the primary participant, I employed a two-phase protocol. First, I contacted gatekeepers at the institution where the study took place, as individuals who have "insider status" (Creswell & Poth, 2018, p. 156) with the participant sample pool of interest. Such gate-keeping individuals, offices, and groups included: leaders and members of student advocacy and prevention organizations; staff from the Title IX Office; staff from the university-affiliated women's center; staff from the university office responsible for providing support for survivors following a report; and local community members who interact with student survivors through their roles and work. As Hays & Singh (2012) have indicated, it is

important to build rapport with gatekeepers, stakeholders, and key informants in order to gain access to the sample and to appropriately engage with participants via these gatekeepers. In order to do this, I included a brief description of my proposed study, why this research is important, how potential participants could benefit from participation, and information about confidentiality. I also leveraged my existing relationships with individuals in some of these organizations, particularly University staff and local community members, to gain initial entry. I contacted these gatekeepers via email, and asked them to forward the message to student survivors who they felt may be interested in participating; that email included a brief written description of the purpose, goals, and proposed procedures of the study, along with a link to an interest survey.

Beyond attempting to gain access to students through gatekeepers, I also posted physical fliers seeking participants in high-traffic areas, as well as areas where survivors may frequently visit. High-traffic areas included physical student center spaces on the campus where the study took place, and areas where survivors may frequently visit such as advocacy and support spaces in the women's center and Title IX office, with permission from administrators of those spaces. The fliers included a brief written description of the purpose, goals, and proposed procedures of the study, as well as a link to an interest survey. All outreach and recruitment materials indicated that student participants would be compensated with a gift card for participation in the study. This gift card was in the amount of ten dollars, and was useable for a popular coffee shop with locations on and near the campus of REU. I used these gift cards both as a way to encourage participation, and also as a gesture of thanks to participants.

Interested individuals and potential participants were invited to engage in the second phase of sampling outreach, a screening survey. This screening survey accomplished two

important tasks: it provided me with information to identify participants based on the sampling criteria, and it provided a means by which participants could learn more and provide their direct contact information for participation. In order to identify a participant who met sampling criteria, the screening survey asked respondents to provide information about themselves, including age, enrollment information, and biographical and demographic information; the survey also asked the respondents to provide information about their disclosure of sexual or gender-based harassment or violence (semester and means of disclosure). The screening survey also included introductory text to further describe the study purpose, design, and initial information about participation. Finally, the screening survey asked potential participants to provide their name and contact information for follow-up. I utilized the responses from the screening survey to identify a participant who met sampling criteria, and I then contacted that individual to arrange participation in individual interviews. This indirect two-phase sampling protocol to identify a primary participant was designed to protect the participant's feelings of comfort and security, and did not require disclosure of identity or contact information without the participant's permission or knowledge. Further, this was designed to increase potential participants' feelings of agency in being identified as a survivor of sexual violence.

Secondary Participants

As a means to provide additional context regarding the individual experiences described in depth by the primary participant, I sought to identify additional participants with direct experience observing or interacting with student survivors throughout their experiences following a disclosure of sexual or gender-based violence to a Responsible Employee. Further, given the particular environmental and cultural context within which the primary participant navigated the post-report experience—referred to in this report as the REU "Professional

School"—I sought to engage with secondary participants who may have had specialized access to or experience interacting with students in that professional school after reporting. These secondary participants were identified in two groups: staff members from the REU Title IX office, and Responsible Employees from the REU Professional School. Title IX staff members were identified as meaningful contributors of triangulating data because of their specialized knowledge of RE policies and post-report policies and procedures, and their knowledge and experience interacting with survivors post-report. Responsible Employees in the professional school were identified as meaningful contributors of triangulating data because of their hyper-local knowledge and experiences observing or interacting with professional school students who report sexual or gender-based violence, and their prior experiences enacting RE policies when receiving disclosures and reporting sexual and gender-based violence. Participants in each of these groups were eligible for participation if they were current employees at REU, actively working or serving in their role as either a Title IX staff member or Responsible Employee in the REU Professional School.

I employed a form of snowball sampling to identify participants who are Responsible Employees (faculty and/or staff) who have received a student disclosure of sexual or gender-based harassment or violence, in the school community that the primary participant was enrolled in at the time of their disclosure. This included the specific Responsible Employee who received the primary participant's report. The primary participant identified the Responsible Employee that received the initial report, and I first contacted that Responsible Employee to inquire about whether they were willing to participate. I disclosed to that Responsible Employee that they were identified as the individual who received the primary participant's report, but I did not disclose the identity of the student participant, nor did I share any personally identifiable

information about the student or about their report or specific post-report experiences. I also asked other secondary participants to identify any additional Responsible Employees in the student participant's school of enrollment, who may be interested in participating in the study; this yielded one additional Responsible Employee who I contacted and who agreed to participate.

I employed convenience sampling to identify two participants who are staff members in the Title IX office, at the institution where the study took place. I contacted current staff in that office based on listing(s) on the official institutional web site directly via email to inquire about their interest in participation. In my initial emails contacting all potential secondary participants, I included introductory text to further describe the study purpose, design, and initial information about participation.

Data Collection Approach

The data for this study were collected from three sources: the primary participant, a series of four secondary participants, and a set of policy and resource texts. Data were collected from the primary participant in multiple formats and at multiple timepoints, as a means to gather thick, rich data regarding their post-report experiences. Further, data were gathered through one engagement with each of four secondary participants, as well as textual analysis of the policy and resource texts. The data collection approach for each data source is described in turn below.

Primary Participant

This study utilized two forms of data collection to engage with the primary participant: written journal prompts and semi-structured interviews. Each of these data collection approaches allowed the participant to identify and articulate their individual experiences, providing insight into the research question within a social constructivist framework (Creswell, 2014; Creswell & Poth, 2018). Individual interviews are appropriate for the aims of the study

because individual interviews are the "preferred option for unexplored and underexplored social phenomena" (Hays & Signh, 2012, p. 237) and provide an opportunity to gather thick, rich data regarding participant's experiences and perspectives. The semi-structured interview approach specifically provided a structure (derived from a review of the literature) for exploring the phenomenon of interest, while also allowing the participant to identify perceptions, opinions, and beliefs about her own experiences which she deemed most important or salient (Ayres, 2012; Creswell, 2009). Further, written journal prompts provided additional variation on opportunity for the primary participant to externalize her experiences in a dialogic manner (Zittoun & Gillespie, 2012).

While each of these two data collection techniques would offer the opportunity to engage with the primary participant and gather data about her individual experiences and perspectives, combining these techniques created a more powerfully multidimensional opportunity to gather data, while also being mindful of the significant strain that these topics may place on the participant. By engaging with the primary participant at multiple timepoints and in multiple modes, I sought to provide her with varied opportunities to convey her experiences in a manner that is most comfortable and effective for sharing difficult and personal experiences with a researcher. Further, research also demonstrates that writing about past traumatic experiences is associated with positive mental physical health outcomes (Esterling, L'Abate, Murray, & Pennebaker, 1999), and the inclusion of a writing prompt as a form of data collection may serve the added purpose of supporting the primary participants' well-being.

Siedman's (2006) approach to phenomenological interviewing informed, but did not determine, the multiple points at which I engaged with the primary participant. As Hayes and Singh (2012) articulated, Seidman's approach is intended "to elicit a description of the essence

of an experience that several individuals have undergone. With a focus on the lived meanings of a phenomenon across individuals, this form of interview is conducted in three phases" (p. 250). Siedman's approach uses each of these three interview phases to address (1) a focused life history intended to collect a comprehensive picture of participants' experiences surrounding phenomenon over time, (2) the specific details of an experience, and (3) reflection on the meaning of the phenomenon or participants' experience of the phenomenon (Hayes & Singh, 2012; Siedman, 2006). The primary participant in this study was engaged at five total points in time, and each engagement sought to understand a different component of or perspective on the phenomenon (for additional description of data collection procedures, see Data Collection Procedures). While these engagement and data collection points did not correspond exactly with the three defined phases that Siedman (2006) developed, Siedman's principles of multiple engagements, broad and specific understanding of the phenomenon, and opportunity for reflection were incorporated into this proposed study.

Secondary Participants

I developed two semi-structured interview protocol to engage with the four secondary participants: one protocol for the two Title IX staff members, and one protocol for the two Responsible Employees. As with the primary participant, the semi-structured interview approach provided a structure (derived from a review of the literature) for exploring the phenomenon of interest, while also allowing the secondary participants to identify perceptions, opinions, and observations about student survivors' post-report experiences that they deemed most important or salient (Ayres, 2012; Creswell, 2009).

Policy and Resource Texts

Finally, I also collected textual data from the institution's Title IX policy and supporting documents, through document analysis. These documents were identified in two ways. First, any document or resource that a participant (primary or secondary) explicitly mentioned or referenced as relevant was collected. These documents include the REU Title IX policy, the REU Responsible Employee policy (a separate university policy that compels reporting), and the Title IX procedures in place at the time of the primary participant's disclosure. This final document, the procedures, is an appendix to the REU Title IX policy and is technically a separate document from the policy itself. The second way that I identified documents was to review the REU Title IX web site, and identify additional resource documents that are directly relevant to either Responsible Employee policies or practices, or to survivors' post-report experiences (particularly to their procedural institutional response experiences and personal or interpersonal experiences). This search yielded the following additional relevant documents: a "Resource and Reporting Guide" published by the Title IX office as an appendix to the Title IX policy which "provides an overview of University and community resources, including confidential resources, and options for reporting Prohibited Conduct to law enforcement and/or to the University"; and the text of a page on the Title IX web site nested under the "For Students" section, entitled "Reporting Prohibited Conduct for Students." The text of each of these documents was formatted to plain text for the purpose of uploading to qualitative analysis software for coding.

Instrumentation

Primary Participant

I collected data from the primary participant through a sequence of five instruments, consisting of two journal prompts and three semi-structured interviews. For the purpose of the

following description of Instrumentation and Data Collection Procedures, I will collectively refer to each interaction with the participant as an *engagement*. The instruments that I utilized to guide and structure each of these engagements was designed to gather data about more specific to less specific aspects of the participant's experiences following disclosure to a Responsible Employee. Each of the five instruments are described in more detail below.

Through the course of the study, the participant responded to two separate journaling prompts. Each journal prompt provided a broad question which the participant could respond to, as well as a series of additional guiding questions; instructional language in each prompt states, "*You can use the following questions as prompts, but feel free to tell me about whatever aspects of the experience feel important or meaningful to you.*" The questions in each prompt are designed to follow best practices in research interview question development, including being conversational in nature, open-ended, neutral, and clearly worded (Castillo-Montoya, 2016; Hayes & Singh, 2012; Jacob & Furgerson, 2012; McNamara, 2009). At the outset of each prompt, I also provided a brief description of the study goals, as well as informed consent procedures. Journal Prompt #1 (see Appendix A) asked the participant to reflect on and write about their experiences of their initial disclosure to a Responsible Employee. This prompt was the primary participant's first engagement, and it began by having the participant focus on a very specific, time-bound aspect of that experience. Journal Prompt #2 (see Appendix B) asked the participant to reflect on and write about their overall experiences following disclosure to a Responsible Employee. This prompt was the participants' penultimate engagement, and was designed to give participants an opportunity to reflect more broadly on their experience of the phenomenon, after having described multiple specific aspects of their experiences in previous engagements.

Between and after the two journal prompts described above, the participant also engaged in three separate individual interviews, each of which was guided by a semi-structured interview protocol. The protocol for each interview begins with introductory information about the structure and purpose of the interview. Then, each protocol includes a series of topical question prompts, as well as a series of three to five probes designed to elicit responses about the topic (Hays & Singh, 2012; Jacob & Fergersun, 2012; Seidman, 2006). Finally, each protocol concludes with information about next steps in the research process (see Data Collection Procedures), as well as information about data and confidentiality.

Each interview protocol was developed utilizing best practices described in research literature (e.g., Castillo-Montoya, 2016; Hayes & Singh, 2012; McNamara, 2009; Turner, 2010). Interview topics and questions were designed to align with the research questions guiding the study, and "anchored in the purpose of the study" (Castillo-Montoya, 2016, p. 812). Each protocol utilizes the general sequential structure of (1) introductory questions, (2) transition questions, (3) key questions, and (4) closing questions (Castillo-Montoya, 2016). Interview questions were also written and organized to encourage a conversational rapport between the interviewer and participant (Castillo-Montoya, 2016; Hayes & Singh, 2012; Turner, 2010), through question phrasing and by creating space for follow-up and opportunity for participants to lead conversation; this is particularly important in the context of the study's constructivist orientation, as it emphasizes the value and importance of the participants' perspectives for the research (Hayes & Singh, 2012). Finally, interview questions were designed to be open-ended, neutral, and clearly worded (Hayes & Singh, 2012; Jacob & Furgerson, 2012; McNamara, 2009).

Interview #1 (see Appendix C) focused on the primary participant's experiences of institutional response following their report; this interview protocol was intended to explore

phenomenon specifically related to the Research Sub-question, *How do student survivors describe their experiences of institutional response following disclosure of sexual violence to a Responsible Employee?* Interview questions and probes inquired about the participant's experiences of this aspect of the phenomenon in the areas of: engagement with institutional resources; engagement with institutional administrators or staff; experiences with specific institutional processes; and overall perspectives on the institutional response to the participant's report.

Interview #2 (see Appendix D) focused on the participant's personal and interpersonal experiences following their report; this interview protocol was intended to explore phenomenon specifically related to the Research Sub-question, *How do student survivors describe their personal and interpersonal experiences (e.g., emotional and psychological, behavioral, relationships with peers and personal support networks) following disclosure of sexual violence to a Responsible Employee?* Interview questions and probes inquired about the participant's experiences of this aspect of the phenomenon in the areas of: engagement with personal support network; impact of report on personal relationships; the participant's emotional and personal processing of the reporting experience; changes in habits, behaviors, or activities following report; and overall perspectives on the participant's personal experiences following report.

Interview #3 (See Appendix E) provided an opportunity to reflect on the post-report experience as a whole, after the Title IX process had concluded. This interview protocol was developed and added into the study after the conclusion of the first four engagements with the primary participant, as the participant indicated that they would be interested in meeting for a third interview to share additional information about their post-report experiences. Given that this study was designed with an inductive qualitative methodology intended to deeply understand

the primary participant's experiences from their perspective, it was important to be responsive to this expression from the primary participant that there was more to say. Interview #3 protocol was designed with the same foundational tenets of protocol development, but was not developed at the outset of the study; rather, it was developed in response to the needs of the participant in order to fully share their perspectives, beliefs, and conclusions about the post-report process. Interview questions and probes in Interview #3 protocol inquired about: reflections on the participant's overall post-report experience after the conclusion of the Title IX process; changes in the participant's engagement with personal support; changes in the participant's perspectives on university processes; and the participant's overall reflections of their post-report experiences. These topical areas were generally developed based on the participants' request and offer to provide additional general information after the conclusion of the Title IX process.

Given the sensitive nature of the phenomenon being studied, as well as the anticipated difficulty of identifying participants, the researcher-developed engagement protocol was first piloted with professional peers who have experience working with and supporting survivors following disclosure of sexual violence, and who also have relevant academic credentials for evaluating educational or clinical research. These individuals were provided a brief description of the proposed study and asked to review the interview protocol for alignment with study goals, as well as relevance to survivor experiences, based on their past professional interactions with survivors and knowledge of sound research procedures. Through this process, I received and incorporated feedback about both the content and structure of the instruments. Additionally, I piloted both the prompt and interview protocol with former students and survivors of sexual violence, with whom I (the researcher) have a personal relationship. This second round of pilot engagement allowed opportunity for engagement with individuals who may otherwise be eligible

to serve as members of the sample, had they not already had a personal relationship with the researcher. These individuals were able to most closely approximate the experiences and feedback of participants, and were accessible for the purpose of piloting the instruments. Through this process, I received additional feedback about the content of the instruments.

Secondary Participants

I utilized two separate instruments to collect data from the four secondary participants, as the secondary participants fell into two groups: Responsible Employees and Title IX Administrators. Each instrument consisted of a semi-structured interview protocol which followed the same general structure as the instruments developed to engage the primary participant. As with the other protocol described above, the protocol for each secondary participant interview began with introductory information about the structure and purpose of the interview. Then, each protocol included a series of topical question prompts, as well as a series of three to five probes designed to elicit responses about the topic (Hays & Singh, 2012; Jacob & Fergersun, 2012; Seidman, 2006). Finally, each protocol concluded with information about next steps in the research process, as well as information about data and confidentiality.

Also as described above, best practices described in research literature (e.g., Castillo-Montoya, 2016; Hayes & Singh, 2012; McNamara, 2009; Turner, 2010) guided the development of these secondary participant interview protocol.

Responsible Employee Interview Protocol (See Appendix F) focused on those Responsible Employees' observations, experiences, and perspectives about students' experience after disclosure to them as a Responsible Employee. Where possible or applicable, these interviews probed specifically about the ways that professional school students' experiences may be shaped or informed by the professional school community and environment. Interview

questions and probes inquired about participants' experiences and observations in the areas of: knowledge and training related to Responsible Employee policies and obligations; direct experience with disclosure; students' interactions with the Title IX process after a report; students' interactions with resources and support after a report; students' post-report experiences in the professional school environment; and overall perspectives on students' post-report experiences.

Title IX Staff Interview Protocol (See Appendix G) focused on those Title IX staff members' observations, experiences, and perspectives about students' experience after disclosure to a Responsible Employee. Where possible or applicable, these interviews probed specifically about the ways that professional school students' experiences may be shaped or informed by the professional community and environment. Interview questions and probes inquired about participants' experiences and observations in the areas of: describing institutional Responsible Employee policies and practices; direct interactions with students following a report; students' explicit descriptions of their post-report experiences; students' interactions with the Title IX process after a report; students' interactions with resources and support after a report; students' post-report experiences in the professional school environment; and overall perspectives on students' post-report experiences.

Data Collection Procedures

Following identification of a primary participant (see Population, Participants and Sampling), I contacted the participant directly via email, and provided them with logistical information about the series of planned engagements electronically and in-person. In this initial electronic contact, I provided informed consent information, and offered the opportunity to ask any questions about the study or participation; I asked the primary participant to respond to this

first outreach to affirmatively acknowledge informed consent and confirm that they wished to proceed. In addition to providing overall study information, I also included Journal Prompt #1 in this first outreach. The primary participant was asked to review and complete the prompt within a week of receipt, and to return their response via email. Once the participant returned their first writing prompt response, they were scheduled for a first in-person individual interview 11 days later. At the conclusion of Interview #1, I scheduled Interview #2, which took place nine days later. Six days after Interview #2, I sent Journal Prompt #2 to the participant via email, which was returned nine days later. Finally, I scheduled a third and final interview with the primary participant approximately 18 months after I received the final journal prompt. This significant temporal gap in engagement was due to unplanned circumstances for the researcher, which were explained in full to the primary participant upon re-engagement after the conclusion of the second interview and journal prompt. Additionally, the primary participant had additional meaningful post-report experiences during this time period, as the Title IX process that unfolded after their report continued and concluded during that 18-month period. As such, the additional time between Interviews #2 and #3 allowed the primary participant to both have and reflect on additional post-report experiences that could provide additional thick, rich data regarding the case study's research questions and goals.

In the same month that I scheduled the fifth engagement and third interview with the primary participant, I also contacted the secondary participants directly via email to schedule interviews. In this initial communication I provided them with logistical information about the planned interview, and again offered the opportunity to ask any questions about the study or participation. Each of the four secondary participants was separately scheduled for an individual interview, based on their availability. These interviews were scheduled over the course of

approximately four months, based on response times and availability of each participant. At the outset of each interview, I reiterated the purpose of the study and their role within the study, reviewed Informed Consent Procedures, and provided opportunity for the participants to ask any final questions. See Table 1 for an overview of engagements with each participant.

