University Freshmen Views of Title IX Mandate

Opvattingen van eerstejaars over Titel IX-mandaat

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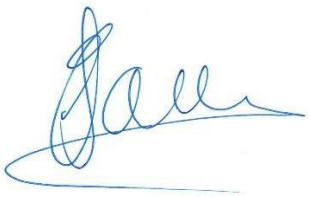

Abstract

Universities worldwide struggle to confront student allegations of non-consensual sexual contact (NCSC). This research looks at views of the most at-risk population, students in their first year at the university, freshmen, about a federally mandated response to public accusations that schools conceal reports to protect their reputations. United States activists claim that university inaction results in the breach of Title IX civil rights to receive an education free of sexual harassment and gender-based discrimination. The Title IX Mandate compels employees of U.S. federally funded schools to report disclosures of NCSC to a designated responsible university official. The traditional top-down legislation imposes a one-size-fits-all standard that may exclude student voices and undermine their autonomy, although well-intended. This qualitative participatory action research study is grounded in social constructionist theory. It employs Appreciative Inquiry (AI), a social constructionist application, to facilitate a student-informed inquiry. The survey about the sensitive topic of NCSC includes an informational student-created video about the responsibilities of university faculty and staff when students tell them about experiences of sexual coercion. The AI framework is a strengths-based, solution-finding method that diverse cultures can apply to all levels of conflict. The premise of the research is that university communities can facilitate meaningful and restorative solutions consistent with goals of higher education to promote autonomy and ensure the benefits and opportunities of education for all students. The primary study goal is to examine views of university freshmen about the effects of the federal Title IX Mandate on disclosures of non-consensual sexual contact (NCSC). The research allies cutting-edge qualitative text and sentiment analysis using R analytics to delve into the underlying attitudes of university freshmen about NCSC. Study results indicate that 18-year-old students want universities to take a directive approach when handling disclosures of NCSC. Nineteen and 20-year-old freshmen report they prefer to exercise more control over the process of how their disclosures are managed. Sentiment analysis shows that freshmen feel empowered when schools provide resources and information about NCSC. Older freshmen indicate they would engage in professionally supported confrontation with the person or persons who force NCSC. Implications are that students want universities to offer choices about confronting their coercers. Institutions of higher education are equipped to facilitate age-pertinent, solution-finding processes such as Appreciative Inquiry to develop restorative ways to intervene with reports of NCSC. Offering alternative Restorative Justice pathways to confront coercers of NCSC is vital for young adult students to use their voices and reclaim dominion over their lives… lives all too often destroyed by the conflict of non-consensual sexual contact.

Keywords: Title IX Mandate, non-consensual sexual contact, Appreciative Inquiry, Restorative Justice, university freshmen, qualitative sentiment analysis with *R.*

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Dedication

As her mom, I must do something for my daughter, for her pain is our collective pain. She has struggled for more than ten years, and braver than I, she tells me to reveal the painful secret. When I am ready to abandon this project, she asks me to continue writing the research that revolves around an all too common adolescent and young adult experience. She gives me her consent to write fearlessly, knowing that "spilling" our story may empower others, and us, to rise above a life of chaos caused by sexual trauma.

Four decades after finding my raped and discarded incapacitated friend, the shock and disgust of that night still haunt me. As an eighteen-year-old girl who could not comprehend what I had witnessed, my "fight or flight" response took over… and I flew. Today I devote my best effort to my then eighteen-year-old friend, Ann. I am deeply sorry that I tacitly blamed you for the hideous actions of others.

I write for the many young men and women who have trusted me to support them in their walk through the flames. Some of you have forged through to emerge with healthy self-regard, while others grapple with recurrent trauma in relationships, chronic illness, drug dependency, alcoholism, and joblessness (Herman, 1992). *Suicide is the choice that so many of you have understood as the only solution to insidious pain* (Loiselle, Friedman, Linden, & Young, 2003, p. 19).

The monumental challenge of transforming a faceless culture to one of higher regard for humanity overwhelms us when we confront it alone. May this tiny contribution add to the overall body of knowledge that empowers a nation to co-create inclusive, relevant responses that mitigate the devastating effects of non-consensual sexual contact within university communities.

Introduction

Title IX Mandate: Conflict Management 101

Universities and colleges worldwide face the dilemma of confronting increasing rates and reports of non-consensual sexual contact (NCSC) occurring within their student populations. They struggle to swiftly acknowledge student allegations while striving to ensure justice, protect the integrity of all those involved, and preserve an optimal school reputation. Globally, universities form international liaisons focusing on enhancing educational and career opportunities for degree-seeking students. International borders do not mitigate behaviors among university students, and worldwide, schools' responses vary to reports of NCSC. This research looks at views of university freshmen, the most at-risk student population, about one country's response to public outcry accusing universities of hiding reports of NCSC to protect their reputations.

The response to escalating stakeholder demands that universities address reports of NCSC is exemplified in the Title IX Mandate, legislation that the United States Obama-Biden administration imposed, effective April 1, 2015 (Ali, 2011). The mandate is a top-down, authoritative conflict management measure intended to force federally funded schools to acknowledge and confront reports of sexual assault within their school communities (US Department of Education Office for Civil Rights, 2014). Public universities and institutions of higher education "have a duty to investigate and address allegations of student sexual violence to ensure equal educational opportunities for students" (Richards & Kafonek, 2016, p. 92). Civil Rights legislation of 1972 prohibits gender discrimination in athletics and prohibits sexual harassment. The Title IX Mandate, evolving from the law, requires universities to oversee the

process of "mitigating, responding to and remediating sexual harassment and sexual violence on campus" (Devonshire, 2015, p. 25; United States Department of Education, 2001).

University Compliance: Title IX Coordinator Role

A measure intended to ensure equity among all students, the mandate stands on the premise that sexual harassment is a form of sexual discrimination that prevents students from equal access to education (Bolger, 2016). In its initial 2015 form, the mandate stipulates that all university faculty, staff, and student employees must report student disclosures about NCSC to a Title IX Coordinator or designee. The Title IX Coordinator will then issue a formal invitation to the party or parties named in the report to meet and discuss the circumstances. The Title IX Coordinator will prepare for an investigation if the student chooses to pursue action against the offending party or parties. There are cases where the Title IX Coordinator will elect to investigate the report even if the student decides not to file a formal complaint. This determination is made when the offending party's name arises in other reports of NCSC or if the Title IX Coordinator determines that the campus community is in danger. The ultimate objective is to ensure student safety and guarantee the university's benefits and opportunities for every matriculated student without gender discrimination (Ali, 2011).

The guidance provided by the Office of Civil Rights (OCR) dictates that the Title IX Coordinator or a formally trained Title IX investigator "…promptly investigates the allegation and, if a hostile environment is uncovered, takes steps to ensure that the hostile environment is remedied and does not reoccur" (Richards & Kafonek, 2016, p. 92). The Title IX Coordinator will initiate and oversee a full investigation of the report, determine the extent of the investigation, and decide whether it will proceed with or without consent of the coerced student (Devonshire, 2015; US Department of Education Office for Civil Rights, 2014; Wiersma-Mosley

& DiLoreto, 2018). At the end of the investigation, the Title IX Coordinator must determine the future enrollment status for the student(s) around whom the investigation centers. The Title IX Coordinator will also determine residential and classroom accommodations for the parties subject to the report and investigation (Summary of Major Provisions of the Department of Education's Title IX Final Rule). “The Title IX coordinators directly impact campus response to victims of sexual violence and, as the number of OCR investigations rises, are increasingly under pressure to manage this issue within institutions of higher education” (Wiersma-Mosley & DiLoreto, 2018).

The primary goal of this research is to understand the views of university freshmen about the effects of Title IX Mandate on disclosures of (NCSC). A second goal is to securely elicit student feedback about the impact of NCSC on their lives and the decisions they might make while attending the university. A third goal is to inquire about how students envision creating and supporting a safe campus environment. A final goal is to contribute the results of this study to the body of research that universities and governments consider as they incorporate the views of the population most at risk for NCSC in revising policies and processes.

Reflections of a Health Care Provider

As a seasoned Nurse Practitioner and Sexual Assault Response Team (SART) member, I struggle to quell panic triggered by the announcement of the imposition of the Title IX Mandate. My professional training prompts me to listen without judgment as students relate details about how they were touched intimately without consent and forced to engage in oral, vaginal, penile, and anal sexual acts. Clinical experience has taught me that individuals respond to trauma with myriad emotions (Gillihan, 2016; Levine & Frederick, 1997)*. I know that the student’s demeanor is not a reliable indicator of the extent and severity of the emotional, physical, and spiritual*

injury. Some students behave quietly stunned while others weep as they relinquish their stories about how they were drugged, tricked, and hurt (Gillihan, 2016; Levine & Frederick, 1997; Loiselle, Friedman, Linden, & Young, 2003). *I also have witnessed health care providers determine the integrity of a story by watching the expression and conduct of the storyteller. Some students speak in the third person as they talk about "something that happened," often leaving the listener with the impression that the experience occurred to someone else. Countless students seek clinical validation that nothing happened. Yet, they faintly acknowledge that something did happen, as they interject self-blaming statements at having allowed themselves to be caught in a vulnerable situation* (Lightle, et al., 2003, pp. 392-393). *I observe students manifest worthlessness while talking about how friends do not believe them and how those whom they had once trusted will have nothing to do with them* (Bloom, Jaeger, Gaulin, & Asher, 2003, p. 320). *The SART members look at me, and I feel embarrassed that my internal fear shows outwardly, despite my efforts at composure. Questions race through my mind: Will the people charged with carrying out the Title IX Mandate, the designated investigators, have the same knowing about these behaviors as I do? Social construction theorist, Kenneth Gergen, asserts, "Knowing comes into existence only through social participation"* (Gergen, 2009, p. 229). *How can a person who has never listened to a student recount the terrifying story KNOW? Will the Title IX Mandate cause students to experience further loss of control over their lives? How will students react to an official invitation from the Title IX Coordinator requesting a meeting to discuss reports about non-consensual sexual contact?*

Recruiting Top Students

Universities worldwide have a goal of recruiting top-performing students from high schools or secondary education programs. They are interested in garnering the patronage of

millions of parents and families who prepare to send their young adult children to pursue a college education. Likewise, students and their families begin their search for the best place to pursue a degree and ultimately the perfect career, often during their early years of high school. University acceptance letters, scholarships, and graduation award ceremonies bring tears to the eyes of parents and guardians as they perhaps realize that life will never be the same. For most, acceptance into college is a heralded rite of passage, a long-held tradition for others, and a dream of an opportunity to rise above economic oppression for many as they transition through higher education from childhood to adulthood.

Young adult children within the United States often choose to leave their homes and move to university residence halls as new freshmen students several days before classes begin. They are excited when they find common ground with other new students and often form immediate bonds of trust based on minimal encounters with each other. Trustworthiness is established by one's physical attributes, likes, dislikes, and whether one is a friend of a newly found friend joining similar clubs and activities (Uslaner, 2002). The familiar spoken and unspoken laws of the life from which they emerge do not seem to apply to the new setting. True, the university establishes a framework within which to live, but it is up to each student to integrate behavioral boundaries that ensure personal security and success. Boundaries that ensure existential happiness seem incongruous with events that produce immediate gratification. Authority figures of homes are no longer physically present to set and enforce rules as students worldwide assume more responsibility for their choices.

General university orientation events serve up a cascade of campus resources and vital information for students, both with and without parents and guardians, to enhance student wellbeing and security. Face-to-face sessions coordinated by university administrators, faculty,

staff, and peer educators typically begin the first hours after the students arrive. Professional staff introduces their services, so students know where to seek help when they face unexpected challenges during their residency at school. Campus staff direct activities toward welcoming newcomers to university life, yet these events and information sessions may seem minuscule next to the opportunity to network with new friends.

Opportunities for students to connect are around every corner. Students meet while engaging in campus life, form bonds, and venture off together to broaden their circle of friends in their new home-away-from-home. Schools often send out interest surveys during the admissions process as they strive to place freshmen students with similar interests together in residential settings. Both U.S. and international schools alike orchestrate their efforts to facilitate trust-building and increase the likelihood that students will complete education at their respective campuses (Uslaner, 2002).

NCSC: One Woman's Diverse Lens

Propelled from my nurse practitioner role into a new dimension of conflict management within the university, I seek to understand my panic response to the mere announcement of the Title IX Mandate. Reflecting over my lived experiences, the following frames of my narrative come to mind:

- *As a new freshman at a women's college in 1974, I attended an off-campus party with a female acquaintance from orientation. After meeting some people at the party, I accepted an invitation to ride with a boy who offered to show me around the town. Ending up out on a country road, I was able to talk my way out of a bad situation brought on by three boys, two of whom had been hiding in the back of the van.*

- *After returning to the party to collect my friend and return to campus, I was shocked to find her passed out in a room where men had taken turns raping her.*

- *While working as a newly licensed nurse in a major medical center, I lived in fear. Strangers had broken into the homes of several of my nurse friends and attempted to rape*

them. Other friends were attacked while walking to their cars after working the evening shift at the hospital.

- *This fourth frame is the event that compels me to undertake this research. How do I write about someone so dear to me, whom I vow to support and protect throughout childhood and beyond? How do I honor her privacy yet share my multiple and varied perspectives with you, the reader?*

As the facilitator of this inquiry, I will act as a conduit of student voices. As a woman who has experienced the threat of non-consensual sexual contact from multiple perspectives, I cannot differentiate the source of each viewpoint from which I respond. My socially constructed views evolve from experiences as a daughter, sister, college coed, friend, bystander, nurse practitioner, Sexual Assault Nurse Examiner, colleague, Sexual Assault Response Team member, Title IX Investigator, aunt, wife, and most powerfully, a mother. In an italicized script, I share my socially constructed experience with you throughout this dissertation. It is up to each reader to react, and if you dare, understand what you read and how you respond. Thus, we create and share knowledge - this is how we carry forth in our lives.

The primary goal of this research is to understand the views of university freshmen about the effects of the Title IX Mandate on their lives after seeking assistance from trusted friends, university staff, or professors after experiencing non-consensual sexual contact (NCSC). Are universities undermining their efforts to foster autonomy and personal choice of students as they comply with well-intended government policy that forces universities to confront reports of NCSC? Experts in violence against women, victims' advocates, university professors, and a few brave students and family members have voiced their views to public officials who later enacted the Title IX Mandate. There is a critical gap in knowledge that may lead to further traumatization of first-year students, the most at-risk population for NCSC. There is limited research about the impact of the policy on university freshmen and their views. It is essential to facilitate

qualitative, participatory action research to comprehend the perspectives and rarely revealed sentiments of students who experience NCSC, either personally or as bystanders. Only then will we develop programs to mitigate circumstances that allow NCSC to prevail in college communities. More importantly, we as a knowledge-creating collective will influence policies that support academic goals of student autonomy. These goals will prepare young adults to restore their lives after experiencing NCSC.

My professional role as a Nurse Practitioner working in a university clinic, and my socially constructed multi-lens perspective about sexual trauma, instill in me a desire to contribute to research that promotes autonomy for young adult students as they struggle with the effects of NCSC. The driving concern of this research is that uniform enforcement of the Title IX Mandate, regardless of student culture and level of autonomy, may impede rather than enhance students' access to the benefits of education. Poorly managed reports that contribute to the social abandonment of academic support groups and friends may potentiate the harms of NCSC and promote substance abuse, alcoholism, and suicide. Sensitive and respectful questioning about freshmen views and participatory performance and analysis of this qualitative research will stimulate thinking about how diverse cultures can create restorative alternatives when confronting NCSC in campus communities. Awareness of freshmen views about opportunities for Restorative Justice as opposed to traditional retributive justice is the first step to generating solutions that will improve the overall health and wellbeing of the population.

Chapter One

Networking without the imposed boundaries of home can be exhilarating for young adult students. Off-campus social gatherings often feature alcoholic beverages and mood-altering substances, and all is well until someone tramples on another's new *safe zone* (Lisak D. , 2017). International students leave their safety nets at home when they engage in study abroad programs. Despite the extensive efforts of universities to provide safe environments, the conditions for opportunism are ample for those who coerce the chaos of sexual trauma on others.

Although a time-efficient mechanism to protect public safety, top-down legislation like the Title IX Mandate does not foster extensive public discourse about alternative proposals. The White House Task Force to Protect Students from Sexual Assault, Not Alone (TaskForce, Office of the Vice President, 2014) framed the measure to force universities to confront student reports of NCSC. Experts in women's issues, such as violence against women, contributed their knowledge to the Office of the Vice President as task force members. Student activists, their supporters, university advocacy programs, and professors have also weighed in with ideas about addressing the problem of NCSC within campus communities. The critical gap in the collective of experience shared exists because very few university freshmen receive an invitation to contribute their opinions about the effects of the Title IX Mandate. University freshmen comprise the population of students most at-risk for NCSC and are most directly affected by the Title IX Mandate. It is vital to acknowledge and comprehend the complexity of these largely excluded freshman views to address the far-reaching societal consequences of NCSC truly.

Striving to define non-consensual sexual contact (NCSC) and its consequences, Chapter One will introduce current incidence rates of NCSC occurring in United States universities and feature a review of risk factors for NCSC. A description of behavioral traits shared by people

who coerce others to engage in sexual activity will shed light on the dilemma that universities face in responding to student allegations of NCSC. An overview of known effects of NCSC-related trauma will offer a more in-depth perspective about the reach of NCSC and its extensive impact beyond the university community. This chapter delves into how public policy in the form of a federal mandate has evolved in response to both tragedies and student activists who challenged their universities for neglecting allegations of NCSC.

Non-Consensual Sexual Contact (NCSC): Definitions

Young adults frequently do not perceive forced oral-genital, vaginal, or anal intercourse as *rape*, *sexual assau*lt, or *sexual violence* when the act occurs with an acquaintance (Fisher, Cullen, & Turner, 2000). References using these terms could dissuade students from participating in research about the effects of the Title IX Mandate on their lives. Therefore, the results would not include their textured perspectives. N*on-consensual sexual contact* (NCSC) is a general label for sexual coercion. This research uses the term to approach neutrality in language and minimize researcher bias in the study. Again, while several cited references in the literature review may include emotionally charged terms, every effort is made to incorporate more neutral vocabulary in the discussion.

For many, the descriptive *sexual assault* conjures a vision of violence or an attack that inflicts physical injuries. Students who consent to kissing, fondling, and intimate touching may not perceive the person who *did not stop* as a violent attacker or perpetrator of an assault (Fisher, Cullen, & Turner, 2000, p. 15).

Another term, *sexual misconduct*, may convey the meaning that people who force sexual contact on others are merely participating in a minor prank and are not responsible for causing severe and indefinite physical, emotional, and spiritual harm. The theoretical underpinning of

this research, social constructionism, asserts that as people interact with each other and their world, they create meaning and define and understand their reality (Gergen K. , 2009). This inquiry acknowledges the diverse experiential lens of the reader, and it is congruent with social constructionism as it builds on the premise that participants, and readers as participants, bring uniquely constructed meaning to the research and will move forward to co-create new knowledge with others.

Historical Context and Cultural Definitions

Cultural attitudes about gender, ethnicity, and economically dependent populations influence the creation and evolution of laws worldwide. For example, Judeo-Christian teachings about *original sin* influence laws that place responsibility for sexual violence squarely on the shoulders of women (Bronner, 1994). Interpretations of Islamic law may find men are not guilty of otherwise serious sexual crimes, and instead blame women for inciting men to commit rape with their immoral behavior. Immoral behavior includes exposing arms, legs, and hair and engaging in forbidden activities such as drinking alcohol. Likewise, Western laws evolve from puritanical perceptions that women are asking for sexual coercion when they wear revealing clothing or drink alcohol to the point of intoxication. Laws may in theory protect women, but worldwide, cultural attitudes strongly influence the contemporary public perception of the culpability of women with regard to non-consensual sexual contact.

Dating back to the United States Civil War era, courts have given gender-based preferential treatment to men. Men received special accommodations as property owners, whether they owned land or enslaved workers (Stutzman, 2009). Today's activists for racial and gender-based equality protest judicial hearings in cases of *sexual assault* stating that courts favor Caucasian men over other genders and ethnic groups (Stutzman, 2009). United States law in the

19th century recognized men as the rightful owners of women and enslaved people; therefore, court justices viewed acts of violence against women and enslaved people as violations against the property of men (Stutzman, 2009).

Social constructionist meaning relegated to laws is also apparent in diverse regional definitions of *sexual assault*. North Carolina, for example, determines whether an assault is classified as first or second-degree rape by considering the ages of the *perpetrator* and the *victim*, whether a gun or knife was used to force sexual acts, and if vaginal penetration occurred (North Carolina General Statutes 14-27.20, 2018). The same law outlines the degree of criminality of an act in stipulating that forced vaginal penetration is rape and that forced anal penetration is a "sexual offense" (North Carolina General Statutes 14-27.20, 2018). Social and religious values give weight to which non-consensual acts are prosecutable offenses and which ones could be considered less severe.

Rape is broadly defined in generally accepted language as "unlawful sexual intercourse or any other sexual penetration of the vagina, anus, or mouth of another person, with or without force, by a sex organ, body part, or foreign object, without the consent of the victim" (Dictionary.com, 2018). According to the authors of a guide for healthcare and law enforcement professionals within the United States, a more precise, working definition of rape must meet three criteria:

- Vaginal, anal, or oral penetration by a penis, object, or other body parts
- Lack of consent, communicated with verbal or physical signs of resistance, or if the victim is unable to consent by means of incapacitation because of age, disability, or drug or alcohol intoxication
- The threat of force or actual use of force
(Loiselle, Friedman, Linden, & Young, 2003, p. 14)

This research strives to refrain from labeling individuals as *victims* or *perpetrators*; however, the terms appear routinely in legal documents and the language of advocacy groups. It is vital to the qualitative nature of this study that readers develop and express their individual understanding of circumstances. It is also essential for people who have experienced NCSC to self-define. Non-consensual sexual contact, for this inquiry, includes all forced tactile, oral, vaginal, penile, and anal contact that occurs without conscious and fully capacitated consent of both or all parties.

Incidence of Non-consensual Sexual Contact on U.S. Campuses

Since 1967, the United States Bureau of Justice Statistics has conducted an ongoing survey of household members aged twelve and older about generalized crime victimization. The National Crime Victimization Survey (NCVS) excludes household members who live in institutionalized settings such as military or university facilities. The most recent 2011 survey reveals 0.9 events of rape or sexual violence per one thousand people (National Research Council: Kruttschnitt, Candace; Kalsbeek, William D.; House, Carol C. (Eds), 2014, p. 53). Analysis of the survey proposes that numbers of non-consensual sexual contact are underestimated because of factors such as reluctance to report, survey method, ambiguous definition of sexual violence and rape, and sexual crimes are included in other types of violent crimes (National Research Council: Kruttschnitt, Candace; Kalsbeek, William D.; House, Carol C. (Eds), 2014).

The initial National College Women Sexual Victimization (NCWSV) survey reproduced an earlier National Crime Victimization Survey (NCVS) in the fall of 1996. It focused on reports of sexual victimization of college students only. The study sample included 4446 randomly selected female participants from both 2-year and 4-year campuses in the United States. The

National College Women Sexual Victimization (NCWSV) report of the approximate seven-month study shows a prevalence of 27.7 of 1000 women experienced rape or attempted rape while in college (Fisher, Cullen, & Turner, 2000, p. 10; National Research Council: Kruttschnitt, Candace; Kalsbeek, William D.; House, Carol C. (Eds), 2014). The approximate seven-month (6.91) study revealed that 1 in 36 or (2.8%) of college women experience rape or attempted rape each year (Fisher, Cullen, & Turner, 2000, p. 10). Calculations over a projected one-year period increase the estimated incidence to 4.9 percent of college women of the survey who experienced non-consensual sexual contact. Based on this information, Fisher, Cullen, and Turner ascertain that a university campus with 10,000 women would be subject to an average of 350 rapes per year (Fisher, Cullen, & Turner, 2000, p. 11).

As indicated in the previous section about definitions to describe NCSC, those who experience alcohol or drug-facilitated sexual contact often do not show signs of physical injuries; therefore, coerced individuals may reject that there was sexual violence. The NCWSV researchers used behaviorally specific screening questions in the survey because they determined that the NCVS study participants defined victimization and rape in a way that rendered uniformly lower response rates confirming rape (Fisher, Cullen, & Turner, 2000). Determining to narrow the definition of types of coerced sexual experiences, Fisher and Cullen ran a comparison study from the 1996-1997 academic year to the 1996 NCWSV study, mimicking the NCVS study format but using more descriptive terms about types of sexual contact. The study sample included at least 1,000 females gleaned from a survey of 4,432 women who had participated in the NCVS study (Fisher, Cullen, & Turner, 2000). The comparison study showed that a higher percentage of women (2.8%) reported completed or attempted rape than the initial NCVS study (National Research Council: Kruttschnitt, Candace; Kalsbeek, William D.; House, Carol C.

(Eds), 2014). The NCVS and NCWSV comparison studies, in summary, reveal that women who live in campus communities experience greater risk for sexual violation than do women who live in the general population, or compared with other groups of women of similar ages (Fisher, Cullen, & Turner, 2000, p. iii).

A more recent study used a large, random population-based sample of undergraduate students from Columbia University and Barnard College, both New York City schools (Mellins, et al., 2017). Twenty-two percent of undergraduates reported non-consensual sexual activity, ranging from unwanted touching to penetrative vaginal or anal intercourse (Mellins, et al., 2017). These findings are consistent with subsequent national Campus Safety reports.

The U.S. Department of Justice (DOJ) statistics in reporting for Campus Safety online publications post that between 20 and 25 percent of women experience "completed or attempted rape" during their college careers (Hattersly-Gray, 2018, p. 1). Campus Safety also publishes that approximately 99 percent of the "perpetrators" are male (Hattersly-Gray, 2018, p. 1). According to the report, the person who coerces sexual activity is intoxicated in one of three sexual assaults (Gross, Winslett, Roberts, & Gohm, 2006; Hattersly-Gray, 2018). The highest incidence of NCSC occurs in women in their freshman and sophomore years, with about 84 percent of sexual coercion occurring during the first four semesters of college (Gross, Winslett, Roberts, & Gohm, 2006; Hattersly-Gray, 2018).

Fisher, Cullen, and Turner found that approximately one-third of the college sample reported they had experienced some type of non-consensual sexual contact (Fisher, Cullen, & Turner, 2000, p. 17). They also learned that women were frequently acquainted with the person(s) who coerced sexual contact (Fisher, Cullen, & Turner, 2000, p. 17). Approximately 88 percent of forced sexual contact occurs between 6 pm and 6 am, and frequently it occurs in off-

campus residences (Fisher, Cullen, & Turner, 2000, p. 19). NCSC also occurs in on-campus residential facilities, with 60 percent occurring in the woman's residence, 31 percent in other on-campus residences, and 10 percent occurring in fraternities on campus (Fisher, Cullen, & Turner, 2000, p. 18). All of the studies cited indicate that young women in their first years as college students are vulnerable to experiencing, witnessing, or having peers who will face the threat of sexual coercion.

The Vulnerable Student

Bonds of immediate trust are tested extraordinarily in newly established relationships when one or more parties sexually coerce others. First year students at universities are highly vulnerable, and people with predatory intentions can quickly gain confidence and easy access to the unsuspecting person (Lisak D. , 2017). Universities must direct resources toward the prevention of NCSC in campus communities, but the development of effective interventions demands a comprehensive understanding of risk factors. The exploration of risk factors indicates a strong association of NCSC with frequent alcohol intake and drinking until intoxicated and previous episodes of NCSC (Fisher, Cullen, & Turner, 2000). Alcohol and substance abuse intervention programs designed to provide information and alternative activities to new students are imaginative and pervasive across U.S. campuses.

Confirming through studies that the problem of NCSC is widespread, it is important to identify the students who are most at risk. A Harvard study of national college women found that women who live in sorority housing have three times more risk of rape than do women who live in off-campus housing (Hattersly-Gray, 2018, p. 1; Mohler-Kuo, Dowdall, Koss, & Wechsler, 2004). The same Harvard team found that women who live in on-campus residences, while less of a risk, still experience a 1.4 greater incidence of sexual coercion (Hattersly-Gray, 2018;

Mohler-Kuo, Dowdall, Koss, & Wechsler, 2004). Differing in results from the 2000 study of Fisher, Cullen, and Turner, researchers discovered, “Almost half of the rapes occurred in a fraternity house, and over 50 percent occurred either during a fraternity function or were perpetrated by a fraternity member” (Mohler-Kuo, Dowdall, Koss, & Wechsler, 2004, p. 38). Of interest, many universities place fraternity housing in off-campus locations, and it is conceivable that this factor may cause statistics to put campus safety in a more favorable light. Also of interest is that since the time the Title IX Mandate to report disclosures became federal law, reports of NCSC on campuses increased by 18 percent between 2014 and 2015 (National Center for Education Statistics, 2018, p. 124). The Campus Sexual Assault Study (Bolger, 2016; Krebs, Lindquist, Warner, Fisher, & Martin, 2007) reveals that one in five women experiences NCSC while attending college.

The National Center for Education Statistics (NCES) released a report derived from federally required Clery data that cites an overall increase in forcible sex offenses at public and private 2-year and 4-year colleges (National Center for Education Statistics, 2018, p. 124). The report indicates that 29 percent, approximately one-third of all crimes reported in 2015, were related to NCSC. A staggering 262 percent increase in reports of NCSC between the years of 2001 and 2015 is observable as reported cases soared from 2200 to 8000 during the same period. The NCES report indicates a higher than eight percent increase in reports of NCSC occurred on campuses with residence halls than on campuses without them (National Center for Education Statistics, 2018, p. 125).

Advocacy programs for university students who experience sexual trauma during their years at school preceded the Title IX Mandate by several decades. Sexual Assault Response Teams (SART) comprised of university administrators, faculty, and staff often interface with

members of the surrounding community to discuss areas where they see a higher incidence of NCSC. They identify programs that work well and brainstorm ways to modify student behaviors to lower their risk for NCSC. Together, these measures have a significant impact, but understanding who is at risk for NCSC is no longer enough to mitigate the problem. Understanding the person who coerces NCSC is vital to effect corrective change in cultural behavior.

Understanding Students Who Coerce Others

Forensic psychologist David Lisak has worked for years with serial sex offenders and articulates a common set of characteristics of people who prey on others (Lisak D. , 2017). He explains that people intent on exploiting others become adept at targeting vulnerable people and determining how to manipulate them (Lisak D. , 2017).

Expert in criminal behavior, Stanton Samenow discusses the chief characteristics of sexual predators. He teaches that they are typically charismatic, talented, and intelligent people who see themselves as irresistible (Samenow, 2017). The buildup from identifying a target to determining when, where, and how they will sexually coerce someone is not about seeking an intimate relationship with the vulnerable person but instead affirms their uniqueness (Samenow, 2017). Mastering the art of deception, people with predatory behavior may feel remorse, not for the coerced person, but rather because they are discovered (Samenow, 2017). Targeting individuals who are least likely to report, experienced coercers will befriend new and vulnerable students while appearing to be concerned for their wellbeing. Students who coerce sexual contact aim to manipulate circumstances and groom new students to feel secure and even indebted for their kindness and special attention. Soon, people with predatory intentions become part of the

safe zone, often portraying that they are upstanding citizens who would never be capable of coercing NCSC (Lisak D. , 2017).

A traditionally taboo subject, people who coerce sexual contact seem to intuit that the people they force may be reluctant to report (Lisak D. , 2017) to university officials. The coercers also understand that university employees may receive the reports in disbelief. Administrators responsible for determining disciplinary action may hesitate to act, fearing they may be mistaken or that their decisions could ruin the futures of bright students. Krakauer relates an example of this in his expose' regarding reports of NCSC at the University of Montana. He writes that the late Montana Supreme Court Justice Diane Barz discovered evidence that the University of Montana system was not reporting NCSC (Krakauer, 2015, p. 8). These factors reveal how universities seeking talented and highly intelligent students become perfect venues for charismatic students to coerce NCSC to affirm their superiority over others.

Role Reversal

Traditional *victim* and *perpetrator* roles often reverse according to the political, social, and economic context of the people named in reports of NCSC. Institutions appear to favor those the public finds likable, even when accused of wrongdoing. Two examples of role reversal occurred when public attention focused on allegations involving high-profile people. In his book Missoula, Jon Krakauer explores in meticulous detail the events surrounding reports of NCSC between female students and members of the University of Montana's lauded football team. Krakauer portrays how college women become villains in the community's eyes when their reports of NCSC implicate beloved players of the team (Krakauer, 2015).

The second example of role reversal surfaced during U.S. Senate confirmation hearings regarding a presidential nominee's lifetime appointment to the federal Supreme Court. United

States Senators asked Justice Brett Kavanaugh about allegations of non-consensual sexual coercion of Christine Blasey Ford during their high school years. A professor of psychology, Blasey-Ford testified that she is 100 percent certain that Kavanaugh and another high school student pushed her into a bedroom of someone's home where they were drinking alcohol, and Kavanaugh coerced sexual contact. Nationally televised, the hearings provided an opportunity for politicians to polarize a nation before it engaged in mid-term elections. Judge Kavanaugh's appointment was ultimately approved after Republican Senators portrayed him as a victim and portrayed Dr. Blasey-Ford as a pawn of the Democratic party. However, multiple other women came forward with similar allegations (Supreme Court Nominee Judge Brett Kavanaugh Confirmation Hearing. Day 1, Part 1, 2018). While a traditional perception of the *victim* would fall on the woman's side in such a case, at least two lives were devastated at the cost of such political, economic, and social interests.

Effects of Sexual Trauma

Older adolescents or young adult students will often seek immediate means to assuage or suppress the associated emotional or spiritual pain of violated trust. Many exercise total denial, choosing not to acknowledge that anything happened unless circumstances like pregnancy or sexually transmitted infections cause them to accept it (Levine & Frederick, 1997). Others attempt to suppress their pain through over-committing to school or work-related activities and with alcohol, marijuana, or illicit substances, promoting opportunities for legal problems to arise. Eating disorders, depression, anxiety, hyper-athleticism, and hyper-sexuality are common behaviors that young adults exhibit as they try to forget, move forward, and gain control over their lives (Faber, 1992, p. 89; Levine & Frederick, 1997).

As with many young adults who experience sexual coercion, students often fear that their parents or families will discover their closely guarded secrets, and they refrain from seeking medical or legal remedies (Loiselle, Friedman, Linden, & Young, 2003). The signs of ineffective coping often manifest in poor performance in school, legal woes, and chronic illness (Bloom, Jaeger, Gaulin, & Asher, 2003; Dick & Ziering, 2016). College students often stop participating in academic and social activities to avoid confrontation with the person or persons who took advantage of them. "Others struggle with depression, posttraumatic stress disorder (PTSD), eating disorders, anxiety attacks, flashbacks, and nightmares. Some attempt suicide or engage in self-harm (Bolger, 2016, pp. 2109-2110)."

The transition from home to college is demanding, and the escalation of stress caused by NCSC can wreak havoc for a lifetime when unaddressed. "When violence comes from this completely unexpected direction, it is a moment of absolute terror because it completely upends our sense of where we are safe and when we are safe. And this is why non-stranger sexual assaults are so profoundly difficult for victims to get over" (Lisak D. , 2017).

The far-reaching social and economic effects of NCSC in campus communities are immense. Montana's late Supreme Court Justice Barz' report of January 31, 2012, stated, "Acts of sexual violence are vastly under-reported on college campuses, and a victim of sexual assault is likely to suffer from depression, post-traumatic stress disorder, substance abuse, and academic problems" (Krakauer, 2015, p. 8). Coerced students suffer consequences, as does the public in assuming the financial burden for the education, health, and legal systems. These institutions absorb the impact of sexual coercion and the people who prey on the vulnerability of others.

Inquiries into the effects of campus sex offender registries show that severe and inescapable sanctions toward those who coerce NCSC are strongly associated with recidivism.

Many offenders will return to commit the act against others (Tewksbury & Lees, 2006). People listed in sex offender registries report social isolation, harassment by community members, damaged relationships, difficulty establishing a home, and many suffer from the inability to find or maintain employment (Tewksbury & Lees, 2006). People who experience sexual coercion also report posttraumatic stress disorder, problem drinking, social isolation, joblessness, addiction, homelessness, and broken relationships (Dick & Ziering, 2016; Peter-Hagene & Ullman, 2014). Receiving support, advice, resources, and safe shelter after one suffers and reports NCSC dramatically influences the person's chances of healthy recovery and coping (Peter-Hagene & Ullman, 2014).

After experiencing NCSC, people often experience isolation and shame (Herman, 1992). Others may be reluctant to report trauma for fear of repercussions (Faber, 1992). Research about the effect of obligatory reporting about non-consensual sexual trauma is scarce during these first years of the Title IX Mandate's enforcement. It is essential to investigate whether obligatory reporting by professors and resident assistants, for example, further alienates students and delays their coping with trauma. It is critical to learn whether students are reluctant to utilize university counseling, health, and advocacy services because of confusion and fear about who must report NCSC. It is also important to understand the effect of the Title IX Mandate on university employees and whether it discourages them from asking important questions in their mission to assist students in becoming autonomous adults.

Campus Health and Safety: Public Awareness, Activism, and Legislation

Initial public activism began in 1986 when Howard and Connie Clery confronted the parents' worst nightmare when they learned their daughter, Jeanne Clery, had been raped and murdered on campus by an older student at the university. The Clerys reported that they were

unaware of soaring rates of felony crimes in the area of Lehigh when they received police notification of their daughter's murder at the private university in Bethlehem, Pennsylvania (Beyette, 1989). The Clerys contended that the university administration concealed statistics about sexual assault and crime on campus from prospective students and their families (Beyette, 1989; Newman & Sander, 2014). Howard Clery asserted that university officials ignore reports of such criminal activity for fear of damaging the reputation and economic wellbeing of the school (Beyette, 1989). The Clerys influenced resounding public policy through responsive activism in their daughter's honor. They founded the Clery Center for Security on Campus in a grassroots initiative demanding transparency about crime in institutions of higher education (Beyette, 1989).

Acknowledging NCSC as an increasing threat to college women, the U.S. Congress passed legislation in 1992, four years after Jeanne Clery's brutal murder, titled the Crime Awareness and Campus Security Act (Clery Center for Security on Campus, n.d.). The legislation requires universities to distribute an annual security report containing campus crime statistics for current students, student applicants, and employees to see. The information must also include university policies regarding NCSC. Permeating university culture with measures to enforce transparency about NCSC and other crimes (Janosik, 2004), committed activists drive the creation, enactment, and stringent enforcement of U.S. policies for national and international programs (Newman & Sander, 2014).

Over the decades since the inception of the Clery Act, universities have appointed advocacy resources for students who experience sexual trauma. University-based Sexual Assault Response Teams (SART) include university and community representatives but typically exclude students from their meetings. The community experts meet and discuss trends and

examples of problems that students confront when they report, or are subjects of reports about non-consensual sexual activity. The overall task of confronting NCSC is far-reaching, and it is a source of highly contentious conflicts within the university and political life (Krakauer, 2015).

Public awareness about the magnitude of NCSC for women, especially men and people who identify as transgender, is progressively expanding throughout more than three decades since the unimaginable pain of loss drove the Clerys to act on behalf of their deceased daughter. Federally supported comparison studies and academic research offer many quantitative data about the incidence, types, and risk factors for NCSC in university communities. The National Institute of Justice and the Bureau of Justice Statistics, focusing attention on NCSC on campuses as a public health issue, supported two major parallel studies in the early 1990s (Fisher, Cullen, & Turner, 2000). Funding for the National College Women Sexual Victimization (NCWSV) study and the comparison National Crime Victimization Survey (NCVS) actualized the goal of heightening knowledge about a surfacing trend creating a problem near-epidemic proportions. Based on the alarming findings, solution-based interventions forced the primary burden of conflict management on the shoulders of universities as primary prevention officers (US Department of Education Office for Civil Rights, 2014).

The Crime Awareness and Campus Security Act, renamed the Jeanne Clery Act in 1991 (Clery Center for Security on Campus, n.d.), is federal legislation requiring university and college campuses to record and publish annual statistics about “dating violence, domestic violence, sexual assault, and stalking” (Office of the Federal Register, 2014, p. 62780). It is one of the first policies enacted to increase public awareness about public universities' overall health and safety. Advocacy groups continue to push for action to ensure university transparency about campus crime and protect students enrolled in national universities.

Civil Rights Legislation and Evolution of the Title IX Mandate

People emerged on the U.S. scene with a new awareness about inequality in their lives in the 1960s. Their actions led to Title IX Civil Rights legislation that is foundational to the current Title IX Mandate. African Americans and women felt the effects of oppression and protested inequality in all aspects of their lives. Their voices resounded, and they demanded the creation of policies that recognize, maintain, and protect U.S. constitutional guarantees of equality for all, regardless of gender and race. President Lyndon B. Johnson responded by proposing and signing the Civil Rights Act of 1964 (United States House of Representatives, 1964). The Civil Rights Act stipulates that all people have rights to federally funded educational programs and "…employment, regardless of race, color, religion, sex, or national origin" (Civil Rights Act of 1964).

The Crime Awareness and Campus Security Act, renamed the Jeanne Clery Act in 1991 (Clery Center for Security on Campus, n.d.), has primarily shaped response in the form of advocacy groups pushing for action to protect students from assault. Standing on Title IV of the Health Education Act of 1965 and the Title IX amendments of 1972 prohibiting discrimination, women of the United States joined with a proposed 1994 bill to end violence against women (Office of the Federal Register, 2014). The groups pleaded with Congress to pass legislation that would urge all states to act on behalf of women. Responding to the voice of activism, Congress passed federal legislation requiring university campuses to record and publish annual statistics about "dating violence, domestic violence, sexual assault, and stalking" (Office of the Federal Register, 2014).

The "Dear Colleague Letter," written by the Secretary of the Department of Education in 2011, implores Congress to act promptly to end violence against women on college campuses

(Ali, 2011). President Obama signed the Violence Against Women Act (VAWA) on March 7, 2013, effective July 1, 2015. VAWA is an example of women transforming a culture riddled with the deleterious effects of violence to a socially constructed culture that values women and holds public and private social welfare in high regard (Gaffney & Ledray, 1999). Gaffney and Ledray, Advanced Practice Registered Nurses, write that nurses, counselors, advocates, and other medical professionals responded with activism when they "…saw that services to sexual assault victims were clearly inadequate…" (Gaffney & Ledray, 1999). The traditional focus in most organizations is problem-centered (Cooperrider & Whitney, Appreciative Inquiry: A positive revolution in change, 2005), yet an eclectic approach using the combined knowledge of diverse entities leads to the ongoing evolution of policy.

Activism and the Title IX Mandate

As seen with the evolution of public policy to the VAWA legislation and beyond, public leaders respond to vocal and influential constituents. Students traditionally do not talk about NCSC on college campuses, possibly for fear of repercussions they will suffer from friends, family, university officials, and perhaps even future employers (Loiselle, Friedman, Linden, & Young, 2003, p. 15). Likewise, people who participate in social movements are motivated to join others when their lives are touched, directly or indirectly, by similarly powerful and painful events. "…one's descriptions and explanations of the world are not derived from observation, but within relationships as people construct the meaning or sense of what is observed" (Gergen & Gergen, 2014, p. 123). It is essential to understand the moving force behind the creation of the Title IX Mandate as we examine its purpose.

Annie Clark and Andrea Pino were two female students at the University of North Carolina Chapel Hill. They joined forces to tell their stories about sexual coercion to the highest

legislative powers in the nation. Forced by peers to have non-consensual sexual contact, they both went to university faculty and staff members in search of professional assistance (Dick & Ziering, 2016; Newman & Sander, 2014). The university's inaction and lack of response to their claims prompted the women to pursue legal measures against the university. The women took their cases to lawmakers with the primary goal of forcing universities to stringently enforce policies to terminate students who perpetrate acts of NCSC (Newman & Sander, 2014). Interest groups, whose constituents are primarily parents, victim advocates, and university donors, spearhead political activism with the intent of mitigating coerced sexual contact within the university communities (Beyette, 1989). Activists like the Clerys, Andrea Pino, and Annie Clark rail against the passivity of universities in confronting allegations of NCSC, and they advance their message that universities perpetuate gender bias in violation of the Title IX statute (Newman & Sander, 2014).

A traditional means of finding solutions to problems involves enacting policies and laws that forbid certain behaviors (Grenny, Patterson, Maxfield, McMillan, & Switzler, 2013). The enforcement of the one-size-fits-all Title IX Mandate relies on the assumption that students from across the nation and worldwide come from homogenous candidate pools. Students quickly learn about layered cultural attitudes, and they discover that peers from other states and countries often have significantly different attitudes from their own. Inclusion of all students in confronting a national upsurge in reports of NCSC (Campus Sexual Violence: Statistics, 2019) is vital for relevant solutions to emerge. A meaningful intervention for students in a conservative community could make little sense to students living and learning in a more liberal campus environment. When the university engages in collaborative decision-making with its student

body, resultant school policies will reflect critical thinking and diverse ideas of the students at the heart of the conflict (Ayora Talavera & Chaveste Gutierrez, 2009).

Framing the Conflict

A contemporary premise of higher education is that professors guide students to develop a clear-sighted vision around a topic through experiential and collaborative learning and critical thinking (Klemm, 2014). The Title IX Mandate is the U.S. government's one-size-fits-all approach to force universities to address reports of NCSC among students. Such an approach to managing conflict diminishes the experiential value of the university's role in fostering solution-finding. The traditional assumption that leaders know how to manage constituents who lack the knowledge to problem-solve is the basis for imposing a federal mandate. "Appreciating and valuing the *best of what is…*while envisioning *what might be…*" (Saha, 2013, p. 3) is an inclusive, grass-roots approach to generating meaningful solutions. In this case, the educational goals of the university and the leadership style of the federal government are inconsistent. The educational system fosters critical thinking, and the federal response leaves little room for generative thinking and autonomy.

As schools grapple with complying with the federal guidelines, they scrape the bottom of the barrel to find resources within the university infrastructure. The federal government expects each university to adhere to the policy yet provides little to no funding to establish response protocols to fulfill the massive task at hand (Bolger, 2016). The April 1, 2015 deadline loomed overhead as university administrations of schools tasked resource-bare departments and personnel to develop a system to protect students and maintain a safe environment and positive public reputation (Wilson, Why Colleges Are on the Hook for Sexual Assault, 2014). Confusion

abounds when diverse university systems, independently or with legal assistance, design and implement their own protocols in an attempt to conform to the Title IX Mandate.

The carriage of the federal mandate in universities relies on a labor force that is unprepared to assume the duties of reporting and investigating disclosures of NCSC. Faculty and staff engage in extracurricular training and then devote endless hours to collecting, recording, and summarizing information gathered from students who may have witnessed or been a party to NCSC ((Kelderman, 2014). U.S. universities do not receive additional government funds to carry out investigations, yet they could lose federal funds if they do not adhere to the terms of the Title IX Mandate (Lieberwitz, et al., 2016; US Department of Education Office for Civil Rights, 2014).

When people who coerce NCSC are students whose identities are known, the university must provide accommodations to both parties to minimize the risk of further contact within the classroom or in assigned residential settings (Lipka, 2014; US Department of Education Office for Civil Rights, 2014). Victim advocacy programs and university personnel from all divisions receive impromptu training about the execution of the Title IX Mandate within the campus community; however, there are no guidelines about the frequency and duration of the training activity (Kelderman, 2014). All parties to a report of NCSC undergo an extensive interview process so the investigators may uncover details that allow the university to determine appropriate accommodations for the students. During the ongoing investigation, the university must ensure the optimal wellbeing of the students involved in the allegations, as well as protect the safety of the campus community at large. National numbers of lawsuits by students and their families against campuses exponentially grow as students perceive additional harms because of administrative interventions and decisions (Wilson, Presumed Guilty, 2014).

Once the university official receives a report of NCSC, the university has sixty (60) calendar days to complete the entire investigation process (US Department of Education Office for Civil Rights, 2014). The process "…includes conducting the fact-finding investigation, holding a hearing or engaging in another decision-making process to determine whether the alleged sexual violence occurred and created a hostile environment, and determining what actions the school will take to eliminate the hostile environment and prevent its recurrence, including imposing sanctions against the perpetrator and providing remedies for the complainant and school community, as appropriate" (US Department of Education Office for Civil Rights, 2014). The federal government imposes at least three sanctions on publicly funded universities that fail to comply with the Title IX Mandate: 1) stiff monetary penalties 2) revocation of federal funding 3) potential prison sentences for universities and personnel. If and when the university complies with the ruling, the disclosing party no longer controls how and whether students disclose their intimate stories. The sixty day time constraint on the process limits the ability of the university to offer a full range of remedies to the people involved in NCSC, yet makes it difficult to impose immediate accommodations to ensure student safety when investigators have yet to discover essential information.

An executive order dictates action, but it does not delve into how the designees of each institution peel away layers of human experience that comprise each report. Parents and guardians of young men and women suffer tremendous pain and fear as they realize their adult children are involved in interpersonal, non-consensual sexual acts, whether as people who coerce or as people who have been coerced (Dick & Ziering, 2016). The community at large may empathize readily with sexually coerced students when it envisions them as victims. On the other hand, it may require more prompting to consider the pain and fear of students who allegedly

force other students to engage in non-consensual sexual acts because they view those students as perpetrators (Wilson, Presumed Guilty, 2014). Universities, investigators, and Title IX officials face the conundrum of how to maintain neutrality while determining accommodations and penalties for students involved in reports of NCSC.

Transformative Processes

Alternative approaches to a traditional mandate to report cases of NCSC to a Title IX Coordinator for investigation and adjudication exist in participatory processes such as Appreciative Inquiry and Restorative Justice. The Appreciative Inquiry cycle prompts participants in the activity to identify strengths that will promote a dynamic resolution that fits the culture of their campus home. The premise of Restorative Justice is that transformation of conflict becomes possible when parties can hear and acknowledge the perceptions of the people to whom their behaviors cause harm. Both activities offer positive outcomes to people who otherwise are destined to suffer the dismal effects of trauma in their lives.

Appreciative Inquiry

University employees assume the role of judge and jury to respond quickly and comply with federal laws. Appreciative Inquiry, an application of social constructionism, provides a framework by which students and bystanders may cooperate to cultivate transformative and restorative processes when faced with conflict caused by NCSC.

Members of the campus community are prone to experience vicarious trauma as they confront highly charged circumstances. The Appreciative Inquiry process may take longer to orchestrate, yet all members have the opportunity to invest in more meaningful solutions. Appreciative Inquiry is a means of healing a traumatized community as members take responsibility for creating their ideal living circumstances. It is a technique that local and global

organizations of any type may use to discover what gives life to a community and encourages people to envision and co-construct a desirable and sustainable environment (Cooperrider & Whitney, Appreciative Inquiry: A positive revolution in change, 2005). Appreciative Inquiry is a formal and inclusive way of facilitating conversation among stakeholders of any group and is effective in large organizations where communication becomes a complicated process (Ludema, Whitney, Mohr, & Griffin, 2003).

Providing a dedicated audience for the voices of students who are most at risk for NCSC is essential to developing inclusive measures that advance equality as stipulated by Civil Rights legislation of the past century. We must listen to what they say about the effects of current policies on their lives, and we must ask them what measures they foresee would grow a desirable community. Appreciative Inquiry (AI) elicits the voices of all community members, and its premise is, "…organizations move toward what they study" (Cooperrider, Whitney, & Stavros, Appreciative Inquiry handbook, 2005, p. 29). The research survey questions are modeled after the 4D Cycle of AI: Discovery, Dream, Design, and Destiny. The survey questions focus on the positive core of university freshmen as they consider measures toward achieving a safe and sustainable community.

Appreciative Inquiry practitioners guide organizations through a timed *Discovery* process where they ask members to think briefly about their current situation. The facilitator writes the members' statements without commentary, using questions only to clarify ideas. Next, the facilitator asks the members to *Dream* about what they perceive as ideal, advising members to honor and receive all statements with respect. The facilitator instructs members to listen to all ideas without rolling their eyes and avoid commenting on why ideas might not work. It is simply

a time of exploration and dreaming when thoughts can lead to otherwise unconsidered solutions (Cooperrider & Whitney, Appreciative Inquiry: A positive revolution in change, 2005).

The *Design* phase is where each member of the group considers personal and organizational strengths that might assist the organization in achieving the goals that surfaced during the Dream phase. As stated, writing down each member's strengths also permits the group to recognize the potential contributions of each group member offers to the desired community. The *Destiny* phase includes an evaluation of the outcomes of the ideas that the group implements, and involves looking at progress resulting from the AI process (Cooperrider, Whitney, & Stavros, Appreciative Inquiry handbook, 2005).

The efficacy of Appreciative Inquiry depends on the unhampered sharing of thoughts and ideas in an open forum. Careful attention to being present in the conversation and listening without verbalizing judgment is vital in order to foster a safe environment for sharing ideas in AI activities (Cooperrider & Whitney, Appreciative Inquiry: A positive revolution in change, 2005). People who feel shame or embarrassment about a topic often refrain from full participation in an activity for fear of disclosing private thoughts (Filipas & Ullman, 2001). Protecting participants from embarrassment while recognizing that one cannot control emotional triggers, this research incorporates survey questions based on the AI *Discover-Dream-Design-Destiny* (4D) cycle. Open-ended questions in a written survey offer students the opportunity to submit private responses. A written survey provides a level of safety as participants respond to questions that may trigger strong emotions. Although it would be optimal for all participants to feel secure in contributing to open discussion, the written survey allows the researcher to glean sensitive information from participants.

As a conflict transformation tool that bases its method on identifying positive aspects of a culture such as a campus community, Appreciative Inquiry (AI) provides a platform for nonjudgmental communication, an essential aspect of healing (Levine & Frederick, 1997). Kraybill and Wright discuss Appreciative Inquiry as a process to use when emotions run high in the setting of conflict because the strategy focuses on identifying and developing strengths or what works well for an organization (Kraybill & Wright, 2006). This research explores student views about the Title IX Mandate, and it is one of the first to incorporate Appreciative Inquiry as a student-designed research project concerning the conflict of NCSC in university settings.

Appreciative Inquiry is an integrative method that encourages students to collaborate with other students to discover their strengths, envision, or dream about an ideal environment, and design an alternative way of moving forward together (Cooperrider, Whitney, & Stavros, Appreciative Inquiry handbook, 2005). The social constructionist approach generates inclusivity and shapes the desired destiny of a community. The framework draws attention to the positive characteristics or core of an organization and provides the community with respectful opportunities to listen to and reflect upon group members' ideas. The method facilitates dialogue and allows participants to influence transformative policies that include compassion for self and others.

A traditional federal mandate determines the action that universities must take in response to the conflict of NCSC between individuals. Still, it does not encourage those directly involved to address perceived harms to continue to pursue educational goals with an increased sense of wellbeing. Facilitated dialogue by a trained conflict management expert can protect both or all parties of conflict as they articulate painful and emotional experiences to the person who may have inflicted harm (Gino F. H., 2020; Kraybill & Wright, 2006; Zehr, 2002).

Facilitators play a crucial role in preparing parties to speak their truths and supporting them in listening to and acknowledging the pain-filled and pain-evoking words of the other individuals. Conflict transformation tools, as with Appreciative Inquiry, guide group members as they grow and live together. They encourage desirable qualities and discourage undesirable behaviors. As time passes, these conflict management processes affect the core values of individuals or group members (Kraybill & Wright, 2006). Mediation experts, Kraybill and Wright, assert, "Conflict offers particularly important opportunities for growth at all levels of being, including the spiritual. Conflict grabs our attention and heightens awareness. It brings choices into stark relief, pushing us to let go of things we cling to and to consider new options. It requires us to wrestle with issues of justice and to clarify principles that call us to rise above our tendencies to make parochial claims based on power and ego" (Kraybill & Wright, 2006, pp. 83-84).

They also teach, "And conflict tests us at a deep heart level. We face the dual challenges of recognizing sacredness in ourselves in moments when we are angry or afraid while at the same time recognizing the same in people with whom we strongly differ. After all, learning how to properly honor the presence of the sacred in self and in others is an important challenge in the best of circumstances. Doing so under duress, when emotions are high, is a far bigger challenge. When we bring practices that assist this, we grow spiritually" (Kraybill & Wright, 2006, p. 84).

It is essential to include information about ideas that may be new to the reader, such as Appreciative Inquiry and Restorative Justice. They are concepts that this research asks student participants to consider as alternatives to traditional conflict management methods. Appreciative Inquiry, a social constructionist application for solution finding, is an inclusive method that fits with a participatory research framework. Organizations of diverse types have successfully

incorporated Appreciative Inquiry as a means of transforming conflict (Cooperrider & Whitney, Appreciative Inquiry: A positive revolution in change, 2005). It is instrumental in multi-level organizations and "can liberate the voice and energy of the people" (Ludema, Whitney, Mohr, & Griffin, 2003, p. 244). Appreciative Inquiry offers a path for each university to confront deeply entrenched conflicts, and it provides an adjunct or alternative method for promoting cultural change within the campus community. Previously referenced studies about students who experience sexual violence indicate that a cultural change must happen in order for young women to thrive, free of the risk for sexual violence, especially during the first two years of campus life.

Restorative Justice

Zehr, pioneer of Restorative Justice and educator, proposes that restorative processes allow individuals and groups to think about harmful behaviors and wrongdoing (Zehr, 2002). He acknowledges his white European background and middle-class Christian and Mennonite upbringing as primarily responsible for his perceptions about life. He teaches that Restorative Justice (RJ) is a valuable conflict transformation instrument that allows people to see beyond their narrow and ingrained views about conflicts.

While critics of the model assert that Restorative Justice will only enable people who harm others to escape harsh consequences (Zehr, 2002), they overlook the valuable opportunity for those same people to reflect on the deleterious effects of their actions. RJ provides avenues for university students who coerce others to hear from the people they harm, and then comprehend the destruction caused by their behavior. As importantly, RJ provides a supported platform for harmed individuals to confront the people who injured them. It allows them to prepare for the event and speak unimpeded by the element of surprise. Harmed individuals, in

time, are able to move forward to an empowered stance and leave behind the self-perception of victim. People who harm others receive the critical opportunity to make amends to the person they harmed, and, in time, change their narrative to one of a person who values others. Both groups receive the chance to ascend from devastation to a life with promise.

Restorative Justice principles are clear, yet according to Zehr, they have taken on various forms that stray from the construct he teaches. Focusing on his lens of its implementation, he offers his view that the focus of Restorative Justice is on the needs of parties to a conflict and the roles they must fulfill to make restitution (Zehr, 2002). He also professes that crime violates relationships that people form and that each violation incurs a responsibility to the people involved. The most pressing duty of the people who cause harm to others is for the people who harm others to make amends and repair the damage done (Zehr, 2002, p. 19).

South of Forgiveness is an account written by a woman and a man who were involved in an experience of NCSC with each other while in high school (Elva & Stranger, 2017). After living through years of upheaval with alcoholism, drug addiction, destroyed relationships, and joblessness, the woman wrote a letter to the man to tell her story to him. The man responded, telling her how the burden of his guilt propelled him down a miserable path of substance abuse and broken relationships. They agreed to meet in South Africa years later to confront each other and tell their stories over a predetermined period of one week. They later co-authored a book about trauma and healing, and both write about finding extraordinary resilience through confronting their emotional trauma.

As discussed previously, universities make it their mission to assist students to develop autonomy and self-determination in confronting life's challenges. University officials, stakeholders, and legislators grapple with creating processes to manage reports of NCSC. The

Title IX Mandate results in university faculty and staff assuming roles that resemble those assigned to legal experts, but as of this writing, there is not a standardized list of questions for them to follow in their investigations. When factoring in variables such as education, life experience, and age, it is reasonable to acknowledge that some people are more skillful at eliciting essential information than others. A Restorative Justice model offers universities a standardized instrument that investigators can implement when interviewing students involved in reports of NCSC. Importantly, the RJ framework permits university officials to include students and foster their autonomy in decision making while protecting the safety and wellbeing of parties to reports of NCSC, and the campus at large.

The following Restorative Justice process incorporates five guiding questions:

1. Who has been hurt?
2. What are their needs?
3. Whose obligation are these?
4. Who has a stake in this situation?
5. What is the appropriate process to involve stakeholders to put things right? (Zehr, 2002, p. 38)

These guiding questions prompt Title IX officials to consider students at the center of their unique university experience, regardless of their role in the reported NCSC. Universities must intervene to protect all students, usually before they have time to collect information about the report of NCSC. Restorative Justice offers an empowering alternative to a traditional cross-examination model that invariably disempowers one or all parties to reports of NCSC when the only focus is to mete punishment based on proven guilt.

When university Title IX investigators and officials incorporate a Restorative Justice framework in their response to reports of NCSC, they foster student self-determination in establishing safety accommodations. They also promote autonomy as they collaborate with each party to select the most relevant pathways to resolve or transform each unique conflict. Howard

Zehr and Harry Mika provide the following ten “signposts” (Zehr, 2002, pp. 40-41) to implementing this intervention for conflict:

1. Focus on the harms of the crime rather than the rules that have been broken.
2. Show equal concern and commitment to victims and offenders, involving both in the process of justice.
3. Work toward the restoration of victims, empowering them, and responding to their needs as they see them.
4. Support offenders while encouraging them to understand, accept, and carry out their obligations.
5. Recognize that while obligations may be difficult for offenders, those obligations should not be intended as harms, and they must be achievable.
6. Provide opportunities for dialogue, direct or indirect, between victim and offender as appropriate.
7. Find meaningful ways to involve the community and to respond to the community bases of crime.
8. Encourage collaboration and reintegration of victims and offenders, rather than coercion and isolation.
9. Give attention to the unintended consequences of your actions and program.
10. Show respect to all parties – to victims, offenders, justice colleagues (Zehr, 2002, pp. 40-41)

Restorative Justice mediators implement these ten questions as they intervene in conflicts. This researcher proposes that when universities introduce a restorative focus to fact-finding interviews of parties involved in NCSC, they also proactively initiate conflict resolution measures. Restorative Justice, in its practical application, can guide students away from the devastation of NCSC toward a stable path of empowered living.

Framing the Research: Qualitative, Participatory Action

A guiding concern of this research is that requirements of the law, although well intended, may undermine students' autonomy and personal choice as universities comply with a policy that forces universities to confront reports of NCSC. One research assumption is that students in higher education can co-create a means to transform the culture of NCSC that is pervasive among campuses. Another assumption is that professional educators are experts in facilitating conversation, deliberation, and critical thinking with their students thus, they are well

prepared to facilitate co-creative processes that can transform the conflict of NCSC in university communities.

This qualitative inquiry is participatory action research that focuses on views of university freshmen about the Title IX Mandate as it affects them. Qualitative research offers an opportunity to the reader to examine thought trends and sentiments of study participants as they respond to open-ended questions in a survey (Denzin & Lincoln, 2011). In contrast, the dominant paradigm of quantitative research involves the participants' selection of responses from limited researcher-generated responses that are usually in the form of *multiple-choice* or *yes/no* answers. Quantitative analysis, therefore, reflects the researcher's thoughts more than it does the ideas of the study participant (Denzin & Lincoln, 2011). Qualitative research sheds light on the study participants' views as they independently generate responses and exercise autonomy over what information they share.

Members of the group that is the subject of a study, when included as experts who inform and analyze the research, offer unique insight and relevance to the study. For example, when students participate with each other to create survey questions, they elicit information that is more relevant to their peers. Parent-guided research questions centered around student behavior could miss important student insight into how NCSC affects students living in residence halls. This research incorporates Participatory Action Research as a means to shed light on the perceptions of university freshmen about the effects of mandated reporting when they or their peers experience NCSC.

As previously stated, the topic of NCSC evokes strong emotions in people for a multitude of reasons. Research participants must trust that the researcher will not use the information they share against them. They must also be able to respond to survey questions in an environment

where they feel safe. It is crucial in conducting surveys to honor individual privacy when asking questions. The survey structure permits participants to listen to an informational video prompt about applying the Title IX Mandate to fictional scenarios portrayed by their peers. Likewise, they can respond to open-ended survey questions in privacy and at their convenience. When participants are comfortable and able to respond from private laptops or mobile devices, researchers expect answers will reveal richer information about a dilemma that affects many students.

Title IX, Civil Rights legislation, relies on enforcers to uphold tenets espousing full access to education benefits, regardless of gender or ethnicity. The Title IX Mandate, a traditional top-down conflict management approach, is a framework to which all public schools must adhere in confronting rather than concealing reports of NCSC within their respective campuses. It is incumbent upon all campus community members to treat students not as victims or perpetrators but as young adults deserving of the opportunity to mature into discerning, autonomous individuals. Qualitative Participatory Action Research is a necessary first step to understanding the effects of the Title IX Mandate on the most at-risk population for NCSC. Campus community members who understand the views of university freshmen will be more aware of the impact of their interventions, and will be more able to see the importance of viewing students as autonomous, self-determined young adults.

Total neutrality in the study is impossible because we all come to the table with experiences that shape our understanding. Social construction theory, the theoretical framework for this inquiry, upholds the tenet that we create knowledge and meaning in our lives in relationship with other people (Gergen K. , 2009). This research incorporates neutral and non-inflammatory terminology in presenting information and discussing events. The term *non-*

consensual sexual contact (NCSC) is the preferred term for this formal inquiry because *rape, sexual assault, and sexual violence* may convey meanings that assign blame and guilt. As discussed earlier, they are terms that do not resonate with student participants who know their coercers or who do not perceive that violent acts occurred. Vicarious experience is a powerful means of triggering a response through indirect exposure to a critical event (Grenny, Patterson, Maxfield, McMillan, & Switzler, 2013). Words alone may inspire panic, anger, and a sense of victimization for those who read and participate in the research. Although the researcher attempts to use neutral language, referenced authors and reflections in this research may contain terms such as *victim*, *perpetrator*, and *offender*, all of which may convey a tone of blame or helplessness to the reader.

Reflections about Social Context and Conflict

As I reflect on my integrated life experiences regarding sexuality, I realize the influence of social context on this research. My perspective about non-consensual sexual contact is rooted in an era where secrecy surrounds the topic of sex. Young pubescent girls and boys learned about the "birds and bees" in segregated classrooms. It was an era when white men unabashedly made the rules, and society widely recognized men as the designated problem solvers. Women were homemakers, or they took jobs in businesses as support staff. They rarely received recognition as executive decision-makers. Stunted attitudes are still reflected in policymaking in the United States and are even seen in the recent 2018 elections for the 115th Congress. White Christian men with an average age of 61.8 years occupy most Senate seats at this post-election writing. It is no surprise that the Title IX Mandate is a traditional solution handed down by legislators.

In contrast, young adult students today generally have increased autonomy in problem-solving. They also have broad exposure to explicit and sexualized social media and entertainment. Pervasive social media provides an ever-present forum for everyone to express an immediate opinion about an infinite array of topics. Women excel in the workforce as executives and seem to bring a collaborative leadership approach to the workplace. Today's Me Too movement started on social media when one celebrity, Alissa Milano, spoke up about non-consensual sexual contact that she endured. No longer are we a nation of women who blindly accept authoritative solutions from male counterparts. We can, and do, socially construct meaningful solutions for ourselves and each other.

The Challenge of the Research

The search for the perspective of university freshmen, the most affected by NCSC within the university community, lies at the heart of this study. The unfurled views of students matter as the community explores reactions to a traditional solution to a recently exposed and acknowledged conflict caused by NCSC. It is also an opportunity to facilitate an appreciative and nontraditional approach to transforming culture, starting with those most directly affected, at-risk first-year university students.

The challenge of this study is to ask the question, "*What are the views of university freshmen about the Title IX Mandate to report non-consensual sexual contact?*" and then to place all assumptions aside, creating space for considerate communication to occur. It is now the readers' challenge to examine how knowledge about NCSC has evolved in their lives. Let us step back from a stance of knowing the solutions and step into a world where students have the opportunity to co-create an integrated conflict management approach to addressing the issue of NCSC in their respective communities.

Reiterating an epistemological assumption of social constructionism, humans create knowledge through interaction with other humans (Gergen K. , 2009). Experiential learning occurs as students engage in relationships with others. The creation of knowledge or meaning does not occur in a vacuum but rather, depends on the engagement of two or more individuals. This research invokes this primary assumption in proposing that university students generate meaning in concert with other students.

A federally imposed mandate meshes with the ontological precept that a higher power knows all, and people who follow without questioning will find happiness and meaning in their lives. The ontological view integral to social constructionism promotes a sense that we, the people, design our destiny. All that we know, and all that we do not yet know or understand that we know, becomes apparent to us through relationships and experiences with others, however fleeting or long-term. As we share our stories, we determine ways to continue along the same path together or consider divergent approaches to reach our meaningful goals. Path markers may arise as a sensory response to an idea that we must contemplate as we travel to our destinations. Alternatively, we may find clear, authoritative directional signs that tell us what to do, where to go, and how to proceed. Either path will lead us home. It is up to the sojourner to determine the pace and stops along the way.

A primary objective of this research is to examine the views of university freshmen about the effects of Title IX Mandate on disclosures of non-consensual sexual contact (NCSC). A second goal is to securely elicit student feedback about the impact of NCSC on their lives and the decisions they might make while attending the university. A third goal is to inquire about how students envision, create, and support a safe campus environment. A final goal is to share

the results of this study with national and international universities so they may incorporate the views of the population most at risk for NCSC in revising policies and processes.

Researcher Reflections

At the outset of this research, I believe that students must contribute their ideas to meaningfully transform a worldview from one where the gratification of the impulse center is the ultimate goal to one where the value of humanity is supreme. Through the performance of this inquiry, I expect that I will encounter surprises that persuade me to change my attitudes. Thank you for delving into this question with me as we explore university freshmen's views of one university community about the Title IX Mandate to report non-consensual contact.

Chapter Two - Literature Review

This research is one of the initial qualitative studies that focuses specifically on the views of university freshmen about the Title IX Mandate to report all student disclosures of non-consensual sexual contact (NCSC) to a Title IX designee in the university. Consistent with the social constructionist precept that people create knowledge in relationship with each other, the literature review draws on commentaries and writings about the ramifications of the Title IX Mandate on the lives of university students, universities, and the public at large. It will also include chronological reports of events geared toward heightening awareness and prevention of NCSC in university communities, some of which served as the impetus for the Title IX Mandate. Investigative reports from nationally recognized journalistic sources and authors are important evidence of socially constructed viewpoints, and they add to the multi-lens perspective that this research strives to convey. Articles about student concerns and reactions, materials used in official university Title IX training, and personal communications with both actively employed and retired university officials will offer a textured component to this overview. Contemporary society uses social media, films, journalistic sources, and literary works to voice opinions about NCSC and the ways universities struggle to manage its effects on campuses. Judicial review of landmark cases has led to legislation that broadly impacts universities on all levels. This literature review will elucidate how equality in education as a fundamental civil right has driven the development of a uniform national response culminating as the Title IX Mandate. Scholarly journals will focus on perceptions of active advocacy groups, university faculty, administrations, and students in response to the implementation of the Title IX Mandate and the evolution of policies over the years following its enactment. The literature review is an essential element contributing to the aim of research to answer the critical gap question about student views of the

Title IX Mandate on their lives during and beyond college years. A global community must take this crucial step in the social construction of knowledge that will affect the current and future wellbeing of students and the physical, emotional, and economic health of the community at large. We must understand the gap in knowledge between the views of experts and governments and what university freshmen, the primary stakeholders to higher education, perceive about NCSC and the Title IX Mandate as a means to resolve the conflict.

Judicial Review Leads to a Government Mandate

Legislation to report disclosures of NCSC to a Title IX Coordinator stems from recommendations made by the U.S. Department of Justice (DOJ) after reviewing two Fall semester 2011 cases from the University of Montana (UM) at Missoula. Retired Montana Supreme Court Justice Diane Barz completed a comprehensive evaluation of UM policies and procedures regarding Title IX and sexual discrimination in response to allegations that "…women victims of sexual assault were being denied fair and equal access to the system…" (Bhargava & Jackson, 2013, p. 2). Her summation is supported by more than 40 interviews with students, family members, university employees and administrators, and the community at large, all of whom have direct or indirect experience with reports of NCSC. Justice Barz' letter to UM President Engstrom summarizes the exhaustive investigation:

> Constitutional policing and effective law enforcement go hand-in-hand. Discrimination in law enforcement's response to reports of sexual assault erodes public confidence in the criminal justice system, makes it more difficult to conduct effective and reliable investigations of sexual assault, places women at increased risk of harm, and reinforces ingrained stereotypes about women. We thus look forward to working cooperatively with the University to develop durable and comprehensive remedies that will not only fully protect women at the University of Montana, but that might serve as an exemplar for other campuses facing similar concerns.
> (Bhargava & Jackson, 2013, p. 17)

Abundant quantitative research about the traumatic effects of NCSC on young adults' lives reinforces for us that far-reaching consequences exhaust national economic and societal

resources (Bolger, 2016). The activism of secondary stakeholders supports students as primary stakeholders of universities as they demand government intervention. Legislative action such as the Title IX Mandate can change with each presidential term and the dominant political party in office during that term. It is essential to review the thought that goes into transforming the original mandate to its current form to comprehend the potential impact these changes have on students. The effect on individuals and the community at large is open for exploration and evaluation.

Since the April 2015 enforcement of the Title IX Mandate, qualitative research about its effects on students is in its infancy. It is important to research student sentiments, in their own words, about the Mandate's effect on their willingness to report NCSC and the impact it has on their ability to attain their social and academic goals. The literature review includes publications by professors, advocates, and university administrators such as deans of schools, but this is one of the first queries about the views of university freshmen about the ramifications of the Title IX Mandate.

To Report NCSC or Not: Factors to Consider

The literature contains limited qualitative studies, but crucial quantitative research about the likelihood of students to report NCSC to university or community precedes the Title IX Mandate. Javorka investigates the effect of exposing NCSC on campuses in a quantitative study involving 253 student participants from three comparative samples (Javorka, 2014). The mean age of the 197-participant university sample featuring 125 women and 72 men was 19.6 years, and the ages ranged from 18-23 years. Javorka utilizes SonaSystems, an online database, to recruit students who elect to fulfill class credit for psychology courses through participation. The second sample consists of 56 part-time or full-time undergraduates who complete the full survey

(Javorka, 2014). Amazon Mechanical Turk, a crowdsourcing marketplace, is how Javorka assembles the comparative national sample. A total of 798 participants self-select as workers and volunteer as survey participants in exchange for monetary compensation. The research looks at the effects of no reporting, reporting to on-campus administrators, reporting to law enforcement, and reporting to on-campus officials and law enforcement. Results do not show the impact of not reporting versus reporting. The study results demonstrate female students are more likely to believe the validity of the reports, and male students are more apt to blame the victim and disbelieve that the incident qualifies as sexual assault (Javorka, 2014).

After the enactment of the 2015 Title IX Mandate, researchers performed the following quantitative studies. A review of 150 university websites reveals that schools across the board require most of their employees to, regardless of students' wishes, forward all reports of non-consensual sexual contact to designated school officials (Holland, Cortina, & Freyd, 2018). Compelled disclosure of NCSC has little research support to show benefits, yet research does indicate that the Title IX Mandate may suppress students' voices rather than empower them (Holland, Cortina, & Freyd, 2018). Forced reporting of student disclosures may also jeopardize employee jobs when they honor students' wishes and refrain from disclosing information to their superiors. Another outcome is that school officials must prioritize the mandated requirements over the overall wellbeing of the students (Holland, Cortina, & Freyd, 2018). The authors of the website review propose that providing voluntary reporting alternatives, increasing support resources, and improving upon the process for investigation and disciplinary decision-making or adjudication may encourage people who suffer NCSC to disclose independently. Finally, they conclude that these measures would help mitigate non-consensual acts while advocating for student autonomy (Holland, Cortina, & Freyd, 2018).

Results of an online survey of 174 university employees and 83 students show that most are aware of reporting requirements for NCSC (Newins, Bernstein, Peterson, Waldron, & White, 2018). The survey reveals that students are unclear about telling professors, and roughly 20 percent of students (17.2%) express that the Title IX Mandate might deter them from reporting if they were to experience coerced sexual contact (Newins, Bernstein, Peterson, Waldron, & White, 2018). The authors conclude that legislation and policies regarding reporting need to be re-evaluated (Newins, Bernstein, Peterson, Waldron, & White, 2018).

Looking at how international communities acknowledge and confront student cases of NCSC, it is noteworthy that universities from the European Union joined together in 2015 in a project titled Universities Supporting Victims of Sexual Violence. USVReact is the name of the project, and its goal is to support students who experience gendered violence (USV React, 2018). Partially funded by the Rights, Equality, and Citizenship Programme of the European Union, the project engaged universities in training to supportively respond to students who reported NCSC (USV React, 2018). Students attending European universities often do not report NCSC, perhaps because campus support services have not been readily available to non-residential students (USV React, 2018). The USV React coalition of universities was formed in 2015 to generate consistent and student-supportive responses when reports of NCSC become known. The initial aim was to create a student-centered, open, and receptive university culture (USV React, 2018). The project's primary objective was for collaborating European institutions to generate, pilot, and implement training programs for university staff as they respond to students who report non-consensual sexual contact (USV React, 2018). The training models using evidence-based materials are subsequently shared with other universities, at no cost, for their use. A response by experts from sixteen (16) institutions across Europe, Latvia, and Serbia culminated in training

over nine hundred (900) staff members in twenty-one (21) institutions by 2018 (USV React, 2018). While it was time-consuming to organize, launch, and disseminate necessary information to formalize a uniform response, each university could apply training within its cultural context. These global efforts coincided with the enactment of the Title IX Mandate in the United States.

Student Reflection about the Title IX Mandate

Fighting back the tears, the female student tells me about how she had joined a club hoping to make friends with shared interests. She relates that she had been happy and active in the club, "but now all of the people I thought were my friends say horrible things about me because of something that I did not do." She sobs that she confided in a friend about a friend of her boyfriend who "shoved himself in my face, and I fought with him as he tried to pull off my pants." I asked her if she had sought support from victim advocate services, and she cried out that a friend had betrayed her by reporting to Title IX officials. She responded to my questions about whether she had received accommodations so that she would not have to run into the boy again with, "Oh, he got off scot-free, but he is the least of my problems now. He transferred to another school." Struggling to control her emotions, she tells me she has to "learn to manage" her anger. She tells me she lost her job, and one of her work peers told her, "You are not fooling anybody. We all know you lied about what happened. He would never have done that to anybody! You are a liar, and everybody knows it!" The student continues to cry, apologizing for "losing control." "I never would have told anybody if I had known they would take it to the Title IX people. None of them stood by me. I had to move to a new place because I couldn't take it anymore! When I walk by the people who were involved in the Title IX stuff, they turn their faces away and do not even acknowledge me!" (Anonymous, 2016).

Carrying Out the Mandate: Challenges and Ambiguity

American University describes the scope of the Title IX Mandate as covering a comprehensive list of behaviors that fall under the umbrella of discrimination based on gender and multiple forms of sexual harassment (American University, 2017). Definitions of acts vary from state to state, and universities experience ambiguity when making determinations for students as they manage cases of "*sexual assault, rape, stalking, sexual exploitation, dating, domestic violence, and sexual harassment"* (American University, 2017). Inundated with disclosures of NCSC, universities must respond with a full Title IX investigation and action within sixty (60) calendar days of each report (US Department of Education Office for Civil Rights, 2014). Public universities operate on a system of semesters and quarters when students and staff are present on campus. Scheduled breaks during the school year influence the timing of student disclosures and also require trained faculty and staff to adjust their plans to complete investigations within the required time frame. American University announced a change in 2017 about how it would address disclosures. The practice of investigating reports as opposed to setting up judicial hearings on campus is, as American University asserts, a model which will place the emphasis back on the student and allow universities to address cases in a timelier manner (American University, 2017).

Reflections of a Title IX Investigator

As a trained Title IX Investigator, I attempted to fulfill my clinical obligations to students as a Nurse Practitioner during the forty-hour-workweek and then wrote lengthy detailed reports after hours of interviewing students and witnesses. While contacting students and potential witnesses by email, I would become frustrated when they did not respond promptly. The imposed deadline of sixty (60) days would come after Spring break, shortening the time to meet my

obligation to the students and the Title IX Coordinator. It occurs to me that I am more patient as a Nurse Practitioner listening to voluntary disclosures than I am as a Title IX Investigator trying to arrange a time for potentially unwilling people to answer questions about a report of NCSC. I feel pressure to complete the task quickly.

Universities pressed to comply with mandated action in the wake of cases like the University of Montana find themselves amid much confusion. Preceding the Title IX Mandate, Guidance from the Office of Civil Rights (OCR) in 2001 regarding sexual harassment provided each university system with the challenge of interpreting fifty (50) pages of policy (Deamicis, 2013). The Title IX Mandate causes tremors as thousands of public schools strain to comply with as many interpretations of the legislation. Federal funding at stake, frantic applications of the law surface across the nation as universities designate faculty and staff to perform roles that are traditional to the courtroom. Many employees engage in one to two-day training about Title IX and the mandate to report. Other employees might receive formal training on carrying out investigations of sensitive reports. The ambiguity is visible in one well-known university as students participate in a widely recognized awareness-raising activity about the consequences of non-consensual sexual activity.

A Platform for Safe Disclosure

Columbia University and Barnard College planned an annual ‘Take Back the Night’ event in 2011. The national movement assists students in offering support to their peers who risk divulging the emotionally charged experiences of NCSC. Most students speak from behind a privacy wall, yet others dare to speak without concealing their identity. Confusion about the Title IX Mandate requirements surfaced, and officials from Barnard College and Columbia University cautioned their Resident Assistants not to attend the event. This warning arose from the school’s

interpretation that university employees were bound to report student stories heard at the rally when the narrators' identities were known or suspected (Deamicis, 2013).

Carmel Deamicis, a writer for the Atlantic Review, points to the responses of two female students to the university's notice about the obligation of university officials to report student disclosures at the traditionally secure venue for talking about sexual trauma. One student interprets the sign as a promise of confidentiality and that students are in a safe space (Deamicis, 2013). The other student understands the notice as a warning that the disclosures are not confidential. The second student informs the first one that it is unclear if Resident Assistants have to report disclosures. Another female student asserts that the Title IX Mandate deprives the last bit of control from the survivor of NCSC. She reiterates that the Mandate also denies the person the power to determine when and to whom to tell her story (Deamicis, 2013).

It is important that when students reveal their stories, they find a listener who believes what they say (Levine & Frederick, 1997). Students with violated intimate boundaries may not wish to participate in research because of the risk of exposing their secrets. It is crucial to uncover unspoken sentiments and attitudes of the people most directly affected by the Title IX Mandate while strictly respecting their boundaries. A broad policy does not address all cultures and universities. Yet, including all voices will allow university communities to create and apply grassroots policies that are more acceptable to the broader base. "Institutions should provide multiple platforms and diverse spaces for all views so that they can be challenged openly and publicly" (Snodgrass, 2015). Since the passing of the Title IX Mandate, stakeholders across the nation are taking collective action to voice their opinions about the mandate's effects and make recommendations for a better way to enact change.

One example of responsive action taken by the stakeholders of education comes to light when the American Association of University Professors (AAUP) form a joint subcommittee to review the application of Title IX to allegations of NCSC. The AAUP asserts that Title IX unevenly investigates reports of sexual harassment (Lieberwitz, et al., 2016). It refers to cases where Title IX administrators fail to confront and punish offenders in repeated reports about NCSC. "These cases have compromised the realization of meaningful educational goals that enable the creation of sexually safe campuses; they also have undermined due-process rights and shared governance in unprecedented ways" (Lieberwitz, et al., 2016).

Committee A on Academic Freedom and Tenure and the Committee on Women in the Academic Profession submitted a joint report of their findings in May 2016 to the AAUP (Lieberwitz, et al., 2016). The AAUP preamble to the report noted, "…the 2011 deployment of Title IX has also imperiled due-process rights and shared governance . This report emphasizes that compliance with the letter of the law is no guarantee of justice, gendered or otherwise" (Lieberwitz, et al., 2016, p. para 3).

Public Notice and Comment

After the AAUP adopted the report in June 2016, the Department of Education (DE) Office of Civil Rights (OCR) initiated two significant modifications to policies regarding the enforcement of Title IX on university campuses (American Association of University Professors (AAUP), 2016). Their action followed a 2017 undertaking by Education Secretary DeVos to gather information from university stakeholders by organizing public forums and listening sessions before making pivotal modifications. Advocates for students who have experienced NCSC, as well as for students who have been implicated in coercing sexual contact, received the Department of Education's focused attention (Office of the Federal Register, 2018, p. 10).

Diverse groups came forward to voice their experiences and opinions about the Title IX Mandate and its effects on the educational community. Students, school representatives, attorneys, Title IX Coordinators, scholars, legal experts, psychologists, and neuroscientists have experienced Title IX proceedings, all as contributors to the information that the Department of Education would consider (Office of the Federal Register, 2018, p. 10).

Secretary DeVos performed an extensive review of guidance documents, White papers, reports, and recommendations that legal and public policy scholars submitted (Office of the Federal Register, 2018, p. 1). She examined case studies about Title IX investigations in schools and Supreme Court case laws. She then spoke with civil rights groups and committees of nonpartisan organizations (Office of the Federal Register, 2018, pp. 10-11). The Secretary of Education's findings prompted her to rescind several documents of guidance on September 22, 2017, among which were documents of March 13, 1997, January 19, 2001, and a Dear Colleague Letter of January 25, 2006. Two of the highly visible documents that she withdrew were the 2011 Dear Colleague Letter on Sexual Violence and the 2014 Questions and Answers on Title IX Sexual Violence. Secretary DeVos supports the action stating that the documents of guidance "had never had the benefit of the public notice and comment process" (Office of the Federal Register, 2018, p. 13). The Department of Education subsequently distributed interim guidelines for designated university personnel to follow titled, Q & A on Campus Sexual Misconduct.

The Department of Education commits to transparency by soliciting comments from university stakeholders and the general public. It states, "…proposed regulations are intended to promote the purpose of Title IX by requiring recipients [schools receiving federal funds] to address sexual harassment, assisting and protecting victims of sexual harassment and ensuring that due process protections are in place for individuals accused of sexual harassment" (Office of

the Federal Register, 2018, p. 2). Secretary DeVos emphasizes the primary goals of the Department of Education's proposal for modifications to the Title IX Mandate:

> - Clearly define what behaviors constitute sexual harassment because schools are using an "overly broad definition" as they apply the Mandate to reports of NCSC
> - Specify the types of reports to which schools must respond when they receive allegations of sexual harassment. Determine what schools must do to sufficiently respond to reports because at this time parties involved do not receive notice.
> - Specify to which situations schools must enact grievance procedures. Currently there are no consistent protocols in place determining the rights of the parties involved to know the evidence gleaned by the Title IX investigation. The rights of parties to cross-examine each other and/or witnesses is not clearly defined.
> - Incorporate grievance procedures that have safeguards to ensure that schools investigate and adjudicate cases in a factual, fair, and reliable way. The current decisions about students' allegations occur in the setting of a federal mandate that uses the 'lowest possible standard of evidence'
> (Office of the Federal Register, 2018)

The Department of Education acknowledges that 1975 Title IX regulations have not changed with the evolution of the U.S. culture over the past 40 years. Secretary DeVos aimed to re-focus schools concerning the Title IX Mandate from when courts did not view sexual harassment as a form of sexual discrimination to include more than forty years of the public voice in the current legislation (Office of the Federal Register, 2018, p. 5).

The Office of Civil Rights Department of Education, as directed by Secretary DeVos, took about 18 months to review 124,000 public comments (Anderson, 2020) before releasing a 554-page Final Rule titled *Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance*. The effort of transforming the Obama administration's guidance of approximately 50-pages to a tenfold page law consumed universities of difficult-to-quantify economic resources and time; perhaps the reason that this is the first time since 1997 that the Title IX Guidance has undergone the formal notice and public commentary process (Anderson, 2020).

The Title IX Mandate stipulates that university employees report disclosures, regardless of the student's desire to keep the information confidential. After listening to a broad spectrum of people invested in universities, the Department of Education proposes Section 106.44(e)(6) as a means to return control over private information to the adult student (Office of the Federal Register, 2018, p. 34). Although the recently proposed regulations pertain to the school's responsibility to investigate and adjudicate, Secretary DeVos' proposal, based on case law, requires the student to make the report to a school official with decision-making authority before the school must respond with an official investigation (Office of the Federal Register, 2018, p. 20). The proposal clarifies that an employee's responsibility or obligation to report NCSC to a Title IX Coordinator does not confer authority to the employee, even if serving in a role as a school official, to enact corrective measures on the school's behalf (Office of the Federal Register, 2018, p. 22).