Table 1

Overview and timeline of sequence of data collection engagements with each participant

Engagement	Format	Timeframe	Purpose/Topic
Primary Participant, Journal Prompt #1	Electronic (Email)	Participant asked to return Prompt #1 response within 1 week of receipt; Scheduled Interview #1 after receiving journal response	Confirmation of Informed Consent & Participation; Initial engagement around research topic; Experiences at the time of initial report
Primary Participant, Interview #1	In-Person	Scheduled 11 days after receipt of journal prompt; Scheduled Interview #2 at conclusion of Interview #1	Experiences with institutional response
Primary Participant, Interview #2	In-Person	Scheduled 9 days after Interview #1; Journal Prompt #2 sent 6 days after Interview #2	Personal and interpersonal experiences
Primary Participant, Journal Prompt #2	Electronic (Email)	Participant returned Journal Prompt #2 9 days after Interview #2	Broad reflection on experiences
Primary Participant, Interview #3	In-Person	Scheduled 18 months after receipt of Journal Prompt #2	Broad reflection on experiences after conclusion of Title IX process
Secondary Participant (Responsible Employee #1) Interview	Electronic (Video Conference)	Scheduled within 4 months of Primary Participant Interview #3	(Triangulation) Observations and impressions of student experiences from perspective of Responsible Employee in REU Professional School

Engagement	Format	Timeframe	Purpose/Topic
Secondary Participant (Responsible Employee #2) Interview	In-Person	Scheduled within 4 months of Primary Participant Interview #3	(Triangulation) Observations and impressions of student experiences from perspective of Responsible Employee in REU Professional School
Secondary Participant (Title IX Staff Member #1) Interview	In-Person	Scheduled within 1 week of Primary Participant Interview #3	(Triangulation) Observations and impressions of student experiences from perspective of Title IX Staff
Secondary Participant (Title IX Staff Member #2) Interview	In-Person	Scheduled within 1 week of Primary Participant Interview #3	(Triangulation) Observations and impressions of student experiences from perspective of Title IX staff

Each interview was scheduled at a date and time that was comfortable and convenient for the participant. I offered participants the option to meet in person, or to meet via video conference call using the secure Zoom platform available through the institution where the study took place. All participants except for one (a secondary participant) opted to meet in person for their interviews. Participants were interviewed using the interview protocol outlined above (see Instrumentation); interview length varied in length from 37 to 60 minutes. All in-person interviews took place in a private space on campus; as the researcher, I assumed responsibility for securing interview space, but offered participants an opportunity to identify a location most comfortable to them. The primary participant opted to have me reserve spaces for each meeting, and the three secondary participants who chose to meet in person hosted me in their respective offices on campus. At the outset of each engagement with participants, I introduced informed

consent procedures; informed consent procedures included both written and verbal provision of information about the purpose of the study, confidentiality, and data collection, storage, analysis, and reporting procedures. At the conclusion of each engagement with participants, I reminded participants of procedures to protect confidentiality. I requested permission from participants to record each interview and transcribed all audio recordings verbatim for data analysis and interpretation. I utilized the secure automated transcription service Happy Scribe to initially transcribe all recordings, and then manually reviewed all transcriptions for accuracy and completeness.

Given the sensitive nature of the topics being discussed, participants' trust and comfort throughout the interview and research process were paramount. Participants were assigned a participant identification number in order to de-identify participants in the data (see Data Management Plan). The primary participant was also provided with the opportunity to member-check data at multiple points, by completing a brief survey about their participation, and also by reviewing preliminary data analysis. The content of the interview has the potential to cause psychological harm for the primary participant, and they were informed of this risk through the informed consent process; secondary participants were also provided with information about potential risk through informed consent processes. Additionally, I utilized trauma-informed best practices for interacting with the participants, and the primary participant was provided with a physical copy of information about resources and support available through the university as well as the local community at the conclusion of the interview.

In order to collect additional text data for further triangulation of the data gathered from the primary participant, I gathered the following texts from open-source online REU web pages: the REU Title IX policy and procedures (version in place at the time of the primary participant's

report); the REU Responsible Employee reporting policy; and two supplemental resources or guides related to reporting. These full documents were pulled down from the respective web pages and were formatted to plain text for analysis.

Data Analysis

Data analysis occurred as data were gathered and evolved in an interactive process as themes and findings emerged throughout the data collection and analysis processes (Creswell & Poth, 2014; Marshal & Rossman, 2016). Creswell and Poth (2014) indicated that qualitative data analysis occurs on two levels: the general procedures for analyzing data—generally through development of codes and themes—and the procedures specific to a particular qualitative design. The authors describe the particular practice of analysis in a phenomenological study as the "analysis of significant statements, the generation of meaning units, and the development of what Moustakas (1994) called an "essence description" (Creswell & Poth, 2014, p. 196). Consistent with this characterization of the data analysis in phenomenological research, I employed analysis approaches designed to make meaning of the data as it was presented from participants' perspectives. In order to conduct this analysis, I engaged in two cycles of coding, paired with analytic memos throughout the analysis process.

I began writing analytic memos during data collection as a first opportunity to engage with and make meaning of the data. I wrote very brief memos following each engagement (journal prompt response or interview) with each participant; this means that I have a memo for every journal prompt and every interview. I utilized these memos as my first opportunity to immerse myself in the data as it was gathered (Marshall & Rossman, 2016), and as a means to make sense of the data in an ongoing manner (Saldaña, 2016). Additionally, these memos collectively not only provided insight into my analysis as part of a robust audit trail, but they also

provided an opportunity to keep track of the data, and to go back and reference each participant's responses as a means to provide thick, rich descriptions to demonstrate themes as they emerge.

I conducted first my first cycle of coding after all data had been gathered and coded the data in three groupings: the data gathered from the primary participant; the data gathered from the four secondary participants; and the data gathered from relevant texts. Within each of these groups, I first engaged in open coding as a means to identify patterns and key ideas in the data (Marshall & Rossman, 2016; Saldaña, 2016). I developed descriptive and *In Vivo* codes that originated from the data (Creswell & Poth, 2014; Hays & Singh, 2012; Marshall & Rossman, 2016; Saldaña, 2016). According to Saldaña (2016), In Vivo coding as a first cycle approach is "appropriate for virtually all qualitative studies, but particularly…studies that prioritize and honor the participants' voice," (p. 106) and especially the voices of marginalized individuals or groups. This approach to coding is well-suited for the aims of this study because it derives codes from content as it emerges through the views and beliefs expressed by participants, and because it utilizes the language, words, and phrases drawn from the participants themselves, is more likely to capture their experiences (Saldaña, 2016).

As a means to transition between the first and second cycles of coding, I reviewed the first-cycle codes for themes; these themes served to initially identify "what a unit of data is *about* and/or what it *means*" (Saldaña, 2016, p. 199). After completing a first cycle of coding and theming, I utilized a second cycle of coding to "develop a sense of categorical, thematic, conceptual, and/or theoretical organization" (Saldaña, 2016) of the first-cycle codes. Specifically, I utilized pattern coding to group and cluster first-cycle codes into "meaningful or parsimonious units of analysis" (Saldaña, 2016, p. 236). These higher-order pattern codes (Hayes & Singh, 2012) further demonstrate themes in data (Creswell & Poth, 2014; Marshall &

Rossman, 2016; Saldaña, 2016), upon which I began to develop meaningful descriptions of the data for the purpose of reporting findings and conclusions. I continued use of analytic memos throughout the process of developing codes and themes from the data, as a means to identify "clusters and patterns or themes [I saw] as the data accumulate" (Marshall & Rossman, 2016).

Because the data gathered from the secondary participants and the texts were meant to triangulate with data gathered from the primary participant, I also mapped the codes gathered from each of these groups against each other. Using a simple table (see Appendix H), I aligned primary participant codes with relevant secondary participant or text codes, making note of whether the related codes were supportive, contradictory, or neutral. This exercise allowed me to organize the data and to visualize the ways that the triangulating data interacted with the data gathered from the primary participant.

In order to conduct these analyses, I utilized Dedoose web-based coding software. Within the software, I developed codebooks including code labels, code definitions, textual examples from raw data, and linked memos. As I developed these codes and themes using analytic induction in first an explanatory and then a confirmatory manner (Hays & Signh, 2012), I sought data saturation or theoretical sufficiency, "whereby we have categories well described by and fitting with our data…[acknowledging] the fact that we can never know everything and there is never one complete Truth" (Marshall & Rossman, 2016, p. 229). Data analysis and findings are reported through summary of themes, analysis of researcher interpretation, and supporting evidence to demonstrate all concepts and conclusions.

Data Management

Considering the sensitive nature of the data being collected, a loss of confidentiality or unauthorized access to data including personally identifiable information could pose a serious

risk of psychological or social harm to participants. In order to minimize this risk, I took steps to de-identify data during collection, data management, and reporting of findings. I also took steps to ensure secure storage and management of all personally identifiable data.

The types of data generated in this project include data related to participants (including Informed Consent documentation and personally identifying participant information), journal prompt responses, audio recordings and transcriptions of interviews, data analysis code books, and researcher notes and findings. The study neither gathered nor produced highly sensitive data, however the data contain personally identifiable information about participants, and precautions were taken to protect the security and confidentiality of that participant data. Participants' identities were captured in Informed Consent forms, but all other materials refer to participants by an ID number; the identities and ID numbers are cross-referenced on the Informed Consent Forms. All data are maintained in locked (physical) or password-protected (electronic) areas, where access to those areas is limited and granted only with my permission. Materials with personally identifiable information are stored separately from data generated through the study.

The study generated audio recordings of all individual interviews, with participant permission, and interviews were transcribed verbatim, in order to ensure accurate textual representation of participant responses for data coding and analysis. Audio recordings and transcripts of these recordings are labeled with participant ID and maintained on a secure electronic server hosted by the institution where research took place, as well as my personal password-protected laptop; each of these is accessible only by me. Data contained in paper files are secured in a single locked desk drawer, within a locked office, maintained by me.

While interview data were generated in-person and did not require transmission of data outside of the electronic storage described above, journal prompt data were transmitted between me and the primary participant via email. Additionally, I communicated with participants about their participation in the study via email. Participants were offered the opportunity to utilize alternative options for communication (phone only) and for data transmission (arranging confidential drop-off of physical paper responses) if they were uncomfortable using email; no participants requested these alternative options.

Data are reported in aggregate through the study results (in the form of codes and analysis), though individual references to participant responses are used to illustrate results. All data presented in final analysis and findings are presented anonymously, using pseudonyms where appropriate. Participants were provided with the opportunity to member-check data for not only trustworthiness, but also to ensure that participants are comfortable with the protection of their identity as I produced study results.

Trustworthiness

I utilized established research methodology, tactics to increase participant honesty, thick description, member-checking, and triangulation to increase credibility of data and findings (Krefting, 1991; Shenton, 2004). First, I used thick, rich description of the data gathered from participants as a means to established truth in the findings (Krefting, 1991); this applied to both the themes and findings, as well as the specific examples used to illuminate those themes and findings. I also employed a member-checking opportunity for the primary participant after I conducted preliminary data analysis, when I sent draft findings describing themes, analysis, and supporting evidence, and invited the participant to provide substantive feedback about whether

their experiences are reflected in these findings. While she declined to provide any feedback, this opportunity nonetheless was available to her.

The data collection methods in this study design also provide an opportunity for triangulation (Hays & Singh, 2012; Shenton, 2004), by gathering multiple forms of data through journal prompts, individual interview interactions, and text. By inquiring about the primary participant's experiences in multiple formats at multiple timepoints, I was able to gather multiple forms of data about the same phenomenon from the primary participant. Further, by gathering additional data from secondary participants and text with relevant contextual and environmental experiences and observations, I was able to "tell a more complete story [that] enhances the credibility of the case" (Toma, 2006, p. 420). Because the themes and findings that emerge from each of these data methods and sources align, I am able to more confidently assert the credibility of these findings as accurately reflective of the phenomenon (Hays & Singh, 2012; Marshall & Rossman, 2016).

Further, I employed close attention to the context of the participants, thick description of data, and purposeful sampling to increase transferability (Krefting, 1991; Shenton, 2004). I also provided extensive information about research design, implementation, and data gathering as a means to provide research consumers insight into the dependability of the findings (Shenton, 2004). Finally, in recognition of researcher bias study limitations (as described in the Positionality and Researcher as Instrument Statement section above), I utilized a reflexive journal and a series of analytic and reflexive memos as part of an audit trail, as well as in-depth methodological descriptions, to increase the confirmability of the findings (Hays & Singh, 2012; Marshall & Rossman, 2016; Shenton, 2004). I also employed peer debriefing after concluding my data analysis, utilizing a peer who has some familiarity with my area of interested and is also

familiar with qualitative research to "serve as a mirror, reflecting [my] responses to the research process" (Hays & Singh, 2012, p. 151). This process allowed me to check my research decisions and conclusions and increase the credibility of my findings.

Chapter 4: Findings and Interpretation

Through individual interviews with one professional school student at Responsible Employee University (REU), as well as triangulating administrator interviews and relevant textual analysis, I set out to address the following research question through a case study of one survivor of gender-based violence: What were the student survivor's experiences following disclosure of gender-based violence to a Responsible Employee? Further, this case study investigated the following sub-questions:

1. What were the student survivor's experiences of institutional response following disclosure of gender-based violence to a Responsible Employee?
2. What were the student survivor's personal and interpersonal experiences (e.g., emotional and psychological, behavioral, relationships with peers and personal support networks) following disclosure of gender-based violence to a Responsible Employee?

Data analysis revealed that the following themes or aspects of the post-report experience had significant impact on her overall experience: the reactions and responses of the initial Responsible Employee(s) with whom the survivor initially disclosed gender-based violence; individual interpersonal experiences and interactions with both university and personal support systems; the survivor's experience and perspectives regarding the post-report procedures and process; and the insular and amplified nature of the professional school environment. Across each of these areas, the survivor's sense of agency in particular affected her overall experiences, where her increased sense of agency (whether through knowledge, options for response and input, or ability to control her environment) correlated with descriptions of more qualitatively positive experiences. Further, the data and findings reveal that, regardless of the qualitative

nature of the post-report experience (much of which the survivor described as negative), the survivor found ways to make meaning and understand her post-report experience as an opportunity for personal growth, reflection, and positive contributions to and for others.

Case Study Background: Megan

Megan was a first-year professional school student at REU at the time that she made a disclosure of sexual or gender-based violence to a Responsible Employee in the professional school. Her perpetrator and ex-partner was also a first-year professional school student in the same program, and their academic and social worlds were heavily intertwined by the time she decided to end the relationship. While this study was explicitly designed not to ask about the underlying acts of sexual or gender-based harassment or violence that Megan experienced, through discourse and description of her post-report experiences, Megan revealed that her ex-partner had been physically and emotionally abusive toward her, resulting in both immense psychological harm and fear for her physical safety. Megan described coming to the REU professional school because of its academic reputation, and because of its "reputation that it has in the [professional] school community of being very collegial and tight-knit" and "overall support system"; having arrived at REU as an out-of-state student just months before her report, her local support system centered entirely around REU, specifically the professional school. Despite having little history or background at REU or time to develop extensive experiences in the professional school, Megan did have some history and knowledge (from prior student leadership and service roles as an undergraduate at a different institution) describing how to navigate resources related to health and well-being, including experiences of sexual and gender-based violence and mental health.

Megan disclosed some information about her experiences with her ex-partner to other faculty in the professional school before disclosing details about physical violence and safety concerns to a professional school administrator referred to here as "Administrator Carlin;" after this disclosure, Carlin reported to the Title IX office, initiating a review by Title IX staff and additional outreach and engagement from other REU staff regarding options and supportive resources. Megan eventually entered into a formal Title IX investigation of her ex-partner's behavior; she described the process as not only psychologically and emotionally demanding, but also unexpectedly long. Having reported during her first year, the total formal process took almost 2 years and concluded when she was in her final year (REU professional school is a three-year program). The following narrative relays Megan's post-report experiences as she described them, both during and after that almost-two-year period beginning with disclosure.

The Importance of Agency, Control, and the Power of Information

"This is a really tough process, and... this should be your choice. No one should be forced into this."

Megan did have at least cursory knowledge of the fact that full disclosure to an RE would result in reporting and potential action by the Title IX office at REU. This is most evident in the fact that Megan initially intentionally withheld some information about what had happened when reporting to Administrator Carlin. As Megan wrote, "I had hesitated out of fear of retaliation since I knew my disclosure of certain acts would instigate a title ix [sic] investigation and was not sure if I definitely wanted to go through that." At the time of full disclosure, Megan indicated that she was knowingly making a report to the university more broadly, and thus was not surprised when that disclosure led to additional outreach and communication from both Administrator Carlin and other administrators or staff from other parts of the institution. This

outreach, communication, and eventual action was initially welcomed by Megan, and Megan's choice and agency in making the disclosure—and her choice and agency in subsequent points throughout the resulting investigation process—contributed to an overall positive experience in the early phases of the post-report process.

Megan's feelings of procedural agency after report extended into her ability to choose whether she filed a formal report, options for moving forward under institutional policy, and whether and how she engaged with the investigation process. In recalling her conversation with the Title IX Coordinator around the time of disclosure and report, Megan described, "it was also good to hear that I did have so many options. I know, the Title IX Coordinator did stress to me like, this is completely voluntary, and I have the option of filing the official report or not. I think that's something that I've held with me throughout this whole thing." This feeling of control was indeed so important to Megan that, when faced with the decision about whether to name other women who had also experienced harassment or violence at the hands of her perpetrator, Megan declined to do so, even though withholding that corroborating information may have bolstered her own case. As Megan recalled,

> "I always had the option and people were encouraging me to actually name them to the Title IX office. I knew once I named them, they might not have a choice of whether or not to go through with it… I kept their anonymity. I told them like, look, I think you should go through with this. I am. But this is a really tough process, and you need to... this should be your choice. No one should be forced into this."

In these earlier stages of the report and investigation process, Megan's sense of agency was positively correlated with her faith in the Title IX process, and her sense that the report and investigation would lead to positive outcomes for her well-being in addition to holding her

perpetrator accountable. She summarized, “I think when I was originally putting together for the original interview, it made me feel good because I was like, Yeah, this is my story, and this is what happened to me, and this is the truth, and I can tell someone about it, and they can do something about it.”

However, as the Title IX process wore on, Megan described feeling less and less ability to have any sort of control or agency over the process, outcomes, or impact on her. During that period, Megan would respond when prompted, but was not able to be an active participant for long periods of time, and would be greatly affected when she did receive more information. She described this process and impact on her in her own words:

> “I think at this point, going through the investigation, beyond the reporting, once the investigation point started, I felt like it's been out of my hands and I can't control it... I just have no idea what's going on. I literally get updates when they come out. I know that's just a product of the system and how it has to be, but it's a little scary knowing that I'm trying to move on from this thing and really move forward with my life and focus on the school and friends. Then once every couple of weeks, I'll just get an email that brings me to the floor. It's tough in this almost purgatory state of not really knowing what's going on, having no idea where it's leaning, if I did enough, if there's anything more I can do.”

From the time of official report to the time that the investigation and hearing process concluded, nearly two calendar years had passed. Megan was frustrated at this length, saying “I think I still feel very upset that this going on for as long as it did took up most of my professional school career.” In fact, at a certain point during the investigation process Megan relayed that her

case had been entirely forgotten by school administrators, including in the Title IX office itself. As Megan described,

> "I ended up getting the draft report at the end of last year, in the spring, for sure. I ended up having to reach out back out to the Title IX office multiple times in the interim because they had basically, for lack of a better term, forgot [sic] about me. There was a lot of turnover in the office I surmised, and they just completely forgot about my case, forgot it was ongoing. There were literally no timelines. They had to reach out to the investigator themselves to be like, What is going on?"

Megan interpreted this lapse in progress and communication—as well as the final outcomes of the process after it finally resumed—as an absence of institutional regard for her experiences, her well-being, and the behaviors that she experienced and subsequently reported.

> "My pessimistic view is that they have good things to say at the beginning and comforting words, and then after that, they just don't care. It's just all a script... I think they were just trying to get through it and not have me sue. I think as it went on and I had the restraining order, I had the protection from Title IX, and nothing else was happening. He wasn't continuing to threaten me. They were like, Oh, it's not that serious, maybe. Or, It's fine. Or, She's making it up. Because there wasn't continuing imminent threat to them. That wasn't true for me. I would see him around and I would be afraid for my physical safety, but also emotional safety. I wasn't doing well. I just felt very rushed to the side."

Beyond having little to no control over timeline and when or how she could be engaged in the investigation process, Megan described a hearing process that she was not prepared for, and that was not designed with her needs in mind:

> "At the beginning of this year, we had a Zoom trial, which I had little to no prep for. No one really told me what was going on. I think I had one meeting with the Title IX coordinator to explain the way it would work... They didn't give me an option for muting him or getting rid of his face on Zoom. I would literally just have a post-it note and covering his face on the Zoom. I really wanted to turn off my volume when he was speaking and my attorney wouldn't let me because if he said something that I would or could catch, which makes a lot of sense. But so I basically just had to sit there and listen to him yell and scream. The entire trial, he was just yelling and seething and I'm crying. They found him not guilty after all that."