The Title IX Mandate casts a wide net, obliging employees to report even rumors of NCSC to a Title IX Coordinator. The proposed regulations require the coerced person (complainant) or the Title IX Coordinator to sign a formal complaint to initiate an investigation. An exception to the proposed rules determining when to initiate an investigation is that the Title IX Coordinator must investigate reports of NCSC when they involve a person involved in other allegations of NCSC (Office of the Federal Register, 2018, p. 30). This regulation is intended to remove the burden from colleges and universities to investigate without a formal complaint. It clears the school from legal action because they did not investigate unofficial reports (Office of the Federal Register, 2018, p. 33).

Stakeholders advise the Department of Education that the most crucial aspect of the university's response to a report of non-consensual sexual contact involves the supportive

measures that the school extends to all parties subject to a report of NCSC, regardless of whether there is an official investigation. The Title IX Coordinator must oversee and direct the provision of these measures. The Department of Education's proposed regulations include the following actions as supportive measures: 1) counseling 2) adjustments of course-related requirements and deadlines 3) assistance in adapting employment or class schedules 4) restricting contact between parties to an allegation 5) arranging for people to formally accompany the persons involved in the allegations around campus 6) providing for a leave of absence for parties to an allegation as indicated 7) provisions to secure and monitor specified campus (Office of the Federal Register, 2018, pp. 31-32). The proposed changes claim that these measures aim to "restore and preserve" students' access to the school's programs and activities while protecting their safety. The school is responsible for providing supportive measures to all parties to the allegation without unduly burdening any of them (Office of the Federal Register, 2018, pp. 31-32).

A frequent point of contention occurs when students perceive that the university favors one party over the other as it investigates reports of non-consensual sexual contact. The Title IX Mandate allows both or all parties to bring attorneys, advocates, or support persons with them to hearings; however, attorneys are not allowed to participate in the hearings. They cannot ask questions or cross-examine the parties involved in the allegations. The Department of Education proposes changes to the regulations that enable cross-examination because it claims that due process is constitutionally mandated and a "wise policy" (Office of the Federal Register, 2018, p. 56).

Secretary DeVos writes, "…a finding of responsibility for a sexual offense can have a lasting impact on a student's personal life in addition to [the student's) educational and employment opportunities" (Office of the Federal Register, 2018, p. 68). While cross-

examination of parties to an allegation of NCSC is a proposed modification to the Mandate, the proposed regulations are clear that the cross-examination must exclude questions and evidence about the sexual behavior or "predisposition" of the person making the allegation. The only time the cross-examination may include evidence about such behaviors is when the information proves that someone other than the accused party coerced NCSC on the person making the complaint. The evidence about the complainant's sexual conduct during specific incidents with the accused party may also be entered into the context of the cross-examination when the information is offered as evidence that may prove consent to sexual activity with the accused student (Office of the Federal Register, 2018, p. 68).

The proposed regulations disallow the decision-maker from relying on any statements of the party or witness in determining responsibility for NCSC when one or both parties do not submit to cross-examination at the hearing (Office of the Federal Register, 2018, p. 140). The proposal further establishes that neither the Title IX Coordinator nor the Title IX Investigators can be the decision-makers who determine responsibility for the allegation of NCSC (Office of the Federal Register, 2018, p. 141).

Finally, Secretary DeVos' recommended modifications to the Title IX Mandate include an option for parties to an allegation of NCSC to participate in efforts toward Restorative Justice. The Department of Education proposes a nontraditional approach to conflict resolution in university communities as it pertains to NCSC. This feature incorporates the recommendation of the American Association of University Professors to offer an opportunity for both coerced persons and their coercers to participate in Restorative Justice. The proposed regulations allow the school to implement mediation or other informal means to seek a resolution between the parties at any time before deciding if a student is responsible for or guilty of coercing NCSC.

These processes do not involve legal judgments or employ a full investigation (Office of the Federal Register, 2018, p. 143).

When universities plan to facilitate processes of Restorative Justice, they must inform the parties with written notice of particular criteria before they are allowed to proceed with this alternative to a formal hearing. The requirements are as follows:

- A clear statement of allegations
- Information about the resolution process with notification to parties choosing to participate in the resolution process that they may not resume a formal complaint based on the same allegations
- Statement of the consequences of participation in the informal resolution process, advising that records will be kept and potentially shared
- Universities must obtain informed, voluntary, and written consent from the parties who choose to pursue the informal resolution process
(Office of the Federal Register, 2018, p. 143)

Public Comment about Proposed Changes to the Title IX Mandate

Louise Melling, deputy legal director of the American Civil Liberties Union (ACLU), writes her commentary in the Philadelphia Inquirer with another opinion in response to Secretary DeVos' proposed regulations at the end of the public comment period. Melling points out that Secretary DeVos must review over 100,000 comments from the public before modifying and issuing final rules (Melling, 2019). The ACLU official asserts that the proposed regulations have polarized people into two groups: people who accuse DeVos of encouraging schools to ignore or conceal acts of rape, and those who applaud the Education Secretary for bringing back due process for those charged with NCSC (Melling, 2019). The ACLU legal director holds that the modifications to the Title IX minimize schools' obligation to acknowledge and confront sexual assault and harassment allegations, resulting in exacerbating gender-based discrimination in education. She clearly states the ACLU position that accuses the new rules of reversing precedent where Title IX safeguards civil rights to the benefits of education (Melling, 2019).

Melling asserts that the proposed regulations only include "unwelcome, objectively offensive, pervasive, and severe" conduct and allow schools to investigate reports that meet that

rigorous definition (Melling, 2019). She elaborates upon the ACLU's position that the modified Title IX Mandate prevents schools from investigating allegations of NCSC that occur between students off-campus, even when the repercussions of NCSC continue within the boundaries of campus (Melling, 2019). As an entity that upholds civil liberties, the ACLU aims to robustly protect all students who confront conduct charges and administrative disciplinary procedures. It asserts, however, that a standard of "clear and convincing evidence" is inherently difficult to prove in allegations of NCSC, and that the regulations must return to a "preponderance of evidence" when determining responsibility or guilt of the parties alleged to have coerced NCSC (Melling, 2019).

The Obama administration, responsible for imposing the Title IX Mandate, defined "preponderance of evidence" as that it was more likely than not that NCSC had occurred, and that most of the evidence pointed that direction (Yuen & Ahmed, 2018). The new proposal allows universities to use the standard of clear and convincing evidence when determining responsibility for NCSC. Yuen and Ahmed claim, "The clear and convincing standard stacks the process against the survivor and sets an unreasonably high bar for evidence that is difficult to achieve in many sexual assault cases" (Yuen & Ahmed, 2018, p. 8).

DeVos' plan guarantees that parties to allegations of NCSC may cross-examine each other during a live or remotely accessed hearing. The proposed rules stipulate that the parties involved receive all of the information collected during investigations. It permits schools to defer the disciplinary process if there is an active legal or criminal investigation pertaining to the report (Melling, 2019). The ACLU proposes a remedy to heighten the efficacy and fairness of cross-examinations in schools. They recommend that schools offer formally prepared lawyers to the students involved in the report of NCSC, especially when one student does not have the

benefit of a personal attorney. They claim that hearings would be more equitable and would diminish the opportunity for abuse and disorder during the hearings (Melling, 2019).

The Center for American Progress (CAP) claims that the rights of people who have been sexually coerced will be undermined because of Secretary DeVos' proposal to change the Title IX Mandate (Yuen & Ahmed, 2018). CAP maintains that the proposal is an attempt to limit the liability of schools in cases of NCSC. It states that the resulting imbalance in the rights of the parties involved in allegations of NCSC will discourage students from coming forward to report the occurrence or from seeking the assistance of university professionals. They strongly indicate that the effect of the proposed rule changes undoes the safeguards of the Title IX civil rights law (Yuen & Ahmed, 2018).

Yuen and Ahmed of CAP voice consternation that the Department of Education uses a limited definition of sexual harassment and allows for more religious exemptions so that schools will have reduced liability (Yuen & Ahmed, 2018). They expound that the proposed changes permit schools to claim religious exemptions from Title IX requirements, thus limiting full access to education for people who may already be at higher risk for sexual harassment and assault. The Center for American Progress raises the concern that conservative religious schools breach the civil rights of women of color and Lesbian-Gay-Bisexual-Transgender (LGBT) (Yuen & Ahmed, 2018). DeVos states that the original requirements of the Title IX Mandate impose undue burden and confusion on schools by requiring them to submit a letter of request for exemption to the Department of Education (Yuen & Ahmed, 2018).

Identifying aspects of the proposed regulations that might dissuade students from reporting NCSC, Yuen and Ahmed indicate that the current Title IX Mandate allows students to informally initiate a report and subsequent investigation by talking to university staff of their

choosing. The new guidance proposes that students report NCSC to school officials who have the authority to impose corrective measures. Students must sign an official document before the school is obligated to investigate a report (Yuen & Ahmed, 2018). Only then will the school be responsible for investigating reports of NCSC that occur on campus. This action prevents students from seeking assistance from people they know and trust when reporting NCSC.

Another Department of Education proposed change recommends that student advisors and professors cross-examine parties to allegations of NCSC. The educators in these scenarios may ask questions of the coercing party on behalf of the coerced student and vice versa (Yuen & Ahmed, 2018). The regulations also specify that the parties may cross-examine each other from separate rooms enabled by technology. The deciding official and others involved in the hearing can see and hear the parties as they ask questions and respond (Yuen & Ahmed, 2018). The initial Title IX Mandate cautioned that allowing parties to cross-examine and question each other directly could provoke or perpetuate an intimidating and hostile environment (Yuen & Ahmed, 2018).

The offering of alternative options for conflict resolution between students confronting reports of NCSC is a feature of the Department of Education's proposed changes to the Title IX Mandate. Howard Zehr, an educator and pioneer of Restorative Justice as a means of conflict transformation, informs readers, "Many feel that the process of justice deepens societal wounds and conflicts rather than contributing to healing or peace" (Zehr, 2002, p. 3). As expressed in the previous student reflection, coerced students feel abandoned and ostracized by the campus community and often feel they cannot continue with the same university (Dick & Ziering, 2016). One might ask if the current Title IX Mandate, or even Education Secretary DeVos' proposed modifications, will indeed "…preserve access to the recipient's [school's] education program or

activity, without unreasonably burdening the other party" (Office of the Federal Register, 2018, pp. 31-32).

Secretary DeVos responds to the comprehensive review of Public Commentary:

> Based on extensive review of the critical issues addressed in this rulemaking, the Department has determined that current regulations do not provide clear direction for how recipients must respond to allegations of sexual harassment because current regulations do not reference sexual harassment at all. Similarly, Department has determined that Department guidance is insufficient to provide clear direction on this subject because it is not legally enforceable; has created confusion and uncertainty among recipients; and has not adequately advised recipients as to how to uphold Title IX's non-discrimination mandate while at the same time meeting requirements of constitutional due process and fundamental fairness.
> (85 FR 30026, 2020).

The Department of Education claims that the proposed Title IX regulations are more in line with the intent of the United States Constitution, case law, and precedent set by the Supreme Court. They state the new regulations are set to address better the many challenges that students, schools, and their employees confront as they acknowledge and respond to allegations of NCSC in school programs and campus activities (85 FR 30026, 2020)

Restorative Justice in Universities

The traditional approach to conflict resolution regarding reports of NCSC within the university setting falls under the category of retributive or punitive justice. A report winds its way through various channels within the university and is typically assessed by a single administrator or conduct board after meeting with the accused student (Karp, 2019). The university's focus is to keep the campus community safe by punishing and even expelling the student that is found guilty, and it is not victim-centric (Kingkade, 2019). "Restorative Justice is a philosophical approach that embraces the reparation of harm, healing of trauma, reconciliation of interpersonal conflict, reduction of social inequality, and reintegration of people who have been marginalized and outcast" (Karp, 2019, p. 3).

These questions are certainly ones that university administrators with authority to determine outcomes for students involved in reports of NCSC might ask as they make their determinations. It is feasible that all students would decline such a process. Willing participants may consider it an approach that addresses concerns voiced by many who have experienced the outcomes of "guilty or innocent" decided by a traditional justice system. Zehr (2002) reports that many persons who experience coerced trauma want information about why the other party did what they did. They also desire the opportunity to tell the offending party their story and let them know how it has harmed them. Often in a traditional justice system, the offended parties do not have the opportunity to ask questions of the offender, nor do they receive professional support in confronting the offender.

The College of New Jersey offers a Restorative Justice alternative to formal investigations and charges against the student who may have forced NCSC on another student (Mangan, 2018). Upholding the precept that education fosters understanding and behavior change, the Restorative Justice framework requires the coercer to acknowledge responsibility and then make every effort to repair harm. Although it may benefit, people who have been implicated in other cases of NCSC are not candidates for the Restorative Justice alternative at the College of New Jersey. It is, however, a preferred alternative for individuals who have been harmed by others but do not wish to cause suspension or expulsion from school for the person who coerces sexual contact (Mangan, 2018). Proponents of alternative processes for conflict resolution see it as a way for universities to save money and reduce the number of Title IX investigations they must perform. They also view the option to heighten conditions of "fairness" for students accused of NCSC (Mangan, 2018).

Empowerment is a critical component of Restorative Justice and a vital component of emotional healing for people who experience sexual trauma (Zehr, 2002, p. 15). When people participate in managing their cases, it often restores a sense of power that was stripped from them during NCSC. Zehr discusses the value of restitution as "when an offender makes an effort to make right the harm, even if only partially, it is a way of saying 'I am taking responsibility, and you are not to blame'" (Zehr, 2002, p. 15). He also points out that restitution, in many cases, conveys vindication for, or an apology to, the coerced person (Zehr, 2002, p. 15).

Encounters between students who experience coerced sexual contact require a skilled Restorative Justice practitioner's preparation of the respective parties. Federal legislation in the form of the Title IX Mandate dictates who must report cases. Still, as we can see, the application of investigations and sanctions will vary according to the philosophy of the school administration. Professor Karp of the school of Leadership and Education Sciences at the University of San Diego utilizes the following core principles of Restorative Justice to facilitate conversations between parties to any infraction of school policy, especially for those who coerce NCSC (Karp, 2019, p. 8):

- Inclusive decision making
- Active Accountability
- Repairing harm
- Rebuilding trust

Restorative Justice includes "Inviting people who cause harm to voice ideas about how to repair it and asking victims and affected community members to articulate the harms they experienced and what needs they have – inviting them all to play a central role in creating a sanctioning agreement…" (Karp, 2019, p. 9). Karp points out that the courtroom victim-offender-bystander model prevents interaction between the parties, and their attorneys speak on

their behalf while those affected most are disengaged onlookers to the process (Karp, 2019, pp. 9-10)

Not all cases are appropriate for face-to-face encounters. Active accountability means that people who hurt others take full responsibility for their actions (Karp, 2019, p. 10). Participation by coerced individuals must be voluntary for the Restorative Justice intervention to be appropriate, even if the individual expresses anxiety or trepidation about meeting the coercing party (Zehr, 2002). Secondly, the person identified as a coercer must acknowledge partial responsibility for the act before approval as a candidate for the restorative process (Zehr, 2002). Restorative Justice can transform traumatic outcomes when the coercing students listen to coerced students' perceptions of experienced harms and then acknowledge wrongdoing because they understand the impact of their actions (Karp, 2019).

Repairing harm, a guiding principle of Restorative Justice, is initiated with the question, "How can the victim and the community be restored?" (Karp, 2019, pp. 11-12). In contrast, retributive justice engages the question, "How should the offender be punished?" (Karp, 2019). Individuals achieve equity (an apology, for example) when both parties address moving forward from the current circumstances. An example of addressing circumstances is when both parties discuss living arrangements, class schedules, and how they will behave when they encounter each other in the future (Zehr, 2002). Zehr points out that when people are adequately prepared, and attention is paid to structure and process, there is evidence that people experience powerful and very positive outcomes during and after facilitated encounters, "regardless of who initiates them" (Zehr, 2002, p. 53).

As previously discussed, David Lisak, clinical psychologist, forensic consultant, and expert in the neurobiology of trauma, teaches that the most powerful effect of trauma is fear (The

Neurobiology of Trauma, 2013). Rebuilding trust, the fourth core principle of Restorative Justice promotes "…a stable community…often for the well-being of the victim" (Karp, 2019, p. 13). Karp points out that universities tend to remove the offender from the university community (Karp, 2019), but it often does not restore the harmed individual's trust because it may not alleviate fear precipitated by an intensely traumatic event.

Proponents of Restorative Justice for addressing students involved in reports of NCSC base the intervention on values consistent with experiential learning. "Grounding a disciplinary response in these four RJ principles helps support student development by teaching students how to take responsibility for their behavior actively and productively" (Karp, 2019). The STARR Project (STudent Accountability and Restorative Research Project) analyzed data from 659 conduct cases secured from a mix of eighteen public and faith-based liberal arts colleges and public institutions (Karp, 2019, p. 48). Results indicate "…low numbers of appeals, high rates of program completion, and relatively few repeat offenders" (Karp, 2019, p. 48); in fact, appeals were almost "nonexistent in RJ cases (less than one percent)" (Karp, 2019, pp. 48-49). A survey of the "harmed parties" following their participation in the RJ process indicates they "consistently and strongly appreciated" the alternative for supported encounters (Karp, 2019, p. 50). The high satisfaction they report with the RJ process is compelling information to share with those who reject RJ as an intervention for students who report NCSC. The reiterated argument by many victim advocate groups is that RJ is not an alternative that works for people who have experienced sexual trauma. The claim does not stand up to the data (Karp, 2019).

Campus Prism is a program at Skidmore College that advocates the implementation of Restorative Justice as a means to address students who are party to sexual and gender-based offenses on campus (Mangan, 2018). Sociology Professor David Karp, the founder of Campus

Prism, gathers students in small groups and facilitates conversations about the Title IX Mandate (Mangan, 2018). This approach is intended to foster a broader understanding of the Mandate and promote discussion among students about the short-term and long-term implications of coercive behaviors. It is feasible that the program about the federally mandated policy will open conversations that could generate ideas to mitigate and ideally even prevent NCSC on college campuses.

Conflict Transformation Processes

University administrators strive to recruit the best and brightest students and avoid any appearance of conflict or disgruntlement that might deter students from considering their school as an academic home. Federal legislation that demands transparency in investigating reports of NCSC may have the unintended effect of driving students underground, and they will confide in no one (Filipas & Ullman, 2001). As opposed to deliberative intervention, the authoritative federal mandate is static, unyielding, and often must be discarded or amended when it does not fit the community for which it is prescribed. Universities invest immeasurable resources into fitting the community to the framework rather than implementing a framework that fits the culture of the community.

Kraybill and Wright, professional conflict transformation experts (Kraybill & Wright, 2006), acknowledge that conflict is a natural part of community life. They profess, “We need both community and conflict to reach our full potential as human beings” (Kraybill & Wright, 2006, p. 3).

Similarly, John Paul Lederach, a founder of the Conflict Transformation Program at Eastern Mennonite University, reframed his approach to conflict intervention after working in South America. He recharacterized conflict management and resolution as conflict

transformation (Lederach, 2003). Lederach asserts, “Transformation provides a clear and important vision because it brings into focus the horizon of our journey – the building of healthy relationships and communities, locally and globally. This goal requires real change in our current ways of relating” (Lederach, 2003, p. 5).

Global conflicts and their citizens’ efforts to heal, transform, and support healthy relationships have stimulated the emergence of conflict management protocols as springboards from which to generate change (Lederach, 2003). The foundation underlying efforts to resolve or transform conflict fall under the broad umbrella of deliberative democracy and mediation practices. Lederach recognizes that process structures are organic and flow dynamically to adapt and change within a community or culture. Notably, the process structures maintain their form, offering a recognizable and workable framework to facilitate conflict transformation (Lederach, 2003). Archaeologists have unearthed evidence of the evolution of community circles – group meetings in a circle format - drawn on cave walls where Indigenous people dwelled (Baldwin, 1998). “For tens of thousands of years, in kinship-based social groups across the globe, our ancestors in the human tribe adapted to variations of climate, terrain, and natural resources” (Baldwin, 1998, p. 27). Baldwin goes on to say, “What seems to have been intact in all these settings were the concentric circles of interconnection…” (Baldwin, 1998, p. 27).

Contemporary process structures utilize a variety of formats, and they generally are, as with mediation, facilitated by one or two persons whom the engaged community may consider neutral or from outside the community. The *charrette* is a process that evolved from French architectural programs into the form that was used in 1998 in the highly charged racial conflict between staunch members of the Ku Klux Klan and African Americans as they determined whether to integrate a school in Durham, North Carolina. Members of two groups come together

in a charrette for a designated short period (ten days in the effort to integrate Durham schools) to identify goals, generate discussion, plan, and design a proposal for conducting complex community initiatives (Gino & Huizinga, 2020). The facilitator identifies influencers or leaders from each group who determine the selection of a senate comprised of representatives from the disparate groups to commit to full engagement in the process.

Community decisions that broadly represent the voices of all members are more likely to achieve the support of the larger community. Bill Riddick, the Durham S.O.S. facilitator, says of the efficacy of contemporary charrettes, that they do not serve as a practical means to transform conflict in current times because people do not want to commit to daily meetings for up to 10 days. He indicates that people in the U.S. are overcommitted in their daily lives and do not have time for intensive deliberation (Gino & Huizinga, 2020). Riddick's observation may indicate that the process structure may also need to incorporate alternatives to flow with societal and cultural changes.

Deliberation about how to carry out the Title IX Mandate has occurred at some level in the approximately 4000 United States universities that grant degrees. Perhaps each university system agrees on a uniform approach to comply with the Mandate, even as it has changed with each U.S. presidential term; however, there are more likely approximately four thousand ways of conducting business in each school. Appreciative Inquiry is one strength-based solution-finding process that shows excellent promise and efficacy in business, leadership, and education (Cooperrider & Whitney, Appreciative Inquiry: A positive revolution in change, 2005). Distantly evolved from the community circle process, it is less time-intensive, and members have more flexibility in structuring the activity. All group members may contribute ideas rather than depend upon representatives to communicate on their behalf. Larger groups may divided into smaller

groups during work sessions to participate in more significant numbers of people (Cooperrider, Whitney, & Stavros, Appreciative Inquiry handbook, 2005). The sensitive topic of NCSC may discourage people from participating in an open discussion, so it is crucial to identify participatory or collaborative ways to elicit information while providing a private venue for people to contribute their ideas. Qualitative, participatory action research based on social constructionist theory offers an opportunity for students to exercise autonomy in creating safer communities.

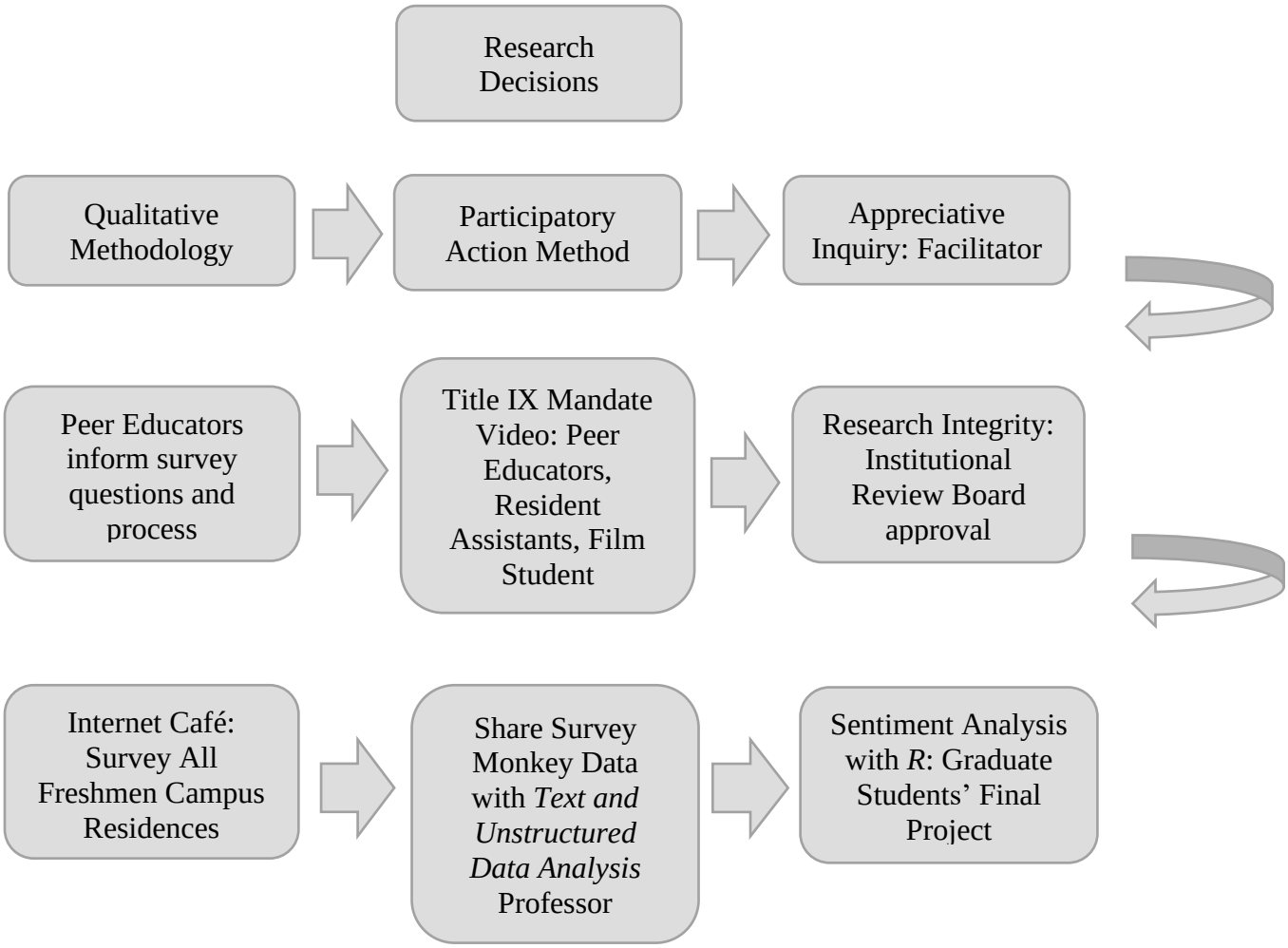
Transforming Practice and Culture through Research

Research about the impact of the Title IX Mandate on student dominion over private information, the outcomes of reporting, and the overall potential for a transformational relationship among all affected parties is vital to determine best practices and standards to which universities adhere as they confront reports of NCSC. This study collects information from students, analyzes responses, and reviews various pathways for managing the conflict of NCSC on college campuses. It revolves around the reaction of first-year university students who are subject to investigative processes that universities use as they comply with the Mandate to acknowledge and confront student disclosures of NCSC. Co-creative relationships that stem from social constructionist ideas may positively impact the lives of students who experience sexual trauma during their university years. We have looked at the incidence of NCSC, risk factors, individual and collective effects of trauma, and characteristics of people who coerce NCSC on others. We have also reviewed the literature about the opinions of experts, government, activists, victim advocates, and university professors and administrators regarding the Title IX Mandate and the effects of its enactments in schools. We must fully comprehend the critical gap in knowledge about university freshmen's views about the Title IX Mandate to embolden at-risk

university students to evolve beyond sexual trauma. This understanding is fundamental to fully support students and their universities as they play a significant role in transforming an inhumane culture into one of high regard and respect for the humanity of others.

Chapter Three – Methodology

The primary aim of this research is to explore attitudes of university freshmen about the Title IX Mandate that requires university faculty, staff, and administrators to report student disclosures about non-consensual sexual contact (NCSC) to a Title IX Coordinator. The research is essential to understand the Mandate's effect on students' willingness to confide in university personnel. A research goal is to contribute to the groundwork that ensures the relevance and efficacy of federal measures imposed to force universities to acknowledge and confront reports of NCSC. The following research diagram illustrates the student-informed process that provides a view of these issues through the lens of freshmen, the most at-risk population for NCSC within university communities.



This chapter presents an overview of the theory, methodology, method, survey design, and platform specifically selected as mechanisms to *shine an intense light* on the thoughts of university freshmen. The use of italicized multi-lens narratives about experiences with NCSC serves to invite readers from varying *walks of life* to acknowledge and explore their own similar or dissimilar attitudes. The researcher believes that the integrated research decisions will reflect student attitudes and provide a malleable framework for domestic and worldwide university administrators to consider student-influenced actions to protect their student communities. It will highlight options for restoring educational opportunities for those who experience NCSC during their university years.

Why Social Constructionism?

Social constructionists propose that through hearing and attending to the viewpoints of others and through voicing our own experiences, we position ourselves in relationship to others and co-construct knowledge (Gergen K. , 2009). The selected theoretical premise of the research offers a foundation for understanding the thoughts of the most at-risk group of students about a policy that directly impacts their lives.

Echolocation, a phenomenon occurring in the natural habitat of mammalian bats, can be used in analogy to social constructionist processes. Echolocation enables bats to determine their positions in relation to their environment, similar to the way humans establish relationships with other humans. Bats produce sounds that reflect off of objects in the environment, and the echoes enable them to navigate their positions. Likewise, we humans vocalize and create sounds, that when reflected and echoed by others, allow us to navigate our positions and create meaning in our lives. We create unique relational knowledge in concert with others when we hear and tell our collective stories (Gergen & Gergen, 2014).

Mandated solutions defy critical thinking, and they are inconsistent with higher education goals to promote debate, collaborative learning, and experiential problem-solving among students. The researcher selects a social constructionist theoretical framework for this study because it integrates well with all populations and underpins critical thinking and problem-solving skills of collaborative conflict transformation. "…all that is meaningful to us as human beings derive from this [co-active] process. All that we take to be real, true, valuable, or good finds its origin in coordinated action" (Gergen K., 2009, p. 31).

Social constructionists recognize knowledge-creating value with all interactions. Every interaction and engagement with others, even if momentary, spawns new and relational knowledge (Gergen, 2009). Through relational understanding, we create and derive adaptive and maladaptive responses such as pain, blame, and shame as we experience challenges that life presents to us, such as sexual trauma (Bloom, Jaeger, Gaulin, & Asher, 2003, p. 321). People in relationships with others receive, process, and produce messages through diverse channels, and meaning begets meaning. One person's knowledge will differ from another's because of our lives' ancestral and contemporary influences.

The premise of social constructionism promotes the idea that we can deconstruct and then reconstruct our reality through collective engagement. The social constructionist framework fosters an opportunity for us to lift the paradigm of pain, blame, and shame from the person who suffers sexual coercion and offers new ways of relating to others for those who coerce NCSC. Students in conflict have an opportunity to construct new social and relational understandings. "Such challenges may open reflection on our destructive habits and open discussion on alternatives. We stand each moment at a precious juncture, gathering our pasts, thrusting them forward, and in the conjunction creating the future. As we speak together now, so do we give

shape to the future world. We may sustain tradition, but we are also free to innovate and transform" (Gergen K. , 2009, p. 49). While striving to learn and understand the views of freshmen about the impact of the Title IX Mandate on their lives, the research also paves the way to innovate and adapt solutions and transform an inhumane culture into a safe and comfortable community.

Qualitative Methodology

An important opportunity for self-reflection and consideration of others' viewpoints is limited in quantitative methodology. This limitation is related to the fact that participants must select from researcher-generated response options when taking surveys in quantitative studies. Quantitative studies provide little opportunity for expressing differing or additional viewpoints, thus limiting our comprehension of the dimension of participants' experiences. This study incorporates qualitative methodology because the framework allows survey participants to express their thoughts, opinions, and sentiments about the Title IX Mandate in their own words.

The umbrella of qualitative methodology encompasses a wide variety of frameworks that can be used to facilitate research about any given topic. The point of this research is to study the collective views of university freshmen, the community most at risk for non-consensual sexual contact (NCSC), about a federal mandate to report disclosures to a Title IX Coordinator. The research design assumes that diverse cultures evolve as people participate in meaning-making. It draws on features of several sub-types of qualitative methodologies to communicate the multi-lens perspective of one woman about the effects of NCSC on young adult students. The researcher intends to reach and engage a diverse population of readers and inspire them to reflect upon their own lived roles or experiences with NCSC.

Selecting Research Methodology

This inquiry seeks to uncover the thoughts and attitudes of university freshmen about NCSC and their views about the federal mandate to report NCSC. Qualitative research methodology implements methods such as *autoethnography* and *narrative* to communicate one's lived experiences. The narrator leads the reader through a spectrum of experiences with a voice infused with ancestral attitudes, socially constructed viewpoints, and, undoubtedly, generational trauma. These reflections tie individual experience to the surrounding culture (Muncey, 2010) and permit the reader to understand one's unique experience. While these methods engage the reader in experiences from multiple perspectives (university students, first responders, advocates, parents, and peers), a qualitative Participatory Action Research methodology situates students as important influencers of the study.

Participatory Action Research (PAR) methodology is inclusive. It invites diversity and opens an avenue for autonomy and experiential learning as the participants consider the effects of a mandated resolution. It also offers the option for the at-risk community to participate in strengths-based actions to transform a conflict that wields monumental social and economic harm. "As a direct consequence of how we humans have evolved, we depend on culture to direct our behaviour and organise our experience" (Crotty, 1998, p. 53). Qualitative Participatory Action research carries the promise of influencing community action because as we seek to understand the sentiment, we also elicit ideas from the target population about what they can do to create the desired community environment.

Participatory Action Research

When questions are very sensitive, such as those about experiences surrounding NCSC, they have a high potential for triggering strong and painful emotions. It is critical to use a

qualitative research methodology that allows for privacy and promotes an environment where individuals may actively reflect with others. Participatory Action Research (PAR) is an applicable qualitative methodology because the study population informs, performs, and analyzes the research from start to completion. The central tenets to PAR include the following:

- a collective commitment to investigate an issue or problem
- a desire to engage in self- and collective reflection to gain clarity about the issue under investigation
- a joint decision to engage in individual and/or collective action that leads to a useful solution that benefits the people involved
- the building of alliances between researchers and participants in the planning, implementation, and dissemination of the research process (McIntyre, 2008, p. 1)

As an initial response to student activism, the Title IX Mandate did not require legislators to seek opinions and views of university freshmen directly. PAR champions the active involvement of the population central to the study as facilitators and performers of the research (Kumar, 2019, p. 202). PAR more closely aligns the inquirers with the study population, and it heightens the probability that the research findings will be pertinent to the needs of the subjects of inquiry or participants (Kumar, 2019, p. 202).

The qualitative PAR methodology promotes collaboration between the researcher and the study population in structuring all research activities. One example of PAR in this study is evident in a coordinated action by various students from a four-year university. One example of this collective action is evident as students inform, design, role-play scenes, film them, and produce the vignettes of the informational video embedded at the beginning of the research survey. They discuss survey questions, determine which ones to include and exclude, and recommend the venue and timing of the survey. University freshmen living in residential settings on campus participate in the survey, and graduate students perform the final qualitative sentiment analysis of the collected data. Consistent with the assertion about PAR facilitators, “You are not merely a researcher but also a community organizer seeking the active participation of the

community" (Kumar, 2019, p. 202), this student informed inquiry increases the potential for student influenced community change.

Appreciative Inquiry: PAR in Motion

Participatory Action Research methodology incorporating an Appreciative Inquiry research method informs the participant about the Title IX Mandate. It encourages problem-solving steered by the people most affected by the government mandate. Imposed as a primary means to mitigate NCSC, the directive creates new dilemmas as universities strive to conform to its demands while seeing its just applicability (American Association of University Professors (AAUP), 2016). David Cooperrider and Diana Whitney's Appreciative Inquiry innovation provides a framework for eliciting ideas from people within all levels of organizations that grapple with conflict and decision-making (Cooperrider & Whitney, Appreciative Inquiry: A positive revolution in change, 2005). As a research method, it offers an opportunity for students to envision and design a community where NCSC cannot prevail. The Appreciative Inquiry branch of the overall qualitative methodology supports higher education's collaborative and experiential learning goals.

A social constructionist application, Appreciative Inquiry, is useful in conflict management and transformation because it enables one to reflect upon others' thoughts about an issue and then identify strengths-based solutions in concert with others. Appreciative Inquiry empowers participants to *discover* or consider their strengths, *dream* about, envision an ideal community, d*esign* a community with others, and craft a *destiny* or sustainable, dynamic community vision (Cooperrider & Whitney, Appreciative Inquiry: A positive revolution in change, 2005). Applying an Appreciative Inquiry structure to qualitative research survey questions offers students an opportunity to privately reflect upon a sensitive issue, generate and

write responses, and clarify their views about the Title IX Mandate to report NCSC. Research using an Appreciative Inquiry model becomes a springboard for new ideas and opens a way for grass-root alternatives to federally imposed solutions.

Appreciative Inquiry focuses not only on students' views about their current condition but also supports student-centric action directed toward transforming a community from an unsafe one to one whose citizens protect each other. This social constructionist framework provides a means for all members of an organization to share thoughts within a safe, nonjudgmental environment. The Appreciative Inquiry method fosters respectful inclusiveness in decision-making, and it regards each individual as a creator of meaningful knowledge.

Authoritatively imposed boundaries provide quick solutions or remedies that make sense to the officials ordering the action. The social constructionist underpinnings of the Appreciative Inquiry method support the thought that when we contribute our voices to a process, we have a more significant investment in the outcomes because they are meaningful to us. Qualitative research that incorporates Appreciative Inquiry is beneficial as it provides a means to inform student participants about the Title IX Mandate. It encourages students to consider NCSC as a challenge they face as a community and prompts them to think about strengths-based interventions that they can contribute.

This research grounded in social constructionist theory provides a vehicle for all participants of the study to contribute ideas that may lead to action. University freshmen, resident assistants, peer educators, professors, student advisors, filmmakers, data mining students, and readers all play an essential role in developing the research framework and performing meaningful sentiment analysis. The social constructionist lens includes the previously mentioned participants, and we acknowledge even our ancestors as contributors to our socio-economic and

political perspectives. The social constructionist theory holds that collective knowledge hails from infinite relational moments and unending experiential stories. Therefore, action within and by communities is grounded in rich and textured social wisdom.

Creating an Informative Survey

An informational survey becomes an experiential opportunity to inform participants about NCSC and policy ramifications within a cultural community. It prompts them, in this case, to consider their positions about the procedure and identify strengths-based, student-relevant initiatives to create a safer campus community. The social constructionist Appreciative Inquiry construct offers a roadmap to guide the development of open-ended questions intended to elicit sensitive information from university freshmen. A significant consideration is that students can participate in the survey from the privacy of their living area or a semi-private, quiet setting within the university campus. This research survey features an embedded introductory student-created informational video about the significance of the Title IX Mandate in the university setting. It is a means to inform students about the obligations of faculty and staff to report disclosures of NCSC, identify campus resources, and clarify which employees are mandated reporters and which ones are exempt from reporting disclosures of NCSC. An additional benefit of the informational video is that it reviews campus resources that students may seek when they, either personally or as bystanders, experience NCSC.

Appreciative Inquiry is traditionally an exercise to facilitate group interaction; however, open-ended survey questions using the Appreciative Inquiry framework engage participants in its *4D Cycle* (*Discover, Dream, Design, Destiny*) as they respond in their own words. The survey questions prompt students to *discover* or consider their current environment, *dream* about or envision an ideal community, *design* or consider what they can contribute to improving the

situation, thought about *destiny* or sustainability of interventions (Cooperrider, Whitney, & Stavros, Appreciative Inquiry handbook, 2005).

The survey has a dual purpose; the obvious is to collect data about freshmen views about a federal mandate to report NCSC disclosures. The second purpose is to provide a significant opportunity to inform students about the Title IX Mandate and for researchers to ensure survey participants begin the survey with the same baseline information. Yet, a third role of the survey is that it offers a novel opportunity for university freshmen to thwart the negative impact of NCSC as they contribute their ideas to research. Students who may have experiences with NCSC, regardless of role as coerced, coercer, or bystander, can make and influence important determinations about how they move forward from trauma to fulfill educational goals. The method advances processes that may transform an institutional response from a *win-lose* approach of punitive retributive justice to an opportunity for healing through Restorative Justice.

Maxwell, a qualitative design expert, asserts, "Whatever your methodological and political views, remember that what is a 'research project' for you is always, to some degree, an intrusion into the lives of the participants in your study" (Maxwell, 2013, p. 92). He emphasizes that participants may be reluctant to divulge their thoughts, particularly on the sensitive subject matter, because of fear of being identified in violations or wrongdoing (Maxwell, 2013). Much consideration is given to inviting participation, seeking venues, and selecting pertinent demographic questions for the survey. One dilemma surfaces as we invite student participants from residence halls with a low ratio of males to females. The decision to exclude gender identity is made with the idea that males or transgender students would not want to divulge information for fear their responses could be easily identified or related to them in a residential setting with few males or transgender persons. The question arose when a member of the Victim

Advocacy program asked if the researcher could identify survey participants who responded that they may have coerced NCSC.

Performing the Research

Qualitative PAR methodology combined with the social constructionist Appreciative Inquiry method provides an inclusive means to elicit survey responses from freshmen for research analysis. The qualitative frameworks importantly provide a peer-generated mechanism to collaboratively address and discuss a sensitive topic and policy intended to force university personnel to acknowledge and intervene in reports of NCSC. In its pure form, PAR requires acknowledgment of all participants in the final dissertation and in any publications that directly use materials co-created by participants of the research (Denzin & Lincoln, 2011). This inclusive study cooperates with a university student body and multiple dynamic university departments whose populations change during the four years from inception to the performance of data analysis by graduate students.

Students and directors from departments within the Division of Student Affairs respond to the call to participate by informing, designing, producing, and carrying out the research in various stages of its performance. During the fall 2015 semester, the departments of Student Health, Victims' Advocacy, Counseling, Health Promotion, Peer Education, and Residence Life collaborated with the researcher by sharing their expertise and suggesting and approving involvement by staff and students of their respective areas. A Film Studies graduate student produced and filmed Peer Educators and Residence Assistants in role plays about reporting NCSC to various university employees during the initial research development phase during the fall 2015 semester. The research coordinator and the Film Studies graduate student edited the informational video and shared it with the Division of Student Affairs administrators for final

approval in the spring 2016 semester. Also, during that time, Health Promotions and Peer Education student employees advised the research coordinator about the research's survey questions, venue, and timing. A university staff member from the School of Education assisted the research coordinator in administering the survey to students in eight residence halls during final exam week of the spring 2016 semester. During subsequent years of searching for the data analysis program, Business school faculty members advised the researcher about cutting-edge qualitative sentiment analysis with *R*. The participatory component of the research concluded in May 2019 after one data analysis professor engaged her graduate class by using the data as a class analytics project and final exam about the use of *R* sentiment analysis. It is impossible to recognize individuals for their contributions in such a widespread campus effort, and many of the individuals request that their names not be included in the acknowledgments.

A dynamic university culture necessitates dynamic and creative processes meaningful to evolving communities throughout generations. Traditional quantitative methods may thwart the generative and relational potential of contemporary communities. This research effort demonstrates that students as the primary stakeholders can be empowered to co-construct a reflexive, safe, and sustainable campus community by actively discovering their strengths (Ludema, Whitney, Mohr, & Griffin, 2003). Moving forward in this chapter, one can find a discussion of the steps of the research and the rationale for the actions, so the reader can understand, adapt, and replicate the study if desired.

Research Integrity

The integrity of research and security in collecting and storing data is the most critical assurance the researcher must make in connection with the proposed research. The Institutional Review Board (IRB) requires that all persons involved in research participate in up to 12 hours

of training before they are permitted to facilitate research within the university environment. Assuming full responsibility for the roles of research coordinator and facilitator, the researcher does so after considering that students will not choose to participate in extensive extra-curricular training above and beyond the demands of their current educational commitments. Every effort is made to fit all research activities that depend on student expertise within the activities and events to which the various student organizations have already committed their time. Therefore, the research facilitator is the only person to participate in the required IRB's required Human Subjects training for this research effort.

Universities employ students from upper-grade levels as peer educators who promote safe behaviors and communicate information through entertaining and meaningful programs. Resident assistants are student mentors who receive pay or room and board, and they live in residence halls with freshmen students. Peer educator and resident assistant applicants undergo a rigorous selection process through interviews by university staff and students who currently serve in these roles. Once hired, the new student employees receive professional development training to manage a broad array of common circumstances in the campus environment. These groups are selected to inform the research design because of their experience in managing and reporting disclosures of NCSC.

After identifying peer educators as participants to inform the study, the next step is to seek formal approval from the directors of the programs. When informally asked if it would be feasible for the group to collaborate for the study, the director of peer education suggested meeting with the group for 30 minutes to one hour before or after the pre-scheduled weekly meetings. The directors approved voluntary student participation in developing the research survey and other research-related activities. They also agreed that a researcher-provided meal at

the meeting would invite students to participate outside of the regular peer education meeting. The directors approved one formal monthly meeting for three months, beginning in September and ending in November 2015, before final exam week.

As is true of all health care professionals in the university setting, peer educators are exempt from reporting disclosures of NCSC to a Title IX Coordinator. Training about the Title IX Mandate includes the appropriate peer educator response to disclosures about NCSC, information about consent, and referral resources. They also receive important training on maintaining confidentiality, with all of their training supervised by professionals within the division of Student Affairs.

As previously discussed, the topic of NCSC can evoke strong emotions, and it can be highly distressing to individuals. Before the first meeting, the director agreed to prepare the student group regarding the general research topic. This action would allow students who had experienced trauma to discreetly find another activity as an alternative to participation in the research activity. The director wanted to avoid bringing up the topic in a group setting because of concern for students she knows have experienced NCSC. Again, participation is strictly voluntary, in line with IRB approval, and individuals can comfortably decline because of other commitments while still enjoying a meal with their peers.

September Meeting: Introducing Title IX Mandate Research to Peer Educators

The first meeting involved introductions and a brief overview of the purpose of the research. The group was encouraged to ask questions, and it was advised that participation would be strictly voluntary.

Next, the group engaged in a brief Appreciative Inquiry activity. It was demonstrated how a diverse group of people could respectfully generate and record ideas and goals as a collaborative Appreciative Inquiry process.

The group discussed engaging freshmen in thinking about what the Title IX Mandate means to them. One student suggested creating an informational video about the mandate that includes vignettes about mandated reporting in different situations. The conversation prompted another student to suggest finding a person who studies filmmaking to produce the video. The supper meeting adjourns, and all participants volunteer to attend the next meeting in October.

After the initial meeting, the peer education program director shares the contact information of a former peer educator who is also in the film studies program. She indicates that the student had been particularly active as a peer educator and might be interested in reuniting with the group to create the video.

Meeting with Film Studies Student: Brainstorming an Informational Video

The film studies student suggested meeting over coffee to discuss the research question and the peer educator group's suggestions for the video. During the informal conversation, the former peer educator, an African American woman, shared that she worked as a resident assistant at the university for three years. She voiced excitement about working with the peer educator group again.

Discussion continued about ways to create space sensitively and carefully for first-year students to reflect upon the effects of NCSC and the imposed federal mandate. The videographer noted that resident assistants at the university go through training on responding to students within the university community who experience or witness trauma. One training titled "*Behind Closed Doors"* utilizes experienced resident assistants to role-play disclosures of NCSC for

resident assistants-in-training. The student-related role-played disclosures create a dramatically powerful experience intended to create a credible space for resident assistants to understand the critical nature of their response.

The videographer enriched the project with her unique multi-lens perspective because she had served in exempt and non-exempt reporting roles concerning the Title IX Mandate to report NCSC. Furthermore, her experience as an African American woman in a predominantly white southeastern United States university brings a wide-angle perspective to the video. She contributes a unique texture to the video with a contemporary worldview unfamiliar to a white, mid-life female and university health care provider.

October Meeting: Designing a Survey through Appreciative Inquiry

After the meal, the peer educators engage in a brief discussion about how human beings construct knowledge in relationships. The group revisited the Appreciative Inquiry exercise and concluded that a community could transform conflict when its members focus on their strengths rather than their perceived weaknesses. After further discussion, they concluded that a short survey using an embedded video prompt could effectively inform students about the Title IX Mandate and collect responses to open-ended survey questions for a qualitative study.

An Appreciative Inquiry framework for the survey is intended to elicit responses from members of the study population. As suggested by the peer educator group, a student-constructed video would be helpful to distribute information to survey participants about the potential effects of the Title IX Mandate on the community.

During the next fifteen minutes of the meeting, the videographer presented ideas about creating a video with the peer educator group. She suggested filming the Peer Educators as they perform four short role-plays about the Title IX Mandate. Each short video, referred to as

vignettes, would depict students disclosing NCSC to various campus personnel. Each vignette would contain information about the role of each employee, both exempt and mandated reporters, in managing disclosures of NCSC.

The videographer shared that resident assistants must attend a workshop each year, where they role-play how to respond to students who disclose NCSC. She suggested that the group invite Resident Assistants to participate in the creation of the video. The peer educator group agreed that their collaboration would enhance the video because they understand that the topic can trigger difficult emotions, even for the actors.

The peer educator group agreed to come prepared to film during the next meeting. The group decided that the research coordinator would compile a list of ten scenarios taken from her long-term experience working with students reporting NCSC. They also agreed they would review the scenarios during the first half-hour of the next meeting so that the role-plays would not appear rehearsed. When the group raised questions about appearing awkward in the video, the perspective was shared that people are awkward when they disclose NCSC; thus, unrehearsed scenarios would seem realistic.

Group members asked about confidentiality and voiced concern that some scenarios might lead viewers to think the video would be about them. The videographer asserted she would include a general disclaimer that the scenarios are fictitious and student actors play the roles. The peer educator group expressed interest in creating a video and agreed to film it at the next scheduled meeting. The videographer scheduled two hours for filming and advised that the film participants could determine the order in which they filmed the role-plays. Since the videographer was expected to graduate in December 2015, the peer educator group recommended completing the video construction and editing before the end of the fall semester.

After reviewing the IRB approval for research, the director of Residence Life permitted the Resident Assistants to participate with the peer educators in creating a video about the Title IX Mandate. Resident Assistants from all eight residence halls volunteered to participate in the filming activity. Resident coordinators subsequently talked to their respective resident assistants in each residence hall. They invited them to attend the third supper meeting scheduled in the peer education office for the following week.

November Meeting: Creating an Informational Video

Peer educators and resident assistants gathered for the third and final supper meeting in the peer education office. Group members suggested venues where a research event might attract the most freshmen in a short time frame of three or four days. A few group members suggested giving the video link to students to watch it on their laptops or cell phones before starting the survey. They also recommended showing the video while serving pizza and beverages in the eight freshmen residence halls during the final exam week. They explain that first-year students run out of money at the end of the semester, and they are hungry. Other group members proposed that more freshmen would be in their rooms while studying for final exams and that they would stop to eat and watch a video if the entire activity would take no more than 15 to 20 minutes. It was determined that the research coordinator would set up an *Internet Café* venue in each residence hall lobby and serve pizza and a beverage to students as they watched the video and completed a short survey.

After the Peer Educators and Resident Assistants finished the initial business of the third meeting and before commencing the filming portion of the evening, the director of the Peer Educators requested assistance on an alternative project. All group members contributed their ideas to the research project during supper, but this pre-arranged gesture allowed them to opt out

of the video-making activity comfortably and discretely. Once all students volunteering as actors were identified, the research coordinator distributed the consent forms for participation in filming and read the form aloud to the group. The consent included the statement at the top of the first page, "*Your participation is voluntary. You may refuse to participate or may refuse to answer any questions. You may stop at any time without penalty.*" The videographer advised that student names would not be listed in credits for educational videos developed for campus use.

Next, the group members were self-selected into four groups, with each group choosing one scenario to role-play in the video. They improvised their lines and, with the input of the videographer, created the following four scenarios:

1. Male student talks to his resident assistant about waking up nude in a strange room
2. A distraught female student and her friend approach a professor to ask for help
3. A female student tells a health care provider about unusual symptoms one week after visiting male friends
4. A female student tells a group of girlfriends about something that happened at a fraternity party.

The first two scenarios describe disclosures to university employees who must report (are not exempt according to the mandate) to a Title IX Coordinator. The third scenario shows disclosure to a health care professional who is exempt from reporting. The fourth scenario depicts a case where friends do not have to report suspected NCSC; however, the scenario demonstrates that one friend accompanies the student to victim advocacy services who are also exempt from reporting. The video script clarifies that counseling, medical, and victim advocacy services are exempt from mandated reporting. The videographer proceeded to work with the group's actors in creating four scenarios during the two hours allotted for the filming activity.

Eleven group members participated as actors, and the other group members provided feedback about content to their peers as they co-created the informational video for the survey.

Review and Debut of Informational Video

Peer Educators and Resident Assistants are among those who exemplify the role of *influencer* (Grenny, Patterson, Maxfield, McMillan, & Switzler, 2013). *Influencer* is the most befitting title of student leaders who receive training to identify *vital behaviors* and *crucial moments* (Grenny, Patterson, Maxfield, McMillan, & Switzler, 2013). Their training assists them in influencing people to make informed decisions that promote wellbeing for themselves and others. The Videographer helped Peer Educators offer information to freshmen students using language relevant to their age group. This approach lends to creating research activities from the students who interface with their peers who experience NCSC.

The group became increasingly busy with school projects during the last month of the fall semester. The Videographer delivered the password-protected Vimeo video document for review less than one week after the early November filming. The research coordinator and Videographer met to review and edit the video together. The Videographer independently contributed the informational script about the Title IX Mandate to the video before their meeting. The Videographer's contribution that describes the mandate from the student perspective can powerfully impact the viewer. The Peer Educator and Resident Assistant directors reviewed the video and then showed it to the volunteer actors and interested participants.

The Peer Educator director indicated that commentary from the members was optimistic about the video's content, clarity, and authenticity. Several video participants voiced relief about the disclaimer regarding the fictitious nature of the video portrayed by student actors.

Two of the actors requested a video copy to show the freshmen students in their respective residence halls. One asked for a copy of the video to include for professional job interviews in her portfolio. Both groups were advised that the video would be released once the division of Student Affairs approved its release. The requests for the video reinforce the value of the socially constructed creation of knowledge. The project is also an example of experiential learning, a primary goal of higher education.

The completed video was shared with the Vice-Chancellor of Student Affairs, the victim advocacy program, and the director of Student Health Services. The research coordinator complied with the Vice-Chancellor of Student Affairs' recommendation and sent the video to the university's Title IX Coordinator.

The qualitative methodology that supports this research features the collection of unstructured responses from first-year university students about the Title IX Mandate to report NCSC. The Appreciative Inquiry method generates student innovations in structuring the means to elicit those responses in a comfortable, confidential, and efficient manner. After participants gave informed consent to participate in the study, we asked Freshmen in residence halls watch an embedded informational video prompt before completing survey questions. After viewing the video, the reader will understand university employees' responsibilities in responding to students who confide in them. A benefit of the research is that the reader will witness the students' perspectives about how the Mandate affects them when they confide in trusted mentors employed by universities.

Please click on the following link to access the video:

https://vimeo.com/278826516

Survey Platform Selection

Survey Monkey is a globally recognized data collection system that simplifies the gathering, organizing, and observing primary quantitative and qualitative data. It offers multiple benefits to researchers and study populations, but the uniform distribution of information and security benefits is the primary consideration for this research. Survey Monkey simplifies the design of surveys intended to collect anonymous written responses to both multiple-choice and open-ended questions. The platform is one that businesses, educators, and governments use to survey diverse populations about topics that may not be universally recognized. One example of this last feature is that this research survey instrument includes an informational video that provides all survey participants with the same baseline information about how the Title IX Mandate is carried out in universities. Survey Monkey permits the sharing of audiovisual information and enhances the opportunity for learning as participants contribute to knowledge about the effects of the Title IX Mandate.

Security is vital as human resource departments explore employees' attitudes who may be concerned about maintaining anonymity as they divulge personal information in surveys. Data security is of the utmost importance when asking participants about personal experience with NCSC. Survey Monkey provides a well-tested research mechanism for general data collection about varied topics. This study can contribute opinions about a sensitive topic while survey participants’ responses remain anonymous.

Participants may feel more comfortable providing survey responses from their personal computers or mobile phones than from computers provided by research facilitators. For example, students in residence halls may answer sensitive questions with lower levels of apprehension when not responding to a survey on public computers. The assumption is that qualitative data is

richer when the respondents believe their responses are private and free to communicate their ideas on a secure platform.

The ease of use in collecting anonymous data, the simplicity of quantitative analysis and graph creation, and the ability to share results easily with research associates are primary reasons for selecting the Survey Monkey platform for this study. Researchers can design unique survey instruments to elicit select details about the study population and modify the survey design to accommodate a variety of research methods. The research facilitator models survey questions after the social constructionist Appreciative Inquiry framework traditionally used in group interaction. This survey platform permits the researcher to study a sensitive topic while providing privacy for the participants that cannot be achieved in an interactive group setting. Survey participants may generate answers within a more flexible time frame if they cannot complete the survey at the researcher-secured venue.

Internet Café: Conducting the Survey

The risk of triggering emotional discomfort for an at-risk population of university students is inherent in researching freshmen views regarding NCSC and the Title IX Mandate. As stated earlier, the subject evokes feelings of shame, anger, and self-blame and quickly causes emotional and physical pain. It is important to provide a venue where students have privacy within the university residence halls and feel protected as they complete surveys. The *Internet Cafe* venue is a setting that is recognized internationally and has appeal for students from diverse cultures. Even though one can take the survey in relative solitude, the idea promotes relaxed participation and even stimulates further discourse about social issues. Also, as people feel comfortable and nourished, they may be encouraged to participate more expressively in their written responses to open-ended questions.

After the Peer Educators agreed on the survey venue, the next task was to obtain permission from the director of the residence halls to set up each residence hall lobby as an *Internet Café* on specified days. Each of the Resident Assistants voiced positive attitudes about assisting with the venue arrangement during the final exams week.

Each residence hall at this university features learning communities to which freshmen may self-select when they apply for admission to the school. For example, the learning community in one residence hall focuses on Marine Science, and another one attracts students who would like to study the arts. The study will represent a broader, more diverse student population by recruiting freshmen from each residence hall.

University freshmen are least likely to have previous experience with the Title IX Mandate to report NCSC during the move-in week of the initial fall semester. True, students may have siblings, friends, or acquaintances who have experienced NCSC; however, since the mandate affecting public schools and universities was enacted recently in April 2015, many freshmen will be naïve to its significance within the campus setting. An initial thought is that it would be optimal to facilitate data collection within the first week of school however, new freshmen attend numerous meetings during the first week in the residence halls on campus, and requesting they stop to take a survey seems excessive. Taking this into consideration, the survey is deferred until the spring semester.

The Institutional Review Board (IRB) of the study university granted permission for a maximum number of 175 subjects. This number will permit a rich representation of approximately 2024 freshmen living in residence on campus. The university reports a total population of 14,969 students at the time of the study. The university is in a community of fewer than 200,000 people in the southeastern region of the United States. The analysis excludes

students younger than 18 and older than 24 years. It includes freshmen students who live in residence halls on campus and excludes sophomore, junior, senior, and graduate classes.

Ethical considerations include the risk of talking about NCSC with anyone, let alone a population of university students who may have experienced NCSC, either personally or vicariously. The Title IX Mandate to report NCSC, or rumors of NCSC, among university students applies to all students. Title IX legislation is intended to protect all students from gender bias regardless of pregnancy, decisional impairment, or chronic illness. Likewise, all faculty, staff, and students hired to oversee student education and residential life must comply with the mandate regardless of these factors. Questions about pregnancy and HIV infection are excluded from the survey recruitment process since the information is not pertinent to the study. Limiting the voice of such populations may hamper the quality of the research and could have a negative long-term impact of bias against diverse populations.

Informed consent includes information about the sensitive nature of the video content. It also has a notification that a short qualitative survey is designed to elicit student ideas and perspectives in the student's own words. Students review the consents and independently determine whether they will participate in the study. Participation is voluntary, and no questions are asked when someone declines to participate.

The IRB approves other university personnel to distribute consent forms to recruited freshmen and screening for age limits and freshman status at the residence halls on campus. The survey is administered over three days during the final exam week of the spring 2016 semester. The decision on timing of the survey stemmed from consensus of the participatory action group who informed the best time and best means to reach students in the resident halls. Three residence halls are scheduled for Friday (Day 1), three on Saturday (Day 2),

and two residence halls on Sunday (Day 3). The scheduled times for each residence hall ranged from 11:00 AM to 1:00 PM, 1:30 PM to 3:30 PM, and 4:00 PM to 6:00 PM.

Two university staff members ordered pizza delivery on the survey days and set up an *Internet Café* venue in the residence hall lobby. They arrange chairs, coffee tables, and two laptop computers in a recessed area of each entrance so that student participants can take the survey without others seeing their responses.

As the students come through the lobby of each residence hall on the survey event, they see the sign for the *Internet Café* posted on the entrance and exit doors and the walls over the food and beverage table. Students are invited to enjoy pizza and a beverage while completing a brief survey. Upon expressing interest, the student takes the consent form to review and sign, chooses a workstation, and the facilitator serves pizza and a beverage. The consent also includes the survey website link to watch the video and complete the survey on laptops or mobile phones. The signed consent is reviewed for the signature and placed in a clasped manila envelope labeled with the name of the respective residence hall and the date of the survey. Upon leaving the residence hall, the consents are secured in a file drawer in the research facilitator's designated home office.

Most students chose to complete the survey in the residence hall lobbies on all three days, but one or two decided to finish the surveys before midnight that same day. The research design does not pair consents with completed and submitted surveys.

The initial six questions ask demographic information and whether the research participant has experienced NCSC. Questions 7-13 (inclusive) are designed to encourage the students to consider the Title IX Mandate and its effect on their willingness to tell university employees and off-campus personnel. Questions 14 and 15 assess the students' knowledge of

reporting requirements for various employee roles. Questions 16-18 (inclusive) inquire about the students' thoughts on accommodations the university can make for students involved in reports of NCSC. Questions 19 and 20 are based on the Appreciative Inquiry model and ask students to consider their strengths or talents and how they might design a desirable and sustainable campus community.

The only person able to identify survey responses is the survey participant who writes them and enters them into the survey platform for data collection. The participants may share the information, but the participants' identities are confidential and are not included in the written research document. The survey includes only name and age as identifiers in the consent forms and age and ethnicity. Gender is not included in the survey because of the Peer Educator consensus that males and transgender students may have concerns about their identities being tracked to specific residence halls where they are in the minority. The gender designations of the entire freshman class are obtained from the residence hall roster of freshmen living in residence halls during the 2016 spring semester.

The consent to participate includes a statement about campus and community resources that provide advocacy and emotional support to students who may encounter unforeseen effects from participation in the study. Pamphlets with university resources and contact information are also offered at the lobby desk and the survey stations for the students participating in the activity.

Participants are advised that they can withdraw from the study at any time without repercussion. However, the response cannot be identified or canceled once the student submits survey responses via the survey link. The student participant can interrupt participation in the survey before submitting the answers, thus terminating involvement from the study.

The internet survey instrument, *Survey Monkey*, is the survey platform used to organize and summarize the data. Internationally accepted methods for qualitative research support the accuracy of the survey instrument accessed through Survey Monkey. The analysis will not include names but will summarize demographic data.

Data will be shared with the research supervisor and research promoter through password-protected electronic mail. The research team will meet in person and through web conferencing using Internet tools such as Skype, Zoom, Facetime, or other internet meeting platforms to discuss the research. There is no need to mention legal names in web-facilitated conferences. Figure 1 of this research document depicts the survey.

The Methodology chapter highlights the usefulness of Appreciative Inquiry in a domestic university setting; however, the method transcends international cultures. The format can be useful with any language, and its universality allows diverse populations to influence the creation of public policy using the technique. Administrators of universities worldwide may face the challenge of NCSC within their campus communities, even in cultures where NCSC is not acknowledged or openly discussed. Open-ended survey questions derived from an Appreciative Inquiry format that elicits students' ideas can be applied to the conflict of NCSC in international venues. As in this PAR, where the students step up to design the research survey, the public can also collectively develop and implement projects to create and refine public policy, even in the presence of emotionally charged interactions.

Chapter Four - Analysis

This chapter presents the analysis results of survey responses about sentiments of university freshmen regarding the Title IX Mandate, a policy that directs universities as they acknowledge and manage reports of NCSC within their campus communities. Notably, the selected analysis method, *R*, enables the researcher to detect underlying sentiments of students about a subject that triggers feelings of shame and emotional pain and often causes people to refrain from public expression of their attitudes and experiences (Levine & Frederick, 1997). The previous Methodology chapter presents the rationale for a method that permits research participants to answer open-ended survey questions using furnished or private internet access in private and public settings. This research aims to contribute its findings to an overarching body of knowledge so that universities and governments may consider the views of the population most at risk for NCSC in revising and implementing policies.

The Participatory Action Research utilizes six demographic questions with researcher-provided response options to collect quantitative data from survey participants. It utilizes fourteen open-ended questions to prompt survey participants to write their answers on an anonymous Survey Monkey platform, thus contributing to qualitative data. The chapter summarizes and depicts the results of *R* analysis of selected questions. The analyses provide insight into the sentiments of university freshmen, an at-risk group for NCSC, about a federal mandate imposed on university communities.

The selection of data analysis software that consistently reflects the written and unwritten sentiments of the study population is critical. *R* is a traditionally quantitative text mining and data analysis system that uncovers underlying sentiments from unstructured text by identifying words and phrases that occur and recur together. It does not rely on researchers' perspectives to

generate, categorize, analyze, and interpret the meaning as is necessary with traditional qualitative methods (Silge & Robinson, 2017). Survey participants can write responses, and features of *R* software reveal underlying sentiments and identify the importance of phrases and words used in the responses.

Text mining and sentiment analysis software, *R*, uncovers essential information about attitudes of freshmen about the Title IX Mandate and the mandated roles of university personnel. While this chapter focuses primarily on the *R* analysis process and results, it will briefly summarize identified trends in researcher-generated categories and traditional manual tabulation of survey responses. Frequency tables and short summaries of data findings for each survey question 7 through 20 (inclusive) are available for reader review in the Appendix of this document. The purpose of including an overview of traditional analysis is to demonstrate to the reader that *R* sentiment analysis delves into unstructured text to expose detailed attitudes and student ideas that are not obvious to the researcher through traditional theme identification of manual tabulation.

Finally, this chapter will summarize the results of survey questions selected for analysis by graduate students as part of the final exam for a *Text and Unstructured Data Analytics* course. The Master's level course in Business Analytics teaches techniques for accessing, processing, analyzing, and visualizing text-based data. Text mining with *R* enables an in-depth look into the sentiments of university freshmen about NCSC and the Title IX Mandate.

Qualitative Data Analysis: Software Selection

Survey Monkey can perform quantitative and limited qualitative analysis, but *R* software extends the opportunity to explore immense digital text-based data resulting from an explosion of social media over the past decade (Silge & Robinson, 2017). Hidden within these burgeoning

data sources is immense potential for finding solutions to vast global and domestic social problems (Silge & Robinson, 2017). The analytics software, *R*, is compatible with this qualitative participatory action research based on a social constructionist theoretical framework. Students' text responses in the survey incorporate their generational and contemporary knowledge and resulting attitudes to create new knowledge. When survey participants express their views in writing, *R* analysis helps us uncover and understand this generational meaning and co-constructed knowledge. The absence of researcher bias is impossible, even in quantitative studies (Denzin & Lincoln, 2011). However, the selection of both the *Survey Monkey* platform and *R* analytics software enables the researcher to observe students' spontaneous responses and then delve into the underlying sentiments of the study population.

A limitation of available data collection and analysis instruments such as *Survey Monkey* is that they cannot synthesize information that lies within the diverse language of participants, and a deeper understanding of participants' sentiments is not the convenience of the system. It can capture words and phrases within qualitative responses and group them into clusters called *word clouds*. The *word cloud* allows one to understand overall trends in responses by showing frequencies and percentages of how often the respondents use particular words and phrases. Still, it is up to the researcher to interpret the meaning and context of the words.

By incorporating font size (small font for less frequent usage and large font for more frequent) and color gradient from light blue to red (light blue for less frequent and red for more frequent), the word cloud can guide further investigation. Its interpretation relies heavily on cultural assumptions about the context of the words. Take, for example, the word *safe*. The research facilitator must determine the meaning of the word *safe* without context. Does it mean the students believe the government intervention will eliminate the occurrence of NCSC in the

campus community, or does it mean that the students feel *safe* because they are aware of university resources in the event of an NCSC experience? Research with a complete absence of bias is unlikely; however, data analytics software such as *Survey Monkey* relies heavily on researchers and their socially constructed attitudes to lend significance or meaning to survey participants' words.

Selecting Data Analysis Software

Open-ended questions depend on survey participants to think about a particular topic before formulating a response. Participants are encouraged to give written answers and express their ideas using colloquial language. Their responses become the data set that one must analyze to comprehend the respondents' perspectives. Likewise, one must rely on personal, cultural, and regional understanding to manually code responses or assign value to units of language for analysis.

As previously discussed, *Survey Monkey* and other analytics programs rely on counting the frequency of occurrence of simple one-word units (Silge & Robinson, 2017). Although the qualitative design highlights the respondents' thoughts more than a simple quantitative design, the researcher attributes depth and sentiment of responses according to personal experience and perception. "Many of us who work in analytical fields are not trained in even simple interpretation of natural language" (Silge & Robinson, 2017, p. vii). *R* is emerging as a data analysis system that enables researchers to observe recurring words in any language and context as they occur with other words.

Text mining is a contemporary term that denotes an in-depth exploration of general text, and *sentiment analysis* identifies underlying attitudes associated with recurrent combinations of words (Silge & Robinson, 2017). Both operations, facilitated by *R*, provide a deeper

understanding of student views around addressing NCSC in culturally diverse communities, regardless of their location on the planet. Qualitative text in any language is adaptable to qualitative sentiment analysis with *R*; therefore, its application can be global.

R analytics software has been used in quantitative research since the final decades of the twentieth century. An academic researcher from Scotland (MacKay, 2019) states that vast amounts of free-text data have been acquired in higher education, such as annual surveys. Much of the stored data has never been studied, perhaps because of privacy concerns, but MacKay asserts that new text mining and analysis instruments are a cutting-edge means of gaining insight into the experiences of survey participants (MacKay, 2019). The University of Edinburgh extensively explored 2016 National Student Survey data and reports that the data analyses are fast and reproducible (MacKay, 2019).

A further search for examples of qualitative research using *R* reveals an evaluation of an educational enrichment project at the University of Plymouth in the United Kingdom titled "Understanding Big Data from Social Networks" (Stander & Dalla Valle, 2017). The paper describes the experience of students enrolled in an educational module and uses the information to improve the course. As with the search for research generated at universities in the United States, most sources are "How to" books and articles about implementing *R* for text and data mining. Increasingly, U.S. faculty are using *R* to develop curricula about qualitative analysis and its use in quantitative research. One limitation of its use in qualitative research, while more visible in European academic settings, is that it is in the early stages of development as a qualitative research analysis tool in the United States where this study takes place.

R data analytics software provides a state-of-the-art method for accessing, processing, analyzing, and visualizing text-based data (Silge & Robinson, 2017). It enables an in-depth look

into the underlying sentiments in the text by identifying *unigrams*, *bigrams*, and *trigrams* or, respectively, one-word, two-word, and three-word frequencies. *R* identifies associations between words and promotes the observer's ability to draw conclusions about the language to express feelings or thoughts. Analysts are accustomed to handling numeric, tabular data, but qualitative data is unstructured and requires the management of vast amounts of text. Silge and Robinson developed the *R* software to easily facilitate text mining by "treating text as data frames of individual words… to manipulate, summarize, and visualize the characteristics of text easily, and integrate natural language processing into effective workflows…" (Silge & Robinson, 2017, p. vii).

Advantages of *R* Compared with Traditional Data Analysis

Rich qualitative responses are interesting to read; however, *sentiment analysis* is necessary to draw conclusions about underlying attitudes and perceptions of survey respondents. *Sentiment analysis* is a means of observing words as they occur and recur together in a given data set. An instrument that can draw out subjective information and classify the underlying meaning or sentiment as positive, negative, or neutral is fundamental in evaluating qualitative information for research (Gupta, 2018). Text mining with *R* techniques is a qualitative analysis method that enables understanding vast data beyond simple frequencies. Sentiment analysis allows researchers to answer questions such as, *"Do freshmen seeking resources to help them through the aftermath of NCSC want university employees to report their disclosures to a Title IX Coordinator?"* or *"Do students reporting to a professor want the option to confront the student who coerced NCSC?"* Text mining with *R* principles permits researchers to manage data with greater ease. Its power lies in the efficiency of analyzing large amounts of unstructured text (Silge & Robinson, 2017). The benefit of *R* data analytics software is that it allows one to infer

participants' attitudes from diverse, text-heavy responses. It surpasses simple text summary and concordance, as in the provision of *Survey Monkey* that places responses into categories according to themes and trends. Likewise, it provides greater ease to gain an in-depth comprehension of attitudes and sentiments reflected in survey responses.

Traditional tabulation of survey responses requires one to comb through each survey question's responses to identify trends in participant language. The meaning of each response and the count's accuracy is limited because of multiple researcher variables. For example, the researcher may group phrases such as *"They are doing something about non-consensual sexual contact"* and *"The school is taking action"* into one category labeled, *"Action against NCSC."* The researcher responsible for manually tabulating data relies on personal perception of the meaning of the two phrases but may not capture nuances of the participants' thought processes. Regional and cultural differences in language may change the analysis results in manually tabulated data.

The traditional paper and pencil method is inherently flawed when depending on hash marks whenever a phrase or keyword occurs. Researcher variables such as alertness, focus, and time availability for the task at hand will render it difficult to replicate the analysis. Careful attention to counting, double-checking tabulations, and adding readers to identify themes and trends can improve accuracy in manually tabulated data. Still, identifying general trends and themes seems to be an accepted practice when using traditional research analysis techniques.

Preparing and Processing the Data

Qualitative data analysis with specialized analytics software enhances the speed and accuracy of detailed text exploration. Manuals on text mining with *R* recommend applying the following basic techniques when exploring data sets:

- Data Pre-processing (stemming, removing stop words, undesirable words, numbers, whitespaces, special characters)
- Word frequency count
- Term frequency-inverse document frequency (tf-idf)
- Sentiment analysis
- Structural Topic Modeling
(Silge & Robinson, 2017)

The following section is devoted to a brief discussion based on principles of *R* about the steps of analysis for those who are unfamiliar with the *R* analytics software (Silge & Robinson, 2017):

Data Pre-processing is a step that requires the analyst to remove words that do not contribute to the meaning of survey responses. Application of filters when sorting text is referred to as *cleaning the text* or creating *tidytext*. *Stemming,* the first step of *cleaning text* or making *tidytext,* is the removal of suffixes from words so that the software can count and compare similar words with a common meaning. Filtering stop words means removing words such as *the, but, and, of* frequently used in language yet contribute little to the overall meaning of data. Undesirable words include contractions, but the analyst can filter these by expanding the words to their lengthened form. The removal of numbers, white spaces, special characters, and other words that have three characters or less, for example, leaves a uniform grouping of text data or *tidytext*. Frequencies with which words occur are then observable without the distraction of words with less significance.

R is useful for a more in-depth understanding of underlying meaning in data by filtering for *term frequencies (tf)* and *term frequency-inverse document frequency (tf-idf)* (Nguyen, 2014). When we identify *term frequency (tf),* we are looking at the simple number of times in which one word or *term (t)* occurs in a *document (d)* or one component of a data set. An example of a *document* in this research is Question 7, *"How does the information about the Title IX Mandate make you feel?"* We achieve the *term frequency (tf)* when we look at *terms (t)* used by one

participant compared to terms used in the responses of the other participants in the *document (d)* or question. *Inverse document frequency (idf)* refers to the weight or importance given to a word or term based on comparing the number of times all survey participants used the term to respond to Question 7 (*document*).

When survey participants use a term frequently to answer the question, the term is given less value than a term that occurs fewer times in all participant responses to the same question. The more frequently a word occurs in each participant response compared to the times it occurs in the document, the less value the word carries. *R* analysis outcomes give a lower value to the term when it occurs frequently, and inversely, it gives greater value or importance to a word that occurs less frequently in the document. The lower the *tf*, the higher the *idf* value (Nguyen, 2014). The finding is considered a *unicorn* (Silge & Robinson, 2017) and may alert researchers that the term or concept merits further exploration.

Structural topic modeling (stm) is an essential component of *R* for understanding key areas for further exploration with research. *Tf-idf* is a valuable tool for identifying important topics within a data set, yet for a more extensive analysis of a topic, it is useful to understand what terms or topics have more weight within a document. *Structural topic modeling (stm)* shows which words contribute most to each topic and contributes to each document (Silge & Robinson, 2017).

Student analysts show the proportions with which words/terms contribute to topics and which topics contribute to each document or question in graphs called *Beta* and *Gamma* Matrices. The *Beta* matrix shows which terms have the strongest association with the topic. The *Gamma* matrix indicates how much a topic associates with the document or question. Some

topics are associated very strongly with the document or question, and some are not (Silge & Robinson, 2017).

Afinn and *Bing* are additional tools evolving from *R* analytics software. *Afinn* is a type of sentiment analysis and measures degrees of emotions in association with a list of English words rated on a scale for positive and negative emotions. *Bing* analysis delves into emotions associated with sentences and combinations of words.

Demographic questions 1 through 6 incorporate traditional quantitative analysis. The research facilitator, curious about how traditional analysis differs from sentiment analysis, identifies themes or categories and then manually counts responses to questions 7 through 20. An example of this manual process can be seen in the analysis of question 7, *"How does the information about the Title IX Mandate make you feel?"* Understanding that responses such as *safer* and *protected* have a similar meaning, the two words are included in one category, and a hash mark is written next to the category each time either word occurs. The decision has been made to place the frequency tables of manual tabulations in the appendix of this research to focus this research on sentiment analysis. Those readers interested in comparing outcomes may refer to the appendix. It is the thought of the research facilitator that this comparison requires a separate research study.

As discussed previously, *word clouds* depict recurring units of language; however, the context of words still influences researcher interpretation. Traditional basic text summary and concordance are time-consuming because reviewing numerous text-heavy responses multiple times is necessary. Accuracy in counting and assessing meaning can depend on researcher focus, alertness, and even mood. Text mining with *R* enables the researcher to delve into written expressions' underlying ideas and sentiments. Tidy data tokens or frequently used words or

phrases allow researchers to attach intent and emotion to text. They permit the reader to qualify the text as associated with positive or negative emotions such as “surprise or disgust” (Silge & Robinson, 2017, p. 13). Sentiment analysis with *R* looks beyond individual words and “provides a way to understand the attitudes and opinions expressed in text” (Silge & Robinson, 2017, p. 29).

One can see that *R* analysis does not feature the limitations inherent in traditional qualitative methods, and it allows a richer and deeper understanding of sentiment buried in text-heavy and sensitive data. Consistent with social constructionism, in-depth data analysis permits each reader to create knowledge about current conditions within a population. *R* is useful in this baseline study about the effects of the Title IX Mandate within the university community. It is easily portable, and other communities such as publicly and privately funded schools may benefit from the ease with which it can be implemented.

This research is the culmination of the actual participatory effort of a broad cross-section of the study population. Graduate students of an online *Text and Unstructured Data Analytics* course use *R* to analyze the survey responses. Freshmen who attended the same university as the graduate students took the survey three years earlier at the end of the 2016 spring semester. Although the study is not comparative, it is interesting that students performing analysis for the research could have been freshmen or sophomores when the survey was administered. The course professor collaborated with the research facilitator to create a brief video-recorded overview of the study to present to the class. Qualitative analysis using *R* sentiment analysis was the final semester project for the graduate course. The study's strength rests on the participation of a broad cross-section of the university community. Freshmen participated in the survey created through the participatory efforts of student employees such as Peer Educators and

Resident Assistants. A graduate of the Film Studies program also contributed her experience as both Resident Assistant and Peer Educator to the creation of the educational video prompt that was embedded in the survey. A business school faculty member incorporated the survey data as a teaching and project evaluation tool for a graduate-level data analytics course. Directors of health and health promotion services and residential housing activities paved the way for the research activity to occur. The remainder of this chapter describes the results of the survey analysis with *R*.

A Summary of Demographic Data

The university enrolled 2,024 freshmen in the 2015-2016 semesters. The freshman population included 1,235 females (61%) and 789 males (39%). The gender question was omitted in the demographic survey because of concerns that male students living in residence halls of a small university could be reticent to participate in the survey if they perceived that responses would be traceable. The decision to omit the gender question was made to increase participation in the survey.

Demographic results reveal that most freshmen taking the survey are 19-year-olds who identify as Caucasian and reside in residence halls on campus. Most of the respondents are from the United States, and they report that they have never experienced NCSC with another student. Less than two percent of the students report NCSC, yet approximately six percent report they are unsure. When combined, these results possibly indicate that students are uncertain about the definition of NCSC. They may also signify that some survey respondents believe they may have experienced drug or alcohol-facilitated sexual coercion but do not have the memory of anything happening. One respondent reports NCSC occurred but not with a student on campus, and two people report non-consensual touching without intercourse.

Once completed surveys were collected, a count of female and male students was obtained by comparing the research participants' signatures on consent forms to legible freshman student signatures on the residence hall rosters. The consent forms only included participant signatures and did not identify the residence hall in which the participant resided. The gender that the student participant declared during registration for spring semester 2016 was documented next to the corresponding consent form for each participant. The comparison of participant signatures with the freshman residence hall roster reveals that 73 female students comprised 56% and 29 male students comprised 21% of the 141 surveys collected. Gender could not be confirmed in 39 or 28% of the students who initially agreed to participate in the survey. On the three designated survey days, the students completed consent forms in the residence halls, with 123 students fully completing the questionnaire. Eighteen people completed consent forms but did not complete the survey, resulting in an average survey completion rate of 84 percent. The average time spent taking the survey was approximately 8 minutes. Refer to the Appendix for frequency tables for Questions 1 through 6.

Summary of Traditional Analysis Results

Traditional text analysis indicates that most freshmen positively respond to receiving information about the Title IX Mandate and that they feel safer. Less than two percent of the survey population assert that sexual activity is an expected part of the college experience and that sexual contact is consensual when the parties involved are intoxicated. The majority of respondents assert that the Title IX Mandate will impact their relationships with friends. Still, the impact varies between strengthening and adverse effects on those relationships.

Overall, students choose to inform personnel and services within the university about NCSC. The majority of respondents indicate they would prefer to tell university employees who

are not mandated reporters. Fewer indicate they would tell a close friend, family member, or mentor. Students rely on universities to provide resources to help them navigate the effects of NCSC. The majority of students demonstrate desired autonomy in selecting whom to inform about experiences of NCSC, as well as how the information will be handled. After receiving information about the Title IX Mandate, students report that they feel encouraged to seek resources and professional support from university services that offer them autonomy over disclosed information. They also indicate that receiving information about the Mandate has an empowering effect.

After viewing the informational video embedded in the survey, participant responses indicate there is confusion about the mandated reporting role of certain university student employees. The video did not feature written information about the role of Peer Educators or Resident Assistants, for example, and there may be confusion about the word *disclose* used in the survey questions and the video text.

When determining classroom and living arrangements for people involved in reports of NCSC, survey respondents favor their participation in determining those measures. A fairly evenly split population, yet most freshmen favor mediator or counselor-supported confrontation of the student accused of coercing NCSC. Older freshmen prefer professionally supported confrontation, while younger freshmen favor relying on the university to engage with the accused person on their behalf. Finally, most freshmen survey responses assert that the students contribute to the creation and maintenance of ideal campus communities that are safe and comfortable.

Refer to the Appendix for frequency tables that include researcher-generated categories and themes for survey questions 7 through 20. A summary of the traditional analysis for each question will follow each table.

R Sentiment Analysis Results

The research survey facilitator provided the professor of the graduate *Text and Unstructured Data Analytics* course with the Survey Monkey quantitative and qualitative responses collected from voluntary freshmen survey participants living in the residence halls on campus. The course professor provided the survey and responses to students of the master's level course, directing them to select survey questions to analyze for their final graded projects. The professor selected analysis results from students who correctly applied the rules of *R* to mine unstructured text and perform sentiment analysis. The following section presents the results of text-mining and sentiment analysis with *R* and the corresponding tables for analyses that students performed on questions 6 through 20 of the survey:

Question 6: Have you personally experienced non-consensual sexual contact by another student?

Table 1: *R* Analysis - NCSC by Another Student – Question 6

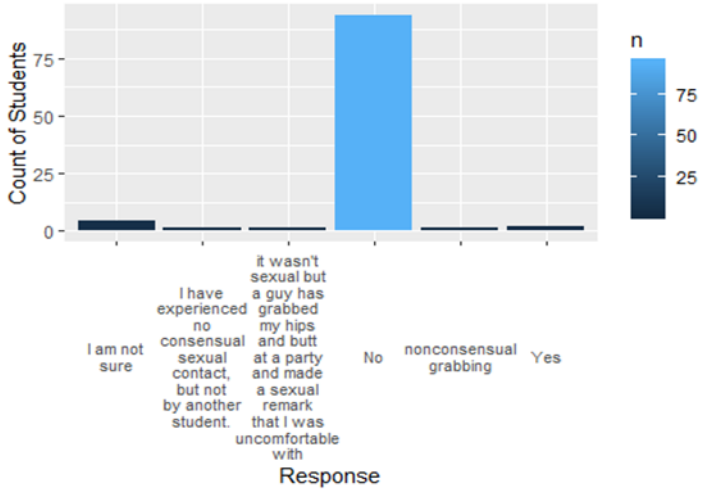


Table 1 shows *R* analysis of student responses to question 6. The graph depicts the findings of quantitative analysis revealing that approximately five percent of students were unsure whether NCSC had occurred, greater than two percent reported NCSC coerced by someone other than a student. Over seven percent of students reported unsure or other, describing unwanted touching, grabbing, or other sexual advances. Ninety-one percent of freshmen who took the survey clearly stated that they had not experienced NCSC. Quantitative analysis alone does not reveal the sentiments associated with these responses but raises questions about how survey participants define NCSC.

Question 7: How does the information about the Title IX Mandate make you feel?

The Text and Unstructured Data Analytics professor asked the graduate students to identify the most frequently used words in responses to Question 7 and Question 13 of the survey. Next, she asked students to use *tf-idf* analytics to identify unique words in those responses and explain if the results give a different perspective than the most frequently used words. The final task of the *R* analysis of the combined Questions 7 and 13 included identifying the sentiments and common tokens (unigram, bigram, trigrams). Responses to Question 13 are integrated with the responses to Question 7 graph illustrations.

R analysis of 195 responses to question 7 indicates that the unigrams *safe, resources, protect, glad, care, talk,* and *report* occur most frequently. The frequent use of these words indicates how freshmen overall feel about the mandate. When *tf-idf* functions are applied to the data, the word *confident* arises as an important indicator even though it does not occur as frequently as the previously mentioned unigrams.

Sentiment analysis reveals students have positive feelings after receiving information about the mandate, as evidenced by the highest occurrence of the word *safe* and the less frequent

occurrence of the word *unsafe*. Sentiment analysis of question 7 reveals that students feel slightly safer and more confident with more resources.

Application of *R* to Questions 7 to identify tokens or unigrams, bigrams, and trigrams highlights the importance of text mining in qualitative analysis. When looking at term frequencies as they occur singularly or are associated with other terms, information gleaned is relatively consistent with straightforward word definitions. Trigrams reveal more nuanced responses to information about the Title IX Mandate. Along with feeling *slightly safer* or *pretty safe, protected,* and *reassured,* some freshmen experienced mixed feelings. One response, that *victims feel embarrassed,* stands out in the *tf-idf* analysis. This information is important to note when despite university resources and efforts at maintaining privacy, some students still may not feel comfortable telling someone about NCSC. A student analyst asserts that any negative sentiments uncovered in the application of *R* may be related to this phenomenon.

Sentiment analysis shows that feelings of *anger, disgust,* and *negative* most likely relate to how people feel about NCSC. Positive sentiments such as *joy* and *trust* refer to the effect of the Title IX Mandate on university freshmen.

R analysis uncovers that freshmen express sentiments of *anger, fear, and trust* after learning information about the Title IX Mandate. Further analysis shows the terms *assault* and *rape* co-occur with words such as *anger, fear,* and *sadness.* Conversely, positive words such as *safe* and *resources* occur with words such as *joy and anticipation less commonly*.

Sentiment analysis of this question initially leads one to assess that the overall feeling of freshmen toward the Title IX Mandate is favorable. More in-depth *R* applications substantiate that freshmen feel positive after receiving information about the mandate. This further analysis

indicates a ratio of 3:2 positive to negative sentiment, confirming that more freshmen experience positive over negative sentiment about the federal mandate to report NCSC.