Administrators' perspectives and opinions echoed an emphasis on the importance of agency. Title IX staff and administrators emphasized agency when describing their interactions with students—whether they have already reported or are considering disclosing information. Much of this emphasis on agency was particularly focused on the early phases of the process, "Like reminding [survivors] that this is first and foremost to get them supports and resources that by and large, the option to engage in a Title IX process is on them and that their preference will be honored." Responsible Employees also emphasized agency, and also focused particularly on the early stages of the disclosure process. In particular, REs emphasized choice regarding disclosure in the first place, and clarity about the RE role and what would occur if a student disclosed an experience of sexual or gender-based harassment or violence at all. Both of the REs that I interviewed talked about trying to pre-empt unintentional reports by survivors who may not understand that a disclosure would then obligate a report to the university. One administrator described her practice as,

> "If a student comes to me and I think that they're going to disclose something that I might need to report, what I typically do is tell them, Hey, I'm a Responsible Employee... So if you tell me something, I have to report it just so you know, because I don't want to have a situation where someone says something and then I have to report it and then they're surprised by that. I'm upfront explaining what my obligation is as a responsible employee, and then also saying, Hey, if you don't want to... The people who don't have a reporting obligation are the two [local counseling resources] there. Be aware of that. I'll usually be upfront about my role."

Further, if they are unable to preempt the disclosure ahead of time but they sense that a disclosure is imminent, "I will stop them and do my explanation about my obligation so they understand." These preemptive attempts are not to stop reporting, but rather to allow the survivor the opportunity to make informed decisions, and are intended with the survivor's best interest and agency regarding information-sharing in mind. Another Responsible Employee described this focus on control—again, particularly in the context of initial disclosure—as such:

> "[Student survivors] are afraid of losing control because obviously, if you've been assaulted, sexually assaulted, one of the things that's really important is maintaining your personal control because that's been taken away from you. What I usually counsel students, and I probably am not supposed to counsel students this, but what I say is, Look, you don't have to give me the name. Sure. And you can control when and if you give that. But we want to make sure that you are supported, that you have what you need, and the Title IX office needs to know if there's a pattern of something going on here."

Further, REU's policies themselves, and the written resources that accompany those policies, also emphasize agency and attempting to preempt inadvertent reports. The institution's

reporting policy explicitly states, "If possible, before a Reporter discloses any information to a Responsible Employee, the Responsible Employee should explain the reporting obligations under this Policy. If the Reporter has not disclosed any information and indicates a desire to maintain confidentiality, the Responsible Employee should instead direct the Reporter to a Confidential Employee." Much corroborating evidence—from REs, administrators, and policy resources—indicates that there is an institutional understanding of the importance of agency. However, this emphasis on agency seems largely focused on the very first stages of the process, at the time of report, and there is much less emphasis on agency throughout the latter phases of the process in cases where a disclosure does lead to an investigation or hearing. The qualitative nature of Megan's experience shifted along these same lines, starting largely positive with feelings of control, input, and agency over her story and the process that she intentionally undertook, and concluding feeling dismissed, defeated, and "rushed to the side." While agency is surely not the only aspect of the post-report process that matters or that had a large impact on Megan's overall experience, it is notable that as emphasis on agency dissipates, so too does her faith in the process and her feelings of well-being, as is evident in her assessments and descriptions of her experiences throughout the two years after her report.

From Initial Report to Hearing Conclusion: Megan's Procedural Experiences

"I feel really angry and just swept aside... The beginning of my experience, I think I told you, was just so lovely and everyone seemed so supportive. Then as time went on, just no one cared. It was like they were checking a box."

Megan's ability to have some control over her initial disclosure—including her intentional choice to make a disclosure to Administrator Carlin and her subsequent choices in pursuing formal action under the Title IX policy—correlated with qualitatively positive

descriptions of her initial procedural experiences. Those procedural experiences also intersected with the interpersonal experiences that she had during her initial disclosures of information to her faculty and ultimately to staff. While these interpersonal experiences were just the start of a long and complex series of experiences, they remained highly salient for Megan's overall recollection and description of her post-report experiences. Her interpersonal experiences with Responsible Employees—the approach, demeanor, and actions that the REs took in receiving that information and responding to her—around the time of disclosure and shortly thereafter had substantial impact on the post-report experience regardless of the mechanics or obligations related to RE disclosure obligations.

Megan's disclosure process was not entirely straight-forward, and she shared information about the gender-based harassment and violence that she had experienced in fits and starts to multiple employees in the professional school before the matter was formally reported to the REU Title IX office. Megan described sharing at least some information with three separate responsible employees in the professional school, including a mix of both faculty and administrators. She first contacted a professor with whom she had a close relationship, though at that time she "did not divulge the majority of what had happened during the relationship." While they did not discuss full details, Megan nonetheless indicated that they did discuss a fight that Megan had recently had with her ex-partner, and in retrospect she shared that this professor "was the first person to identify what I had experienced as abuse, which felt extremely validating." Megan was directed to Administrator Carlin for support, who in turn referred Megan to localized counseling resources; however, based on unrelated concerns with Administrator Carlin, Megan felt "at odds" with Carlin and "no longer felt comfortable reaching out to her." As Megan continued to process her experiences with her ex-partner and identify his behaviors as

problematic, Megan contacted another administrator (who Megan had also taken a course with) about the situation, and was again directed toward Administrator Carlin. It was at this time that Megan "became ready to come forward" and ultimately did disclose the fuller extent of the gender-based violence that she had experienced to Carlin and, eventually, to the Title IX office. Megan decided to come forward largely because she had come to understand and recognize her ex-partner's behaviors as abusive, and wanted to not only hold him accountable for those behaviors, but also to put in place measures to address her ongoing safety concerns about her ex-partner.

This reporting process stands in relief against the idea that disclosure to REs is a clear and linear process in practice. Title IX administrators at REU indicated that any disclosure of gender-based harassment or violence should be quickly and fully reported "as soon as you're reasonably able," and ideally "within 24 hours. But as quickly as [REs] can with that report, that can be filed either by doing direct outreach to the Title IX office coming in person, [or] filling out the [online reporting portal] form." These administrative descriptions of the reporting obligations and process seem inconsistent with Megan's reporting experience—where she shared information with three people before a formal report was made. Megan shared information in bits and pieces during that time (seemingly intentionally so), and it is possible that the REs that Megan spoke to prior to full disclosure did not know—or were not sure—whether the behaviors being described required report. At the same time, the very first RE described the behaviors as "abuse" in Megan's romantic relationship; while this may or may not implicate formal institutional policy, it surely has tinges of Title IX policy. This back-and-forth with multiple REs over behavior that was undoubtedly concerning, but questionably policy-implicating, indicate that Megan's overall disclosure experience was not a one-and-done experience at all, but

rather was a slow build to fully "reporting." While this process of disclosure and then reporting to the Title IX office may not align with institutional descriptions of how a report should occur, they nonetheless provided Megan with opportunity to share information at times and in ways that felt best aligned with her needs, interests, and goals.

While Megan's initial and ongoing experiences with the RE to whom she disclosed were particularly salient components of her overall experiences (as evidenced by the strength and amount of time that Megan spent discussing them in her interviews), Megan's experience was also highly colored by the procedural aspects of the Title IX process that occurred in the wake of her report. As I have already described, Megan entered willingly into the Title IX investigation process, and made intentional choices (in consultation with others, including her father and friends) and decisions throughout that process about what to disclose, how to disclose it, and how to engage with that process.

Initially, even though the initial report was "extremely scary," Megan's experiences with the Title IX process were net positive, and contributed to her overall feelings of being supported, heard, and cared for by the institution and many of the individual institutional representatives (administrators, staff, faculty) who she interacted with throughout the process. This in turn supported Megan's feelings of agency, pride, and strength as she navigated the Title IX process. Megan's intentional engagement began with her choice to disclose the full extent of the gender-based violence that she had experienced to a Responsible Employee (Administrator Carlin). As described above, Megan initially withheld information, knowing that this would lead to a "report." However, after testing the waters with disclosures of some information, she "became ready to come forward" and set up a meeting with Administrator Carlin to "divulge the extent of

what had occurred during the relationship" with her ex-partner, though she still withheld his name; she later shared her ex-partner's name as well when she had increased safety concerns.

Megan then began the process of talking with various other REU administrators and staff about options and next steps. She began meeting with staff from the Title IX office, with her assigned support person from the office of the dean of students, and also with a sergeant from the REU police department to discuss both safety resources and additional criminal reporting options. Reviewing her various options bolstered Megan's feelings of agency and control in next steps, which ultimately also bolstered her further intentional engagement with the Title IX process. As she put it, it was "good to hear that I did have so many options. I know, the Title IX Coordinator did stress to me like, this is completely voluntary, and I have the option of filing the official report or not. I think that's something that I've held with me throughout this whole thing." Megan felt so strongly about the importance of knowingly and willingly entering into the Title IX process that she made sure to allow that same option for others, even to the potential detriment to her own case:

> "There were two other girls that were involved in the situation that were victims as well and could have come forward and stood with me and strengthened the case for all of us. And that them and I have been in contact a little bit to try and maybe talk. We decided to all go through with it. Then I found out later they decided not to, and they never told me. I always had the option and people were encouraging me to actually name them to the Title IX office. I knew once I named them, they might not have a choice of whether or not to go through with it. Because I remember talking to the Title IX Coordinator, and she said that some cases they would deem as so dangerous that even if I decided not to file a report, the school would take over and file the report for me. I would be forced into

> the situation. I remember in the meeting, I was like, Okay, I know you can't really say for sure, but off the record, do you think that that would apply in this case? She said, off the record, I think so. I think that this is a case that we would not let go. I knew that once I named them to the office, they might not have a choice in going forward or not. I kept their anonymity. I told them like, Look, I think you should go through with this. I am. But this is a really tough process, and you need to... This should be your choice. No one should be forced into this."

As the investigation wore on, Megan went back and forth with herself about whether she had grounds for the claims, about whether the process would yield results in her favor, whether or how to participate, and whether it was all worth it. Megan's experiences throughout the Title IX process were at times affirming and supportive and at times led to self-doubt or doubt in the process and institution responsible for responding. As she described,

> "I mean, and just throughout the process, was a lot of self-doubt and based in a lot of wondering like, Is this enough? This is not what I think of when I think of abusive relationships. Is anyone going to care? Is anyone going to take it seriously? Why am I complaining about this when other people have it so much worse? I think that the steps that the Title IX office took immediately after my report opened my eyes to like, Oh, they think it's serious enough. I think also them being like, There was a crime that possibly occurred here. There is a threat. We reported this to the police. We're taking this very seriously. That opened my eyes like, Okay. A non-biased official source is taking what I'm saying seriously, and they see it seriously. Which was affirming… And then I think going through it, I was like, Okay, so the report has been made now. Realizing the lack of evidence that I had, like the physical evidence, I was like, It's going to come down to my

> word against his. Is anyone going to believe me? That was a big thing. That's why I never really pursued criminal charges because I knew there wasn't enough evidence. I was like, this isn't my only option."

Through her early engagement with the Title IX process, Megan expressed feelings of being cared for by the institution, and that her experiences mattered. In our first interaction (which occurred while the investigation was ongoing), when I asked Megan about how she would describe her overall reporting experiences, and she first summarized by simply saying, "I think really good." Expanding further, she shared that the Title IX process was reasonable, and demonstrated an overall focus on not just appropriate due process, but also on her well-being as a person:

> "I did go to the city court and I did get a restraining order against him. I've gone the civil process route. That is very factually based and there's higher burden of proof. [A friend] stressed that the Title IX office has a lower burden of proof, and they are also focused on your emotional well-being as well as your physical safety. And so you can stress how you're feeling and stuff. I remember thinking, That's great. I went in with that mindset and then had to backtrack once the report started coming out and the draft reports and all the updates. I was like, Oh, my goodness. I had a couple of screenshots of messages of me asking for no contact, of me talking to my friends about what had happened, but nothing too in-depth. I get his response back and it's 800-something pages of text messages. I was like, Oh, my gosh, this is like a... This is an actual investigation. This is really, really serious. I had to get my stuff together and go through and really keep track of everything and go through and get texts and emails and timelines and just really prepare and put in a lot of time that I wasn't expecting. So that was surprising."

Based on her descriptions of her experiences, the net-positive experience ultimately changed to being net-negative over time. I met with Megan multiple times over the course of nearly two years, and her overall feelings about the post-report experience—particularly as it relates to the Title IX process took a somewhat dramatic turn during that period. This turn began during the investigation, when Megan began to have to read and respond to her ex-partner's claims, which were more extensive than she anticipated. As Megan described the process of reviewing and responding to initial investigation reports, she portrayed a difficult and painful experience when having to engage with her former partner's claims and responses:

> "I think when I was originally putting together for the original interview, it made me feel good because I was like, Yeah, this is my story, and this is what happened to me, and this is the truth, and I can tell someone about it, and they can do something about it. I think once the draft report started coming out, and I was having to respond to the allegations that he now is making and cross-allegations, that was really, really tough to see. And hearing what he thinks happened or what he is claiming happened and knowing that that is not what happened. And feeling like I have to fight for my life now and try to find proof when there really isn't anything because this all happened behind closed doors. And so no one was really there to witness a lot of the physical abuse claims that I'm making. And they can lend themselves to what they saw in public, but that's just not a lot. So I think trying to combat his claims, I think, was where it got hard."

As this investigation progressed, Megan began to feel that she had less and less control over what was happening, and eventually began to feel like she had less and less sense of what was happening. In her words,

> "Going through the investigation, beyond the reporting, once the investigation point started, I felt like it's been out of my hands and I can't control it. I think before the investigation and in the reporting stages, the school made me feel very in control of what was going on next and what the next steps were going to be. I think now I just have no idea what's going on. I literally get updates when they come out. I know that's just a product of the system and how it has to be, but it's a little scary knowing that I'm trying to move on from this thing and really move forward with my life and focus on the school and friends. Then once every couple of weeks, I'll just get an email that brings me to the floor. It's tough in this almost purgatory state of not really knowing what's going on, having no idea where it's leaning, if I did enough, if there's anything more I can do. That's been tough."

By the time I spoke to Megan a final time, the Title IX process had concluded and her feelings of being cared for and treated fairly had all but gone by the wayside. This was a combination of a number of factors: the lengthy timeline of the overall Title IX process; the procedural approach to how the investigation information was considered; the hearing process; the outcome at the conclusion of the process; and the ways that she was and wasn't engaged for support after the conclusion of the process.

The timeline of the post-report process spanned over much of Megan's experience in professional school. REU's Title IX policy documents themselves say that, "typically, the period from commencement of an investigation through resolution (finding and sanction, if any) will not exceed sixty (60) calendar days," and that involved parties have a right to "written notice of any extension of timeframes for good cause." In quite stark contrast, Megan stated that "I think my process from start to finish ended up being... Let me see this. Almost two years, which is

clearly not in the timeline. There wasn't any crazy circumstances that warranted that other than turnover and maybe you could argue COVID." Not only did the process take an unusual amount of time, but Megan reported that the extended timeline was in part because the office had "forgotten" about her ongoing case:

> "I ended up having to reach back out to the Title IX office multiple times in the interim because they had basically, for lack of a better term, forgot about me. There was a lot of turnover in the office I surmised, and they just completely forgot about my case, forgot it was ongoing. There was literally no timelines. They had to reach out to the investigator themselves to be like, What is going on? finally, when they had a new coordinator in the office."

Even when the investigation was active, Megan felt that the consideration of the evidence that she provided, and the consideration of her ex-partner's claims, were not appropriately handled in the latter stages of the investigation process. Megan went through multiple rounds of responses after receiving the initial draft report, wherein she was cross accused of sexual violence, provided additional testimony (including from additional witnesses), and responded to each of the claims that her ex-partner had made against her or in his own defense. She summarized the findings,

> "I got the final report over the summer, and he was deemed... It was recommended that he be found not responsible by an investigator. I was able to read the investigator notes on her thoughts on the matter. She basically straight-up accused me of lying, said that there was no way that some of this stuff could have happened. To me, it was like, Okay, you're not finding me not… Or you're not finding him not responsible. You're finding me

lying. That's a big difference of not guilty versus innocence. I was like, I feel like that's just so outside your purview of being able to do that."

After the conclusion of the investigation process, Megan proceeded to a hearing, where she again felt unsupported and pushed aside:

"Even though that all happened, we still had to go to trial. Then at the beginning of this year, we had a Zoom trial, which I had little to no prep for. No one really told me what was going on. I think I had one meeting with the Title IX coordinator to explain the way it would work. But I wasn't prepped by my attorney or anything like what to do. They didn't give me an option for muting him or getting rid of his face on Zoom. I would literally just have a post-it note and covering his face on the Zoom. I really wanted to turn off my volume when he was speaking and my attorney wouldn't let me because if he said something that I would could catch, which makes a lot of sense. But so I basically just had to sit there and listen to him yell and scream. The entire trial, he was just yelling and seething and I'm crying. They found him not guilty after all that. The trial just went normally. It actually didn't… It was like 5 hours or something on Zoom. It was really weird. There wasn't a lot of questions. There was opening statements and closing statements by us, and we had to present it all. It was really weird. They didn't really ask me that many questions. It seemed like they had already made up their mind or didn't care. Then I had to wait two weeks for the decision. I basically got the email saying we're finding him not guilty. If you want to appeal, here's the process. Then I never heard from anyone again."

Through the course of the post-report Title IX process, Megan's experiences went from qualitatively difficult but still positive, to qualitatively negative and harmful. Along the way,

Megan's perceptions of institutional care and concern, fairness, and appropriateness all declined as well. Megan expressed many frustrations and concerns about the investigation and hearing process, but a common thread throughout her experience with the institution, its administrators, and the process by which her experiences were assessed under Title IX was that her sense of control, agency, and ability to be fully seen and heard had incredible impact.

It seems that the feelings that Megan experienced post-report about the process were not simply about the process itself, though Megan described the drain of this process in many ways and at many points. Rather, Megan's overall reflection on her procedural experiences seemed more related to whether she felt that she was gaining some sense of justice, and service to a higher calling. Megan felt that her perpetrator needed to be held accountable—not only for her, but for others who have experienced similar violence or who could experience similar violence in the future. The final steps and outcome of the Title IX process indicated to Megan that he would not be held accountable, and by extension that the institution did not conclude that there was evidence to indicate that there was behavior that needed holding to account. As she put it,

> "I decided that this was something that I really felt strongly about doing, especially, I think, in the professional school, knowing that these are people that are going to run for office in 20 years and seeing the big cases coming up in the news and people asking, Why didn't you report it?"
>
> And,
>
> "After a lot of self-reflection, I finally realized you keep saying that you don't think that this is enough. I thought about it, and I was like, What would have been enough for you to really have no doubt that it was enough to bring to a school? I thought about it, and I was like, If he had pulled a gun on me. Then I thought about it, and I was like, But that's

> too late. Once is enough. And all these other women who think it's not enough to bring to people's attention, they could end up dead. And that's what happens. And so I just reaffirmed to myself that every time I have those doubts, once is enough. If they hit you or choke you once, that is enough to go to someone."

While Megan (knowingly and intentionally) began the process feeling cared for by REU and the offices that manage response, she concluded the process feeling entirely opposite. Megan explicitly shared that she believes the school does not care about her, about what happened, or about truly addressing gender-based violence via the Title IX process:

> "At the school, I feel really angry and just swept aside... The beginning of my experience, I think I told you, was just so lovely and everyone seemed so supportive. Then as time went on, just no one cared. It was like they were checking a box. The whole trial didn't even really feel like a trial. It felt like they weren't listening. It was just like, We have to do this to make sure she doesn't sue. We'll check this box and be done with it."

Post-Report Interpersonal Experiences and Relationships

"I have nothing but positive things for the most part for everyone that I've interacted with... It's just like an overall support system. I think really, honestly, the only negative interactions that I've had was actually with my reporter, the person who I reported to."

"I think my friends have been just the best support system I could possibly ask for."

While University administrators and resources are focused on policy, process, and institutional resources, individual interpersonal experiences—with faculty and staff at REU as well as outside of REU—emerged as some of the most critical for Megan's post-report experience. These interpersonal experiences ranged from highly positive, and thus very supportive and helpful to Megan, to highly negative, and thus harmful to Megan.

Even though Megan made her disclosure to the university intentionally, allowing her agency in the overall reporting and post-report process, she described her initial reporting experience as an overall negative experience, in large part because of the initial and ongoing response from the specific RE that she disclosed the most detail to, Administrator Carlin. Megan experienced Carlin as dismissive and "possibly the opposite of emotionally supportive," and because Carlin was an active and present member of the professional school environment in which Megan continued to live, work, and study, Megan found her institutional environment by extension to be more dismissive and unsupportive. As she described,

> "My interactions with Administrator Carlin, however, have been extremely unsupportive. Not only has she barely checked in since the reporting, she has made comments to me that are extremely dismissive. I had a meeting with her about my academics in order to make sure that I do not fall behind, but the meeting fell on the day the notice of investigation was released to the defendant. I mentioned to her that I was scared and had been following police advice of staying away from my apartment and not being alone. She dismissed my fears and told me not to worry, as there was a no contact order put in place from the notice of investigation. She even told me that "he was going through a lot right now" and "I shouldn't be worried". Since that meeting, I have felt that I could not go to her for support, even though the school assigned her as my support point through the professional school."

These negative interpersonal experiences with the RE to whom she disclosed continued to be highly present and relevant in Megan's recounting of her post-report experiences even a year later, and were tied in with her sense of safety in the professional school environment, her sense of connection to those around her, and her own conception of what had happened to her.

At the same time, Megan was dependent on Administrator Carlin for various forms of support within the professional school throughout her time there, given Carlin's role there. Megan continued to go to Carlin for various forms of academic support throughout the post-report process, particularly for information and support regarding avoiding her perpetrator as much as possible, given the small social and physical nature of the professional school building and environment. Administrator Carlin was able to provide information about academic schedules, and also assisted Megan in garnering academic flexibility (exam dates and extra time on exams) at key junctures. Despite these specific functional forms of assistance that Carlin provided to Megan, Megan nonetheless came away with highly negative impressions and descriptions of her interactions with Carlin.

By contrast, Megan described other individual faculty and staff as very helpful and supportive throughout her description of the post-report experience. At the time of our first interview, Megan described the broader institutional response and support system in these broadly positive terms:

> "I mean, I have nothing but positive things for the most part for everyone that I've interacted with. The Title IX coordinator I know, just left, but that is who I have talked to. I haven't talked to the new one yet. She is really great. My [assigned institutional support person] has also been fantastic. And the professors that I've dealt with, one of them who has become very close and a great support system throughout all of this. Back when everything was very much in the thick of it, was like calling me on my cell phone just to make sure I was okay some days, which was really nice. I think that reflects a lot of the reasons that I chose REU. It's just like an overall support system. I think really,

> honestly, the only negative interactions that I've had was actually with my reporter, the person who I reported to."

Megan described these individuals with great positive regard, along with other institutional support resources from the institution's counseling center, as well as the police department. Particularly in the earlier phases of the post-report process (investigation), Megan described these individuals not only taking steps to make contact and offer information, but also that she felt an actual sense of connection and care from them—which resulted in a sense of care and connection with the institution by extension. Again in our first interview, Megan summarized a feeling that "it was heartening to hear how many people seemed to be on my side."

Notably, Megan emphasized how helpful it was to know and feel that the personal support offered through REU staff was dedicated to her, and was independent from her former partner and the Respondent in the Title IX case. Megan described what a relief it was to connect with a "support dean" from the Office of the Dean of Students at REU, not only because that dean had worked with a friend of hers in the past, but also because she knew that he had no contact with the Respondent. On the contrary, Megan emphasized her frustration and distress at Administrator Carlin's dual role in supporting both people involved in the report.

> "It was so nice having a support dean whose only job was to basically be a guide through this process and an official guide who works with the university. There wasn't any conflict of interest. He was exclusively my support. That has been really helpful, knowing that the people that are working with me are my support system. They're not biased because I think one of my original problems with Administrator Carlin was that she was contacting both me and the respondent in this situation. She was trying to be a

> support for both of us, which made me feel very uncomfortable. Eventually, I tried to switch who I talked to in that office and then realized that now this original woman, Administrator Carlin, was my individual support in the professional school. And so she was no longer having contact with him, which was nice to hear, but still wasn't helpful."

Each administrator that I spoke to—as well as the policy text—also emphasized support, resources, and institutional care, indicating that there is a disconnect between some of institutional intentions and the experiences that Megan actually had. Indeed, throughout each interview with an administrator (whether an RE, or a staff member in the Title IX office), the staff writ large focused more on provision of support than any other aspect of Title IX and RE policy purpose—such as compliance, procedure, or addressing broader social issues. As a staff member in the Title IX office described,

> "while compliance is really critical, what's the most important to me is making sure that… we share with [students] resources and supportive measures that are available to them. At the end of the day, what I want to do is I want to make sure that they know that help exists and that there are options for them. I don't want students to ever feel like they're alone navigating a situation, whether it implicates our policy or not. And so, I just want to make sure that we're all being responsible and making sure that we're helping our students to the best ability that we can."

Beyond her descriptions of interpersonal interactions and support from staff and faculty from REU, the people that Megan named as interpersonally supportive certainly included friends and family. One person that emerged as particularly helpful, supportive, and important to Megan's post-report experience was a friend and classmate who had previously reported to a Responsible Employee at REU, and who had also proceeded through the investigation process at

REU. This was useful to Megan on both a procedural and a personal level, as this friend was able to both provide first-hand experience about navigating the process that occurs post-report, and to offer her own unique and specialized perspectives on the benefits of reporting and pursing a Title IX process, which often bolstered Megan in times of self-doubt. Megan described this mix of support when describing her friend:

> "she's been helping me along with the process. I think she knows more about the specifics of what's going on because I think she's probably the only one that I've told a lot of what's been going on, too, just because I feel like she'll be able to help me…She's been there to sit down with me and read stuff and just quash my fears of like, This isn't as bad as it looks, or This is really good. Having that perspective of someone who's already gone through it has been so, so helpful. She's just very accessible. She's in my class. It's not like she's in a school administrator that I have to email or anything. Yeah, she's the person that convinced me to file and talk to the school about it."

Megan also explicitly talked about the support of this friend and how it bolstered her in times of self- doubt, by "honing in on her advice of saying, Don't feel bad about reporting because all you're doing is telling what happened. And if there are consequences, then that's on him. It's not on you for telling."

Megan mentioned this particular friend most throughout her descriptions of her post-report experiences, but certainly talked about her friends at REU more broadly as the "backbone" of her experience, "the best support system [she] could possibly ask for," and people who she "couldn't have gone through the past year without." As with the specific friend who had previously reported, some of the support that her broader friend group provided was functional and addressed specific concerns or needs that Megan had during the investigation process, while

other support was more general emotional support. Functionally, Megan explained that friends would sit with her while or immediately after she received difficult-to-read information during the investigation; would walk with her through the professional school when she felt unsafe in the physical environment; or would participate as witnesses in the investigation to provide affirming or supportive evidence. In addition to specific functional support, Megan's friends offered emotional support throughout her entire post-report experience; Megan described the general support that these friends provided as a core part of her ability to navigate the post-report experience. When describing the various ways that she sought support post-report, Megan shared, "Basically, I guess all the examples I definitely engaged in, I feel like that has been the most helpful to me." She also described some specific ways that they cared for her, such as the time when "The report just came out. I'm really upset. [Her best friend] called me later that night. I was like, What are you doing? I'm about to go on a drive and listen to music. I'm picking you up. We just went and did that, and that was really nice. That's been one of my favorites."

In some cases, the post-report experience created a positive change or growth in Megan's interpersonal relationships—she grew closer with friends and family during that time as they supported her through an incredibly difficult process and experience. Megan described growing closer with some friends who then became "best friends" and roommates, while at the same time becoming more distant or strained with others.

Even with friends who Megan had a positive relationship, she found that the report and ensuing process or experience impacted or changed their relationship at times, making her feel more vigilant about her own presence or impact on others. This continues to be an ongoing part of Megan's regular interactions with her friends, such as, "When I want to talk to my friends about things that happened, I have to be like, Are you okay to hear this? Because I'm okay to talk

about this. It really doesn't bother me." Further, Megan indicated that "I try my hardest to not let this be what rules our relationships and my friendships because there are other things going on in my life. There are other things going on in their lives that I really want to be able to have a life outside of this." On a larger scale, Megan described a difference in the ways that her friends view or treat her, wherein they potentially obscure their own feelings, perspectives, or knowledge around Megan, in order to protect her feelings or out of fear that her reaction will be outsized:

> "I've always felt a little... I don't want to say coddled by my friends, but sometimes I feel like they are constantly on edge around me. I know a lot of times my friends have days where they're like, she's going to lose it, and they are just constantly waiting for it to happen. I feel like sometimes I'm in a baby jumper almost like a child. It's all out of love, and I completely appreciate it. But there have been times when they learn a piece of information, and then it's talked among themselves, and they figure out the best way to tell me and break it to me. [For example] my best friend who I've just been talking about, we found out two weeks after she moved into her new apartment that he had moved into the apartment right below hers, which meant that I couldn't really go to her apartment anymore. And all my friends talked about it, and she came over very solemn and was like, I just need to let you know this..."

In some cases, however, Megan noted that the post-report experience damaged or completely destroyed relationships with other friends. In particular, any friend groups or relationships that she shared with her ex-partner created tension, and in most cases the friends decided to choose one person over the other. Megan summarized this, saying,

> "It was a really weird time socially because it was right at the beginning of spring semester, fall semester, my friend group was the respondent and these couple of girls that I was really close with who became involved in the Title IX investigation or who refused to become involved in the Title IX investigation, even though they could have been because they were also victims and they refused to testify. And that, along with a myriad of other things, really caused the decline of our friendship. I was in a position coming in the spring, especially after him and I devolved, where I didn't really have a steady support system. Even though I had a lot of friends, I just lost my close friends."

Administrators also highlighted this tension in small social or friend groups that are often strained during the post-report experience as the survivor navigates relationships that they once shared with their abuser. Particularly in smaller social communities, administrators indicated that students often feel that they need to "choose" between parties that they know, either in terms of who to "believe" or in terms of who they will maintain supportive relationships with. This can even be an impediment to reporting in the first place at times. One administrator aptly shared,

> "I do think that students rely on their friends. Unfortunately, what often or what I've seen happen is that friend groups get ripped apart and you get, I'm team X and I'm team Y. And then that leads to a lot of folks who aren't getting along, folks that end up feeling ostracized, and that can be hard in."

Megan also described the ways that the post-report process and experience impacted development of new and unrelated relationships with others. Because of knowledge in the professional school community and because of the overall impact of the post-report experience on how Megan interacts with others and the world, Megan found that she often needed to address

the situation with others when meeting or getting to know them: “I've been making new friends and stuff and weird conversations to have. I started dating someone new and that's an interesting conversation to have.” In particular, she felt that it was important to discuss with a new (or potential new) romantic partner. While she did not delineate between the experience of gender-based violence itself and the post-report experiences that were born of that violence, this change in the ways that Megan engages with a new partner certainly occurred.

Beyond friends, Megan also described a significant impact, change, and ultimately growth in her relationship with her father post-report. She described this change and growth as more difficult to navigate in some ways, but also indicated that this was the most impactful part of her post-report support network. Prior to her report, Megan had not shared specific information about her former relationship (and gender-based violence) to her father—in large part because Megan “knew that as soon as I told him what he had done, I could never get back with [her former partner].” Megan noted that, “[Her father] and I are very, very close,” and that at the time of the report, Megan and her father were already working through how to manage her mother’s illness—her family was already in an intense mutual support role with each other. Because of her existing relationship with her father, Megan found that “I think he was the hardest person that I had to talk to about it because he's just so protective of his only daughter. I just know he would do anything for me. It was really tough.”

The evolution of her relationship with her father unfolded throughout the course of one interview with Megan in particular. Megan described her father as,

> “…really supportive as much as he can be. His first reaction is always, I can take him out if you need me to. Just a very dad response. He tries his best but unfortunately, he just

can't really understand what's going on. But I do know that he cares about me and wants the best, so he's doing everything he can."

She also described how difficult it was to share information with him, and how she felt it necessary to share information in pieces as the post-report and Title IX investigation process unfolded because she was in so much distress at that time.

"I remember right when the fallout happened, I remember I called him in the middle of a panic attack, just not being able to breathe. Just like, Can you please help me talk it down? He was like.. calm down. I'll stay on the phone with you. He was like, What's going on? I was like, I can't tell you. Because I knew that as soon as I told him what he had done, I could never get back with him. I think two weeks later, I had made the decision I'm cutting off contact. I'm done. I finally told my dad the incident. Then as things progressed, I didn't really tell him, but I was like, There's a Title IX investigation. This is happening. He was very abusive. Then over the summer, when I was home for two weeks, either the night before I came back here or a couple of nights previously, because he had always been like, If you ever want to tell me what happened, you are more than welcome to and we'll listen. But it is on your time that you do not have to. I finally sat him down and told him what he had done to me."

She also indicated that after finally disclosing full details about her former relationship and experiences of gender-based violence, and the impact that those experiences and her post-report experiences were having on her, this level of disclosure opened doors for communication and sharing between Megan and her father.

"And he was really understanding and actually, I think, got us talking about some stuff that we hadn't really been talking about in our relationship because we're very... Like my

> mom is very, very sick, and so we don't really talk about sad things. And we just try to distract ourselves from that. And he finally told me that after I told him that I almost self-harmed, he told me that he was partly suicidal over everything and had given his friend all his guns just because he was like, I didn't want to take any chances… That was something that we don't really talk about my mom and what's going to happen. So it got us talking about that, which was hard, but I feel like necessary, and it did bring us closer."

From supportive or dismissive experiences engaging with staff, faculty, and administrators, to support from and changes in relationships with her friends and father, the interpersonal experiences that Megan had throughout her entire post-report experience had particular impact on her processing, sense of well-being, and ongoing decisions post-report. These interpersonal and relational experiences occurred in tandem with—and at times in ways that overlapped with—the procedural experiences that Megan had as the Title IX investigation and hearing process unfolded. The qualitative experiences that Megan had from initial report through conclusion were initially net positive, but as the process proceeded, they became more and more negative for Megan.

Challenges and Opportunities of the Professional School Environment and Context

"I would see him around and I would be afraid for my physical safety, but also emotional safety."

One unique aspect of Megan's post-report experience was the fact that she went through the entire post-report experience as a professional school student, navigating the social, physical, emotional, academic, and interpersonal terrain after the report in the unique and often isolated

professional school environment. This insular and largely self-contained environment amplified many other aspects of Megan's post-report experiences, often in negative or more difficult ways.

The professional school that Megan attends is a relatively small community, with approximately 300 students in each graduating class; as described by both Megan and professional school administrators that I spoke to, these students often take classes, socialize, and even live with other professional school students, particularly in their own graduating class. One administrator described the structure of the school, classes, and coursework this way:

> "The way things are structured, so it's three years. They're at the beginning of professional school. We have a computer algorithm that divides the class of 300 into ten sections. You're with your section for your entire first year. You do get two electives in the spring, but all of your classes in the fall are with your section. Then three of your classes in the spring are with your section. That means that potentially if you've got an incident between two people in the section, they're going to be with each other a lot. That, I think, can make things difficult. We don't change people out of sections, so that can make things difficult. The other thing that makes things difficult is because we're only 900 students."

Not every single aspect of the professional school experience was negative for Megan, and both she and administrators that I spoke to indicated that sometimes being in a small community can allow access to support resources that are critical to supporting ongoing academic success. Megan talked about accessing options for flexibility on final exams (particularly important, given the fact that most grades are based primarily or entirely on the final exam), through Administrator Carlin to whom she initially made her report. Even though Megan reported primarily negative experiences with Administrator Carlin, she noted that, "She has

helped me a little bit with academic support. I was able to move my finals schedule around last semester... She gave me extra time on the exams, and I was able to move it around. I got a couple of extra weeks to study..." This aligned with the heavy emphasis that both Title IX and professional school administrators placed on academic flexibility when talking about institutional support for survivors. Three of four administrators that I spoke to emphasized the various ways that any student might engage with academic flexibility or support; as one Title IX administrator described, "Broadly, it's in the form of extensions on assignments or exams…and a lot of people are asking for excused absences or opportunities to make up work from a missed class. And typically students cite that they are missing classes for therapy related to the case that they're involved in." More specific to the professional school, focus tends to primarily rest on final exams, which Megan accessed, as one administrator explained:

> "So extra time on exams, especially because I think if you've been assaulted, there's going to be a trauma response when you've got some other stressor, and an exam is definitely a stressor. So extra time on exams, private room for exams, or just distraction room for exams. If the perpetrator, alleged perpetrators, in the same class, we would give the person who was assaulted the option of either taking their exam in the classroom or going to a private space. But we let that a lot be student-led. They need to tell us what they need. That doesn't ever go through the disability services office on the main campus. We just handle it. I've given extensions on papers. I've extended the exam period. It depends. But if somebody's having a... And I don't require doctor's notes for that. If it's somebody who is in the process of a Title IX thing, I don't require doctor's notes."

Beyond academic support resources, many of the administrators that I spoke to—particularly the professional school administrators—heavily emphasized the importance and

benefits of having localized resources within the professional school, both because of the unique nature of the professional school environment and experience, and because the professional school is physically separated from much of the rest of the campus ("Main Campus") at REU. This localized support could include general check-ins and access to easily accessible, in-person support; localized counseling resources; pre-existing personal relationships with the administrators tasked with supporting students; or more perceived ability to provide personalized support. As one administrator described it, "you want to make sure…that students know with our more personal, one-on-one approach. Because I think a student would just be more likely to reach out to someone at the professional school if they want to talk to somebody face to face." These same administrators expressed frustration that there can be a disconnect between administrators in the professional school and on Main Campus (whether those Main Campus administrators are in the Title IX office or other supportive offices such as the Office of the Dean of Students). This disconnect clearly lead to frustration for at least one professional school administrator, who shared: "I sometimes feel like the people who are doing Title IX don't know what's happening here. They don't ask. I have no interaction with them at all. We're not working in partnership, [so] they don't know what we're seeing and we don't know what they're seeing." Though these administrators prided themselves on their ability to provide localized and personalized supportive resources for most students, Megan described having more difficult experiences interacting with professional school resources, as described above. On the contrary, Megan felt that the professional school administrator to whom she made a report was unhelpful and unsupportive, and was particularly upset that same administrator was interacting with both Megan and her perpetrator for support. Thus, while localized resources are intended to be highly supportive for professional school students, Megan's experience with these resources was mixed,

and personalized academic support provided important relief, while she felt that other forms of interpersonal and safety support were best suited coming from other sources, such as personnel from REU police or the Office of the Dean of Students on Main Campus. As Megan reported, "Everyone that I've interacted with from main campus has been just amazing. But I know I can sometimes feel a little isolated being at the professional school and being away from that."

Beyond administrative support and actions, the endemic isolated nature of the professional school had significant effects on Megan's post-report experiences, as being in a small community can create not only social insularity and amplification, but also physical proximity that is difficult to avoid. First, social insularity and amplification of experiences can occur because professional school students tend to socialize and spend most of their time with other professional school students, so anything that has a negative impact on those relationships has significant impact or importance. One professional school administrator described the social scene as such,

> "The other thing is that my sense of our students is that they're pretty socially insular. The professional school social life, although they like to have mixers with [a second graduate and professional school at REU]… they do not involve others mostly. It's mostly a social life that involves professional school and hardly ever involves undergrads.... I think that that gets very high school-y because we're all in the same space and we've got our seniors, we've got our freshmen. I mean, we even have prom every year."

Megan discussed the demise of some of her closest social relationships after her report, including with roommates and friends with whom she overlapped with her perpetrator. Friends who Megan said were previously some of her best friends drifted away or actively turned against her, leaving her feeling socially isolated in the wake of her report.

This was echoed by administrators who also shared that the impact on these already small social communities looms large, such as, “Unfortunately, what often or what I've seen happen is that friend groups get ripped apart and you get, I'm team X and I'm team Y. And then that leads to a lot of folks who aren't getting along, folks that end up feeling ostracized…”. Megan talked about how many of her peers were indeed aware of the experience that she was going through after her report: “I mean, it's strange that the professional school is such a small place because so many more people than know about what's going on.” While Megan herself told some friends, she reported being careful about maintaining the integrity and privacy of the investigation process, though others shared information on her behalf. She recounted telling one former friend about what was going on, “I was forced to tell her what was going on due to safety concerns, and she has told a lot of people. She's actually come out and now is changing her story and is actually telling a lot of people that I'm lying about the accusations, which is tough.” Even though she felt that “most of the professional school believes [her],” Megan nonetheless was hurt by the negative reactions and social ramifications of knowledge and response of some of her peers with whom she had to interact for two years after her initial report.

Even in cases where there isn’t open knowledge within the professional school environment, one administrator described the concern that some students express that knowledge may potentially get out amongst their peers,

> “There's also a lot of concerns around gossip networks and the extent to which once I tell one person, regardless of whether it's a friend or a professor, once I tell one person, whether they're acting in a personal or professional capacity, everyone will know. And then people will choose sides. I may not be believed. I may be ostracized from this group.”