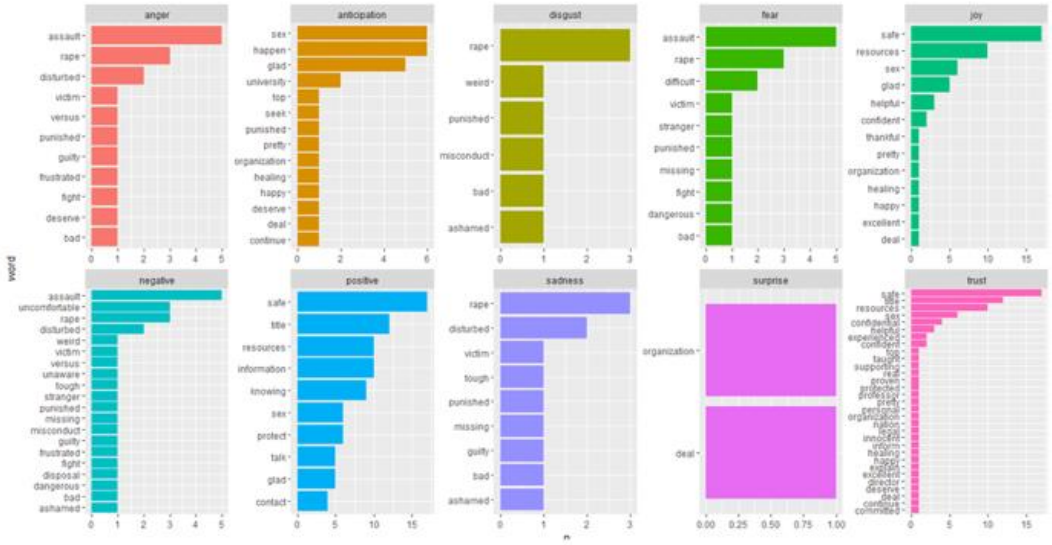
Comparing traditional analysis with *R* analysis of responses to question 7 reveals that both methods result in similar findings. Generally, students feel positive about having increased awareness about the Title IX Mandate and access to resources when they or their peers experience NCSC. Traditional analysis requires the researcher to assess the meaning of student responses based on one's cultural and regional understanding of language. It requires a time-consuming and focused look at each remark yet permits one to begin formulating future education and research questions. In contrast, *R* analysis drills down into expressed sentiments using a variety of functions that do not depend on regional or cultural understanding of language. Once data is prepared into analysis-ready text, this method is quick, facilitates a look at questions above and beyond the capabilities of traditional methods, yet more or less substantiates the findings of more time-consuming conventional analysis. It is a valuable tool in conjunction with conventional analysis, but neither one seems to stand alone as a holistic approach to understanding research participant sentiments.

Tables 2, 3, 4, 5, 6, and 7 depict outcomes of several applications of *R* sentiment analysis of the responses to question 7.

Table 2: *R* Analysis - Word Cloud - Question 7

The sentiment table above, shown as a word cloud, displays the words used by students to describe how they feel about the Title IX Mandate. The words *anger, disgust, and negative* appear in a larger negative sentiment category and most likely relate to how freshmen respondents feel about nonconsensual sexual acts. The words *joy and trust* appear in the positive sentiment category and relate to how respondents feel about the Title IX Mandate. The word cloud shows the frequency of positive and negative sentiment words that appear in response to the students' feelings about the Title IX Mandate. The word cloud reveals the word *like* as a positive word that occurs the most frequently. Likewise, the positive words *safe* and *good* occur similarly to the words *issue* and *assault* associated with negative sentiment.

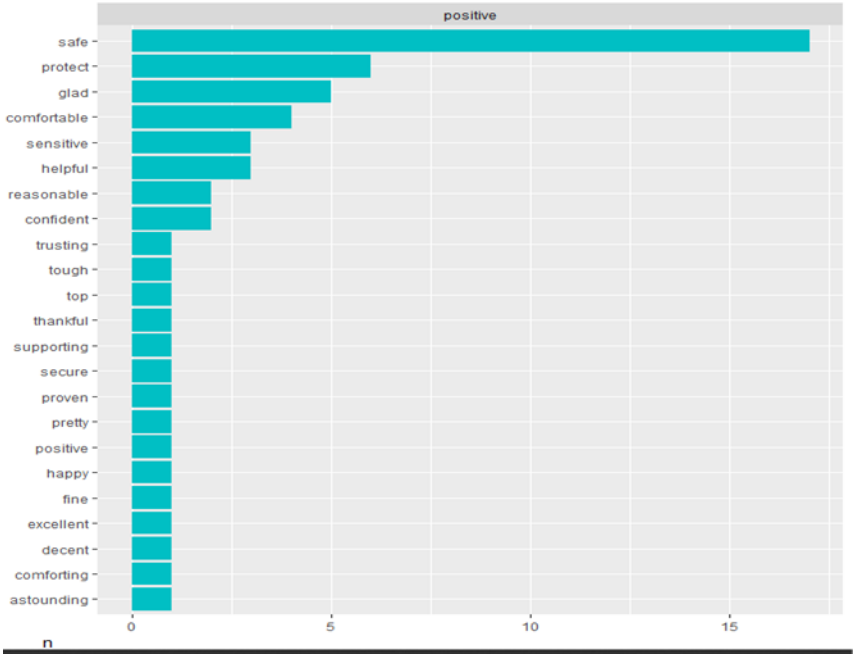
Table 3: *R* Sentiment Analysis with Tidy Text - Question 7



(Graduate student, Anonymous - May 2019)

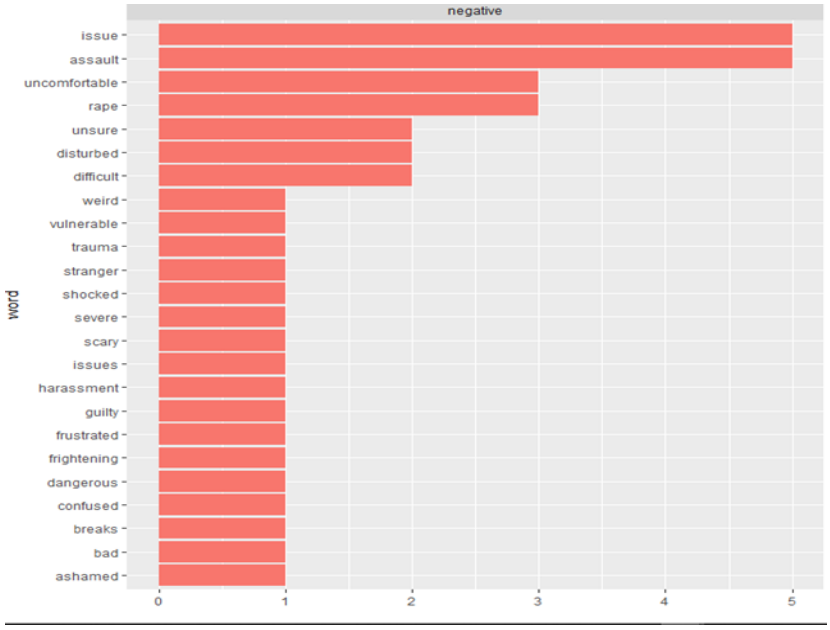
The word *assault* is strongly associated with negative emotions of *anger* and *fear*, and the word *rape* is strongly associated with negative emotions of *anger*, *fear*, *disgust*, and *sadness*. The terms *safe*, *Title IX*, and *resources* are strongly associated with the positive sentiments of *joy* and *trust*.

Table 4: *R* Analysis – Positive Sentiment - Question 7



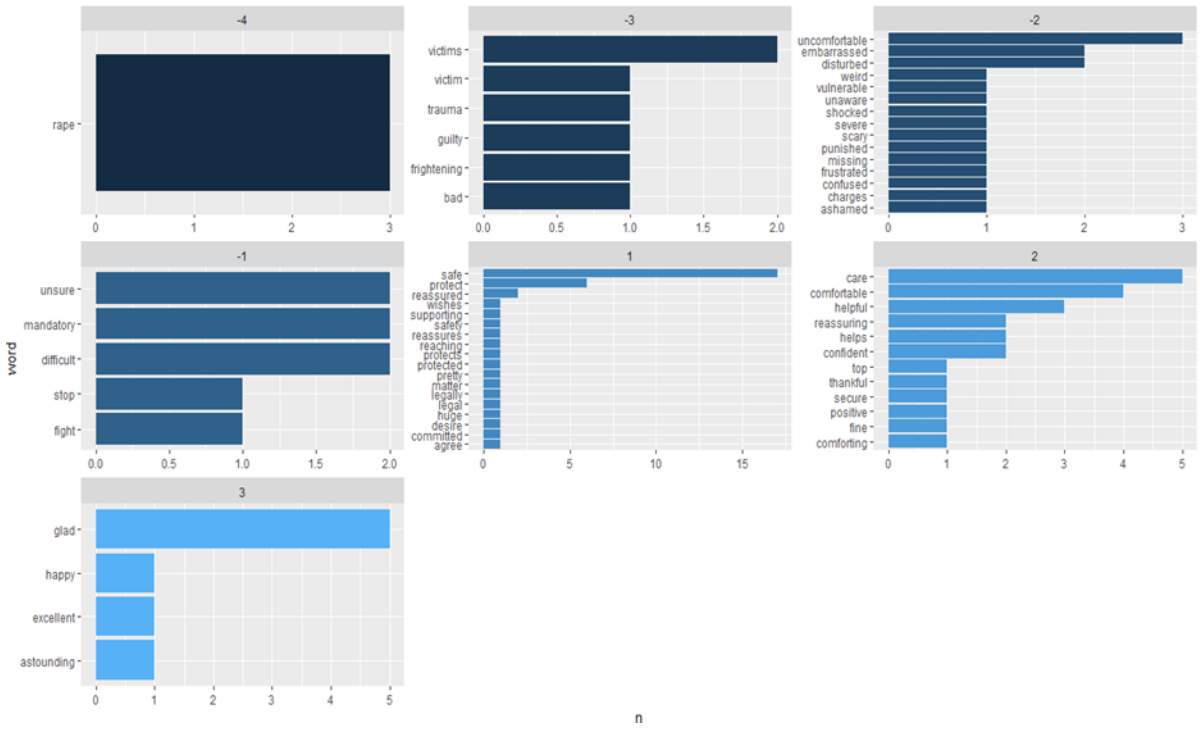
The word *safe* has a strong association with a positive sentiment about the effect of the Title IX Mandate on the survey respondents. Other words like *protect* and *glad* show a moderate association with positive sentiment regarding the mandate.

Table 5: *R* Analysis – Negative Sentiment - Question 7



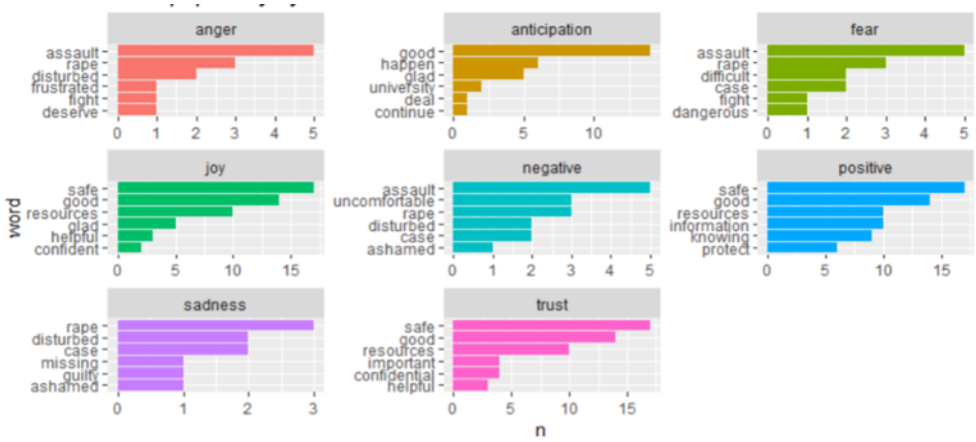
Negative sentiment is strongly associated with the words *issue* and *assault*. The terms *uncomfortable*, *rape*, *unsure*, *disturbed*, and *difficult* have a moderate association with negative sentiment.

Table 6: *R* Analysis – Afinn Sentiment - Question 7



Afinn sentiment analysis indicates a strong negative association with the survey response word *rape* and a strong but lessening negative association with the words *uncomfortable*, *embarrassed*, *disturbed*, and *victims.* Moderate to mildly negative sentiment is associated with words *unsure*, *mandatory*, and *difficult*. Strongly positive sentiment is associated with the effect of information about the Title IX Mandate on the survey respondent. It is seen in the use of the words *glad*, *care*, *comfortable*, *helpful*, and *safe.*

Table 7: *R* Analysis – Sentiment and Word Frequency - Question 7



Word frequency and sentiment analysis reveal that the words *assault*, *rape*, and *disturbed* are strongly associated with negative emotions of *anger*, *fear*, and *sadness*. Positive sentiments of *trust*, *joy*, and *anticipation* strongly associate with responses that use the words *safe*, *good*, and *resources*.

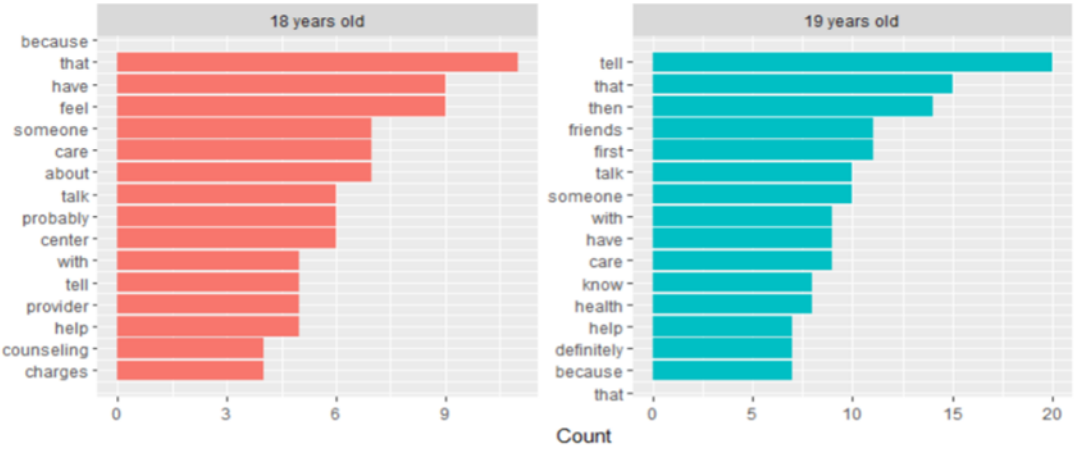
Question 8: After viewing the video about the Title IX Mandate, how do you think you would behave if you were to experience non-consensual sexual contact by another student?

According to *R* analysis findings, age may factor into the student's decision to control the privacy of the information or to relinquish the control to a university support service. Younger students may prefer more university intervention, and older students may wish to exercise higher autonomy over their information.

R analysis incorporates trend, correlation, and sentiment analysis, and in one application uses age as a variable. Since only one survey respondent reported being 20 years old, that value was eliminated because of limits on sample size. The analysis reveals that the word *friends* is a unique and recurring response of 19-year-old freshmen survey participants. It is also noted that while 18-year-olds do not mention the word *friends* as frequently, they use the words *counseling* and *provider* with more frequency than do their peers who are one year older. There is a strong

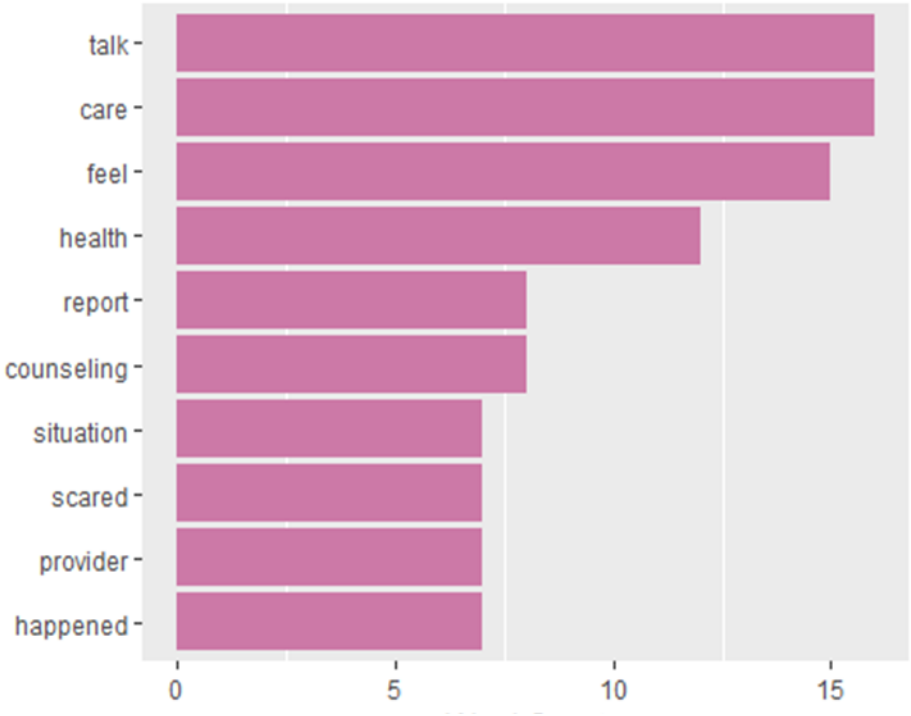
probability that younger students believe that university support services play a vital role when someone is reacting to the trauma of NCSC. Older students would tell friends before seeking university resources.

Table 8: *R* Analysis – Word Frequency by Age - Question 8



Word frequencies by age include words that have an unclear value, such as *that, then, have, about, with, and because* in 18 and 19-year-old students. This finding supports the assertion that further exploration of word combinations and sentiment of phrases is essential when looking at frequencies.

Table 9: *R* Analysis – Word Frequencies after Viewing Title IX Video - Question 8



Participant word frequencies include more descriptive and focused language in response to watching a video about the meaning of the Title IX Mandate pertaining to faculty, staff, and support services within a university community. Stand-alone words still require exploration of how and in what context they are used with other words. Tables 8 and 9 depict word frequencies that give the researcher a starting point to direct further exploration. Further *R* analysis is necessary to make sense of sentiment and emotion behind the words used.

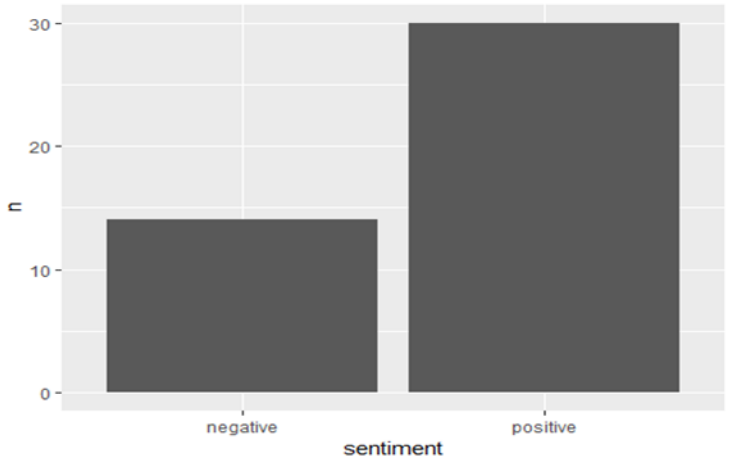
Question 9: Whom would you tell if you were to experience non-consensual sexual contact?

Question 9 is excluded from *R* analysis because graduate students chose not to perform *R* analysis for this question.

Question 10: How do you believe the Title IX Mandate would affect your decision to ask for help from CARE (Victim Advocacy), Student Health, or Counseling Services if you were to experience non-consensual sexual contact?

Sentiment analysis with *R* shows that word frequencies are associated with positive attitudes about seeking assistance from university resources. The most commonly occurring positive words are *encourage*, *trust*, *comfortable*, *easier*, *support*, *safe*, *ready*, *protect*, and *positive*. Terms associated with negative sentiment about the Title IX Mandate include *severity*, *illegal*, *hurt*, *hinder*, *hesitant*, *frightening*, *fear*, *deter*, and *danger*. The *R* analysis demonstrates that university freshmen would be more likely to seek assistance from university resources due to the Title IX Mandate.

Table 10: *R* Analysis – Positive and Negative Sentiment – Question 10



Analysis with *R* indicates that overall, students express positive sentiment about seeking assistance from advocacy, health, and counseling services for the effects of NCSC after receiving information about the Title IX Mandate.

Question 11: How do you want Resident Assistants, professors, and student employees of the university to handle your private information if you tell them you experienced non-consensual sexual contact?

Table 11 shows the highly popular words that survey respondents use, regardless of age, when describing how they want university personnel to manage their disclosures about NCSC. The words listed from most frequent to less frequent occurrence are information, report, confidential, people, and private.

Table 11: *R* Analysis - Popular Words – Question 11

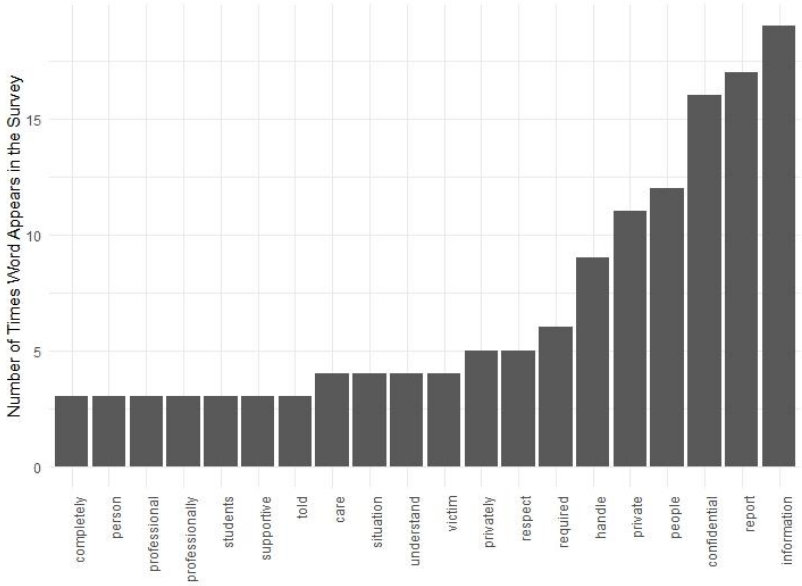


Table 12: *R* Analysis – Popular Words by Age – Question 11

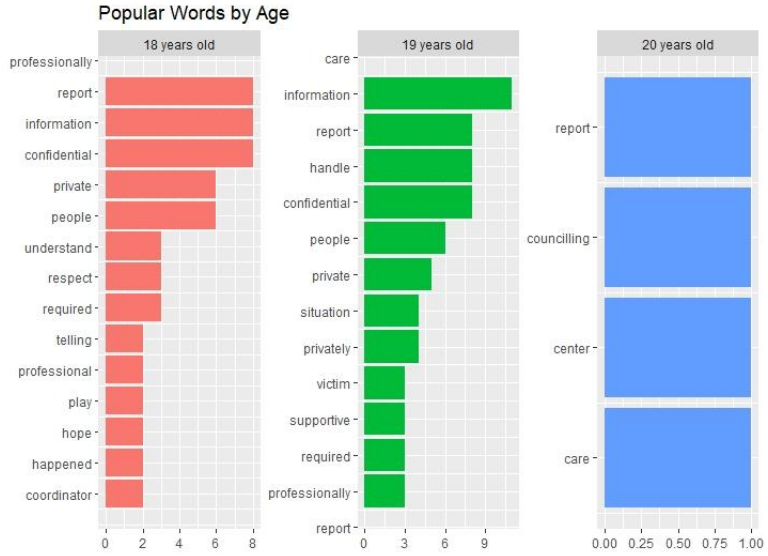


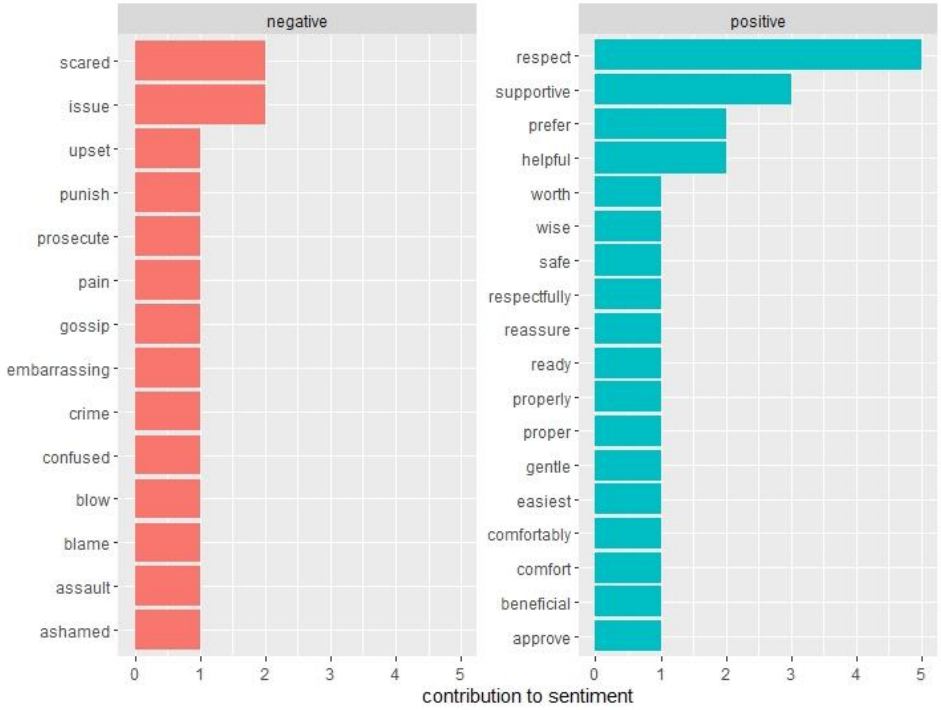
Table 12 shows that younger freshmen use words *report*, *information*, and *confidential* while older freshmen use words *report*, *counseling*, *center*, and *care*. The use of these words may indicate that older students prefer to manage their disclosures with the assistance of support services. In comparison, younger students depend on university personnel to take control and confidentially manage their reports.

Table 13: *R* Analysis – Popular tf-idf Words – Question 11

"Confidential"	"kept"	"rather"	"else"	"would"	"nobody"

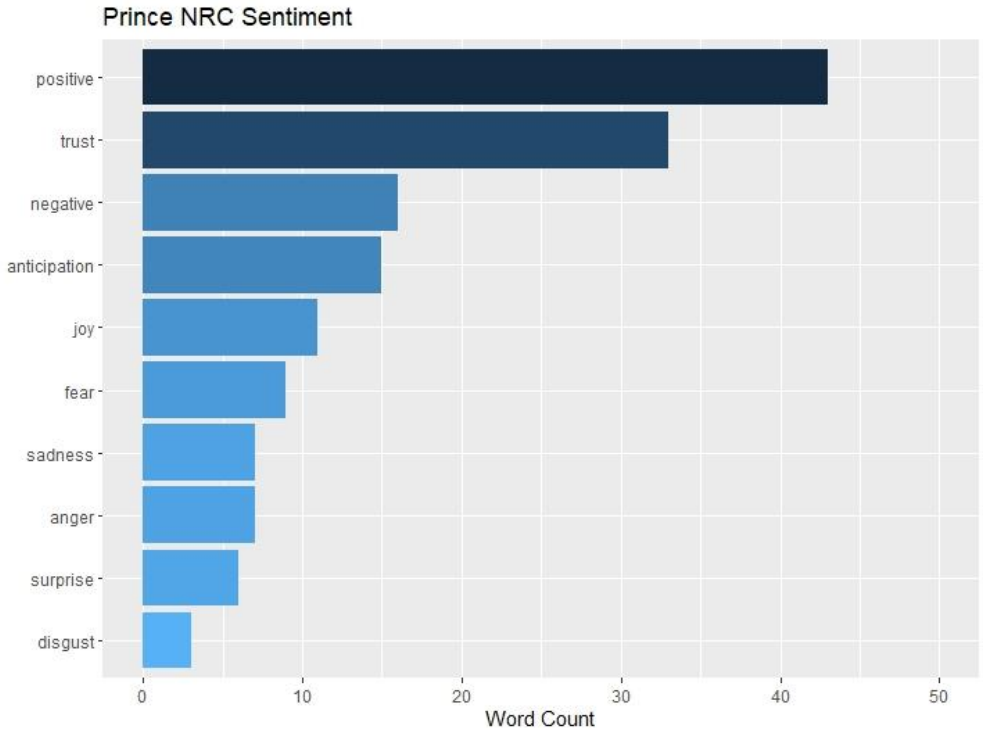
The words in Table 13, although survey participants use them less frequently than other words in their responses, appear to carry more importance for freshmen.

Table 14: *R* Analysis – Sentiment (Bing) – Question 11



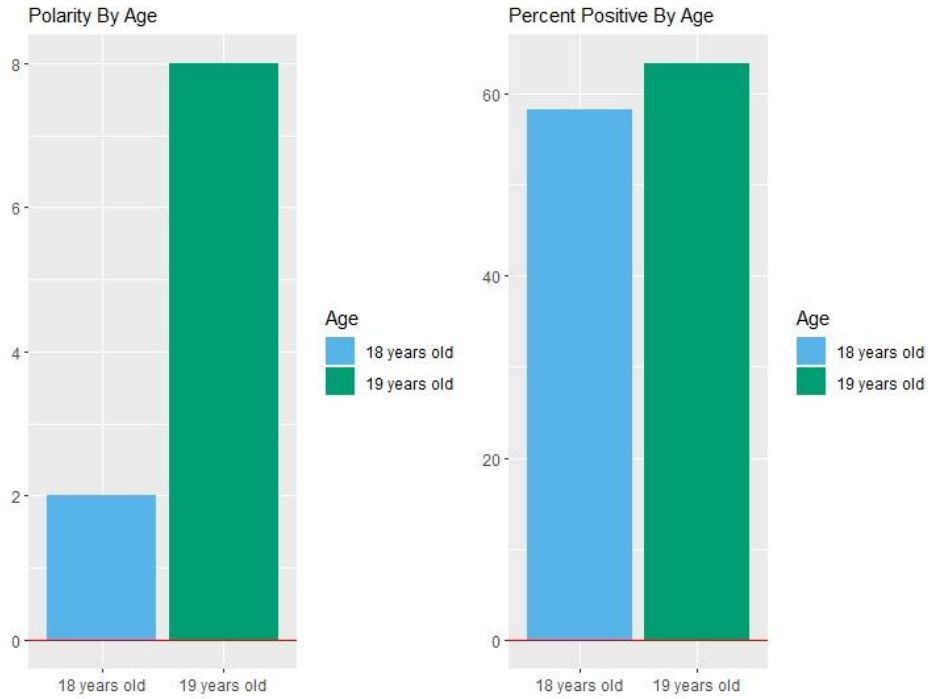
Bing analysis shows that Freshmen respondents associate positive sentiments toward the words *respect* and *supportive* when describing how they want mandated reporters to handle their private information after disclosing experiences of NCSC. Positive feelings associated with receiving support and respectful responses appear to outweigh perceived negative feelings, such as being *scared* to talk about the *issue* with university personnel who are mandated reporters.

Table 15: *R* Analysis – Sentiment (NRC) – Question 11



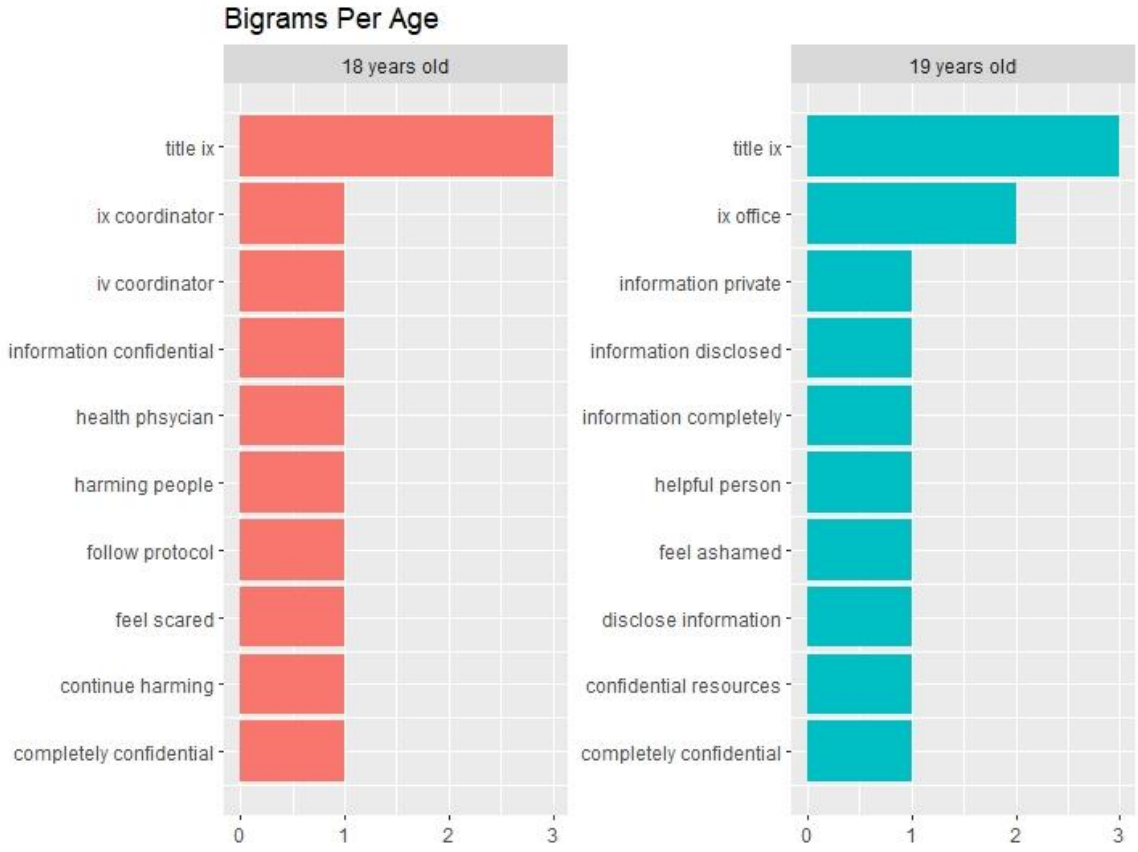
NRC analysis indicates that freshmen exhibit overall positive sentiment about telling mandated reporters about NCSC. The words *positive* and *trust* may indicate that freshmen have established positive and trusting relationships with university personnel at the time of this study (end of freshman year).

Table 16: *R* Analysis – Polarity (positive-negative) and Percent Positive (Positive/(positive+negative)) by Age – Question 11



Polarity analysis indicates that older freshmen used more words associated with positive sentiments toward telling mandated reporters about NCSC than younger 18-year-old freshmen. Percentages of polarity indicate that 18-year-old freshmen survey participants did not vary significantly from 19-year-old freshmen in the use of words that convey positive sentiment at the end of the first year in the residence halls. The findings may indicate that increased exposure to university personnel such as professors, Residence Assistants, and student employees creates increased confidence and trust.

Table 17: *R* Analysis – Bigrams by Age – Question 11



Bigrams, or two-word combinations, can change the meaning of analysis when negating words such as *not* occur in front of tokens such as *happy* or *like* (Silge & Robinson, 2017, p. 51). Bigram sentiment analysis shows that negating words and age do not significantly impact word associations.

Table 18: *R* Analysis – Word Pair Count – Question 11

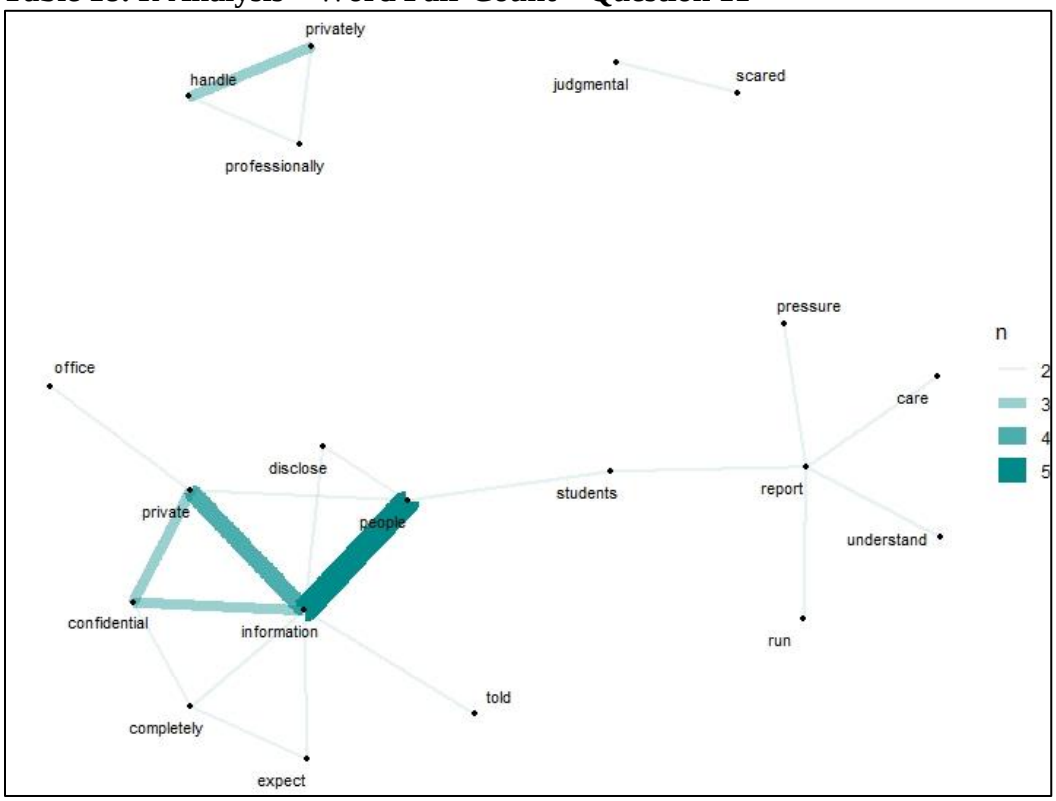


Table 18 depicts the occurrence of word pairs in response to Question 11. The most commonly occurring word pairs are *people-information* and *private-information*. The paired words *private-confidential* and *confidential-information* occur similarly in frequency within the same section.

Table 19: *R* Analysis – Word Correlation – Question 11

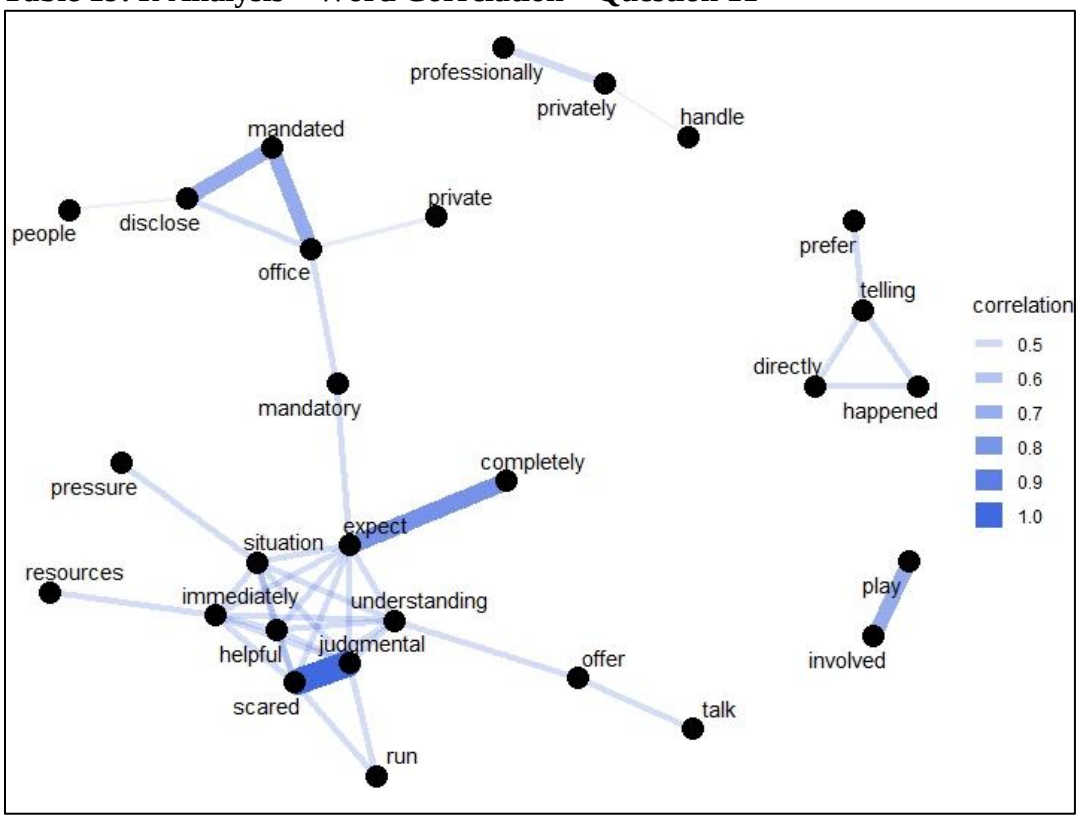
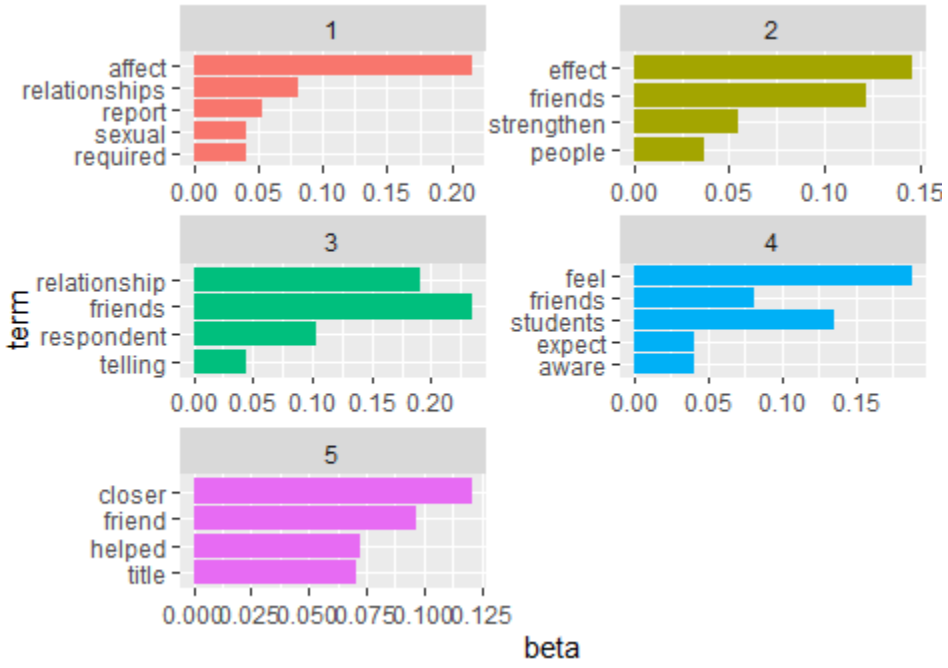


Table 19 shows words that occur in correlation with each other more often than they appear separately in the same section of the survey (Silge & Robinson, 2017, p. 63). The following italicized word pairs occur in correlation with each other more than they do separately (listed in descending order of frequency): *scared-judgmental*, *expect-completely*, *disclosed-mandated*, *mandated-office.* Bigram, paired word, and correlation analysis operations of *R* provide a means to explore "relationships and connections between words" (Silge & Robinson, 2017, p. 67); and add support to the sentiment analysis results.

Question 12: How might the Title IX Mandate to report non-consensual sexual contact affect your relationship with your friends and other students?

As depicted in Table 20, *R* Beta analysis clarifies and supports the traditional text data analysis regarding how the Title IX Mandate will affect relationships. Few graduate students chose to analyze Question 12, but limited *R* analysis of word frequencies identifies that students feel required to report NCSC because of the mandate. It also shows that students believe that confiding in a friend about NCSC will strengthen trust in the relationship and bring friends closer to each other. Freshmen feel that friendships are impacted negatively when peers engage in *victim-blaming.* They indicate that they expect their friends to understand and support their needs.

Table 20: *R* Analysis – Term Frequency – Question 12



Term frequency (tf) beta per-topic-per-word analysis (Table 20) demonstrates that the terms *affect*, *effect*, *friends*, *feel*, and *closer* occur with similar importance in responses to the

survey question about how the Title IX Mandate might affect relationships with friends and other students.

Question 13: How does the Title IX Mandate affect your safety within the campus community?