In the professional school community specifically,

> "there's a lot of concerns that I have heard from students there about how small the community is, and they know that word spreads like wildfire. And so they have a lot of concerns related to their case being known more broadly and there being rumors and that they would be treated adversely by either close friends or just more generally, classmates."

Another professional school administrator put it simply, "If something happens, students hear about, students talk about it, can be a little, I think, gossipy sometimes."

At times, Megan also felt physically unsafe in the professional school environment, given the fact that she needed to be in the same buildings as her perpetrator for the remainder of her time in professional school after reporting. At the outset of her reporting process, Megan asked the Title IX office to put an administrative no contact order in place between her and her perpetrator, which prohibited direct contact but did not prohibit proximity. As Megan relayed, "I'd asked him not to contact me, but he was still around. He was in the periphery of my social life. He would be at the school. He was present." She also sought a protective order through the courts, though this was declined. Megan still felt unsafe and, "for safety reasons, avoided the professional school, avoided public places, was never really alone. To this day, I still don't really like being alone. I get nervous that I'm going to see him somewhere." Even when not avoiding particular spaces (as she could not avoid the professional school altogether), Megan adjusted her routines, having friends walk with her through the school. After the conclusion of the Title IX process when the perpetrator was found not responsible, the administrative no contact directive was repealed, and Megan felt abandoned and more unsafe, "I would see him around and I would be afraid for my physical safety, but also emotional safety." This fact loomed large for Megan

throughout the remainder of her time in the professional school, and furthered not only the harm of the process, but also her feelings of frustration and betrayal by the school and the process:

> "Even though we're both still in the same school, no one offered me resources to help with that, which I thought was crazy because I understand he's not going to face any disciplinary action, which is unfortunate, but whatever. But even just resources, numbers to call if something happens or something to just make me feel a little safer about being thrust back into social settings with my abuser… I see him around all the time. He's here. I don't even know if he'll go to graduation or not because he doesn't go out or anything, but he could possibly show up with his family. That's a terrifying thought..."

Professional school administrators echoed some of these challenges of physical proximity when talking about the unique aspects of their space in the wake of a report. One described "some physical limitations of space" wherein she had seen, students involved in reports say "'He was in the hallway and I had to go all the way around the building. I had to cut through the garden because I saw him over there.' We have lockers here. Crazy, but it feels like high school, really… 'my locker is too close to his locker,' that thing." At the same time, this particular administrator felt that the school continued to be accessible to all parties, because, "in general, though, we have wide hallways. We have multiple ways to get from one place to another place. I think if you needed to avoid someone, you could avoid someone." In cases where avoiding someone is helpful or necessary, this same administrator shared that the current approach to no contact directives through the Title IX office is difficult:

> "We used to have these stay away orders, and the accused perpetrator had to stay away. We don't have that anymore. It's a everybody stay away from everybody, which is nearly impossible in the professional school because we're such a small building. And so then I

> get questions like, Well, what am I supposed to do if we're both in the hallway? I'm not. And then I'll get folks who've made the complaint who will say, He was in the hallway and he looked at me funny. That's not really something I can do anything about. And that becomes frustrating because I sometimes think that the expectations students have is that we're going to protect them from everything, and we can't. It's not possible."

Regardless of varying opinions from administrators about what is possible in terms of shielding survivors from the physical, social, and interpersonal impacts of the post-report experience in the professional school context, all are in agreement that these are real and present factors in professional school students' experience after report. Throughout a post-report experience, Megan navigated the process and her supportive resources through the lens of a small, insular professional school community and context, which provided both opportunities for specialized support, and challenges for maintaining her sense of social, emotional, and physical well-being.

The Triumph of Strength and Resilience

"Knowing that I survived that and got through it and I'm okay kind of makes me feel like I can do anything. I'm strong."

As with nearly all aspects of the post-report experience, Megan's internal experiences—the ways that she processed and made sense of everything that she went through—were varied, at times very difficult and at times hopeful. Overall, regardless of how difficult or negative the post-report experience was and is, Megan found ways to make meaning and understand her post-report experience (and even the underlying experience of sexual violence) as an opportunity for personal growth and positive contributions for, and to, others.

No doubt Megan went through a range of difficult emotions after making her report, including anger, guilt, self-doubt, shame, and embarrassment. Megan herself stated simply, "This experience overall has brought me through all possible emotions: guilt, anger, betrayal, vindication, sadness, and others. I still fluctuate through them." Megan's feelings of self-doubt surfaced a number of times during my interactions with her, and as she explained, were compounded by the nature of the underlying gender-based violence that she experienced and the Title IX process that ensued following her report. As Megan described these feelings, she indicated that whether others would believe her experiences and descriptions was important to her, and that the prospect of not being believed caused her significant psychological distress. Further, she indicated that the possibility of not being believed by others caused her to question her own recollections and perspectives on the experiences of gender-based violence. As she described,

> "Realizing the lack of evidence that I had, like the physical evidence, I was like, It's going to come down to my word against his. Is anyone going to believe me? That was a big thing. That's why I never really pursued criminal charges because I knew there wasn't enough evidence… There was a lot of self-doubt, especially when I went to... While I didn't pursue criminal charges, I did get a restraining order, just like a lower standard of proof. But I remember just sitting up there and his attorney just hounding me with questions and making me feel like I was lying, or I was misremembering things or I was overblowing it in my head. I think that's something that I still suffer with to this day of like, can I trust myself? Can I trust myself in my recollection of this? And is this a real memory? Is this something that I've just planted? And that's something that I talk about in therapy every week. And I'm really working on trusting myself and my perception of

> what happened to me and things moving forward, because I think that's still affecting my everyday life of wondering if I can trust my perceptions of the world. Because a lot of what he had done to me was gaslighting…I think it's really interesting to go through a court process-ish type of thing after a relationship that was filled with gaslighting specifically because the entire point of the process is to undermine my story and prove my story wrong. This entire relationship, I was fighting to trust myself and believe my own mind because he was constantly gaslighting me. Then I immediately went into a process where I had to justify everything I was saying and prove everything I was saying. This went on for two years to the point where don't trust myself. I'm completely just at a loss. I can't. That's something that me and my therapist are working on, being able to trust my perspective of things. But until people go through something like that, it's scary to not be able to trust your own mind and wonder if you're right or wrong."

Megan surmised that her own personal and internal experiences were also relevant and applicable to the experiences of other women who had experienced sexual or gender-based violence, as well. For Megan, this sense that she was connected to other survivors, and the unique experiences that survivors have watching their perpetrators respond or function in the world, related to other public scenarios she had seen play out in American media in recent years:

> "But yeah, just frustration at the world of how it treats women victims. I think that really came to a head during the trial and seeing him just sitting there being so angry and scared and being like, I've seen this anger before. And him basically getting away with that because people could say like, Oh, he's angry that he's being accused of things he didn't do. But if I were angry, it would not have flown. I think back to the Brett Cavanagh hearings where he was so angry and people were like, Well, he's just frustrated trying to

> defend his image. And angry men are scary. And I feel like people don't realize that until they witness it."

However, self-doubt ultimately turned for Megan, and she began to trust herself again. At the outset of the process, she "sought a lot of outside validation, not only in this situation, but just other situations in life. I just really needed to basically consult 10 people before I did something…ask them what I should do, what they thought. I've slowly been just trusting myself more and more." Even early in the process, Megan was able to find opportunities to feel validated in her own experiences, in her decisions, and in her ability to keep going. This first came up with Megan was talking about the intentional decision to move forward with a full report, about which she said,

> "After the initial reporting, however, I felt both validation and strong. Validation because the school was taking it extremely seriously and they gave me resources that were there specifically to help explain things to me and talk about my options. I felt strongly supported. I also felt strong because, while I knew this would be a difficult process, I was proud of myself for taking action."

This sense of pride in herself often came up as Megan discussed her decisions, actions and abilities to weather the most difficult aspects of reporting and the post-report experience. Megan's pride was palpable when discussing removing herself from the relationship, as well as when discussing the difficult Title IX process that she pushed through: "I think that actually taking action has made me feel a lot stronger. I'm out of the unsafe situation now, and a lot of people can't say that. I got myself out. That is the most important thing. I never looked back. I never got wrapped up in it again. I reported." These feelings of strength helped her at times

when she thought that she may falter throughout the Title IX process as well as the parallel court process for a protective order, and encouraged Megan to continue advocating for herself:

> "I remember after the restraining order hearing was probably the lowest I've ever been. I was just screaming and crying in my car for two hours afterwards just because the way that [opposing counsel] had cross-examined me was just like I felt so violated. I had told my dad I can't do that again. I can't do any of this. I was like, if he appeals it, I'm dropping it. I will never put myself through that again. I can't do it. I will not survive another one. I felt that way for a very long time. A couple of weeks went by and then a couple of months, and he ended up appealing it. We haven't set a court date for it yet. But I thought a lot about it. I was like, I did nothing wrong, though. All I did was get up there and tell the truth. I was like, No, I got through it once and I can get through it again. Knowing that I survived that and got through it and I'm... Okay. Kind of makes me feel like I can do anything. I'm strong."

At the time of my last meeting with Megan, the Title IX process had fully concluded, and—as described above—Megan felt the most negative about REU, the Title IX process, and the procedural outcomes of the post-report experience. Nonetheless, Megan was able to find personal solace and indeed pride in her own strength through that entire process: "Would I do it all again? I don't know. But I know that if I needed to, I could because I have that strength that I was able to stand up and say, This is what he did to me. That surprised me about myself and makes me proud."

Megan's periodic feelings of anger, frustration, and self-doubt have turned to something productive over time, a drive to help others. "I think [I also get] angry and frustrated at the world and how these cases are treated. I think in that sense, it has really opened my eyes to a lot

of issues with our criminal justice system overall and with institutions of higher learning." Megan has already taken steps to give back to others informally, including engaging directly with other students at REU and other schools. As a member of a student governance committee focused on health in REU's professional school, Megan took time to spread awareness of Title IX opportunities and resources for professional school students, noting that it seems that professional school students are unaware that the same guidelines, resources, and options apply to them as they do to undergraduate students. Further, Megan has taken her experience to students at her undergraduate institution as the opportunity arose:

> "I gave a talk. I was involved in undergrad with Healthy Campus, which runs their Aspire to be Well program, which teaches incoming freshmen about drugs and alcohol, mental health, and sexual assault and on-campus resources that we had. I reached out to my old boss and I told her what happened and offered to come speak to the new round of facilitators…I was able to tell them about my experience going through everything and ask good questions. I was able to tell them what support is good for people in this situation. They were very appreciative and that was really cool to do. Because I think my main thing from that is, I was trained in this. I was involved in the organization for four years. I taught the safety. I thought if I was in a top professional school, I thought if anyone was not going to fall for this, it would have been me. I totally did. I think the takeaway is that. Anyone can become a victim. Regardless of background, social status, education, training, this can really happen to anyone. That was really cool to do. I take my negative experience and help others."

Despite the difficult experiences of gender-based violence, of reporting, of the Title IX investigation and hearing process, of the criminal protective order process, and of the

interpersonal and personal changes that Megan had absorbed during the post-report experience, she chose to turn these into something for the good of others. Now, as she has contemplated her next steps beyond professional school, Megan has identified her passion and calling in the legal profession. A hint of this application to broader social issues around gender, equity, and violence actually emerged early in my interactions with Megan. Part of the reason she decided to pursue a Title IX investigation was to speak to broader issues: "I decided that this was something that I really felt strongly about doing, especially, I think, in the professional school, knowing that these are people that are going to run for office in 20 years and seeing the big cases coming up in the news and people asking, Why didn't you report it?... Going through it, I'm realizing now why people don't report this. I wish I didn't have to, but I feel like if I gave up, then people in the future would." At the conclusion of the process, Megan reported mixed feelings but ultimately still felt that reporting might be important and helpful in the long run,

> "Would I encourage other people to report? I don't know because I think I would be honest about the process, but I think that the process can't change if we don't engage in it. I know that sounds very silly, but I think that the more people that come forward, the more light we can shine on this issue of how the system is corrupt and how… This is what actual victims look like … But we think of victims in this one singular mold, and that's not it. And victims can be not perfect. I think that's what we need to start focusing on as society."

When asked how she might sum up her experiences throughout the two years since she reported, Megan described herself as,

> "And determined, I guess, is another summary. Invigorated to make sure that this isn't happening again and again and again. I think, oh, also to add to that point, I think I've

> realized that because I took a stand and went through with it and survived and I have that strength, I feel now not even a duty or responsibility, but a call. It's not something I feel forced to do to help other people that don't. Because I feel very blessed about my experience, and I know that sounds really weird, but I had a great support system. And even though it is a bad outcome, I know I'm turning out okay."

Megan is now contemplating her next steps in her career, she reflects on her own experiences procedurally and looks for opportunities in the future to make them better for others, particularly other women,

> "One way that has helped me cope with what happened personally is learning about situations like this. I've been reading a lot, watching TED talks and just really educating myself on matters. That has been really eye-opening. In that sense, I am glad for it because it I feel very passionately about these issues now and this is what I want to do in my life eventually. I think I want to eventually go into women's rights advocacy and victim advocacy specifically and maybe try to tie in reproductive rights. That has really led me into having a good relationship with one of my professors who's a feminist law professor. I'm actually doing an independent study this semester under her on the rape exception for strict abortion restrictions and analyzing that. That has given me a lot in my life, and I am grateful for that."

Discussion

Because the purpose of this study is to understand the outcomes, or feed-forward effects, that student survivors experience following disclosure of sexual violence to an institutional Responsible Employee, I set out to answer these questions through a theoretical framework that incorporates aspects of policy development and analysis concepts, as a means to connect the

individual experiences of Megan to broader institutional policy and related practice. This framework incorporates concepts from both Critical Policy Analysis (CPA), as well as Policy Design Theory (PDT). I undertook this study anticipating that the findings would provide data that could be viewed or considered through this policy-focused framework, and applied to the policy analysis landscape as it relates to Responsible Employee policies specifically. Data revealed meaningful feedback for understanding the RE policy landscape, but they also revealed meaningful feedback related to a broader constellation of institutional policies, as well as institutional practices, resources, and processes related to those policies.

As described in the second chapter of this capstone report, Diem et al. (2014) indicated that Critical Policy Analysis incorporates the following assumptions in any assessment or analysis of policies: recognizes the difference between "policy rhetoric and practiced reality" (p. 1072), by acknowledging the actual outcomes experienced by those affected by the policy; emphasizes the political and social roots of policy over time; assumes that policies result in an inequitable distribution of power, resources, and knowledge about or pertaining to implementation of the policy; takes the position that policies have the ability to create or heighten social stratification through inequality and privilege; and emphasizes and explores the ways that non-dominant groups "resist processes of domination and oppression" (p. 1072). Additionally, the concept of “feed-forward effects”, borrowed from Policy Development Theory, refers to the impact of the policy on those who receive policy benefits or burdens; these feed-forward effects are important because the impact and outcomes of a policy inform the political landscape for future policy development (Schneider & Sidney, 2009). Together, these assumptions and foci provide useful guideposts for considering the impact of institutional policies, procedures, and practices on Megan; further, Megan’s experiences during and after the

application of these policies, procedures, and practices provide meaningful feedback for policy development, implementation, and understanding.

The initial and primary focus of this study was to understand Megan's experiences as they relate to the Responsible Employee policy in place at REU; that is, to learn more about the feed-forward effects of the RE Policy specifically, through the course of her post-report experiences. Findings revealed some feed-forward effects of that policy, in that Megan's experience was highly colored by her pre-existing knowledge of the RE obligations in place at REU. The CPA framework assumes and emphasizes the fact that policies result in an inequitable distribution of power, resources, and knowledge about or pertaining to implementation of the policy. Because Megan intentionally withheld details of the gender-based violence that she had experienced until she "became ready" to fully disclose the extent of that violence, she was able to assert agency in the disclosure and reporting process, so that she could become a more active agent in the post-report process. This intersection between knowledge or understanding of the policy consequences and the policy consequences themselves indicates that more equitable distribution of power in the context of RE policy enactment may be less dependent on policy construction and more dependent on policy awareness and understanding.

Many findings from the data used to describe Megan's post-report experiences were, however, not necessarily feed-forward effects from the RE policy specifically. Rather, these post-report experiences were related and interrelated with a whole constellation of institutional policies, as well as institutional protocol and practices related to—but not necessarily borne of—those policies. Many of these additional policies and practices are captured in the documents that I collected and reviewed for triangulating data analysis. For example, much of Megan's post-report experiences were described in the context of the Title IX investigation and hearing

process; these experiences were deeply intertwined with the ways that Megan described her experiences both procedurally and qualitatively. As such, findings indicate that Megan's post-report experiences are related to a series of feed-forward effects from a whole constellation of policies (and practices related to those policies), rather than the Responsible Employee policy alone.

Further, some of Megan's post-report experiences are not obviously or apparently directly connected to institutional policy or practice at all. Findings demonstrated that one of the primary ways that Megan's experiences were colored or related to her personal relationships, both within and outside of the institution. These interpersonal and supportive relationships are not currently explicitly accounted for or addressed in any of the policy or resource documents that I identified for data analysis and reveals a major gap in the feedback process for policy and related practice. Whereas interpersonal experiences were highly salient and impactful for Megan, the importance of these experiences seems entirely unaccounted for in policy.

Critical Policy Analysis framework, and emphasis on policy feed-forward effects as described in Policy Design Theory, still provide a useful framework for understanding Megan's post-report experiences. As I described in the Conceptual Framework section of the literature review in this Capstone, the intention of the proposed study is not to conduct policy analysis of RE (or other relevant) policies; rather, the proposed study is designed to contribute to the policy analysis landscape by providing new data and information regarding policy outcomes. While the findings do not all feed back into the Responsible Employee policy analysis landscape specifically, they do feed back into the broader policy analysis landscape.

Overarching emphasis on agency is particularly salient when considering Megan's experiences through the CPA framework—CPA acknowledges that policies (and, by extension,

the practices and outcomes that derive from policies) have disparate impact on particular populations, especially populations that are more vulnerable or disenfranchised. In particular, one of the core assumptions of CPA is that policies result in an inequitable distribution of power, resources, and knowledge about or pertaining to implementation of the policy, which creates policy "winners" and "losers" (Diem et al., 2014, p. 1072) and can even heighten that inequality. Assuming survivors are already vulnerable and at a deficit, Megan's post-report experiences demonstrate the impact that policy and practice had for her ability to move forward. Megan already described challenges to her basic physical and psychological safety because of her experiences and identity as a survivor of gender-based violence that affected her ability to navigate successfully her academic environment and goals. Further, the outcomes and feed-forward effects of the policies, practices, and procedures driving her post-report experience left Megan "feeling like I have to fight for my life" while simultaneously completing studies in a competitive professional school program.

This is despite the fact that much of the data from triangulating sources indicates that administrators and policy or resource texts themselves heavily emphasized care and support throughout the post-report process. CPA acknowledges the difference between "policy rhetoric and practiced reality" (Diem et al., 2014, p. 1072), by acknowledging the actual outcomes experienced by those affected by the policy. Administrators that I spoke to indicated that, in addition to the emphasis on support resources (described above), university administrators and policy texts generally focused on four other reasons for the overall purpose of policies and procedures related to reporting and response: compliance with federal and state law; following stated REU policies and procedures; provision of information to survivors; and addressing broader patterns of behavior or concern beyond the individual experiences reported by survivors.

Many administrators, particularly Title IX staff, listed compliance as the first purpose of these policies and practices, but then followed quickly with provision of support and information. Whereas staff and administrators heavily emphasized the primacy of provision of support for survivors as a purpose or outcome of the RE policy and post-report practices, Megan had many experiences with these practices and other policies that resulted in her feeling decidedly unsupported or uncared for.

Finally, despite the fact that CPA highlights the ways that Megan was disenfranchised or unaccounted for in the policy and resource landscape, CPA also highlights the fact that Megan founds ways to be successful and to make meaning of her experiences. CPA emphasizes and explores the ways that non-dominant groups "resist processes of domination and oppression" (Diem et al., 2014, p. 1072). Through the course of her descriptions of her post-report experiences, Megan found ways to make meaning of and understand those experiences (and even the underlying experiences of gender-based violence) as an opportunity for personal growth and positive contributions for others. Megan's descriptions of her role and meaning-making started with difficult emotions, particularly self-doubt, anger, fear, shame, and embarrassment. Over time, Megan began to describe her feelings about the post-report experience turning to validation and feelings of pride; it seems that these positive emotions are closely related to opportunities to assert her agency either through the process or through other opportunities to give back. Megan's anger in particular turned into drive to help others and apply to broader social issue surrounding gender-based violence. This is shown in her immediate acts and work such as participating in localized peer networks or going back to speak to student educators at her undergraduate alma mater, as well as being part of her evolving longer-term professional goals and application of her degree to "women's rights advocacy and victim advocacy specifically and maybe try to tie in

reproductive rights." Megan set out to utilize her experiences, the meaning that she has made of those experiences, and the degree that she earned throughout the course of those experiences as an act of resistance, both resistance of the policies and procedures bounded her post-report experiences in this student, and of the broader social and cultural pressures against survivors.

Limitations

As with any case study, the findings outlined in this chapter are limited in their broad applicability to others who have experienced or may experience the phenomenon of interest; these limitations are also inherent to the research question and nascent state of research in this area of study. As I have emphasized throughout this Capstone report, this study was designed to deeply investigate and understand the post-report experiences of one student survivor of sexual violence. I intentionally centered and elevated that single participant's experiences, perspectives, opinions, and conclusions as they were relayed and described to me. Further, not only was this one individual's set of experiences, it also occurred in the very specific context and environment of the REU Professional School, during a single timeframe. Just as this approach creates an opportunity for a window into the critical survivor perspective, it also inherently prevents the inclusion of the many other diverse experiences and perspectives that the student survivor community may hold, which could be quite different than Megan's.

The findings and discussion described in this chapter are not intended to imply that Megan's experiences are entirely representative or inclusive of the student survivor community's post-report experiences. Rather, these findings and discussion are intended to generate initial depth of understanding in a narrow context. By utilizing this first set of findings—the first research-based literature to describe impact of policy and practice from the survivor's perspective—future researchers and practitioners may expand to include additional diverse

student survivors' experiences and perspectives. Through this ongoing inductive process of research, the scholarly and practitioner communities may begin to generate understanding of the phenomenon of post-report survivor experiences in a manner that can be more broadly and reliably applicable to the entire student survivor population.

Conclusion

This study was designed to answer the research question, "What were the student survivor's experiences following disclosure of gender-based violence to a Responsible Employee?" In answering that question, Megan described a complex, evolving constellation of procedural, interpersonal, and personal experiences through the course of approximately two years after disclosing her experiences of gender-based violence to a Responsible Employee at REU. Additional triangulating data gathered from Title IX administrators, Responsible Employees, and institutional documents and texts provided additional context to understand Megan's experiences. Through the course of data analysis from these sources, the following themes emerged, highlighting and defining Megan's post-report experiences.

First, the reactions and responses of the initial Responsible Employee(s) to whom Megan initially disclosed were critically important and set a tone for how supportive or dismissive those individuals would be, and their responses had significant impact on Megan. Further, Megan's individual interpersonal experiences and interactions with both university and personal support systems throughout the course of her entire post-report experience were critical to her sense of support and well-being. Additionally, Megan's descriptions of her experience and perspectives regarding the post-report Title IX procedures and process went from qualitatively positive to qualitatively negative, and her sense of institutional care and response also declined as those experiences became more negative. Throughout all of these interpersonal, personal, and

procedural experiences, the insular and isolated nature of the professional school environment amplified many of Megan's post-report experiences. Additionally, throughout each of experiences, Megan's sense of agency (whether through knowledge, options for response and input, or ability to control her environment) correlated with descriptions of more qualitatively positive descriptions, perspectives, and assessments of her post-report experiences. Finally, regardless of the qualitative nature of the post-report experience (much of which Megan described as negative), Megan found and created ways to make meaning and understand her post-report experience as an opportunity for personal growth, reflection, and positive contributions to and for others.

I developed and utilized a conceptual framework that incorporates aspects of both Critical Policy Analysis and Policy Development Theory to understand Megan's experiences, because that framework centers Megan in developing an understanding of policy, as well as related practice. Understanding and considering Megan's post-report experiences through this framework allows us to consider her descriptions and perspectives as critical data for future policy and practice development, adjustment, or implementation. Despite limitations to transferability, these initial findings provide a starting point for improvement of practice, in addition to future research that may broaden our understanding of student survivors' post-report experiences. In the final section of this Capstone report, I will outline specific recommendations which translate these data, findings, feedback opportunities into institutional practice.

Chapter 5: Translation to Practice

Introduction and Intended Purpose

Through a case study in which I collected data from a student survivor along with triangulating data, I sought to understand that survivor's experiences after disclosing gender-based violence to a Responsible Employee. This study was designed to center the student survivor's perspectives, beliefs, and opinions regarding that post-report experience, as a means to contribute to the Responsible Employee policy analysis landscape in higher education. The specific research question under investigation in this study was, what were the student survivor's experiences following disclosure of gender-based violence to a Responsible Employee? More specifically, this study investigated the following sub-questions:

3. What were the student survivor's experiences of institutional response following disclosure of gender-based violence to a Responsible Employee?
4. What were the student survivor's personal and interpersonal experiences (e.g., emotional and psychological, behavioral, relationships with peers and personal support networks) following disclosure of gender-based violence to a Responsible Employee?

The purpose of investigating these questions was to address the broader problem of practice presented by Responsible Employee policy implementation. Sexual violence survivors are some of the primary individuals impacted and affected by RE policies, as these policies compel Responsible Employees to report survivor's disclosures of sexual or gender-based harassment or violence, regardless of whether a survivor intended to report or wishes to engage with the institution's post-report response process. However, there has been a paucity of research to help us understand these student survivors' experiences following disclosures to

Responsible Employees; this has limited our ability to examine whether or in what ways RE policies may affect survivors in practice. Further, this has severely limited institutional policymakers' and administrators' ability to develop and implement policies and practices that support student survivors' needs and well-being, despite the fact that these vulnerable survivors have presumably already been harmed by the act of harassment or violence and are most in need of care and support. Student survivors of sexual violence should be centered in the development and implementation of Responsible Employee policies and subsequent post-report practices, and the following recommendations are intended to provide a road map, based on my findings, for considering ways to do that.

While the initial focus of this study was Responsible Employee policy impact, the following recommendations for practice are borne out of the full set of findings and themes revealed from the data, which are described in the fourth chapter of this capstone report. As described in that chapter, the student survivor who was the subject of this case study described experiences, perspectives, and opinions which conveyed impact of policies and procedures beyond the Responsible Employee policy in place at REU. As such, these recommendations will describe considerations not only for Responsible Employee policies, but also a broader constellation of practices and resources to be employed by administrators.

Statement of Format and Intended Audience

The experiences articulated by Megan (and often supported by others interviewed) provide rich feedback for future policy and practice development and implementation. Because Megan's experiences were so colored by the individual interactions that she had with her faculty, staff, administrators, and peers at the institutional and (professional) school level, my recommendations for application to future practice will focus on institutional policies and

practices, rather than national guidance. Federal regulatory guidance continues to shift, and institutions will need to continue to comply with any basic requirements outlined in that guidance. Additionally, beyond those basic requirements, schools will need to develop not only RE policies, but also attending resources and practices related to the implementation of those policies—and, further, related to the ways that survivors are engaged through the course of that policy implementation. In this final chapter, I will communicate a set of recommended guidelines that an institution of higher education can use to consider whether their policies and policy implementation plan (including training, resources, and standard institutional practices) are sensitive to and supportive of student survivor experiences of policy outcomes in practice.

The intended audience for these recommendations will be institutional staff and administrators responsible for developing and implementing protocol, practices, and resources related to RE policies. Per the current requirements outlined in the 2020 DOE Final Rule, Title IX Coordinators currently hold ultimate responsibility for Title IX policies and related policies on a given campus; because Responsible Employee policies are currently a required Title IX policy component per federal regulatory guidance, it stands to reason that Title IX Coordinators and their staff will be most likely to utilize and implement these recommendations. However, based on institutional structure, resources, and context, additional administrators may be tasked with various aspects of response to sexual and gender-based harassment or violence; as such, staff and administrators beyond Title IX Coordinators may be able to consider and apply these recommendations in their own practice, ideally in coordination with their institution's designated Title IX Coordinator.

Recommendations for Practice

Through a series of five areas or themes, I have identified recommendations for practice that individual administrators or groups of institutional administrators should consider and include when enacting Responsible Employee and related policies and practices. Each set of recommendations for practice takes into account the variance that can exist in institutional context, history, resources, and current practice. While many institutions (including REU) are already enacting practices that align with some of these recommendations, the following provides a more extensive and comprehensive set of recommendations and guidelines above and beyond basic practices that may already be in place.

#1. Robust training and resources to educate Responsible Employees at a given institution.

Megan's experiences interacting with Responsible Employees at the outset of her report—both when she was withholding information and after she decided to intentionally disclose information—were markedly positive when she initially shared with Responsible Employees. Moreover, her subsequent interactions with those REs remained positive with the exception of one Responsible Employee. The qualitative experiences that Megan had with these REs provides insight into aspects of RE training and resources that would help both REs and survivors feel best prepared for interactions around disclosure and reporting. Emphasis in each of these materials should be placed on the following: providing simple, straight-forward language and descriptions; student survivor agency and choice in whether, when, or how they share information; personal and institutional care and support for survivors; and individualized acknowledgement of that student's intention and needs at time of disclosure and in an ongoing manner thereafter. To the extent possible, REs should be empowered to provide personal and empathetic support for students, while being unburdened by the technical requirements and

machinations around reporting and subsequent institutional assessment and response. Training and education around RE policies and practices should acknowledge and account for all of the following:

A. All REs should be required to complete both initial and ongoing training requirements that describe RE obligations and responsibilities at that institution, which of course should be in compliance with current federal regulatory guidance. In addition to base compliance with regulatory guidance, this initial and ongoing training should include guidance around what should be reported, how it can or should be reported, the specific timeframe within which disclosures should be reported, and what information should be included in that report. This training should occur at the outset of a new RE's onboarding or training and should be re-visited on a regular schedule (whether annually or on another regularly recurring basis).

B. All REs should be provided with recommendations and guidance regarding ways that they can proactively communicate to students about their Responsible Employee status, and requirements for reporting should students disclose sexual- or gender-based harassment or violence to them. These recommendations should include both written and verbal practices that can be adapted to the specific context(s) of REs' regular interactions with students. Such resources could include the following: syllabus statement or email signature language examples; language to include in presentations; sample language for discussing RE status and requirements verbally or in conversation with students; or written materials (brochures, window clings, buttons, stickers, etc.) that can be posted in an office or other physical location.

C. All REs should be provided with specific information about what constitutes a disclosure of sexual or gender-based harassment or violence, and training for REs should acknowledge the fact that students' disclosure of experiences may not be a concise or linear process.

D. All REs should be provided with recommendations and guidance around best practice for responding to student survivors at the time of disclosure. This should include evidence- or research-based recommendations about trauma-informed practices for engaging with a survivor; simple, layman's term recommended language for responding to a verbal disclosure; a list of basic "dos" and "don'ts"; sample language for responding to a written disclosure (such as over email or in a written petition); a clear and concise description of the immediate post-report process that REs will follow after students disclose sexual- or gender-based harassment or violence to them, which includes language that they can use to describe what they will do, and resources (printed or links to electronic-format) that they can provide to students to provide more information about next steps.

E. All REs should be provided with recommendations and guidance about how to provide meaningful and appropriate support for students on an ongoing basis after a disclosure has been made. This guidance should emphasize independent support for each student (survivors and perpetrators) involved in a report; evidence- or research-based recommendations about trauma-informed practices for engaging with a survivor; guidance about the individual RE's roles and responsibilities in providing ongoing support, based on their role at the institution; and information about whether, when, and how the RE should expect to receive additional information, updates, or

outreach from the institution's Title IX office. This training should not frame REs' ongoing role(s) as the sole or primary source of survivor support following a disclosure, but rather should provide the RE with resources and information to understand how they might best direct or encourage a survivor to seek appropriate, informed support in an ongoing manner.

While a given institution may choose to implement initial and/or ongoing training via existing training methods or practices for faculty and staff, I recommend that additional resources be made available in an open-access manner, via print and electronic resources. Because Title IX administrators are ultimately responsible for ensuring that RE policies are in place and fully implemented, it makes the most sense for these resources to be connected to or nestled into an institution's Title IX web site, perhaps as a standalone page or subpage entitled something clear such as, "For Responsible Employees." Any initial or ongoing training resources should also reference this centralized resource as a means for additional and ongoing engagement with RE policy and practice resources.

#2. Clarity and emphasis regarding student survivor agency in the reporting and post-report process.

One of the most consistent and salient themes that arose through my engagement with Megan was the significant impact that agency and choice had on her reporting and post-report experiences—at each turn, when Megan had opportunities to choose whether, when, or how she engaged, she described a more qualitatively positive experience. Further, in instances where she had less choice about next steps, more information—which still increased her sense of understanding and thus agency despite not increasing her control—was still important to her post-report experience.

At the institutional level, schools should be developing policies and attending resource documents, as well as standardized policy-enactment practices, that highlight and emphasize survivor choice where available, and should also emphasize provision of clear information throughout the post-report process as a means of increasing survivor knowledge and agency.

A. Institutional policies and practices should acknowledge or take into account that student survivors may disclose experiences of sexual or gender-based harassment or violence in a manner that is not always concise or linear (as was Megan's experience). Policy and practice should account for the possibility the survivors will disclose different information over time, to different Responsible Employees, for different purposes.
B. In written RE policies (describing RE obligations) themselves, institutions should explicitly clarify whether survivors may choose to request that information be withheld from reporting, and if so, how and under what circumstances.
C. In Title IX policies or documents related to procedure, institutions should explicitly clarify whether, when, and how survivors may choose to engage with the Title IX process. This could include emphasis on choice both during the initial reporting process, while a determination about procedure is being made, or through the course of a full investigation and/or hearing process, if applicable.
D. Institutions should develop stand-alone resources for survivors that speak specifically to agency and choice, highlighting survivors' opportunities for choice and agency throughout the reporting and post-report experience; these resources should be separate from the longer, denser policy documents themselves and should be labeled

or marketed as being about choice and agency so that they can be easily located, accessed, and understood as emphasizing agency and choice specifically.

E. Administrators tasked with implementing these policies and procedures—which could include not only Title IX staff, but also other staff involved engaged regularly with a survivor such as the REU "support dean" that Megan referenced—should be trained on and familiar with the concept and importance of choice and agency for survivor experiences and well-being, and should be trained to emphasize and highlight choice when discussing their respective roles in the post-report process, as well as to clearly articulate the times at which a survivor may not be able to choose next steps. This training may be combined with or in series with training about other general trauma-informed practices for interacting with survivors.

F. Responsible Employee training (see recommendation #1 above) should include resources and language regarding choice at the time of the initial (potential) disclosure, so that REs can emphasize choice prior to reporting. This could include provision of language (written and verbal) that REs can use to educate students about their RE status and obligations, as well as language that REs may use in real time to preempt an unintentional disclosure. This language should explicitly emphasize agency and choice.

G. Institutions should review all materials (policy as well as resource materials) available to survivors at the outset of the reporting process for clarity and accessibility; this review should include input and participation from students, including student survivors.

H. The administrators or office (generally, the Title IX office) responsible for communicating key information about the post-report process should standardize practice regarding ongoing communication with survivors through the entire duration of the post-report process. This should include standardization about when, how, and by what means the Title IX office will provide updates or information about the process to survivors. Survivors should not only receive passive updates but should also be actively invited to ask questions about the process in an ongoing manner. Survivors should be asked at the outset of the process about their preferences regarding information-sharing and communication, and those preferences should be taken into account.

#3. Institutions should ensure that the survivor and perpetrator in a given report receive independent support.

One aspect of Megan's post-report experience that was particularly negative and upsetting was her understanding that the Responsible Employee that she reported to—and who was tasked with providing her with localized support in the professional school in an ongoing manner—was supporting or sympathetic to her perpetrator. This raises concerns about administrators' ability to provide actual or perceived neutral or unbiased (if not active) support for students in the post-report process. On balance, Megan discussed how important and helpful it was to know that her "support dean" from main campus was dedicated to supporting her through that process and had no role in supporting her perpetrator. This difference was salient in her experience of receiving meaningful support from institutional staff.

In order to provide a supportive experience for survivors in the post-report process, institutional practices and response should be designed to provide separate, designated support

for each individual student involved in a report of sexual or gender-based harassment or violence.

A. In cases where the institution formally assigns support staff to individual students involved in a report, the institution should ensure that each student has a separate individual assigned; further, the students should be explicitly told that they have received separate or dedicated support.

B. In cases where students may receive additional support from staff who are not formally assigned for support (but who may reasonably expect to provide support due to their role or job responsibilities), those staff should receive additional training and resources regarding how they can navigate providing independent support.

C. In cases where independent support is not available because of limited resources (e.g., multiple staff are unavailable to provide assistance), the Title IX Coordinator should attempt to offer alternative options for accessing supportive resources.

#4. Emphasis on multiple avenues and options for ongoing support for survivors throughout the entire post-report process.

Despite negative interactions and experiences with the Responsible Employee who formally reported Megan's disclosure to REU, Megan described high levels of overall trust and satisfaction in her post-report experience during the initial months of the post-report experience. As described in Chapter Four, Megan described most institutional staff and administrators as helpful and supportive, and the overall process as difficult but one that she had faith would provide her with a fair and appropriate outcome. This emphasis on supportive measures and practices—particularly in the early phases of a report and post-report process—was heavily emphasized by all administrators to whom I spoke as well. As the process wore on, however,

Megan found that she had less and less contact with many administrators; by the end of the administrative process, Megan felt all but abandoned and uncared for by the institution and felt that there was no ongoing support for her after the conclusion of her Title IX hearing. More consistently throughout the entire post-report experience, Megan found great strength, support, and care through her informal or social support system that was not employed by the university. This included her friends and classmates, as well as her father.

Collectively, we can take these experiences that Megan had regarding support throughout the post-report experience to indicate that institutions should provide and emphasize multiple avenues for sustained support for survivors throughout the entire post-report experience, to the extent that the survivors wish to engage in those forms of support.

A. Institutions should emphasize the intersection between personal needs and academic needs and provide clear avenues for academic support throughout the entire post-report experience. This academic support should be highly coordinated as needed between Title IX or other centralized administrative entities, and the individual or localized academic support resources specific to that student's school, department, and program of study. Administrators in both central (Title IX) and localized (school, department, program) positions of providing or directing academic support should consider proactively develop plans and Memoranda of Understanding to describe their respective roles in providing support, and how they will intersect or work collaboratively. Survivors should be provided with clear information about available academic support options, how to access them, and to whom they can go for additional detailed information about options specific to their academic context. These academic support resources should remain available to the survivor for the

duration of the post-report experience; that is, survivors should be provided with the option to access academic support at any time after their disclosure to an RE and/or after a report to the institution's Title IX office.

B. Institutions should provide a clear and accessible structure for survivors to access supportive measures and resources for the entirety of their post-report experience; in any case where supportive resources are provided to a survivor at the outset of a post-report experience, those resources should remain available to the survivor, and the survivor should be made aware of ways that they can explore or access those supportive resources at any time in the future. This should include not only passive provision of information (either directly to the survivor or in open-access materials such as those listed on a web site), but also active outreach to a survivor at multiple ongoing timepoints. In cases where certain supportive measures or resources are no longer available to a survivor at any given point, the survivor should be provided with information about why those measures are no longer available, and alternative options or resources that may assist the survivor in identifying and addressing unmet support needs.

C. Supportive outreach and engagement with survivors should emphasize not only mechanisms for support available through the institution, but also the importance and impact of personal and interpersonal support. Institutions should acknowledge that, though they are unable to control the nature specifics of interpersonal support that a survivor may engage with through friends, family, or others who are not under control of the institution, those support mechanisms are nonetheless meaningful and important to survivors' well-being and post-report experiences. To the extent

possible, institutions should allow and encourage survivors to engage with their personal support networks and provide examples and pathways that enable that informal supportive engagement. These examples and pathways should be included (where applicable) in institutional policy as well as standardized practice; additionally, those staff responsible for ensuring the provision of supportive measures for survivors should be specifically trained on strategies for effectively highlighting the importance of, and options for, personal and interpersonal support for survivors where possible.

D. In cases where a survivor's post-report experience occurs within the context of a smaller or more localized sub-community of the institution where it is reported (such as a professional school at a broader university, as was the case for Megan), institutions should make clear when, how, and to whom they might go to access supportive measures or resources more "locally" as opposed to through centralized institutional pathways or practices. Survivors should be notified how they can access various specific forms of support locally, centrally, or via both/either—this information should be provided both at the time of report, and in an ongoing manner.