As stated previously in the discussion of results to Question 7, the Text and Unstructured Data Analytics course professor asked the graduate students to identify the most frequently used words in responses to Question 7 and Question 13 of the survey. Next, she asked students to use *tf-idf* analytics to identify unique words in those responses and explain if the results give a different perspective than the most frequently used words. The final task of the *R* analysis of the combined Questions 7 and 13 included identifying the sentiments and common tokens (unigram, bigram, trigrams). Graphic depictions integrate responses to Question 13 with responses to Question 7. Refer to tables 2, 3, 4, 5, 6, and 7 for *R* analysis results for both Question 7 and Question 13.

R analysis shows the most prevalent word frequencies in response to this question are *safer*, *resources*, *ensures*, *improves*, *aware*, and *knowing*. The prevalence of these words within the responses indicates that most freshmen participants perceive that the Title IX Mandate positively impacts their safety.

When applying *tf-idf* rules to the data set in search of unique words, the word *information* surfaces frequently. Students report feeling safer when they have the necessary information about NCSC. Sentiment analysis of this same question reinforces this finding as it reveals that students feel slightly safer and more confident with more resources.

R application of word counts, *tf-idf* analysis for unique words, sentiment analysis, and the review of common tokens permits one to surmise that the freshmen participating in the research

survey had more positive feelings than negative feelings about the effects of the Title IX Mandate. *R* analysis supports the traditional text analysis method in general. It points to the same findings that students feel safer when they receive more information and know more about university resources when they or peers experience NCSC.

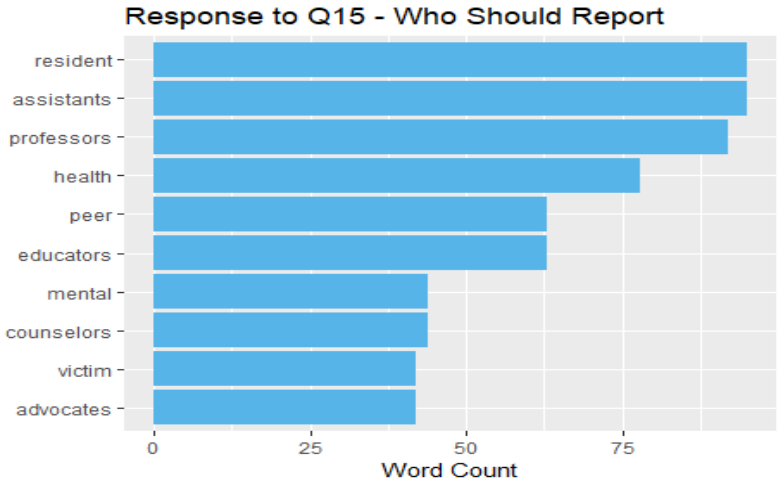
Question 14: Which university employees are not required to report information about non-consensual sexual contact to a Title IX Coordinator?

Question 14 is excluded because graduate students did not elect to perform *R* analysis of this question as part of the final examination for the *Text and Unstructured Data Analytics* course.

Question 15: Which university employees are required to report information about non-consensual sexual contact to a Title IX Coordinator?

There are four scenarios in the informational video that prompt students to focus on the mandated roles of various personnel after receiving reports of NCSC. The average time spent taking the survey was under ten minutes, possibly indicating that participants watched the video once, either partially or in its entirety, before taking the survey. The video does not reference the role of peer educators regarding mandated reporting. These findings probably indicate that it is necessary to use adjunct methods to reinforce information for university freshmen about mandated reporting roles of various university personnel. Table 21 provides term frequencies (*tf*) that occurred most commonly in multiple-choice responses to Question 15.

Table 21: *R* Analysis – Term Frequency – Question 15



Question 16: What living and classroom arrangements do you believe the university should make for the student who experiences non-consensual sexual contact with another student?

Table 22 below shows that the term *student* occurs most frequently in survey participants' responses to Question 16 about the university's role in managing living and classroom arrangements for students involved in reports of NCSC. The words *victim*, *university*, *guilty*, *investigate*, and *expulsion* are other terms that occur in order of descending frequency. This finding opens the door for further exploration of student sentiments. Still, it may indicate that students believe they should have the most critical role in determining living and classroom arrangements following NCSC.

Table 22: *R* Analysis – Popular Words – Question 16

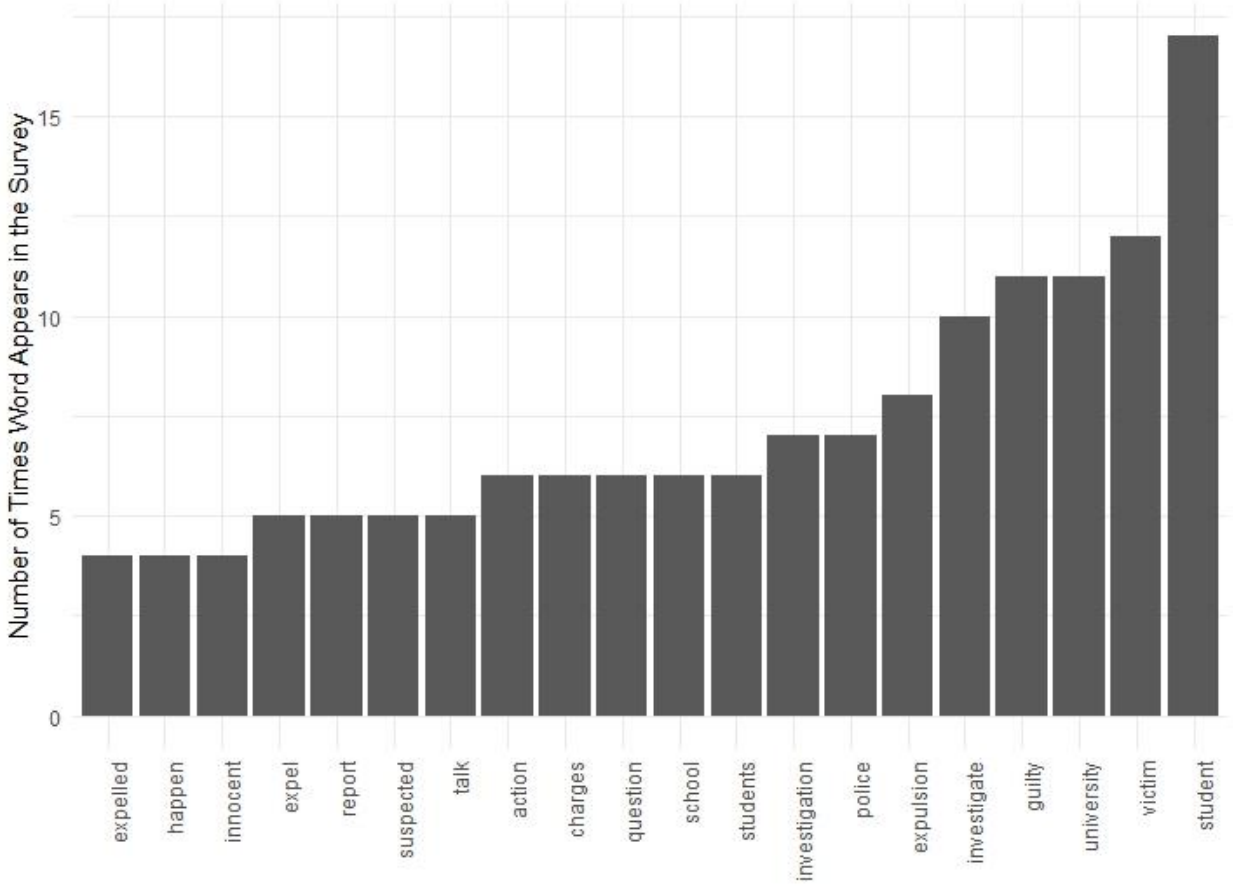


Table 23: *R* Analysis – Popular Words by Age – Question 16

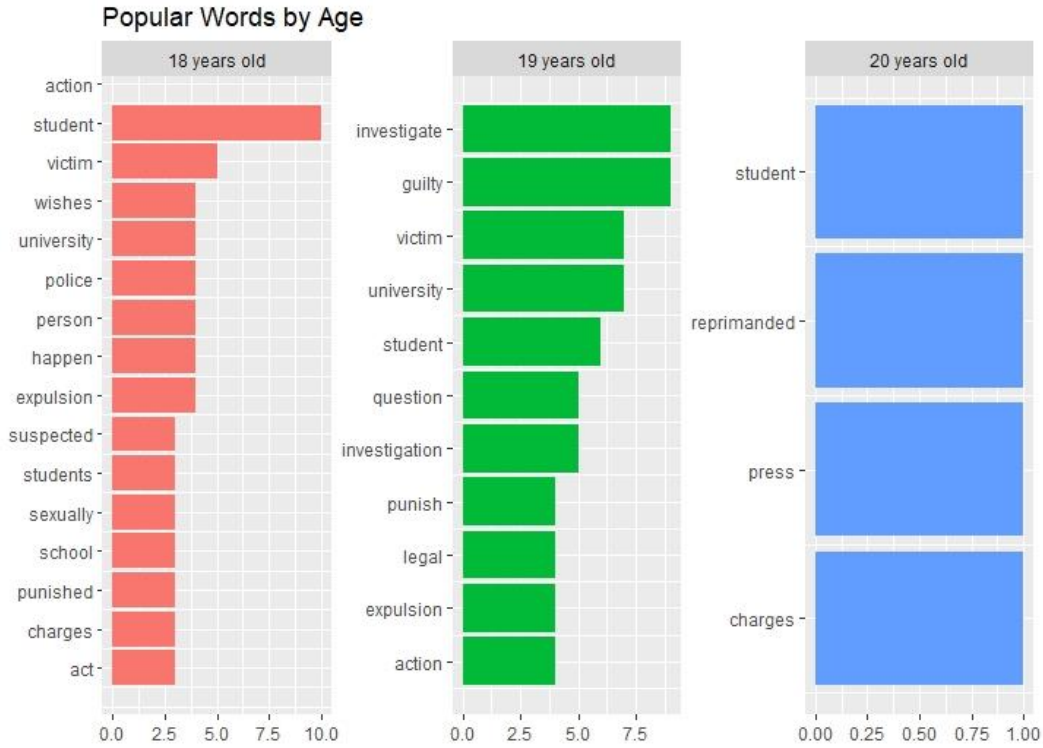


Table 23 shows that 18-year-old students frequently use the term student in responses about the university's role in determining classroom and living arrangements. In contrast, 19-year-old freshmen most frequently use the terms *investigate* and *guilty*. They use the words *victim* and *university* with similar frequency, and the term *student* is fifth in the descending order of occurrence in their responses. The terms *student*, *reprimanded*, *press*, *charges* occur with similar frequency in survey responses of 20-year-old students. Further *tf-idf* sentiment analysis is essential to understand the variances between age groups in the significance of these popular words and how students perceive the university's role.

Table 24: R Analysis - Popular tf-idf words – Question 16

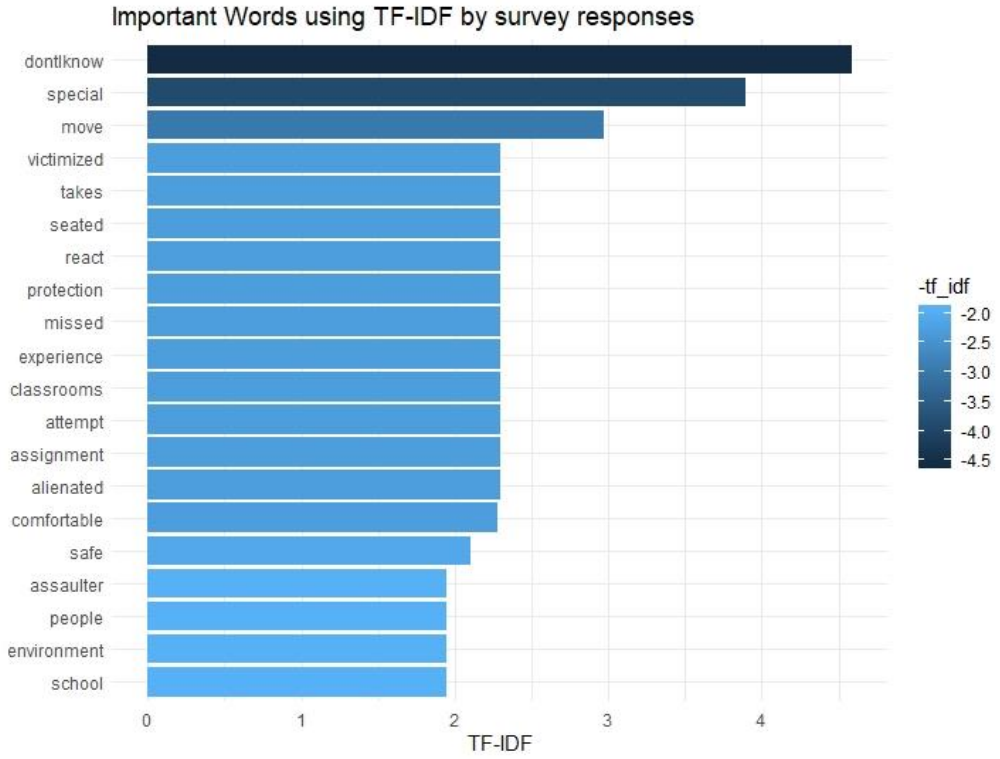


Table 24 shows *term frequencies* (tf) and *inverted document frequencies* (idf) as indicators of the underlying sentiments of all survey participants. The term *don't know* surfaces as the most prevalent sentiment about how freshmen want the university to manage classroom and living arrangements. Next in importance are the terms *special* and *move*, while multiple other terms occur with similar frequency. This occurrence may indicate that freshmen have many ideas about which they feel strongly, and would be worthy of discussion. This is an opportunity for schools to explore student needs and wants through facilitated AI exercises. Using AI, students can recommend inclusive strengths-based actions they can take when determining necessary accommodations for their safety.

Table 25: R Analysis – Sentiment (Bing) – Question 16

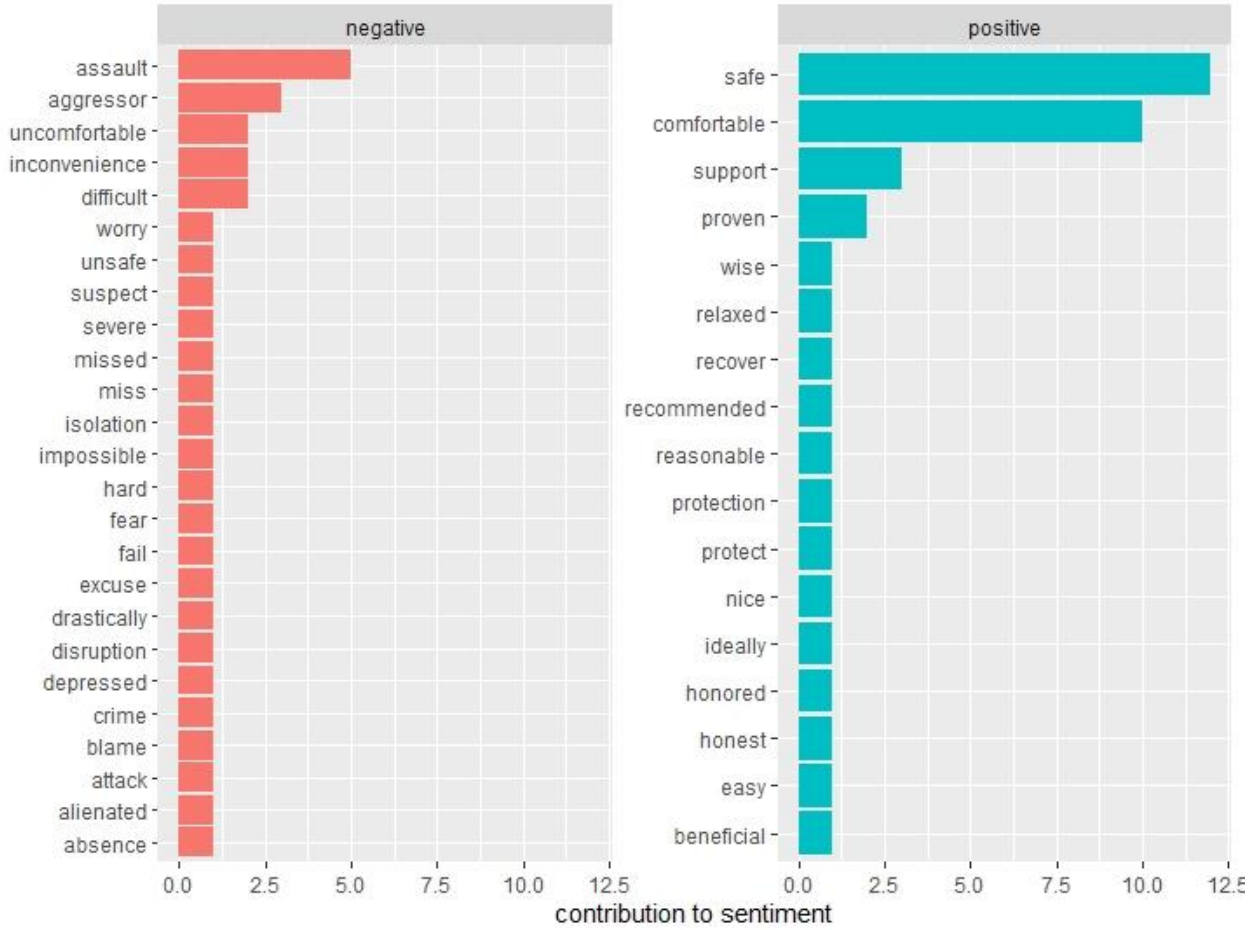


Table 25 illustrates that freshmen survey participants have a strongly positive sentiment associated with the terms *safe* and *comfortable* when responding to the question about the university's role in living and classroom arrangements for students involved in reports of NCSC. The positive association with these terms outweighs the negative association with terms such as *assault* and *aggressor* when considering the university's role.

Table 26: R Analysis – Sentiment (NRC) – Question 16

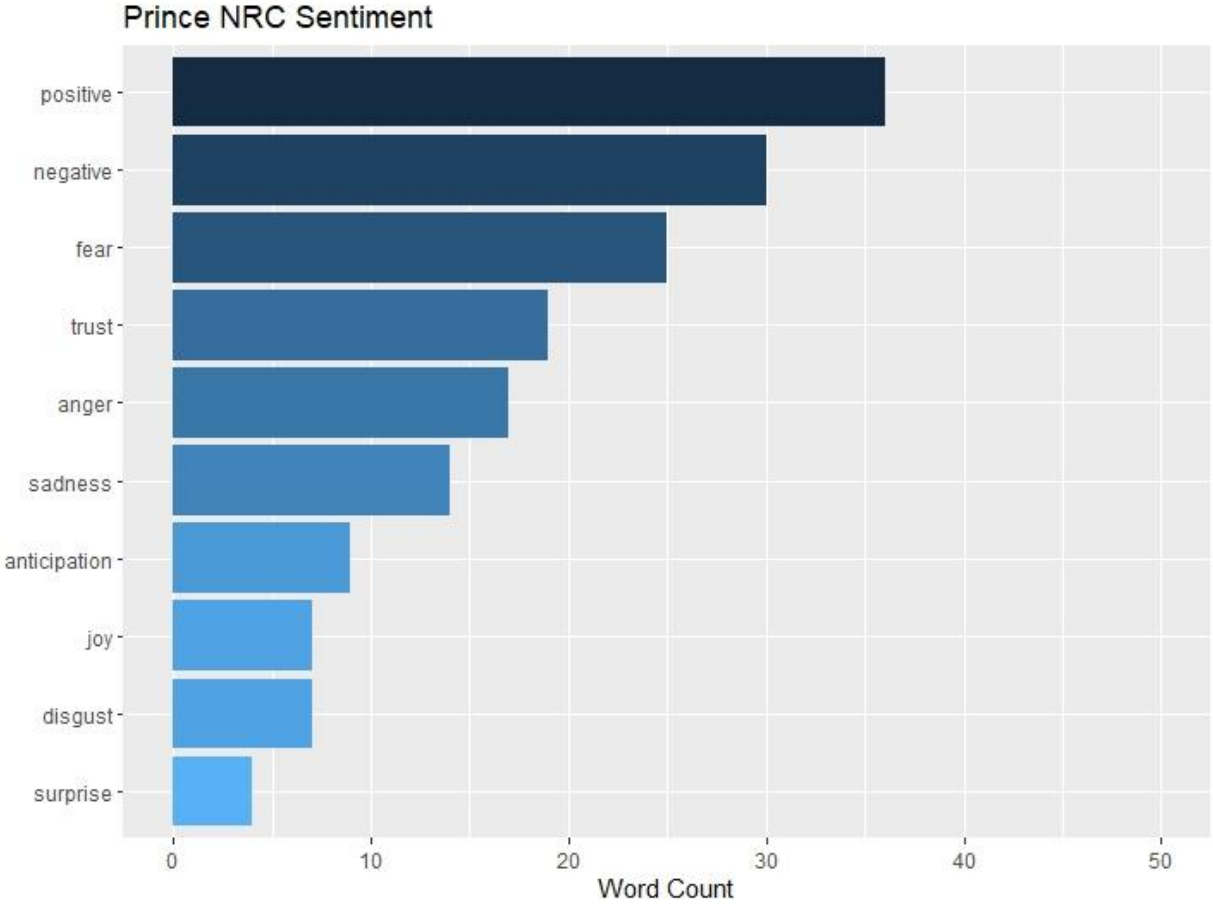


Table 26 shows that freshmen attach more positive sentiment than negative with the university's role in making living and classroom arrangements for students who experience NCSC. While many participants sense the sentiment of fear, they indicate moderate *trust* and overall positive feelings in their responses.

Table 27: *R* Analysis - Polarity (positive-negative) and Percent Positive (Positive/(Positive+negative)) by age – Question 16

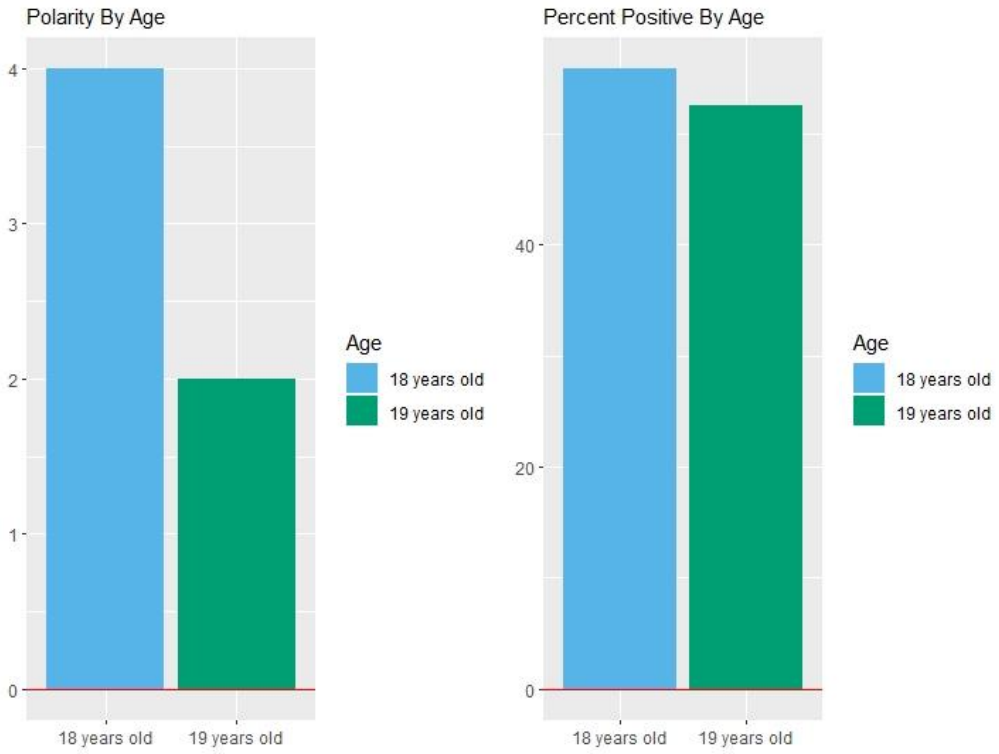


Table 27 shows that 18-year-old freshmen have more positive sentiment than do 19-year-olds concerning their beliefs about how the university should manage classroom and living arrangements as they respond to people involved in reports of NCSC. However, there is little difference in percentages of each age group that experiences overall positive sentiment.

Table 28: *R* Analysis - Bigram by age – Question 16

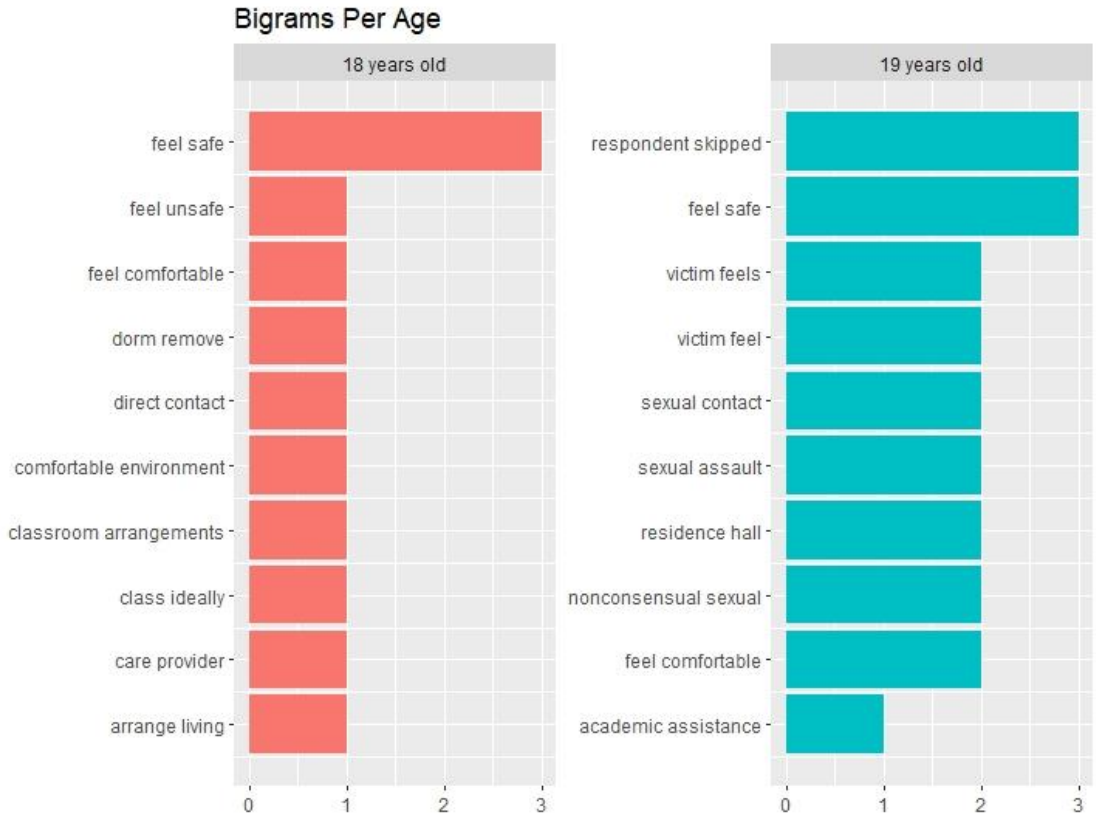


Table 28 shows that in responses of 18-year-old and 19-year-old freshmen, the words *feel-safe* occur together in pairs with similar frequency and much more than other terms. The table shows that as many 19-year-olds skipped the question as did those who used the terms *feel-safe* in pairs. The 19-year-olds that responded to Question 16 used multiple words that occurred in pairs much of the time. Bigrams such as *feel-comfortable* surfaced in both age groups, but more commonly in the responses of 19-year-old than 18-year-old participants.

Table 29: *R* Analysis – Word Pair Count – Question 16

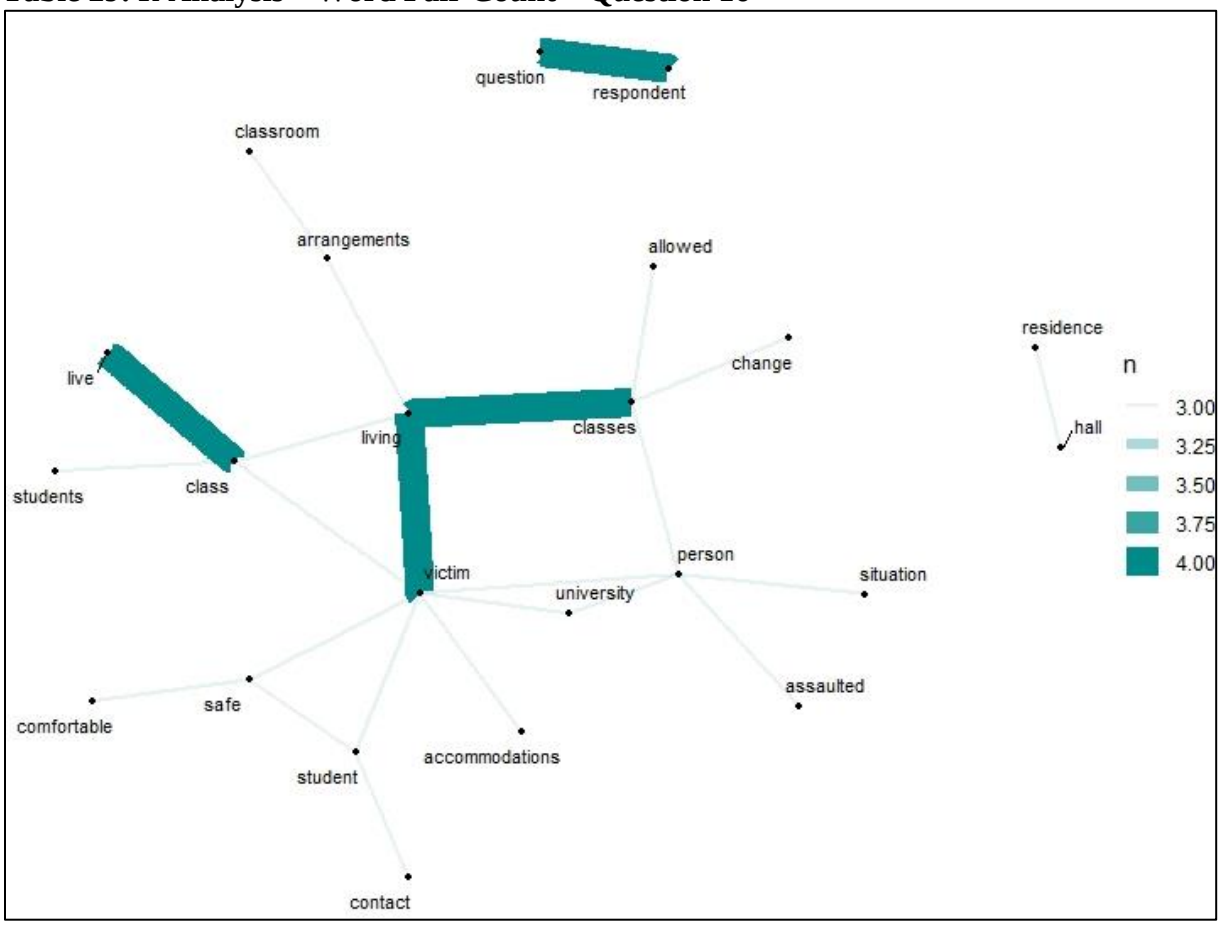


Table 29 indicates that the word pairs *respondent-question*, *victim-living*, *living-classes*, and *live-class* occur similarly in frequency and strong contrast to all other paired words. Again, analysis, including the clarification that the respondent skipped the question, may have been unintentional. However, it perhaps indicates that freshmen who answered the question had similar sentiments overall.

Table 30: *R* Analysis – Word Correlation – Question 16

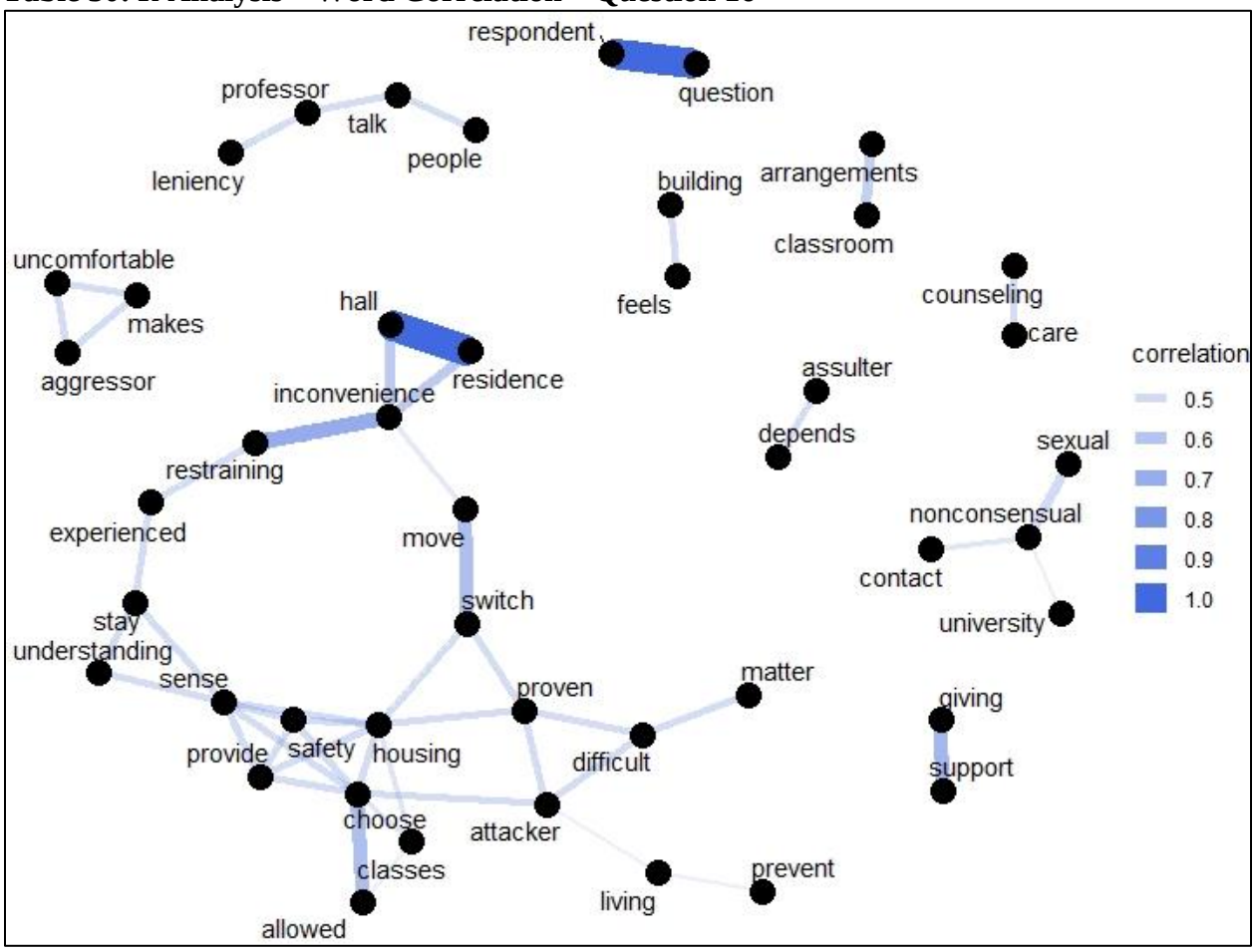


Table 30 shows that the highest number of prevalent word correlations is similar to the number of respondents who skipped the question about how universities should manage classroom and living arrangements for students involved in reports of NCSC. The most common word correlation, *residence-hall*, is followed in the frequency of occurrence by *restraining-inconvenience*, *move-switch*, *choose-classes*, and *giving-support*. Multiple other correlations occur less frequently but may indicate ample opportunities for freshmen to brainstorm and discuss ideas to incorporate into current policies.

Question 17: What should the university do to or for the student who is suspected of causing non-consensual sexual contact to another student?

R analysis software identifies bigrams or the occurrence of paired words in survey responses. The terms *press-charges*, *proven-guilty*, and *found-guil*ty occur most frequently. This early aspect of sentiment analysis indicates that survey respondents want the university to punish people who coerce sexual contact and take legal action against students who are found guilty. Further sentiment analysis is necessary to explore these assumptions. Table 31 shows the popular words that surface in the survey responses.

Table 31: *R* Analysis – Popular Words – Question 17

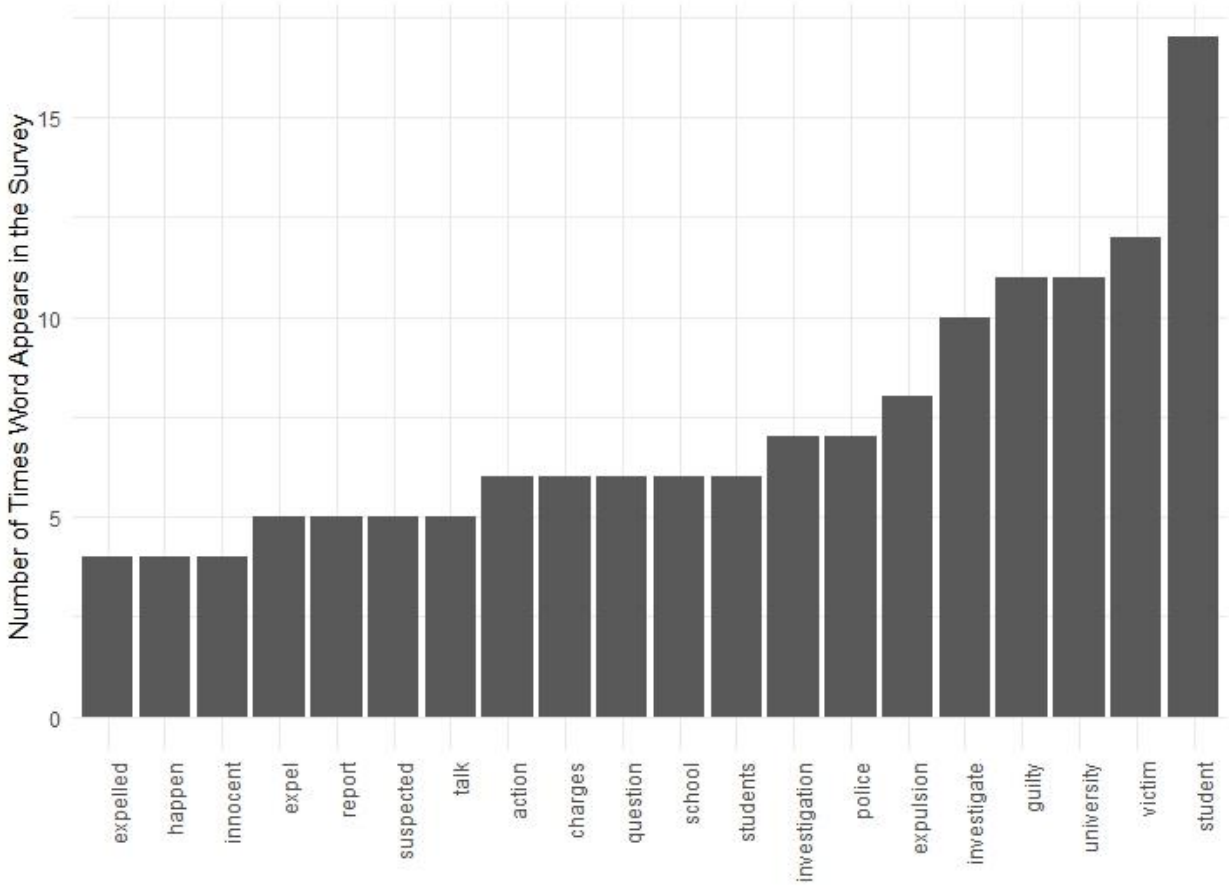


Table 32: *R* Analysis – Popular Words by Age – Question 17

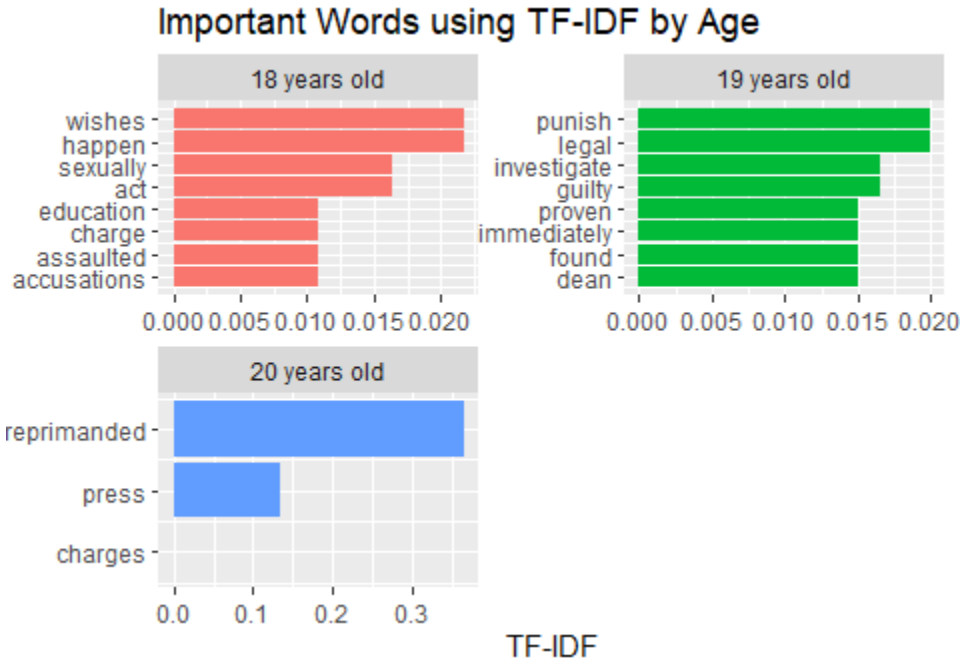


Table 32 shows the most popular words that occur in survey responses to what universities should do to or for the student suspected of coercing sexual contact. The table shows Eighteen-year old freshmen use the words *wishes*, *happen*, *sexually*, and *act* most frequently but further sentiment analysis will focus on the weight and significance of the words. Older students use popular words such as punish, legal, investigate, and guilty and reprimanded which possibly signifies they actively seek justice for harms. Again, the simple finding of popular words may lead us to consider that older freshmen want the university to *investigate* and assess students' *guilt* when suspected of coercing sexual contact. Further analysis is essential to uncover significant underlying sentiments of respondents.

Table 33: *R* Analysis – Popular tf-idf Words – Question 17

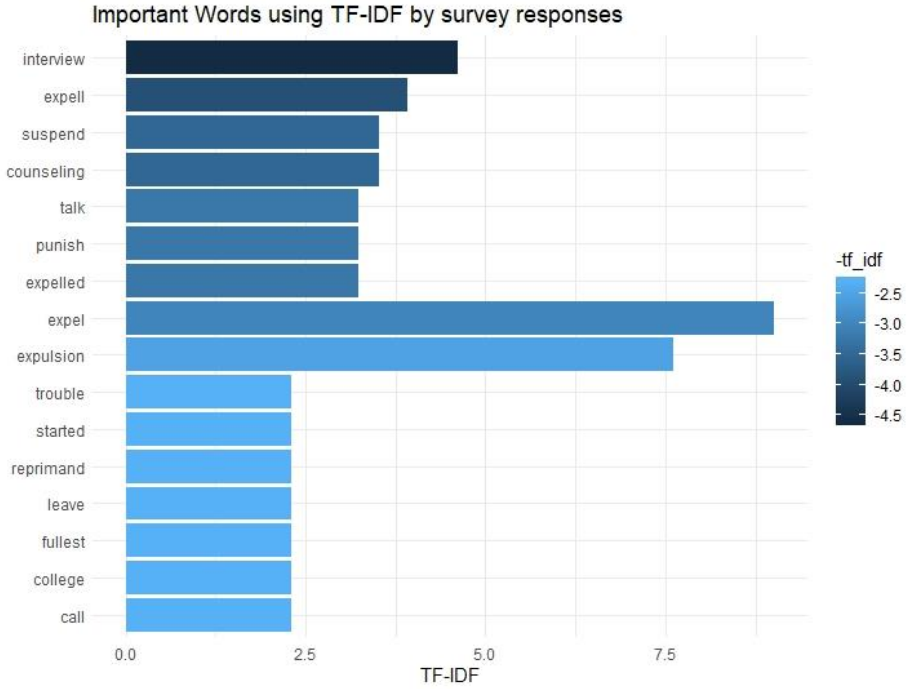


Table 33 shows that *tf-idf* analysis identifies survey participants' underlying sentiment that universities should *interview* students who are suspected of NCSC. As a group, survey participants also believe universities must *expel* students who coerce sexual contact with other students.

Table 34: *R* Analysis – Sentiment (Bing) – Question 17

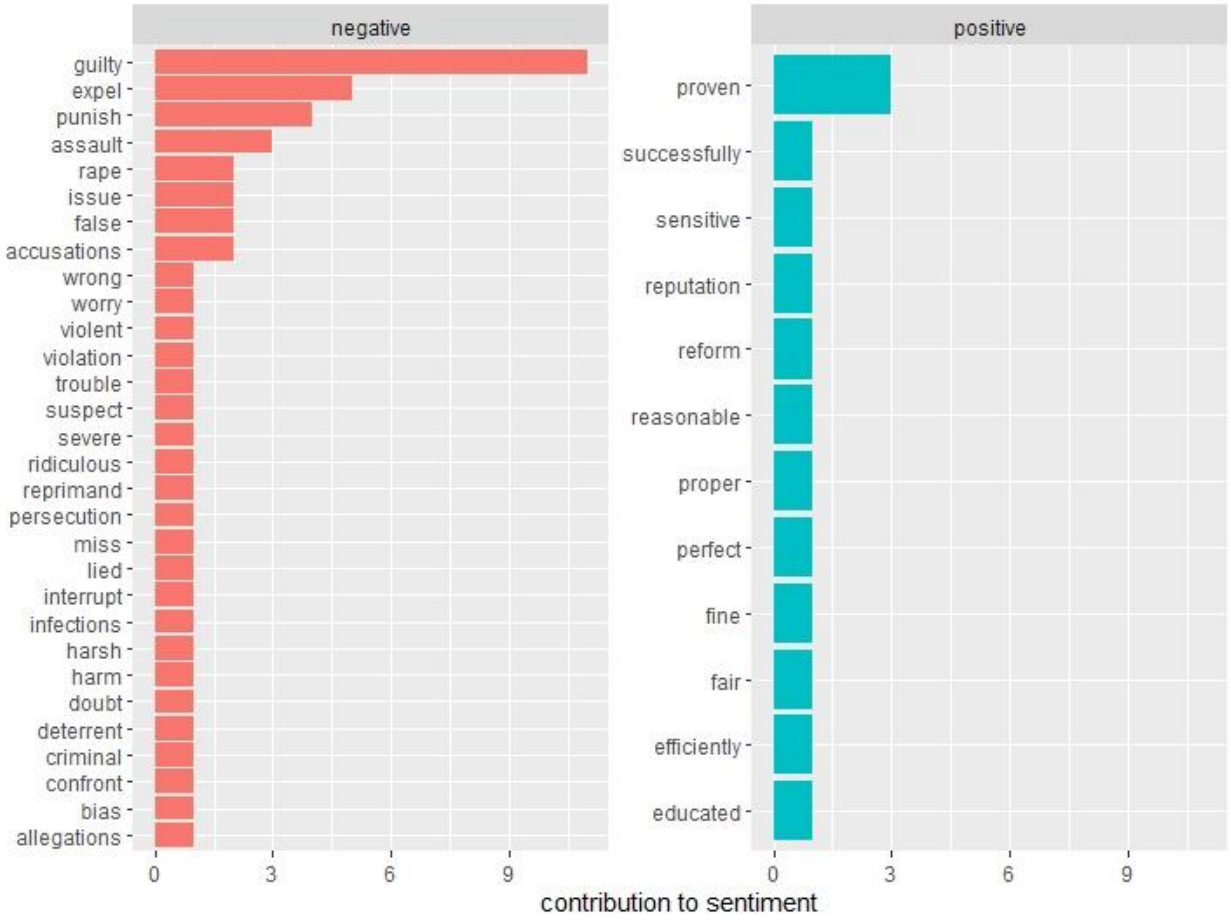


Table 34 shows that survey respondents have highly negative sentiments about students *guilty* of forcing other students to have NCSC. While positive sentiments are associated most commonly with the word *proven*, these results may indicate that it is less important to students that universities *prove* guilt before they *expel* or *punish* students suspected of coercing NCSC.

Table 35: *R* Analysis – Sentiment (NRC) – Question 17

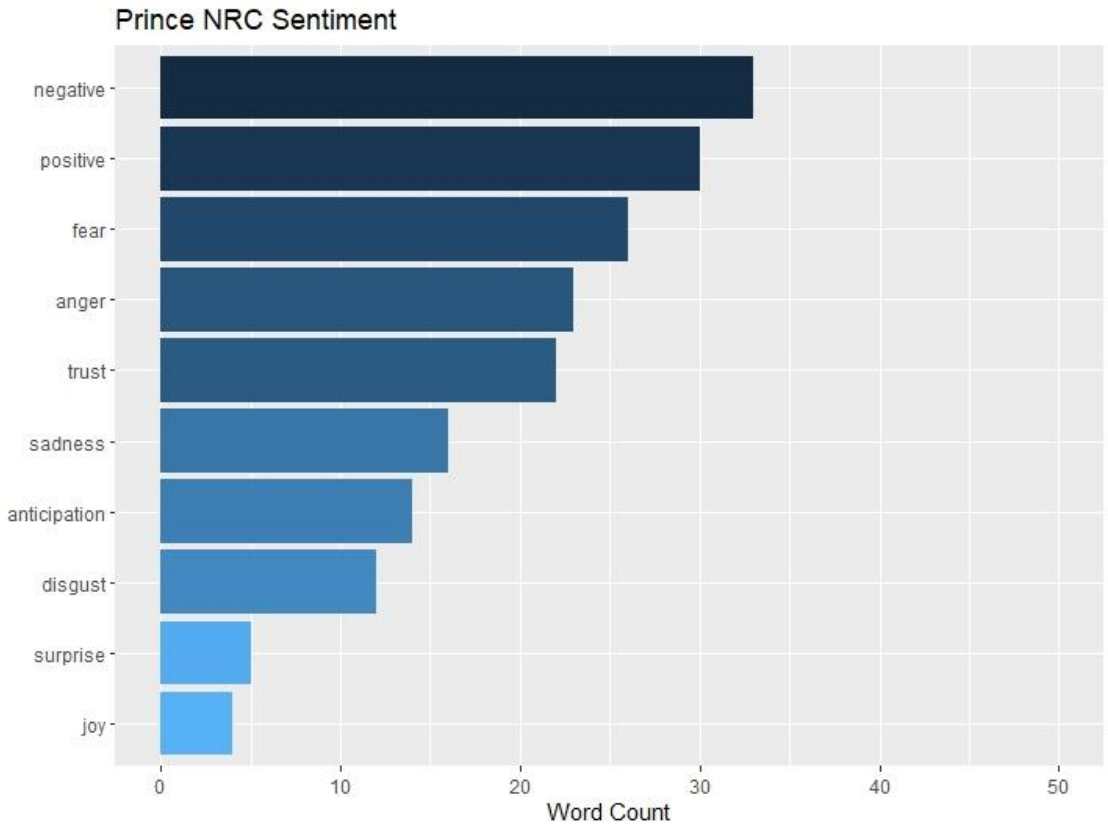


Table 35 demonstrates that freshmen experience highly *negative* sentiment about NCSC in the campus community. They place importance on words such as *fear*, *anger*, *trust*, and *sadness* to describe feelings they have about their expectations for universities in their response to students suspected of forcing NCSC.

Table 36: *R* Analysis - Polarity (Positive – Negative) and Percent Positive (Positive/(Positive+negative)) by Age – Question 17

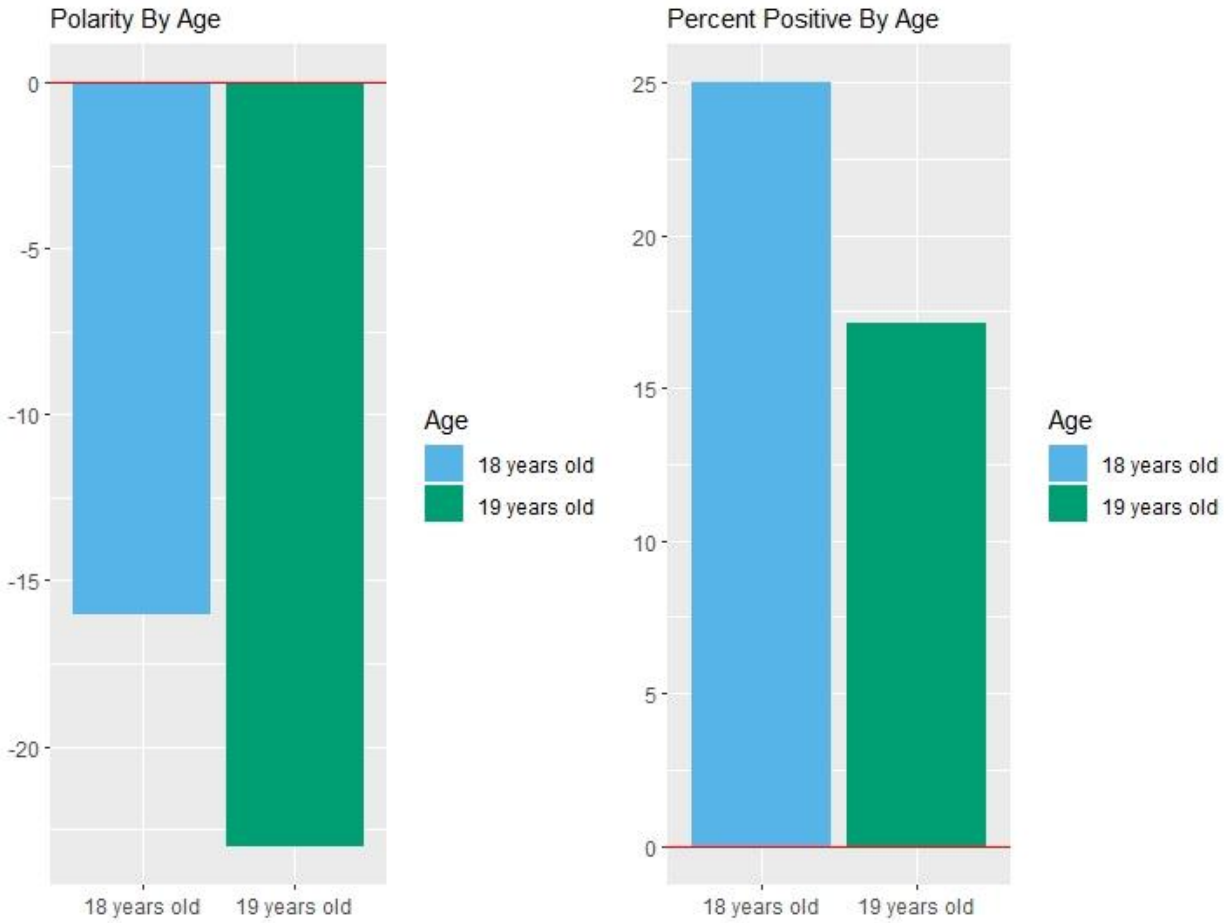
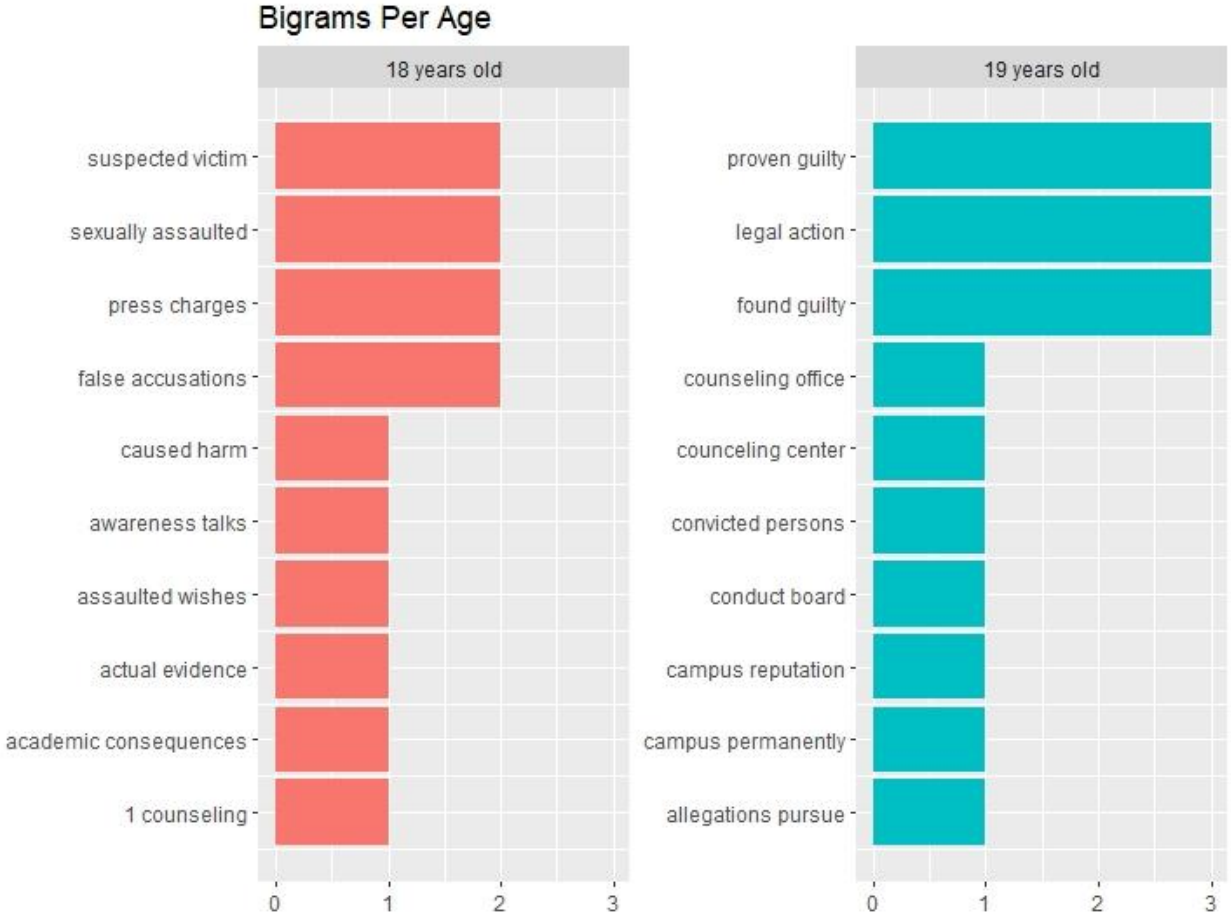


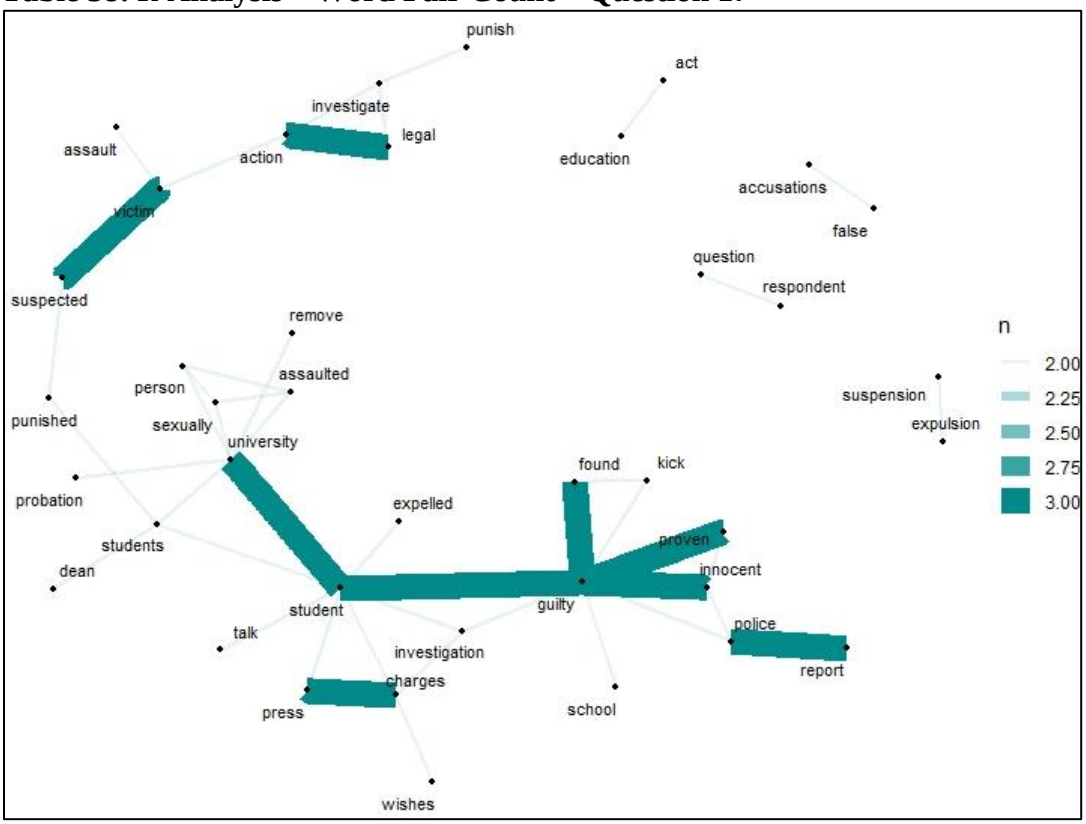
Table 36 illustrates that 18-year-old freshmen experience more positive sentiments about the university intervening with students suspected of coercing NCSC on other students. While 19-year-old freshmen express positivity by percentage about the university intervening with students suspected of coercing NCSC, they may prefer to rely on other avenues, denoted by strong negative polarity by numbers.

Table 37: *R* Analysis – Bigrams by Age – Question 17



Word pair associations in Table 37 may indicate that younger 18-year-old freshmen may rely more on universities than older 19-year-old freshmen for support. Recurring bigrams such as *suspected-victim*, *sexually-assaulted*, *press-charges*, and *false-accusations* may indicate that they expect the university to assume the most responsibility for assessing *guilt*, identifying false accusations, and pressing charges against students involved in reports of NCSC.

Table 38: *R* Analysis – Word Pair Count – Question 17



The word pair count depicted in Table 38 shows that respondents place the most importance on the *suspected-victim* and *legal-action* concerning the university's role in intervening in reports of NCSC. Although slightly less than the above mentioned associations, importance is placed similarly on recurring word pairs such as *university-student*, *guilty-student*, *found-guilty*, *proven-guilty*, *innocent-guilty*, *police-report*, and *press-charges*.

Table 39: *R* Analysis – Word Correlation – Question 17

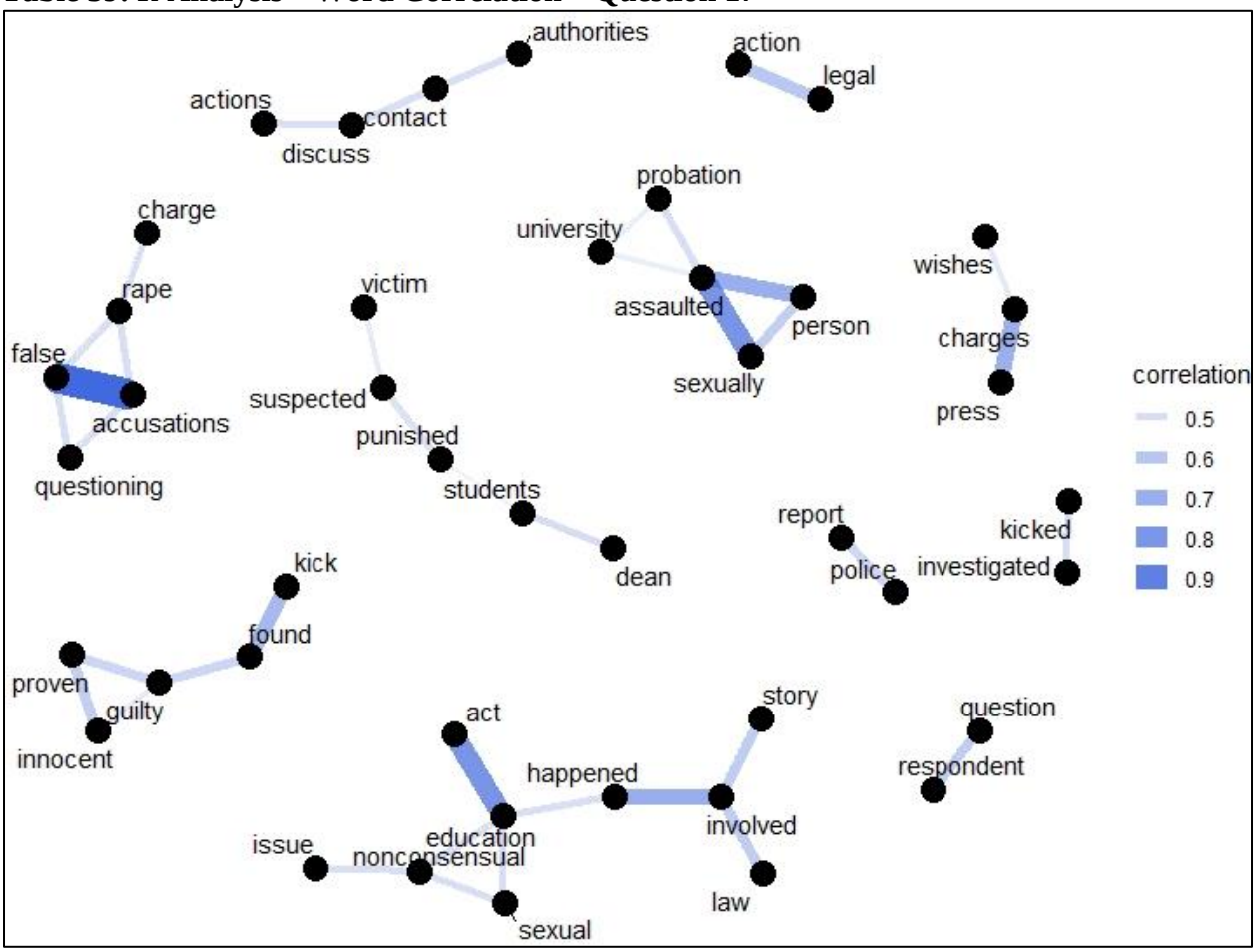


Table 39 indicates the following word correlations recur as essential concerns for freshmen responding to Question 17 about how the university should manage students suspected of NCSC. Word correlations that denote the strongest importance to students are *false-accusations*, *sexually-assaulted,* and *person-assaulted.* Next in importance, although similar to each other, are word correlations such as *education-act*, *kick-found*, *happened-involved*, *press-charges*, and *legal-action.*

Question 18: If you were to experience non-consensual sexual contact caused by another student, how would you feel about telling that student how his or her actions affected you if a professionally trained counselor were there to help you through it?

Table 40 shows the popular words used by survey participants as (in descending frequency), *counselor*, *person*, *comfortable*, and *situation* when responding to the question about how they feel about participating in a professionally supported conversation with the person who coerced sexual contact on them.

Table 40: *R* Analysis – Popular Words – Question 18

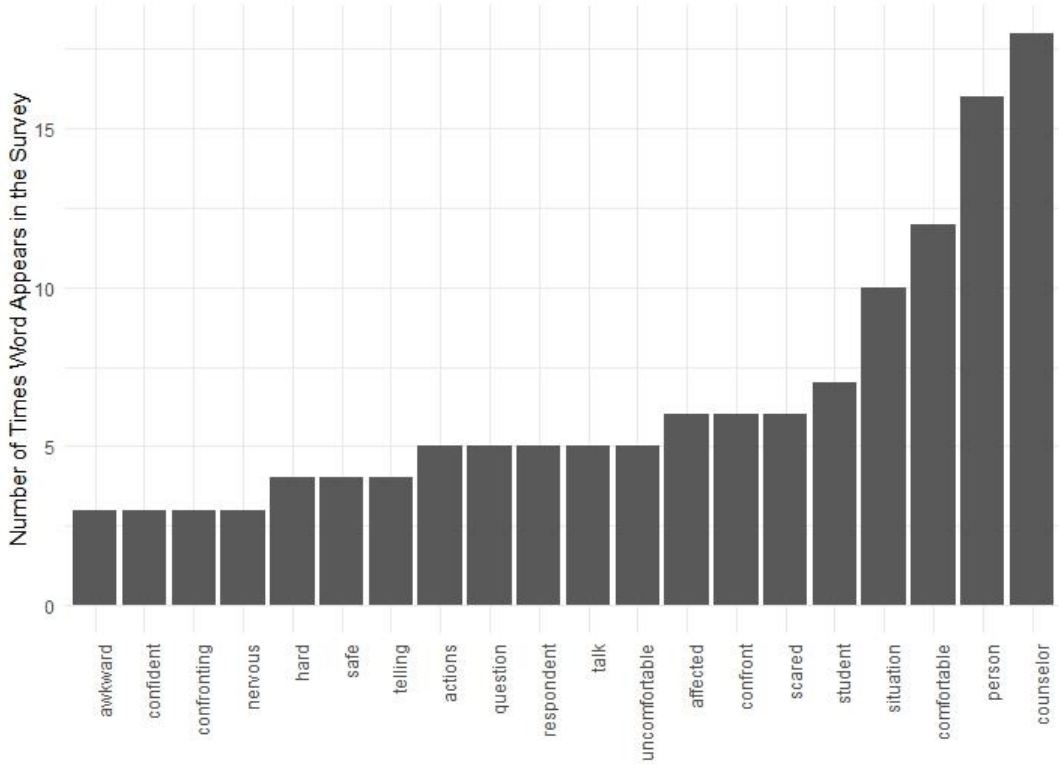


Table 41: *R* Analysis – Popular Words by Age – Question 18

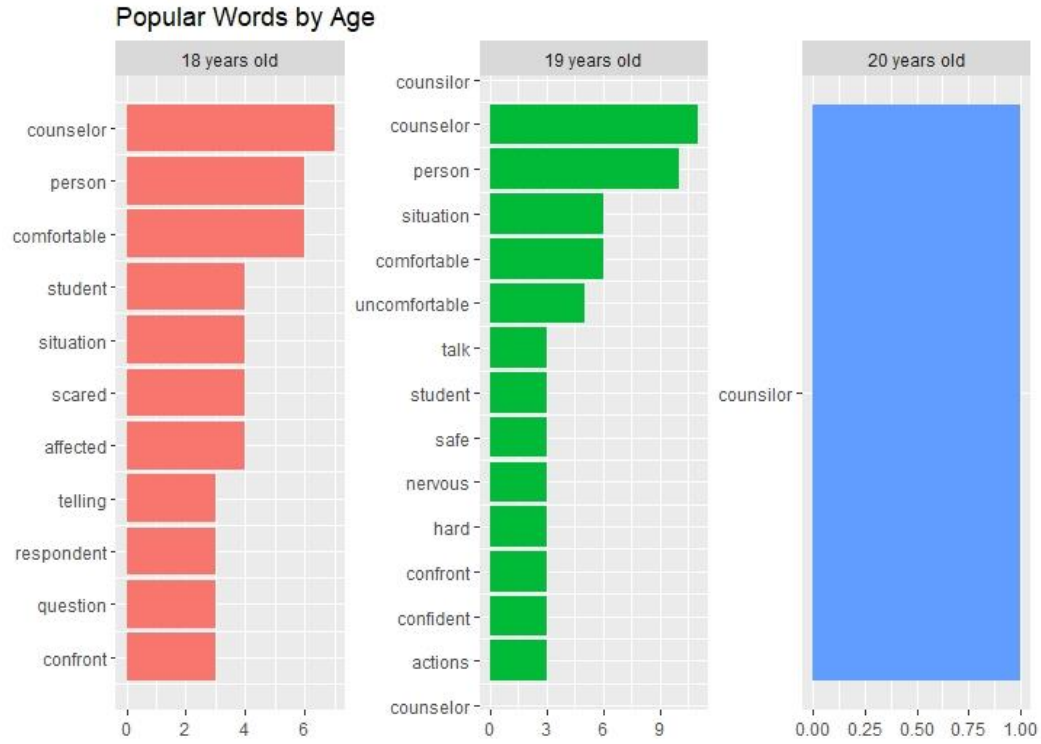


Table 41 depicts that all freshmen respondents, regardless of age, most commonly use the popular word *counselor*. 19-year-old freshmen more commonly use the popular words *person*, *comfortable*, and *situation* than 18-year-old freshmen in response to the question about how they would feel about supported encounters with students who coerce sexual contact. These results indicate the value of offering professionally supported encounters to students instead of relying on university personnel to represent them.

Table 42: *R* Analysis – Popular tf-idf Words – Question 18

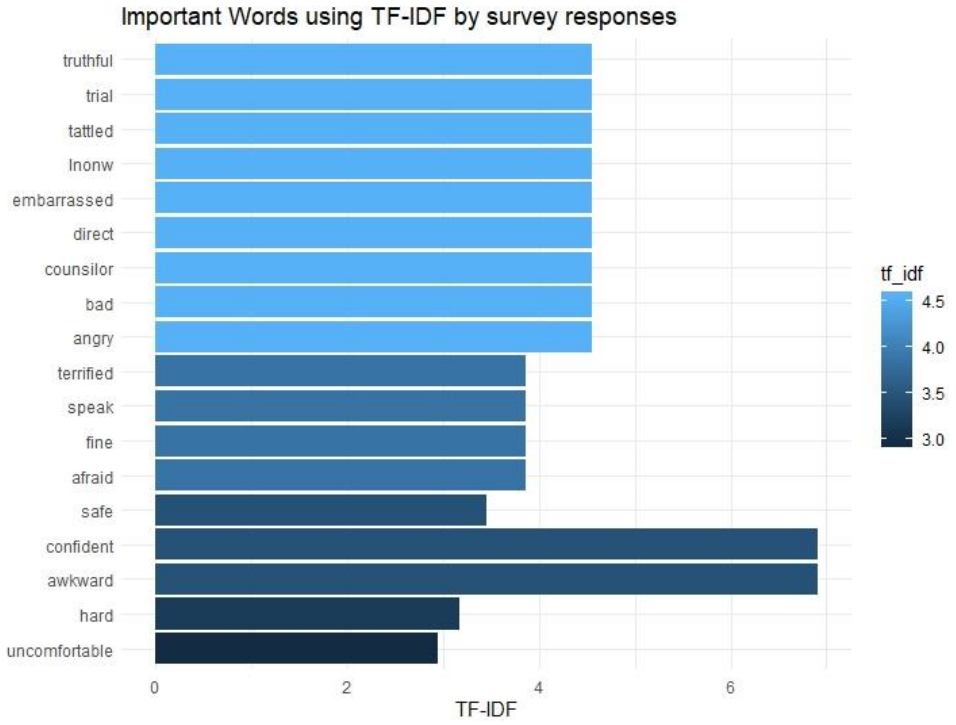
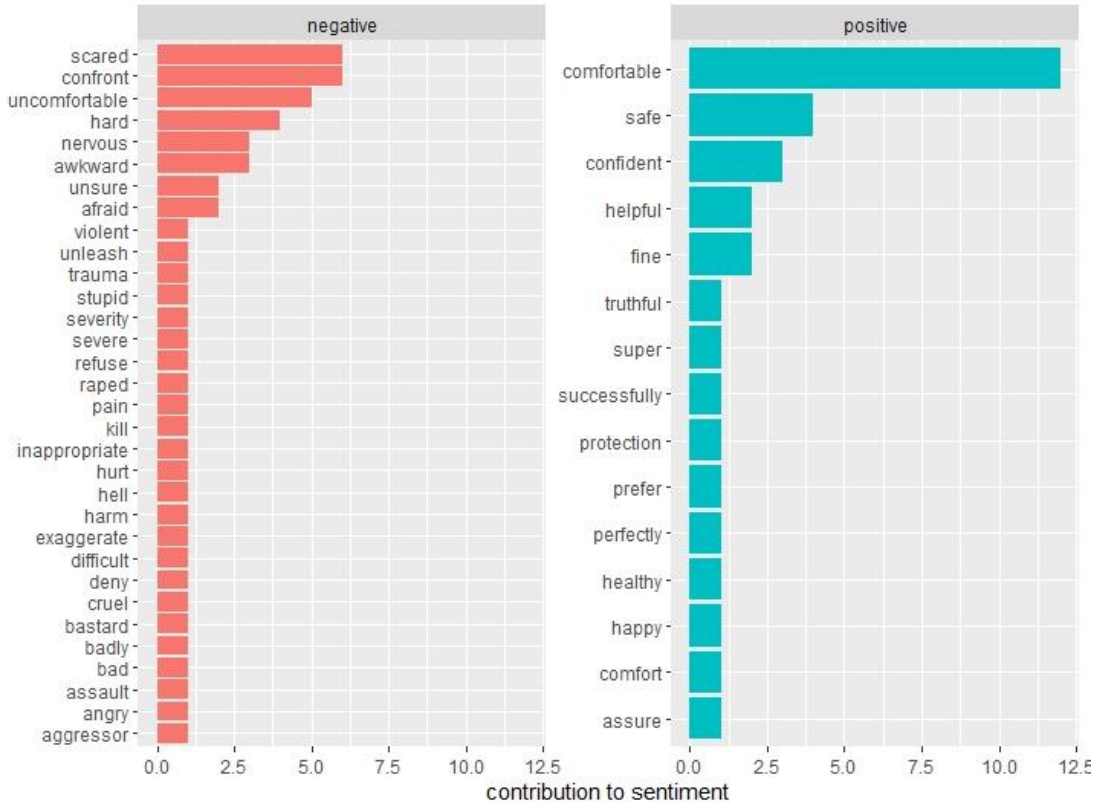


Table 42 shows the underlying sentiments that surface when freshmen participants respond to questions about their feelings about engaging in supported conversation with the student who coerces sexual contact with them. The words *confident* and *awkward* occur most commonly and similarly in frequency. Words such as *truthful*, *trial*, *tattled*, *embarrassed*, *direct*, *counselor*, *bad*, and *angry* occur less frequently but the IDF indicates higher the responses of all survey participants.

Table 43: *R* Analysis – Sentiment (Bing) – Question 18



Strongly positive sentiment is associated with the most commonly used word, *comfortable.* The words *scared*, *confront*, and *uncomfortable* are associated with negative feelings. Still, they appear to have less significance to respondents than the value of feeling *comfortable* with a professionally supported conversation with students who force them to have NCSC.

Table 44: *R* Analysis – Sentiment (NRC) – Question 18

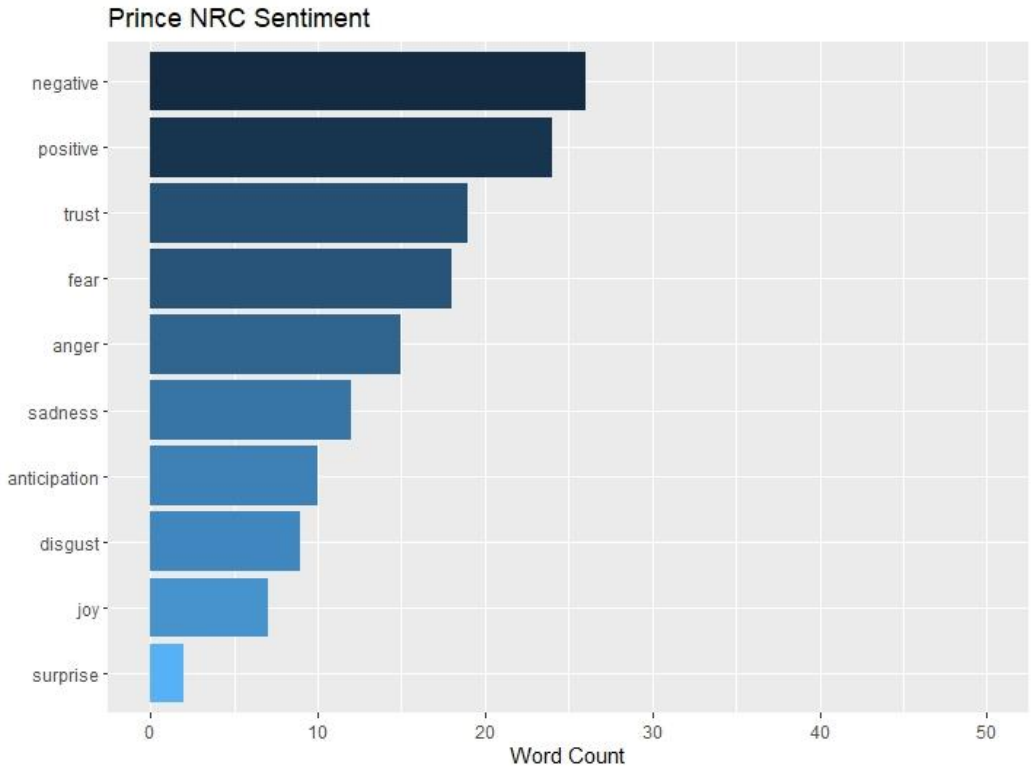


Table 44 indicates that negative sentiments are more prevalent than positive sentiments when survey respondents answer Question 18. The terms *fear* and *anger* are the most commonly occurring negative sentiments, and trust, the positive sentiment, occurs more commonly than negative sentiment.

Table 45: *R* Analysis – Polarity (Positive – Negative) and Percent Positive (Positive/(Positive+negative)) by Age – Question 18

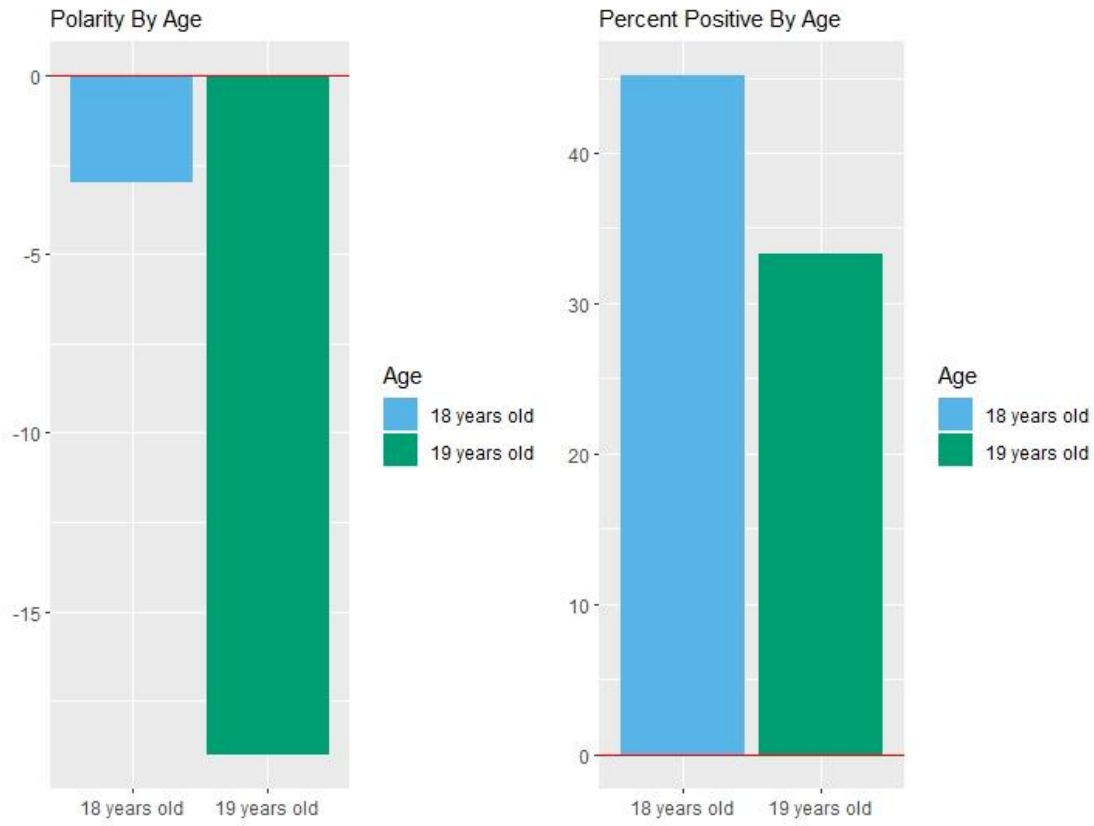
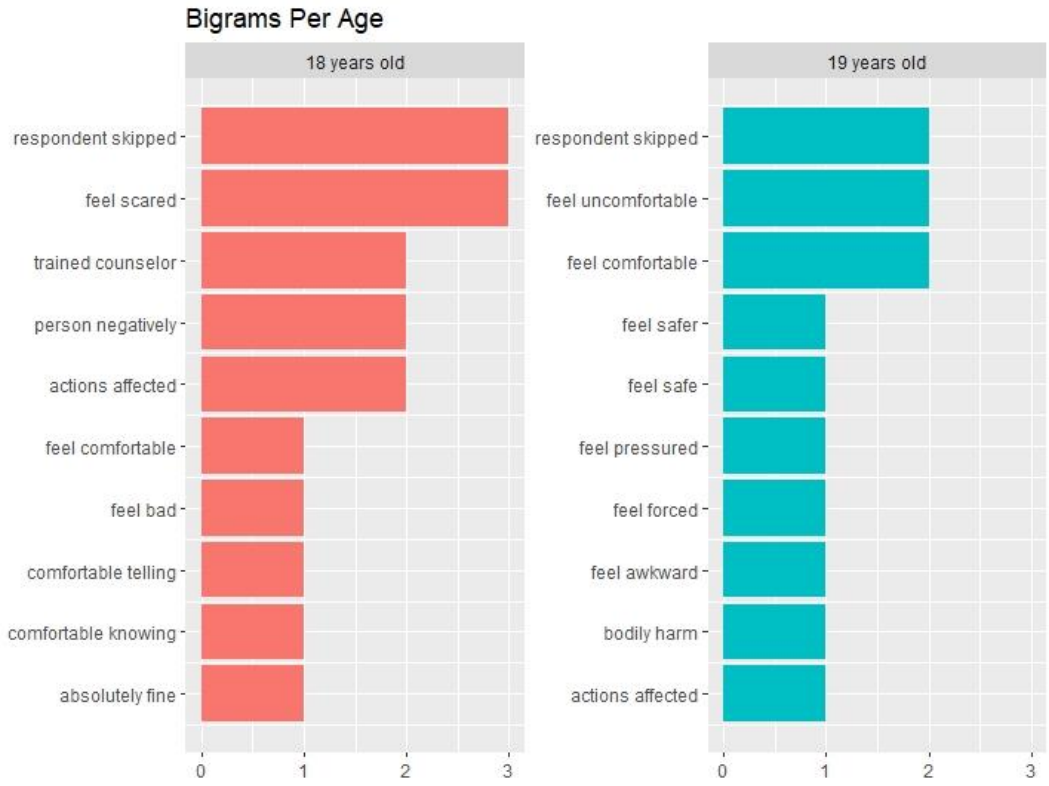


Table 45 shows that 19-year-old freshmen express negative sentiment less frequently than do 18-year-old freshmen about the idea of engaging in professionally supported conversations with students who coerce experiences of NCSC on them. The percentage difference between positive and negative sentiment between 18-year-old and 19-year-old is higher for 18-year-old students.

Table 46: *R* Analysis – Bigrams by Age – Question 18



Bigrams that occur in analysis by age, as shown in Table 46, indicate that 18-year-old freshmen use word pairs such as *feel-scared* with more frequency, and 19-year-old freshmen use the paired words *feel-comfortable* and *feel-uncomfortable* with similar importance in the context of their responses to Question 18. The idea is that 19-year-olds may experience less fear than 18-year-old freshmen about engaging in professionally supported conversations with the people who cause them to experience NCSC.