E. Further, in cases where a survivor's post-report experience occurs within the context of a smaller or more localized sub-community of the institution where it is reported, institutions should develop clear and consistent coordination of and communication about support systems across multiple areas, offices, or support entities across the institution. If a survivor is accessing support via more localized resources and centralized resources, it is incumbent upon administrators in both areas to communicate with each other effectively about how they are engaging with the

survivor for support. This requires institutions to proactively identify the various entities who may be providing support, and to proactively create appropriate systems and pathways for information-sharing. Just as supportive measures and resources should be provided in an ongoing manner, this communication about those measures and resources across administrative units and professionals should also be ongoing.

Provision of ongoing, diverse, and coordinated support systems and practices for engaging with survivors is deeply intertwined with emphasis on survivor agency, as provision of information and choice about whether and how a survivor might engage with others has the potential to boost the survivor's feelings of knowledge and (in some cases) power throughout the post-report process.

#5. Schools or programs with small enrollment numbers should have well-articulated plan for managing aspects of the post-report process unique to their school.

As was clearly articulated about the professional school environment at the institution where this study occurred, there are unique components of each smaller community within which the post-report experience occurs. In Megan's experiences, this included smaller physical spaces that increased proximity to her perpetrator; increased possibility or probability that she might have to engage with her perpetrator in an academic setting; small and overlapping or interconnected social circles across the survivor and perpetrator; and an intense or amplified social context. Megan's experience within the professional school context was not entirely negative, though—she found that she had close and sustained access to supportive faculty and staff; access to academic support and accommodations specific to her academic program; and the ability to connect her experience of gender-based violence with her academic work and broader professional goals. These unique constraints and opportunities may apply broadly to other

professional school (or other academic) programs, but the core lessons regarding post-report experiences in small academic environments could be applied even more broadly. Institutions should be proactively prepared to effectively address the unique opportunities and challenges posed in smaller environments or sub-communities.

A. First, institutions should work with staff, administrators, and students to identify specific aspects of a small community that may have a unique impact on the post-report experience. These aspects should be specifically explored and documented for consistency of practice across multiple areas, schools, programs, or sub-communities.
B. Relatedly, institutions should identify options and possibilities for mitigating those specific aspects of a small community that may have a unique impact on the post-report experience. For each challenge or opportunity that has been or can be identified, institutions should identify one or more attending solutions, options, opportunities, or alternative resources that can assist the survivor in navigating the challenge or capitalizing on the opportunity. While these solutions should be context-specific, they should be centrally documented or monitored so that administrators and staff across separate units or communities may learn from each other and provide consistent solutions and resources for survivors.
C. Institutions should emphasize and proactively provide resources that are uniquely available to survivors in a given community. For example, Megan had unique access to specific academic resources and practices for provision of academic support or flexibility and was specifically provided with that information.
D. Institutions should proactively identify, clarify, and communicate any limitations or challenges to provision of support within a specific context or community to the

survivor. This will allow the survivor to utilize more information about the challenges that they may face as a means to assist in their decision-making around engagement with the institution, the Title IX process, or supportive measures and resources.

These resources and options should be proactively communicated to survivors whenever possible. Further, through the ongoing systems of engagement and support described throughout recommendation number four (above), survivors should be actively engaged throughout the course of their post-report experience regarding the unique challenges and opportunities posed throughout the post-report process. Individuals tasked with providing this ongoing engagement, support, and information should look to identify new or shifting opportunities to address the smaller post-report context as the post-report process and experience evolves.

Recommendations for Deployment

As Title IX Coordinators are tasked with ultimate responsibility for the enactment of post-report policies and practices, they are also best positioned to be responsible for the oversight and coordination of the recommendations described above. Title IX Coordinators (or their designees) should thus serve as the centralized point of development, review, coordination, and consistent implementation of these recommendations as part of their overall strategies for responding to reports of sexual or gender-based harassment or violence on their campuses. This includes development of practices, training of key campus or institutional partners, oversight of collaborative or interdisciplinary practices, and documentation and dispersion of best practice resources.

In order to serve in a coordinating or oversight role, Title IX coordinators must not only develop materials, resources, practices, and protocol necessary to enact any of the recommendations above, but must also identify and have sustained engagement with the potentially many campus partners who may engage with survivors throughout the course of the reporting and post-report experience. Title IX coordinators must thus base their practice and leadership not only on their knowledge of Title IX law and best practice across the field, but also on knowledge of the specific challenges and opportunities posed in their specific campus's culture, resources, and history. Further, this requires Title IX coordinators to develop and nurture relationships with the many individuals who may be tasked with supporting or engaging with survivors post-report—many of whom may not have a formal reporting line or obligation to the Title IX coordinator. As such, it is important that, though the Title IX coordinator is tasked with the specific implementation of these recommendations on a practical and procedural basis, that there is broad institutional buy-in regarding coordinated and collaborative practice.

The specific mechanisms by which these recommendations can or should be deployed on a given campus must also be consistent with the practices, culture, resources, and climate of that campus environment. To the extent possible, Title IX coordinators should utilize existing structures and mechanisms for the dissemination of information. They should also emphasize and utilize systems and resources that are deemed most accessible to students and administrators broadly; this again should rely on ongoing engagement and relationships with (and feedback from) those students and staff. The Responsible Employees interviewed in this study noted multiple times that the primary—or possibly the only—way that they received consistent information about RE obligations and best practice was via an online module that they were required to complete; in this case, that existing module structure may be a prime opportunity for

adjusting or adding information to speak to some of the recommendations outlined above. At the same time, it would be important for the Title IX Coordinator at REU to engage with those REs, as well as students and other key stakeholders, on a regular basis to assess whether the modules are a meaningful and helpful means to distribute information (including the timing, content, and format of those modules).

Title IX Coordinators might also capitalize on an existing resource that is already required by federal mandate—dissemination about Title IX practices and policy to students (Final Rule, 2020)—as a means to clarify and massage information, resources, and messaging to students and other campus stakeholders. In a digital world, it seems unlikely that any institution of higher education would not have some online presence or page—and likely multiple resources—dedicated to Title IX. This existing page would be a useful starting point to provide more robust or clarified resources related to the recommendations outlined above, which could be centrally and easily accessible to survivors in both an initial and ongoing manner.

Finally, it would behoove Title IX coordinators to develop consistent practices regarding the documentation, tracking, and communication of response to individual reports of sexual or gender-based violence in a manner that is consistent and accessible to all individuals at a given institution who might need to provide equitable and supportive response to survivors. These practices should include the following: clearly stated and consistently implemented practices for communication between and among REs and administrators and staff responsible for engaging with a survivor post-report; clear and consistent documentation and case management practices; and broadly accessible information regarding how information is documented and shared post-report.

Challenges and Considerations

No broad-based recommendations for policy and practice are without challenges. Challenges regarding implementation and deployment of the recommendations above occur at the national, local, and institutional levels. These challenges are at times bureaucratic or procedural, at times cultural, and at times related to resources and buy-in.

On a national scale, federal guidance regarding the ways that institutions may, shall, and must address sexual and gender-based violence continues to shift. As of the time of publication of this paper, most recent federal guidance was formally issued in 2020, under the administration of President Donald Trump and Secretary of Education Betsy DeVos. In each subsequent year under the current—very politically dissimilar—administration of President Joe Biden and Secretary of Education Miguel Cardona, new guidance has been expected and promised. As of the early months of 2024, guidance was expected to be provided in March of 2024, though that same guidance was initially expected in June and then October 2023 previously (Knott, 2023). The unpredictable nature of current federal guidance will continue to be a challenge for administrators at the institutional level unless and until guidance is issued outside of the rulemaking process. Institutional administrators must develop policies and related practices or resources in accordance with federal regulations that have varied in their level of detail regarding various aspects of reporting and post-report practice. Each time that guidance changes, administrators must revisit and review their institutional policies and practices to ensure compliance. This not only impacts policies and practices such as those surrounding Responsible Employees and post-report protocol and resources, but it also impacts administrators' overall ability to dedicate energy and resources to nuanced best practice beyond bare compliance.

Another specific challenge to institutions—one which was highlighted through the course of Megan's experience—is the turnover and burnout among staff in Title IX and other areas of student support such as Student Affairs. Given the intense pressures and workload that Title IX Coordinators often experience (Miller, 2018), it is not uncommon for these administrators to "burn out" and leave their roles, if not higher education altogether (Brown, 2019). Given the slow and plodding nature of institutional cultural and procedural change, updates and improvements to any large-scale policy, procedure, or standard practice require sustained energy and effort. However, each time there is a staffing change in these administrative areas, meaningful improvement can be delayed, plans can be changed, and institutional memory or history can be lost in translation. These challenges—the demands of the field, and the turnover of staff within it—can compound each other over time and make it difficult for sustainable and meaningful best practice to take root and remain consistent over time.

Finally, the balance between consistent and individualized response will be an unavoidable challenge in all areas of response and post-report practice for institutional administrators. Given the individual needs, resources, and culture of a given institutional community, one size simply cannot fit all in terms of policy or overall practice. Further, given the individual experiences, needs, and preferences of a given survivor, the ways that the policy and standard practices at an institution are applied in each case or report of sexual or gender-based violence should ideally have enough rigidity to be consistent and equitable, but enough flexibility to best meet individual needs. Responsible Employee policies and post-report practices are just one example of this balance, as was articulated by a Title IX administrator:

> "I think having the ability to have more tailored responses is wonderful. I think that is going to generally be the best approach in most circumstances. But I think if you're

> looking at the university, it's functionally a very large ship…If you need to change the direction of that ship, it takes a lot of work to do that. And with that...you lose the ability to be more individualized… I think as much as it would be wonderful to live in a world where we could provide more agency to people around reporting, fundamentally, there have been so many challenges, not specific to any institution, just writ large, have been so many challenges historically with people making reports or trying to make reports, actually have their reports followed up on are taken seriously, that we've landed in a place where we need to lose any discretion around what you do when a report is made to you to ensure that the response is consistent and appropriate. And it would be wonderful to get to a place where we're able to return some discretion. I think that it is very important to I mean to not have that at this point, which is unfortunate."

This challenge was articulated by this administrator with regard to Responsible Employee reporting policies—that is, whether or when Responsible Employees will report disclosures of sexual or gender-based violence. Of course, whether, when, and how REs report information that has been disclosed to them is just the first in many steps of the report and then post-report experiences that have direct impact on survivors. Each subsequent step or aspect of the post-report experience will similarly be necessarily fraught with tension between necessary consistency and ideal flexibility.

Summary of Recommendations

Whereas the problem of practice under investigation highlights the dearth of research and information about the ways that policy and practice impact survivors, the recommendations above were devised to actively incorporate the experiences of one survivor into a set of practical considerations for taking survivors' needs into account in future practices. These

recommendations fall primarily under the purview of institutional Title IX Coordinators, but require broad institutional buy-in and engagement, from leadership endorsement to active engagement from Responsible Employees and other administrators engaged with survivors throughout their post-report experiences. These considerations are provided through the following: robust training for Responsible Employees; clarity and emphasis regarding survivor choice and agency; provision of dedicated and independent institutional support; mechanisms for ongoing supportive mechanisms and resources; and proactive means for addressing the unique needs and opportunities presented in small school communities. Though the recommendations are often not simple or easy, they provide a framework for furthering an emphasis on the needs, preferences, perspectives, and experiences of student survivors.

Conclusion

The purpose of this study was to learn more about the experiences and perspectives of student survivors who disclosed to Responsible Employees, as a means to provide critical input and feedback for RE policy assessment and analysis. Thus, the primary potential implications of this study are for future policy analysis: by better understanding the ways that RE policies do or do not affect student survivors, we can more meaningfully consider whether RE policies are achieving the survivor-centered goals that they were intended to achieve.

While Title IX is a short statute, its effects and impact are extensive. Responsible Employee policies are just one of many regulatory requirements intended to prevent and address sexual violence on college campuses, but the policies and practices that result from this requirement may have significant consequences for campus communities as well as individual students. For more than 20 years, institutions have been mandated to create and implement policies on their campuses to address sexual and gender-based harassment and violence, but

these policies have been developed and implemented without the benefit of insight from student survivors. Just as this situation creates a significant problem for current policy and practice, it also creates an opportunity for increased meaningful feedback for future policy and practice. In order to develop meaningful feedback, I sought to utilize a case study methodological approach, and a conceptual framework which incorporates critical perspectives on policy development and analysis, in order to highlight and emphasize the perspectives of an essential but under-represented voice in the Title IX and RE policy (and practice) landscape: student survivors. Data and findings revealed that a survivor can have a complex set of personal, interpersonal, and procedural experiences related to policy and practice, and that those experiences provide feedback for future improvement of policy and practice for the benefit of other survivors.

At the highest levels—sociocultural levels—buy-in and engagement regarding meaningful change and progress to address sexual and gender-based violence is and has been slow to occur. Further, the culture of a given institution and institutional community can vary broadly in orientation toward supporting meaningful change. As federal regulatory guidance continues to guide basic compliance requirements, it is incumbent upon institutional policymakers, administrators, and practitioners to consider ways that they can develop policies and practices that support and center student survivors. This is a difficult and collective undertaking that will require thoughtful and sustained engagement with survivors themselves, as well as the many other people who are subject to the outcomes and feed-forward effects of each policy or practice designed to address sexual or gender-based violence. It will not be simple or easy, but as Megan said, “the process can't change if we don't engage in it.”

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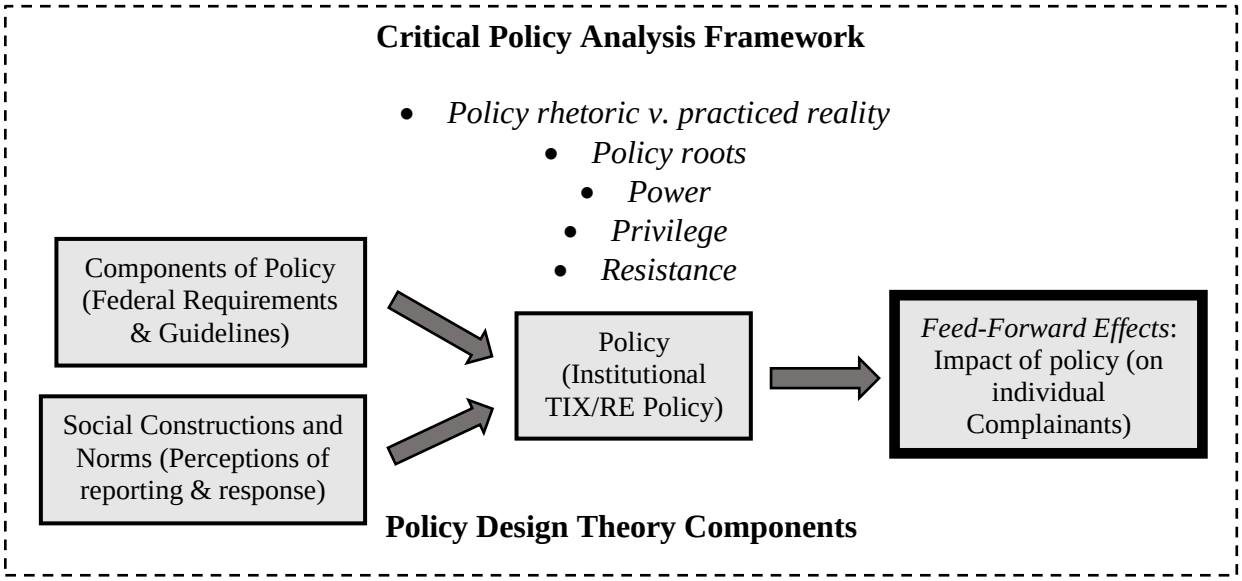
Figure 1

Integrated Conceptual Framework



Appendix A

Journal Prompt #1

Think back to when you first shared your experience with the person that reported to the University (for the purpose of this prompt, I will refer to that person as "the reporter"). *Please journal or write about your initial experience(s) of telling the reporter what happened. Reflect on not only what was said and done, but also how you felt at that time.* You can use the following prompts as a way to guide your response, but feel free to tell me about whatever aspects of the experience feel important or meaningful to you. You could write about…

- Who the reporter was, and your relationship with them before the report
- What prompted you to disclose to the reporter
- What it was like for you when you first told the reporter what happened
- How the reporter responded to you when you first told them
- Your subsequent interactions with the reporter
- How you felt as you were telling the reporter what happened

Appendix B

Journal Prompt #2

Through both your first journaling prompt and our interview conversations, you have been asked about various aspects of your experience following disclosure to a Responsible Employee. *As you reflect on your overall experiences following that disclosure, journal or write about how would you characterize those experiences*. You can use the following prompts as a way to guide your response, but feel free to tell me about whatever aspects of the experience feel important or meaningful to you. You could write about…

- What adjectives you would use to describe your experiences
- Your internal (psychological, emotional) experiences
- Your interactions or relationships with others
- Sum up your experience in just a few key words
- Describe a piece of literature, a song lyric, a quote, or another piece of writing that you feel describes or helps you to express your experience

Appendix C

Primary Participant Interview Protocol #1

Introduction – Script

- Thank you for joining me today – it's good to meet you!
- My name is Alex, and while I work at the University, I'm here with you today in my role as a student and researcher. As you know, I am studying students' experiences *after* a report of sexual violence to official University channels. Specifically, I am studying the experiences of students who reported to a "Responsible Employee," who was required to report that information to the University's Title IX Coordinator; as you know, this initiates a formal University process of response. I am interviewing students who reported this way in order to better understand the outcomes and effects of Responsible Employee policies.
- Thank you so much for agreeing to share your experiences with me. Your personal experiences, and willingness to share them, are invaluable. The purpose of this first interview is to learn more about your experiences with the University (it's processes, its resources, its staff, etc.).
- I will be taking notes throughout our conversation, but have also prepared to record our interview—is that OK with you? [If *yes*: Thank you, you can request that I stop recording at any time] [If *no*: Thank you for letting me know, I am turning off recording equipment now]
- OK, we're ready to get started. I'll be asking you a series of questions about your opinions your experiences related to your report. I have worked with other students who experienced sexual violence in the past, and I know that this can be a very difficult topic to think and talk about, so I want you to know that you can choose to answer or not answer any of these questions in whatever way(s) you feel comfortable. We can also stop or pause and take a break at any time.
- Do you have any questions before we get started?

Warm-Up/Introductory Questions: These first few questions are for me to get to know you a little bit.

- Tell me again: what is your name, year, and major?
- What are three words that you would use to describe your experience at [REU] so far?

Question: First, I want to take a moment and give you an opportunity to reflect on the journal prompt that you already completed. Since you sent that to me, was there anything else that you have thought about your initial report or the context of your report, which you think would be important for me to know in order to understand your experience?

The rest of my questions are going to be about your experiences related to your report. Specifically, I'll be asking you about your experiences with the University today.

Question: What (if any) [REU] resources did you interact with or utilize *after* your report?
Probes:

- Were there offices (like [Counseling Services] or the Women's Center) that you interacted with for support, and if so in what ways?
- Tell me about any particular people from [REU] that you interacted with for support, and if so in what ways? How did you feel during your interactions with them?
- Tell me about any online [REU] resources that you found helpful. In what ways were they helpful? How did you find them?
- [If none] What would you say were the reasons that you did NOT interact with resources or support form [REU] after your report?

Question: Tell me about your experiences of the University process in the first few days after your report was made
Probes:

- Who from [REU] contacted you to provide procedural information? From what you remember, what were their roles, or what offices were they from? How did you engage with them?
- How did the initial steps or process make you feel?
- Imagine that someone else was considering reporting, and came to you to understand the process from your perspective. How would you describe the first few steps that occurred after a report was made to the University?

Question: Tell me about your experience(s) with the Title IX process after those first few days: what happened after your report was made, and how was that for you?
Probes:

- Did your report result in any follow-up or action by the Title IX Office? If so, what was that follow-up or action?
- (If Applicable) What was your experience of the investigation process?
- (If Applicable) What was your experience of the hearing process?
- How did the process make you feel?
- If you were to describe the process to someone else, how would you explain it? What descriptive words would you use?

Question: Overall, how would you describe your experiences of [REU]'s response to your report?
Probes:

- What adjective(s) would you use to describe your experiences? Why would you describe it that way?
- Is there anything else about your experience that would be helpful for me to know or understand, that I didn't ask you about already?

Conclusion

- Thank you for sharing your experiences and perspective with me today; this information is incredibly valuable and important to understand

- [Offer of information about resources/support, as applicable to conversation]
- My next step will be to fully transcribe our conversation today, and incorporate your responses in my data analysis. As I've mentioned before, your responses and participation in this study are completely confidential. I have assigned you a Participant ID and will be sure to store all of your responses in a secure location, separately from your name or other personally-identifiable information. You will also have the opportunity to review my findings and provide feedback later in this study.
- The next time I see you, we will be meeting for our second interview. I would like to schedule this within the next week to two weeks. Could we schedule our next meeting now?

Appendix D

Primary Participant Interview Protocol #2

Introduction – Script

- Thank you for meeting with me a second time!
- Last time we met, we discussed your experiences with the University (its processes, its resources, its staff, etc.). Today, I would like to learn more about your personal experiences outside of University process and entities. This includes your experiences with your peers and personal support network, your behaviors, your internal emotional experiences, and how you have processed.
- Like our last meeting, I will be taking notes throughout our conversation, but have also prepared to record our interview—is that OK with you this time? [If *yes*: Thank you, you can request that I stop recording at any time] [If *no*: Thank you for letting me know, I am turning off recording equipment now]
- Remember that, just like the last time we met, you can choose to answer or not answer any of these questions in whatever way(s) you feel comfortable. We can also stop or pause and take a break at any time.
- Do you have any questions before we get started?

Warm-Up/Introductory Question: Is there anything about our last interview that you've been thinking about or reflecting on since we last met, that would be helpful for me to know?

Question: Last time we talked, you told me about the University supports that you engaged with after your support. Now I want to hear about the support you engaged with outside of the University (such as Title IX, the Dean of Students' Office, [the Counseling Center], Women's Center, etc.). What personal support network (such as friends, family, peers, or non-University resources) did you interact with for support after your report, and in what ways?

Probes:

- Describe your support network for me.
- Did your support network change after your report? If so, in what ways?
- What sources of support were most helpful to you after your report?
- Were there any sources of support that you didn't have, that you think would have been helpful in retrospect?

Question: In what ways, if any, did your report have any impact or effect on any of your relationships?

Probes:

- Family
- Friends
- Partner(s)
- Other peers (like classmates, members of organizations you're in, or other people that you know)

Question: How did you process your reporting experience personally or emotionally?

Probes:

- What resources or strategies did you utilize to process your experience after reporting?
- How would you describe your feelings about reporting? Have those feelings changed over time?
- In what ways did your experience after reporting change your perspective(s) about your self, others, your relationships, or your experiences before the report?

Question: Did anything about your habits, behaviors, or activities change after your report?
Probes:

- Was there anything that you did before reporting, that you stopped doing after your report?
- Was there anything that you started doing (or started doing differently) after your report?
- [If yes] How did your behavior change? Why do you think that this changed?

Question: Overall, how would you summarize your personal experiences following your report?
Probes:

- What adjective(s) would you use to summarize or describe your experiences? Why would you describe it that way?
- Is there anything else about your experience that would be helpful for me to know or understand, that I didn't ask you about already?

Conclusion

- Thank you for sharing your experiences and perspective with me today; this information is incredibly valuable and important to understand
- [Offer of information about resources/support]
- As a reminder, I will fully transcribe our conversation today, and incorporate your responses in my data analysis. As I've mentioned before, your responses and participation in this study are completely confidential. I have assigned you a Participant ID and will be sure to store all of your responses in a secure location, separately from your name or other personally-identifiable information. You will also have the opportunity to review my findings and provide feedback later in this study.
- The last time that I will ask you to describe your experiences will be through a final Journal Prompt, similar to the first Journal Prompt that I sent to you a few weeks ago. I will send that prompt within the next week.

Appendix E

Primary Participant Interview #3 Protocol

Introduction – Script

- Thank you for meeting with me again!
- In our first two interviews, we discussed your experiences with the University (its processes, its resources, its staff, etc.) as well as your personal experiences outside of University process and entities after your report. I learned a great deal through those two conversations.
- Like our last meeting, I will be taking notes throughout our conversation, but have also prepared to record our interview—is that OK with you this time? [If *yes*: Thank you, you can request that I stop recording at any time] [If *no*: Thank you for letting me know, I am turning off recording equipment now]
- Remember that, just like the other times we've met, you can choose to answer or not answer any of these questions in whatever way(s) you feel comfortable. We can also stop or pause and take a break at any time.
- Do you have any questions before we get started?

Warm-Up/Introductory Question: Is there anything about our prior interviews, or the written journal prompts, that you've been thinking about or reflecting on since we last met, that would be helpful for me to know?

Question: When we last met, the Title IX process was still ongoing. Now that the process has concluded, is there additional information about your post-report experiences that you want to share?

Probes:

- How, if at all, has the intervening Title IX process affected your experience and perspective(s)?
- How, if at all, has the outcome of the Title IX process affected your experience and perspective(s)?

Question: We talked about University and personal support in the first two interviews—have you engaged with support differently since then? If so, how?

Probes:

- Are there any supports or resources that you have since stopped utilizing or engaging with?
- Are there any new supports or resources that you've started to engage with?
- Is there anyone or any resource that you've been using or engaging with differently?

Question: Has your perspective on reporting or the Title IX process changed since the process concluded? If so, how?
Probes:

- How would you describe your feelings about reporting? Have those feelings changed over time?
- In what ways—if any—have your experiences since we last spoke change your perspective(s) about your self, others, your relationships, or your experiences before the report?

Question: I asked this same question last time we met, but I want to ask again now that more time has passed and more process has occurred: Overall, how would you summarize your personal experiences following your report?
Probes:

- What adjective(s) would you use to summarize or describe your experiences? Why would you describe it that way?
- Is there anything else about your experience that would be helpful for me to know or understand, that I didn't ask you about already?

Conclusion

- Thank you for sharing your experiences and perspective with me today; this information is incredibly valuable and important to understand
- [Offer of information about resources/support]
- As a reminder, I will fully transcribe our conversation today, and incorporate your responses in my data analysis. As I've mentioned before, your responses and participation in this study are completely confidential. I have assigned you a Participant ID and will be sure to store all of your responses in a secure location, separately from your name or other personally-identifiable information. You will also have the opportunity to review my findings and provide feedback later in this study.
- Do you have any questions before we conclude?

Appendix F

Responsible Employee Interview Protocol

Introduction – Script

- Thank you for joining me today!
- As you know, I am studying students' experiences *after* a report of sexual or gender-based harassment or violence to official University channels; I am conducting this study in order to better understand the outcomes and effects of Responsible Employee policies.
- Specifically, I am studying the experiences of students who reported to a "Responsible Employee," who was required to report that information to the University's Title IX Coordinator; as you know, this initiates a formal University process of response. I conducted multiple interviews with a Professional School student after their report, and am now conducting additional interviews and data analysis to understand other perspectives and context around their report and post-report experiences. The student identified you as the Responsible Employee to whom they reported. Please know that I will not disclose the identity of the student participant, and I will not disclose or ask you any questions about their specific report or post-report experiences. Rather, I will be asking you about your general experiences, observations, and impressions of students' post-report experiences following disclosure to a Responsible Employee.
- While I work at the University, I'm here with you today in my role as a student and researcher. As you know, in my professional role at [REU], I am part of a group of people who contact and support reporters and survivors after a report has been made to the University. I also sometimes review reports as a member of the University's Evaluation Panel. This professional role certainly informs my knowledge and understanding of students' experiences after a report, and as a researcher I want to create an opportunity for you to describe those experiences in whatever way most closely reflects your personal perspective. All of the data that I gather through this study will be kept strictly confidential and will be used for research purposes only. This is outlined in the Informed Consent form, but I did want to take a moment to revisit this particular point, to see if you have any questions or concerns about my role, or if this changes your decision about whether to continue participation in the study. *Allow opportunity for questions, concerns, and/or withdrawal.*
- Before we proceed, I want to take a moment to review the rest of the points in the Informed Consent form, and answer any questions that you may have about that form. *Review each aspect of form in brief, and ask participant if they have any follow-up questions about the form or about consent.*
- I will be taking notes throughout our conversation, but have also prepared to record our interview—is that OK with you? [If *yes*: Thank you, you can request that I stop recording at any time] [If *no*: Thank you for letting me know, I will not record our conversation]
- OK, we're ready to get started. I'll be asking you a series of questions about your opinions your experiences related to your role as a Responsible Employee in the Professional School, and in particular your experiences interacting with students after they disclose an experience of sexual or gender-based harassment or violence to you. I understand that this can be a sensitive and difficult topic to discuss, so I want you to

know that you can choose to answer or not answer any of these questions in whatever way(s) you feel comfortable. We can also stop or pause and take a break at any time.
- Do you have any questions before we get started?

Warm-Up/Introductory Questions: These first few questions are for me to get to know you a little bit.
- Tell me about your role at [REU]
- What do you enjoy most about your role?

The rest of my questions are going to be about your observations, experiences, and perspectives about students' experience after disclosure to you as a Responsible Employee. In particular, I'm interested in the ways that [professional school] students' experiences may be shaped or informed by the [professional school] community and environment.

Question: Based on your role and personal experiences as a Responsible Employee, tell me about your knowledge and training related to Responsible Employee policies at [REU]
Probes:
- How would you define a Responsible Employee? What are Responsible Employee's obligations?
- How have you learned about Responsible Employee policies or obligations at [REU]?
- From your perspective, what is the purpose of Responsible Employee policies at [REU]?
- What is your personal experience with Responsible Employee policies or obligations at [REU]?

Question: Tell me about your experience(s) with students reporting sexual or gender-based harassment or violence to you directly
Probes:
- In what context(s) have students disclosed experiences of harassment or violence to you?
- How do you feel when a student discloses an experience of harassment or violence to you?
- How have you responded immediately after disclosures? How have students responded to you?

Question: In your experience, how have students interacted or engaged with the University's Title IX process after reporting sexual or gender-based harassment or violence to you?
Probes:
- What, if anything, have students shared with you about their experiences engaging with the University's Title IX Process?
- To your knowledge, have any of your reports resulted in any follow-up or action by the Title IX Office? If so, what was that follow-up or action?

- Have you ever stayed in contact with students during the course of a Title IX investigation? If so, what were your observations of the student(s) during the investigation process?
- Have you ever stayed in contact with students during the course of a Title IX hearing? If so, what were your observations of the student(s) during the hearing?
- If you were to describe the process to someone else, how would you explain it? What descriptive words would you use?

Question: In your experience, what resources or supports have you known students to engage with after reporting sexual or gender-based harassment or violence to you?
Probes:

- In what ways, if any, have students continued to engage with *you* for support after disclosing harassment or violence?
- What personal support resources (such as friends, family, faith leaders, etc.) have you known students to engage with for support?
- What people or offices at [REU] have you known students to engage with for support?
- What local community resources have you known students to engage with for support?
- What online resources have you known students to engage with for support?
- Have students ever shared any reasons with you that they did *not* want to engage with any of these support resources?

Question: Have you observed any aspects of students' experiences that may be particularly affected by the [professional school] environment specifically? If so, how?
Probes:

- Based on your observations or perspectives, is there anything about the [professional school] environment that may have affected students' experiences in any of these realms following a report?
    - Social or personal engagement and support
    - Academic or professional engagement
    - Behavior or engagement in physical school spaces
    - Engagement in the Title IX process

Question: Overall, how would you describe your observations of [professional school] students' post-report experiences?
Probes:

- What adjective(s) would you use to describe your observations or perspective? Why would you describe it that way?
- Is there anything else that would be helpful for me to know or understand, that I didn't ask you about already?

Conclusion

- Thank you for sharing your experiences and perspective with me today; this information is incredibly valuable and important to understand
- My next step will be to fully transcribe our conversation today, and incorporate your responses in my data analysis. As I've mentioned before, your responses and participation in this study are completely confidential. I have assigned you a Participant ID and will be sure to store all of your responses in a secure location, separately from your name or other personally-identifiable information. You will also have the opportunity to review my findings and provide feedback later in this study.

Appendix G

Title IX Administrator Interview Protocol

Introduction – Script

- Thank you for joining me today!
- As you know, I am studying students' experiences *after* a report of sexual or gender-based harassment or violence to official University channels; I am conducting this study in order to better understand the outcomes and effects of Responsible Employee policies. Specifically, I am studying the experiences of students who reported to a "Responsible Employee," who was required to report that information to the University's Title IX Coordinator; as you know, this initiates a formal University process of response. I conducted multiple interviews with a professional school student about their experiences after their report, and am now conducting additional interviews and data analysis to understand other perspectives and context around their report and post-report experiences. Please know that I will not disclose the identity of the student participant, and I will not disclose or ask you any questions about their specific report or post-report experiences. Rather, I will be asking you about your general experiences, observations, and impressions of students' post-report experiences following disclosure to a Responsible Employee.
- While I work at the University, I'm here with you today in my role as a student and researcher. As you know, in my professional role at [REU], I am part of a group of people who contact and support reporters and survivors after a report has been made to the University; I also sometimes review reports as a member of the University's Evaluation Panel. This professional role certainly informs my knowledge and understanding of students' experiences after a report, and as a researcher I want to create an opportunity for you to describe those experiences in whatever way most closely reflects your personal perspective. All of the data that I gather through this study will be kept strictly confidential and will be used for research purposes only. This is outlined in the Informed Consent form, but I did want to take a moment to revisit this particular point, to see if you have any questions or concerns about my role, or if this changes your decision about whether to continue participation in the study. *Allow opportunity for questions, concerns, and/or withdrawal.*
- Before we proceed, I want to take a moment to review the rest of the points in the Informed Consent form, and answer any questions that you may have about that form. *Review each aspect of form in brief, and ask participant if they have any follow-up questions about the form or about consent.*
- I will be taking notes throughout our conversation, but have also prepared to record our interview—is that OK with you? [If *yes*: Thank you, you can request that I stop recording at any time] [If *no*: Thank you for letting me know, I will not record our conversation]
- OK, we're ready to get started. I'll be asking you a series of questions about your opinions your experiences related to your role as a staff member in the Title IX Office, and in particular your experiences interacting with students after they disclose an experience of sexual or gender-based harassment or violence. I understand that this can be a sensitive and difficult topic to discuss, so I want you to know that you can choose to

answer or not answer any of these questions in whatever way(s) you feel comfortable. We can also stop or pause and take a break at any time.
- Do you have any questions before we get started?

Warm-Up/Introductory Questions: These first few questions are for me to get to know you a little bit.
- Tell me about your role at [REU]
- What do you enjoy most about your role?

The rest of my questions are going to be about your observations, experiences, and perspectives about students' experience *after* disclosure to a Responsible Employee. If or where applicable, I'm particularly interested in the ways that students' experiences may be shaped or informed by their smaller school community and environment (such as the [professional school]).

Question: Based in your role as [Title] and your knowledge and experience in that role, can you please start by telling me about Responsible Employee policies/practices at [REU]?
Probes:
- What do Responsible Employee policies require at [REU]?
- How are these policies conveyed, and how do Responsible Employees learn about them?
- From your perspective, what is the purpose of Responsible Employee policies at [REU]?

Question: Tell me about how you interact with students following a disclosure to a Responsible Employee
Probes:
- Do you interact directly or indirectly with students? In what ways?
- Does your interaction with students vary? If so, how?

Question: Have you ever had a student (or students) share their experiences, feelings, or perspectives about their experience following a disclosure to a Responsible Employee directly to you? If so, what did they tell you?
Probes:
- In what context did they share this information?
- What adjectives did they use to describe their experiences after reporting to a Responsible Employee?

Question: In your experience, how have students interacted or engaged with the University's Title IX process after reporting sexual or gender-based harassment or violence to a Responsible Employee?

Probes:

- What, if anything, have students shared with you about their experiences engaging with the University's Title IX Process?
- How (if at all) have you engaged with students during the course of a Title IX investigation? What are your observations of the student(s) during the investigation process? What have students shared with you directly about their experiences during the investigation process?
- How (if at all) have you engaged with students during the course of a Title IX investigation? What are your observations of the student(s) during the investigation process? What have students shared with you directly about their experiences during the hearing process?
- If you were to describe the process (in brief) following a report to Responsible Employee to a student, how would you explain it? What descriptive words would you use?

Question: In your experience, what resources or supports have you known students to engage with after reporting sexual or gender-based harassment or violence to a Responsible Employee?

Probes:

- In what ways, if any, have students continued to engage with *you* for support after disclosing harassment or violence?
- What personal support resources (such as friends, family, faith leaders, etc.) have you known students to engage with for support?
- What people or offices at [REU] have you known students to engage with for support?
- What local community resources have you known students to engage with for support?
- What online resources have you known students to engage with for support?
- Have students ever shared any reasons with you that they did *not* want to engage with any of these support resources?

Question: I'm particularly interested in students' post-report experiences within the [professional school] specifically. Have you observed any aspects of students' experiences that may be particularly affected by their school community or environment? If so, how?

Probes:

- Have you observed (or been told about) students' reporting or post-report experiences varying based on their school of enrollment?
- Have you observed (or been told about) differences in students' post-report social experiences based on their school of enrollment? Academic experiences?
- Have you observed (or been told about) differences in students' engagement with University or non-University support resources based on their school of enrollment?
- Can you provide specific examples?

Question: Overall, how would you describe your observations of students' post-report experiences?

Probes:

- What adjective(s) would you use to describe your observations or perspective? Why would you describe it that way?
- Is there anything else that would be helpful for me to know or understand, that I didn't ask you about already?

Conclusion

- Thank you for sharing your experiences and perspective with me today; this information is incredibly valuable and important to understand
- My next step will be to fully transcribe our conversation today, and incorporate your responses in my data analysis. As I've mentioned before, your responses and participation in this study are completely confidential. I have assigned you a Participant ID and will be sure to store all of your responses in a secure location, separately from your name or other personally-identifiable information. You will also have the opportunity to review my findings and provide feedback later in this study.
- Do you have any questions before we conclude?

Appendix H

Code Mapping Table

P1 Code(s)	Triangulation Code(s)	Supportive/ Contradictory/ Neutral
Change/Impact on Relationship(s)	Importance of Interpersonal Support Knowledge in Professional Community Social Insularity or Amplification	Neutral Neutral Neutral
Improving Relationship(s)	Importance of Interpersonal Support	Supportive
Loss/Neg Change in Relationship(s)	Importance of Interpersonal Support	Contradictory
Feeling Angry	Feeling Angry	Supportive
Feeling Dismissed	Lack of Institutional Support	Supportive
Feeling Self-Doubt	N/A	N/A
Feeling Shame/Embarrassment	Social Insularity or Amplification Knowledge in Professional Community	Supportive Supportive
Feeling Isolated	Importance of Interpersonal Support Disconnect Between Professional and TIX Social Insularity or Amplification	Supportive Supportive Supportive
Difficult Experience	Policy Causing Harm Difficult Experience	Supportive Supportive
Experiencing Mental Health Concerns	Importance of Mental Health Resources	Supportive
Feeling Fear	Proximity to Respondent	Supportive
Making Meaning of Experience	N/A	N/A
Processing Underlying Experience	N/A	N/A
Relating to Broader Social Issues	Focus on Addressing Broader Social Issues	Supportive
Importance of Agency	Preempting Inadvertent Report Importance of Agency Intention/Knowledge of RE Policy Policy/Obligation Confusion	Supportive Supportive Supportive Supportive
Feeling Pride in Self	N/A	N/A
Feeling Validation	N/A	N/A
Feeling Gratitude	Feeling Gratitude	Supportive
Perception of Institutional Care	Focus on…. Policy Causing Harm	Multi. Supportive
Evolution of Experience Through Process	Evolution of Experience Through Process	Supportive
Faith in Process	Evolution of Experience Through Process	Mixed
Intentional Engagement with Process	Policy Text as Resource Intention/Knowledge of RE Disclosure	Supportive Supportive

Procedural Frustration	Procedural Frustration Policy Causing Harm Intention/Knowledge of RE Disclosure	Supportive Supportive Supportive
Procedural Hesitancy or Resistance	Procedural Hesitancy or Resistance Policy/Obligation Confusion	Supportive Supportive
Engagement with Institutional Resources	Academic Flexibility Importance of Mental Health Resources Engagement with Institutional Resources Focus on Provision of Support Importance of Localized Resources Policy Text as Resource Disconnect Between Professional and TIX	Supportive Supportive Supportive Supportive Supportive Supportive Contradictory
Negative Interpersonal Experiences	Importance of Interpersonal Support	Contradictory
Lack of Institutional Support	Focus on Provision of Support Importance of Localized Resources Importance of Mental Health Resources	Contradictory Contradictory Contradictory
Reliance on Personal Knowledge	N/A	N/A
Using Self-Care Strategies	N/A	N/A
Importance of Interpersonal Support	Importance of Interpersonal Support	Supportive
Perception of Institutional Care	Perception of Institutional Care Policy Causing Harm Focus on Provision of Support	Supportive Neutral Neutral