Table 47: *R* Analysis – Word Pair Count – Question 18

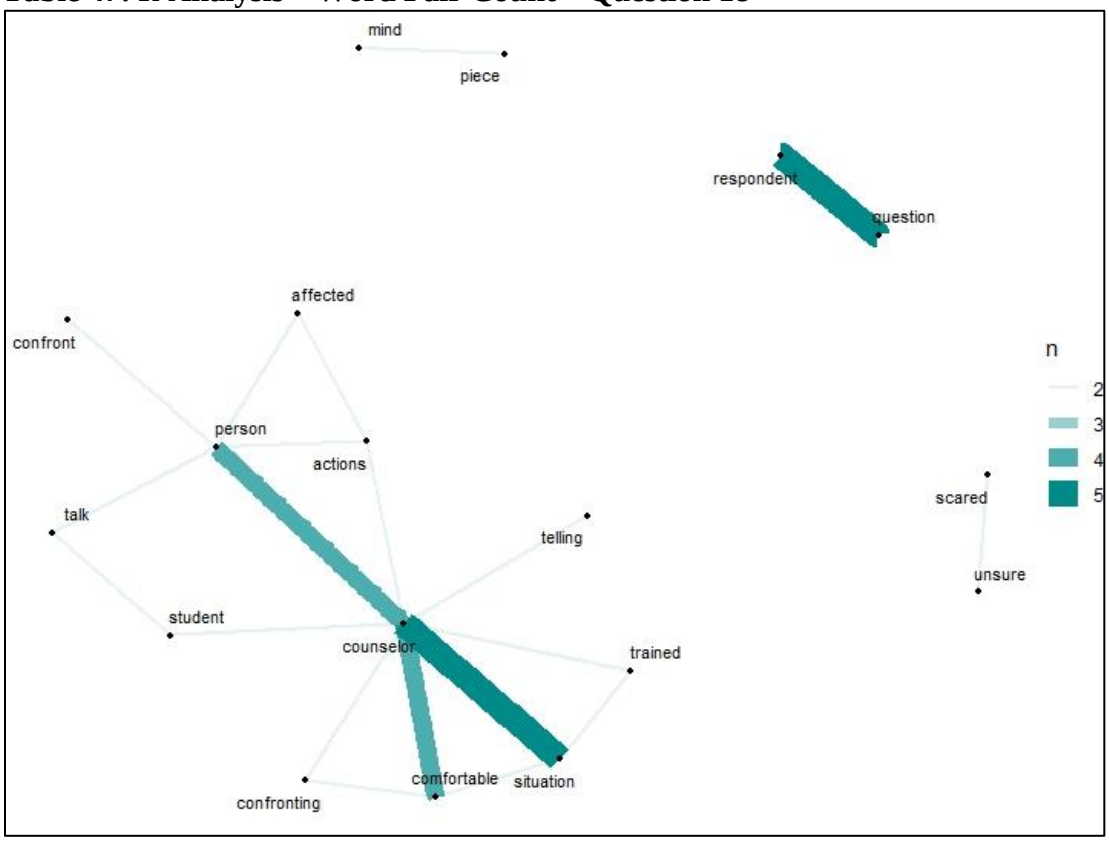
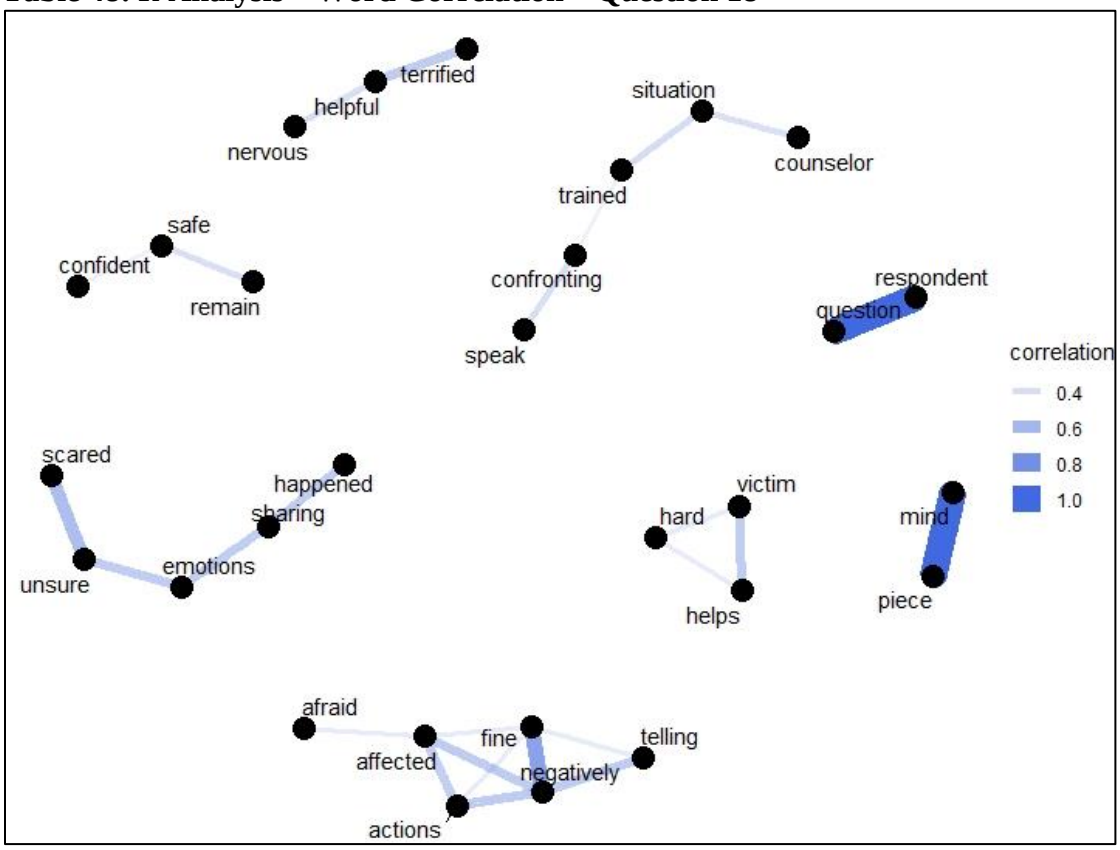


Table 47 indicates that the word-pair *counselor-situation* is most important for respondents who answer the question about supported conversation with coercers of NCSC. Other word pairs such as *counselor-person* and *comfortable-counselor* may convey a strong probability that some students are receptive to the concept.

Table 48: *R* Analysis – Word Correlation – Question 18

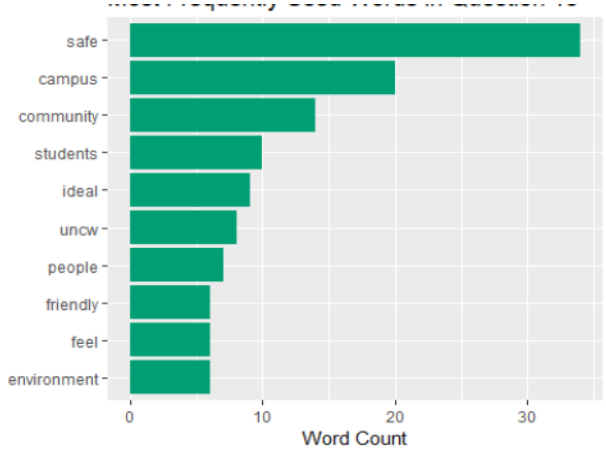


There are multiple word correlations depicted in Table 48, which may signify multiple ideas about the perceived benefits and risks of supported confrontation with the coercer of NCSC. The word correlation with most importance in the responses is *piece-mind,* which appears in context as "a piece of my mind" and must not be confused with the colloquial phrase, "peace of mind." Other word correlations such as *fine-negatively* and *scared-unsure* may receive less emphasis but occur as combinations with high significance to respondents. Multiple other correlates carrying moderate weight or significance occur in responses to the question. The results may indicate that there is room to explore many of the ideas that freshmen of all ages express when discussing supported encounters with the student who coerces NCSC.

Question 19: What does an ideal campus community look like to you?

Analysis with *R*, as shown in Table 49, reveals that words such as *safe, campus, community,* and *students* occur, in descending order, with the most frequency in freshmen responses to the survey. The most frequently occurring word, *safe*, merits further sentiment analysis to understand its context and importance to students.

Table 49: *R* Analysis – Word Frequency – Question 19



The following Tables 50, 51, and 52 depict the Beta analysis or per-topic-per-word probabilities and distributions for topics extracted from responses to survey Question 19 about what constitutes an ideal campus. The tables illustrate that the word *safe* occurs with the most significant emphasis in both topic 1 and topic 2. The word *campus* is twice as common in topic 2 as in topic 1, while the word *students* occurs similarly in both topics. The analysis uncovers information that may be another early indicator that *students* involved in the survey place the highest emphasis on *safe campuses*.

Table 50: R Analysis – Key Topics – Question 19

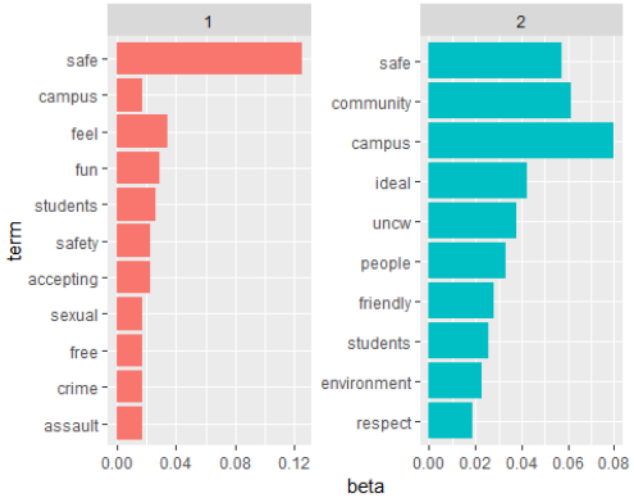


Table 51: *R* Analysis – Distribution of Probabilities for Topics – Question 19

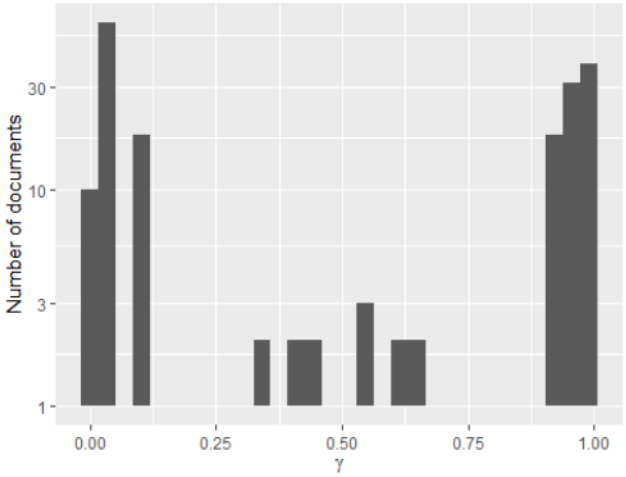


Table 52: *R* Analysis - Probability Distribution per Topic – Question 19

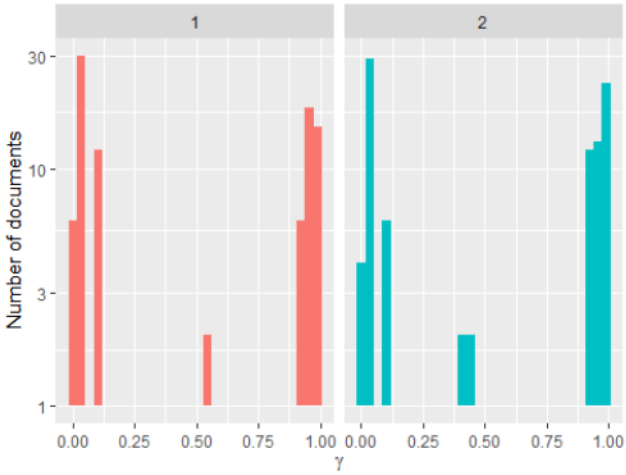


Table 53: *R* Analysis – Co-occurrence and Co-relationship of Words – Question 19

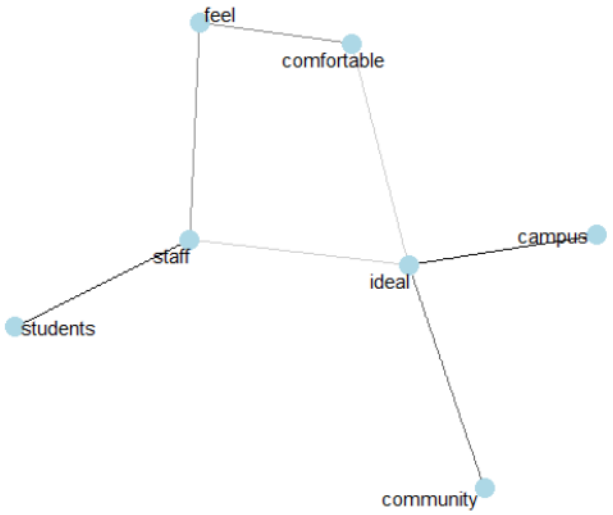


Table 53 shows, in order of descending occurrence, the common correlations between words that freshmen survey participants use in their responses to Question 19 about what constitutes an ideal campus community. The correlating words *ideal-campus* and *students-staff* occuring similarly and most commonly appear to convey the sentiment that *students* and *staff* contribute most to an *ideal campus*. The correlating words *ideal-community* and *feel-comfortable* occur with similar frequency and may indicate that students perceive that an *ideal community* is one where students *feel comfortable*.

Question 20: What can you and other students do to create and maintain an ideal campus community?

Question 20 looks at what students can contribute to creating and maintaining an ideal campus community. The following analysis results of Question 20 reveal that freshmen are willing to take on the role of creating a safe environment. They indicate that students perceive they are responsible for ensuring and enforcing boundaries of acceptable behavior.

When using correlation to analyze this question, one identifies groupings of words in bigrams and trigrams such as *social-activities* and *resources-aware-needs*. The analysis, in this case, informs us that university freshmen believe that ideal campus communities must offer

social activities, and they must act to ensure that all students are better aware of campus resources. Word groupings such as *respectful-others* and *treat-respect* suggest that students should take a better approach to being respectful to each other.

Performing the *tf-idf* analysis allows one to see the most important and unique bigrams used by survey participants. They include *bring awareness*, *campus activities*, *abuse people*, *encourage safety*, *illegal activities*, *assault people*, *improve safety*, *nurturing caring*, *officer nearby*, *stupid decisions*, *support systems*, *drink responsibly*, *remain understanding*, and *spread awareness*. University freshmen recommend increased security, and they encourage campuses to bring attention to students about NCSC. Freshmen expect university campuses to promote safety and support students who witness or experience such events. They also verbalize a desire that their peers remain understanding, nurturing, and caring when they learn of people facing the trauma of NCSC.

Table 54: *R* Analysis – TF-IDF and Important Words by Age – Question 20

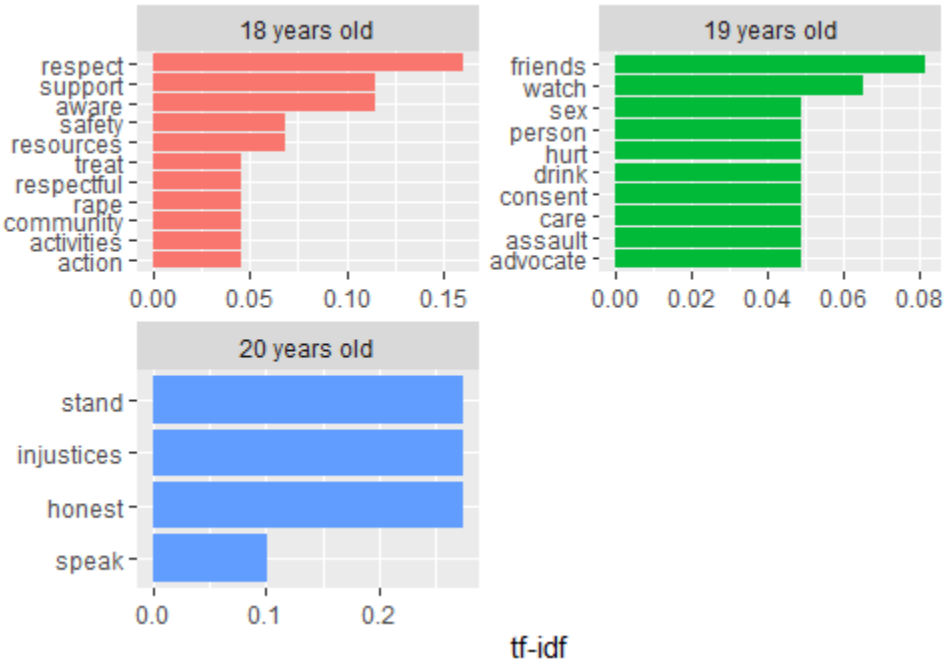


Table 54 shows that different age groups attach varying importance to words according to age. Students who are 18 years old believe that they must *respect* and *support* each other while being *aware* in order to build an ideal community. Table 54 also illustrates that 19-year-old students respond to the survey question using the following unique words: *friends, watch, sex, person, hurt, drink, consent, care, assault,* and *advocate.* These results may indicate that they believe they play a role in creating safe community as they are aware of resources, understand *consent,* take responsibility for behavior, and *in advocating for* or *watching* out for *friends*. Twenty-year old freshmen assume more visible responsibility as they openly speak out or take a stand against *injustices.*

One thought is that the fewer unique words used by 20-year old participants may be related to the low number of 20-year-old freshmen in the sample. Again, one must consider that the low number of 20-year-old respondents may skew results.

The following Tables 55 and 56 illustrate unique tokens and bigrams, or word-pairs and correlates such as *sexual-assault, talk-openly, abuse-people, altering-drugs, assault-people, awareness-sympathize, blind-eye, bring-awareness, buddy-system,* and *bushes-scenarios*. One thought is that this indicates that students believe they have agency in creating and maintaining an ideal campus community. The findings point to the understanding that to grow such a community, students need to talk openly, bring awareness about sexual assault, sympathize with those who experience NCSC. Students propose implementing a buddy system where peers take care of each other and look out for each other to avoid NCSC.

Table 55: R Analysis – Common Topics and Words – Question 20

Table 56: R Analysis – Common Relationships among Words – Question 20

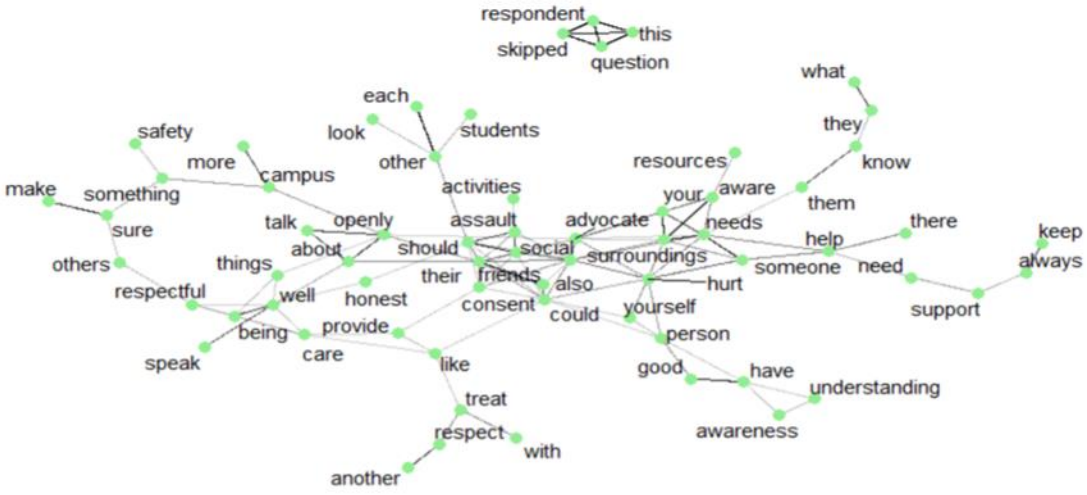
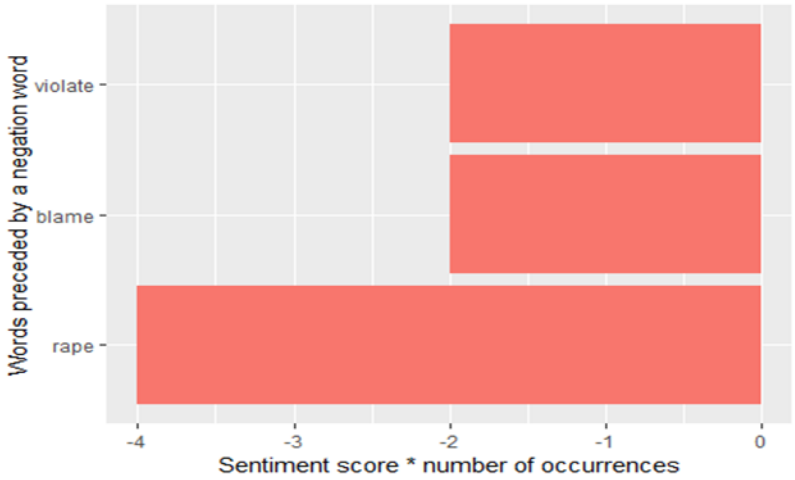


Table 57 shows words uncovered in *R* analysis that indicate negative emotions such as violate, blame, and rape. Freshmen believe an ideal campus community is one where students do not violate or rape others and do not blame others who experience NCSC.

Table 57: *R* Analysis – Negated Words – Question 20



This concludes the summary *R* analysis of data collected from freshmen living in university residence halls. The following chapter will summarize conclusions based on findings of the sentiment analysis of the survey using *R*.

Chapter Five – Conclusions

Internationally, universities investigate reports about non-consensual sexual contact (NCSC) among students, struggling to create and enforce just disciplinary measures for parties involved. Interest groups and experts in the field of violence against women speak out on behalf of university students. Still, it is primarily during the past decade that students themselves are stepping up to the public platform to demand government intervention (TaskForce, Office of the Vice President, 2014). People who have been sexually coerced are reluctant to tell their stories for reasons such as fear of reprisal by their peers or because of shame and self-blaming for having been vulnerable to NCSC (Levine & Frederick, 1997). Research efforts to study sexual violence and its incidence, the social effects of sexual trauma, and the identification of at-risk populations have grown in magnitude in the United States since the Civil Rights movement of the 1960s. Universities have created trauma response and prevention programs based on research findings and experts' recommendations; however, there is limited research about the views of the most at-risk population regarding the effects of an imposed federal mandate to mitigate NCSC in university communities.

Students do not exercise autonomy when they divulge personal experiences of NCSC to a trusted university mentor, then that mentor is required to report the disclosure to a Title IX Coordinator. This act is contrary to the mission of most U.S. universities to foster student autonomy as they engage them in activities of experiential learning. Their mission, in a nutshell, is to prepare students to make informed decisions in response to challenges they face.

Inquiries into students' perceptions about the emotionally charged topic of NCSC and their responses to mandated interventions are in initial phases, and they coincide with the undertaking of this research. Voluntary participants in online and social media platforms share

vast amounts of information in the form of unstructured text. Social platform moderators push boundaries with questions about their followers' personal views and experiences, eliciting responses often submitted under assumed identities. This qualitative research uses traditionally quantitative analysis to uncover the qualitative sentiments of students in their unstructured text responses. Text mining with *R* software enables researchers to process data quickly, disseminate information, and make recommendations about public issues. These technological advances promise to transform rigid, expert-influenced policies into dynamic, culturally pertinent interventions based on public sentiment. Fundamental to creating culturally relevant and malleable policies, the Participatory Action research method is necessary to identify and assess socially constructed views of at-risk university freshmen about the effects of NCSC and mandated policies. The research results will contribute to the body of knowledge that will enable students to heal emotionally and move forward with fulfilling futures instead of lives destroyed by the trauma of NCSC.

The research implications apply to universities and governments as they generate and modify policies to serve and protect their communities. Participatory Action Research (PAR) methodology allied with the Appreciative Inquiry method based on social constructionist theory initiates a necessary first step to understanding and extinguishing deleterious conditions and conflict associated with NCSC in university communities. A participatory research methodology elicits diverse and cultural perceptions about the effects of personal or vicarious NCSC and a federally mandated intervention on the university experience. Cutting-edge sentiment analysis of unstructured qualitative text lends an objective, more global understanding of the freshmen's attitudes about retributive versus restorative interventions. Data analysis with *R* software reveals unspoken sentiments hidden in the written text about when and under what conditions survey

participants would like universities to implement interventions (Silge & Robinson, 2017). This chapter summarizes conclusions drawn from the survey analysis about the views of university freshmen regarding the Title IX Mandate to report NCSC.

Views of University Freshmen

Some students indicate they believe they may have experienced sexual coercion, but they are unsure. Quantitative analysis of demographic questions reveals that the study population reports NCSC at a rate well below the national average of 20-25 percent, or one in four or five women (Hattersly-Gray, 2018). This lower rate could be an indicator, not that students have not experienced NCSC, but rather that students are unclear about the definition of consent. It may also reflect students' understanding that initial consent to engage in intimate touching holds even if one changes one's mind after giving initial consent. Students often feel responsible, and peers may hold them accountable for NCSC when they engage in initial foreplay but do not wish to proceed to intercourse or penetration.

When coercers facilitate NCSC with alcohol or drugs, coerced students generally do not have memory of NCSC and often blame themselves for engaging in illicit activities. Some survey participants do not hold their peers responsible for sexual coercion when the person forcing sexual contact is under the heavy influence of these substances. These data reveal a need for focused and repetitive education about consent, NCSC, and the effects of alcohol and other substances on consent.

Sentiment analysis shows that freshmen feel *angry*, *afraid*, *disgusted,* and *sad* when they consider NCSC and its effects on their lives and the lives of their peers. The majority of students indicate that they feel *confident* and *safer* when they know the Title IX Mandate and understand the reporting requirements of university employees, faculty, staff, and administrators. They also

feel empowered when they receive information about NCSC and consent and know where to receive assistance from on-campus resources.

Survey results indicate that freshmen feel *embarrassment* and *anxiety* about telling university faculty or staff about NCSC. Although they generally favor the Title IX Mandate and report feeling *safer* knowing about it, freshmen express that when they tell someone about an experience of NCSC, they want the person in whom they confide to keep the information private. They indicate that even when there are assurances of confidentiality, they still feel embarrassed. They say that the Title IX legislation makes them feel safer, but the idea of being forced to divulge information about an experience of NCSC causes anxiety for them.

Approximately one-half of the freshmen surveyed venture that they would prefer to seek assistance from someone exempt from mandated reporting of NCSC. The majority of survey participants say they would seek assistance from university personnel. Few said they would prefer the support of off-campus resources such as church leaders or health care professionals. While students of all ages indicate they will use campus resources after an experience of NCSC, younger freshmen are more likely to depend on the information provided by the campus community. In comparison, older freshmen may tell friends or go off-campus for assistance.

Again, *R* analysis of question 8 could demonstrate a relationship of the participant's age and expectation on friendships. Support resources and education can be modified to accommodate students by fostering autonomy for more mature students and providing increased guidance and intervention for younger and less mature students. The current Title IX Mandate provides a set framework and does not factor in the age or maturity of the person about whom a report is made.

Sentiment analysis points to the fact that when NCSC occurs, students are afraid that sharing this information with friends and other students will negatively impact their relationships. Students and staff need to understand and avoid victim-blaming to improve universities and create ideal campuses. Many universities have introductory classes for freshmen about topics that affect students directly. Courses in consent and bystander intervention are essential in universities; however, the vulnerable university freshman often learns this information through first-hand experience or after having already suffered sexual trauma as a new university student. High schools and universities may be reluctant to acknowledge these issues. At the same time, students go through college recruitment, yet the importance of awareness before moving to university residences cannot be overstated.

According to *R* analysis, age may factor into the student's decision to control the information's privacy or relinquish the control to a university support service. Younger students may prefer more university intervention, and older students may wish to exercise higher autonomy over their information. Responses to Question 9 call for speculation about whom the student would tell if she or he were to experience coerced sexual contact to indicate that issues of privacy, fear of judgment by others, gender-based assumptions, and effects of the mandate over personal agency affect their decisions. Likewise, responses to Question 10 reveal that a primary deterrent from reporting revolves around the fact that information shared would not remain within the reporting person’s control.

Sentiment analysis shows that students believe the Title IX Mandate requires telling university officials when they experience NCSC. It also reveals that respondents believe that confiding in friends will strengthen trust in their relationships and bring them closer together.

Others feel that victim-blaming impacts relationships with friends, and freshmen expect their friends and peers to be understanding.

Students who are 18 years old believe that when NCSC occurs on campus, the university should look into the accusations and potentially charge the coercer of sexual contact. Survey participants expressed that it is necessary for universities and peers to know and provide resources to people who experience NCSC. They indicate that the most important task for friends, peers, and university officials is to reiterate to coerced people that they should not have had to experience NCSC and then offer support to them. Older 19-year-old freshmen assert that when NCSC occurs on campus, it is the role of the university dean to immediately investigate the situation and punish the alleged coercer if and when proven guilty.

The last observation about the influence of age on the responses is evident in unique words that 20-year-olds use in their responses. The older freshmen use the words *reprimand*, *press*, and *charges* meaning that when NCSC occurs on campus, the university should reprimand the assailant and press charges. One thought is that the fewer unique words used by 20-year old participants may be related to the low number of 20-year-old freshmen in the sample. It is an assumption that the meager number may skew results.

When asked to speculate or reflect upon how NCSC affects friendships, sentiment analysis reveals that older freshmen first rely on friends for support after experiencing NCSC, whereas younger freshmen seek out university resources. Study results suggest a relationship between the age of students and the expectations they place on friendships. Both traditional qualitative analysis and contemporary sentiment analysis show that 18-year-old students want universities to take a directive approach when handling their disclosures of NCSC. They expect university officials to act on their behalf and often wish to defer to the university to press charges

or pursue legal action against the person who coerces NCSC. Some students want the university to punish people who coerce sexual contact and take legal action against students who are found guilty.

According to the study findings, older freshmen prefer to exercise more control over their private information and determine if, when, and how they report NCSC. Most research participants feel more confident reporting to university personnel exempt from the mandate to report NCSC. Older freshmen especially desire autonomy and prefer to seek assistance from those who support their agency over their personal information. Students emphasize that they want people to respect them and avoid judging them when seeking help from campus resources. The analysis indicates that students rely on universities to provide resources to help them navigate the effects of NCSC. The majority of students demonstrate desired autonomy in selecting whom to inform about experiences of NCSC, as well as how the information will be handled.

More than one-half of the freshmen voiced that sexually coerced students should primarily consider classroom and living arrangements following NCSC. As mentioned previously, some students want the university to punish people who coerce sexual contact and take legal action against students who are found guilty. Most students voiced they would participate in professionally supported encounters with coercing students to tell them how the trauma has affected their lives. A lesser majority of students indicated they would not wish to confront the student in professionally supported encounters. Several students reflect the sentiment that they would like an alternative to traditional, punitive measures that the university takes in response to reports of NCSC. Students recommend that both parties receive counseling during and after the university acknowledges NCSC. They also recommend punishing the

offenders and involving them in a rehabilitative process before a gradual return to the campus community.

Freshmen participants imagine an ideal campus where they can live without fear of NCSC and where they can have fun and thrive with friends. The majority of students believe that they are responsible for their well-being and the well-being of others. They think they have agency in creating and maintaining an ideal campus community. Students propose implementing a buddy system where peers take care of each other and look out for each other to avoid NCSC. Several other participants suggest limiting visitors in residential settings, and some even recommend returning to segregating on-campus living areas by gender.

University freshmen recommend increased security, and they encourage campuses to bring awareness to students about NCSC. Freshmen expect university campuses to promote safety and support students who witness or experience such events. They also verbalize a desire that their peers remain understanding, nurturing, and caring when they learn of people facing the trauma of NCSC. Fewer than half of the students suggest a role for the school in providing resources for people who experience NCSC. In contrast, only one response indicates that police are critical in creating and maintaining an ideal campus community.

Sentiment analysis identifies words that indicate negative emotions such as *violate*, *blame*, and *rape*. Freshmen believe an ideal campus community is one where students do not violate or rape others and do not blame others who experience coercion of NCSC. One thought is that this indicates that students believe they have agency in creating and maintaining an ideal campus community. The findings point to the understanding that to grow such a community, students need to talk openly, bring awareness about sexual assault, sympathize with those who

experience NCSC. Students propose implementing a buddy system where peers take care of each other and look out for each other to avoid NCSC.

When using correlation to analyze this question, one identifies groupings of words in bigrams and trigrams such as *social activities* and *resources-aware-needs*. The analysis, in this case, informs us that university freshmen believe that ideal campus communities must offer social activities, and they must act to ensure that all students are better aware of campus resources. Word groupings such as *respectful-others* and *treat-respect* suggest that students should take a better approach to being respectful to each other. Student participants attach high importance to living in and contributing to a safe campus community. The majority of survey participants ascertain that students are responsible for their well-being and the well-being of others.

Social constructionists adhere to the fundamental belief that knowledge creates knowledge as we engage with each other. The cumulative effect changes the national and, indeed, global performance. "We live in a machine that is tweaked and perfected until the end-product does not resemble the start-up model" (Anonymous, 2019). The Title IX Mandate is one of several steps toward forcing universities to acknowledge and confront reports of NCSC on the global stage. As students and universities interact in the international theater, the global actors improvise, modify, discontinue some action while adding to the performance in other ways until it becomes meaningful to audiences of diverse cultures. Only the audience can determine the effect of the final performance.

Chapter Six – Implications

The Title IX Mandate is a measure that one country imposes on federally funded schools in a broad attempt to bring the issue of NCSC to the forefront of public awareness. It puts universities and colleges on notice that they must address reports of NCSC promptly or face severe penalties such as loss of funding, hefty fines, and even prison for failure to comply. The original Title IX Mandate encompasses retributive measures. It does not include options for professionally supported face-to-face encounters, as with Restorative Justice, for parties involved in reports of NCSC. Chapter 6 presents the main implications of the research and makes suggestions for change based on the results of sentiment analysis regarding the survey about freshmen views about the Title IX Mandate to report disclosures of NCSC.

Scenarios such as the following reflection about unresolved trauma and the recurrent triggering of emotional pain are not unique. While government regulation enforces reporting requirements upon university personnel, it places the least priority on the emotional wellbeing and autonomy of the most at-risk population, the freshmen. The implications of this research provides a plan of action that evolves from the sentiment analysis results of the survey of freshmen in residence halls.

Reflection: Unresolved Trauma

Spring break, sophomore year in college, a trip to a sunny island beach, and high hopes for a fun vacation with the very best of friends. Two years have passed, and with the help of her closest college friends, she is putting aside the painful memory. They confided their previously undivulged secrets to each other as freshmen in the residence halls - secrets about sexual trauma at the hands of a trusted friend, an uncle, a stepfather, and on and on…. Her heart and soul are healing, and we, her parents, are relieved to see her return to her carefree self.

Jarred, awakened by a 2:00 a.m. phone call, we feel totally helpless as our daughter sobs at the other end of the line, "Mom! I didn't know what to do!" She chokes out how she and her friends were laughing and traipsing up the narrow tropical path to their cottage after a fun day at the beach when she was stopped in her tracks. Shocked and speechless, she screamed in her mind, "What is HE doing here?!" HE walked up to her, imposed a hug, then turned to introduce himself to HER friends, shaking their hands. "I made up an excuse and ran to the room to get away from him. When my friends came in and saw me so upset, they asked me if I was sure that he had raped me because he seems like a really cool guy."

Crying, she continues her story, that after resolving to forget about the encounter and move on, she and her friends went to a small village tavern to enjoy music and have a few drinks. She said someone tugged her arm, and there HE was again, demanding to talk to her. She explained that when he pulled her toward a dark corner of the tavern, she followed because she did not want to cause a scene. He forced her to sit in a chair as he stared down at her, "I did not rape you! You told everybody that I raped you, and you have ruined everything for me!" She told him she had only confided in two of her closest friends during their freshman year, and that was before she knew that one of them would end up dating a friend of his. "Mom," she sobbed again, "all I could do was apologize. I just sat there and told him, 'I'm sorry. I'm sorry. I'm sorry.'" She cried over the phone, "I feel so stupid!"

Professionally Supported Encounters

When people engage in therapeutic conversation about perceived harms, it can positively impact one's ability to overcome the chronic ill-effects of sexual trauma (Zehr, 2002). The previous reflection about unresolved trauma illustrates how an unexpected encounter between a young adult female and the young adult male who coerced NCSC two years earlier causes

emotional distress for both individuals. The young woman feels betrayed by friends with whom she had confided the previous year, and the young man accuses her of ruining his life by telling people that he *raped* her.

Advocates for people who have experienced sexual trauma often go to great lengths to prevent the involved individuals from encountering each other. They profess that face-to-face meetings between the individuals will *re-victimize* people who have experienced sexual coercion. It is apparent that the young woman in the reflection is totally unprepared for the first chance meeting, and equally at a loss when her coercer confronts her later in the evening. Professional support may have allowed her to practice what she would say and do in the event of such an encounter, thus reducing its traumatic effect on her life. Freshmen participants of the research survey give credence to this assertion that university support services play a vital role in assisting students who have experienced NCSC. When universities provide options for professionally supported encounters between coerced and coercing individuals, students are better equipped to confront and slowly overcome the harmful collateral effects of NCSC.

Restorative Justice versus Retribution: Students Want Options

Retributive justice is authoritatively determined, and although students may appeal decisions, they are generally removed from the decision-making process. The absence of student involvement in the decision process contradicts higher education's fostering of student autonomy. The retributive process results in decisions generally derived through private discussion among conduct administrators, and neither party to NCSC has a voice in the sanctions (Karp, 2019). Karp's assertion, "Accused students and harmed parties do not have a strong voice in this process" (Karp, 2019, p. 10), explains one reason why young adult students experience feeling socially outcast and marginalized as a consequence of NCSC. The exclusion of their

voices only compounds the overall social isolation and emotional trauma they suffer. Restorative Justice is an example of an effective and professionally supported alternative that students want universities to offer them as they determine how to continue their lives at the university after experiencing NCSC. This research assumes that all people involved in NCSC, whether as coerced or coercing parties, will suffer harm when they do not acknowledge and confront the experience of NCSC.

Restorative Justice is a process that allows both the coerced and the coercing parties to understand the extent of the harm that has occurred. It opens the way for direct and supported testimony about the effects of sexual coercion on their lives. It allows them to move forward, not as *victims* and *offenders* but as individuals who come through the crisis with hope for fulfilling lives. This outcome is consistent with the goal of universities and higher education to promote critical thinking and assist students in framing and reframing their lives as they mature through education. It is up to the community to support the ultimate goal of education to develop healthy minds, empower creative thinking, and instill resilience through learning. The American Association of University Professors (AAUP) recommends Restorative Justice as an alternative to retribution, the current response of most universities to reports of NCSC (American Association of University Professors (AAUP), 2016).

Age and Maturity Level of Students

Survey respondents who are 18 years old generally state that they would not want to face their coercers after an experience of NCSC. The research also shows that older 19-year-old and 20-year-old students would engage in professionally supported confrontation with their coercers. Regardless of the size and cultural make-up of universities, it is crucial that all students receive the opportunity to choose the type and extent of university intervention and whether or not they

will engage in professionally supported confrontation or hearings with the offending party. Older freshmen would like to be involved in living accommodations and classroom arrangements. Decisions such as these are facilitated with Restorative Justice processes. When offered as an alternative to investigation and disciplinary measures, it can assist students in healing and moving beyond the potentially devastating long-term effects of trauma.

A surprise of sentiment analysis, older freshmen want the option to engage in supported confrontation with their coercers. The survey participants' responses are pretty divided between their preference for professionally supported face-to-face encounters with their coercers and university-directed action focused on identifying and punishing guilty parties. Responsive universities will heed their students' voices and provide alternatives to students who report NCSC. While excluding students named in repeated reports of sexual coercion, those who do not express remorse, and those who do not acknowledge accountability in repairing harm to others, students want their universities to offer professionally supported confrontation with the students who coerce NCSC.

Appropriation of Resources

The blanket mandate is intended as a swift remedy to end NCSC in U.S. schools, yet the research results point to confusion among students about the mandated roles of university employees to whom students report NCSC. Cultural definitions of consent and inconsistencies in regional and national laws lend to dilemmas that affect all levels of society, ranging from the individual to the highest courts in the judicial system. Inconsistency in laws also confuses universities as they work to comply with the Mandate requirements. Several have incurred stiff monetary penalties for failure to follow recommended protocols, and they struggle to rebuild damaged reputations after public exposure of student reports of NCSC. After reviewing the

analysis results and discussing the enforcement of the Title IX Mandate with an administrator whose university received such a penalty, implications for universities as they apply a mandated intervention become clearer.

Universities Shoulder Economic and Judicial Burden

Universities not only carry the ethical burden of implementing decisions that potentially affect all parties to NCSC for a lifetime, but they also absorb the heavy economic load of carrying out the Title IX Mandate. The natural school calendar places time constraints on faculty and university personnel to perform their employment tasks. The shortfall of personnel to carry out investigations of reports of NCSC as required by the Title IX Mandate makes it difficult for universities to comply with legislation. A new federal administration and Secretary of Education proposed changes to the Mandate's requirements of university personnel, thus creating more responsibility on federally funded schools to keep in step with new processes. The most recent proposal is that university professors and professional staff participate in cross-examinations of the parties involved in reports of NCSC, a task for which the majority are professionally unprepared. University personnel invest hours of their time beyond their employment duties in participating in mandated investigations, writing reports, and conferring with Title IX Coordinators and university decision-makers. The overall financial cost and burden in social capital are difficult to assess.

Following the mandate to the letter of the law is very costly, and avoiding the law incurs enormous fines and blows to stellar reputations that schools strive to build and maintain. Policies and procedures change with dominating political parties after each national election. Newly appointed judicial and educational department officials naturally rescind old policies and implement new ones reflecting their governance view. The wheels of change are notoriously

slow in bureaucracies, and universities struggle with keeping up with procedural changes. It is challenging to comply with a mandate that changes whenever the Department of Education and political parties attempt to influence the legal stances of the courts.

This Participatory Action Research (PAR), informed from the onset to its conclusion by university students, begins to address questions about the effects of the Title IX Mandate on the autonomy of the primary stakeholders of a university in southeastern United States. Similar research about the Mandate's effects is necessary to stay current with the changing dynamic and diversity of the national population. During the research period, the federal Department of Education has changed how the government enforces the Title IX Mandate in schools. The Secretary of Education has called for public commentary on the proposed changes. Secondary stakeholders such as parents, faculty, advocacy groups, and diverse civil rights agencies have submitted over 100,000 comments for review completed in 2019. NCSC has devastating social and economic effects, and it is important to involve students in the evolution of policy that directly affects them.

When students deliberate about a social challenge, as they are invited to do in Appreciative Inquiry activities, they discover their strengths, design interventions, and develop policies and programs that are more culturally intimate and relevant than legislation that "experts" impose diverse institutions. The policy evolution occurs more organically when the proposal for change originates with the people most affected by challenges, such as NCSC in campus communities. Co-created interventions developed through Appreciative Inquiry processes rely on the strengths-based characteristics of the population in question. When each member volunteers time based on social and economic assets, the intervention cost may be less to the overall institution.

The Title IX Mandate compels universities to reactively seek and exhaust the necessary resources to perform required tasks. When they assign faculty and other personnel to perform tasks such as cross-examinations and investigations, they, in turn, impose the burden on their employees hired for other full-time duties. Professors are experts in developing and facilitating educational programs and activities that support student autonomy. It would be more economically feasible for universities to professionally train faculty to implement Appreciative Inquiry and Restorative Justice processes with students and university employees to practice problem-solving and participate in emotionally healing conversations about aspects of NCSC.

Universities that wisely utilize their resources will operate more efficiently when they dedicate personnel to serve in their areas of expertise. In other words, legal scholars devote years to learning how to explore allegations of criminality, and they receive focused training in legally representing clients. Universities that use professors as vessels to promote experiential and transformational learning will better utilize resources than those who depend on professors and administrative personnel to investigate and adjudicate reports of NCSC. Universities currently rely on professors who are experts in the classroom to perform roles as investigators, juries, and judges. They dedicate already short staffing in the form of university faculty and staff to the performance of duties beyond the scope of their employment, and they exhaust economic resources as they scramble to comply with the traditional, top-down Title IX Mandate.

Universities must create opportunities for students to elect Restorative Justice as an alternative to the U.S. Department of Education's proposal for professors and university staff to facilitate cross-examinations to assess innocence and guilt of parties to NCSC. They foster experiential learning as they offer pathways for young adult students to use their voices and reclaim dominion over their lives. When students do not practice informed decision-making, they

are less likely to gain insight into their behaviors and actions. Restorative Justice also provides an opportunity for coercers of NCSC to experience the impact of their actions. It prepares the way for university faculty to do what they do best - facilitate discussion about how students may contribute to the wellbeing of their campus communities. For those who choose to engage in the process, Restorative Justice promotes a more humane and appreciative culture for lives too often devastated by the conflict of NCSC.

Mandated Processes: Change in Political Climate

Consequent to U.S. national elections every four years, and resulting changes in the political party dominating the Presidency, new appointees revise and discard existing federal policies with each change in office. The Secretary of Education, Betsy DeVos, dismisses policies created during previous presidential terms and proposes changes to the carriage of the Title IX Mandate. She promotes the modifications as ones that will allow universities more flexibility in acknowledging and managing reports of NCSC. Universities may choose between following the Department of Education's guidance and recommendations for best practices or following recommendations for best practices touted by other entities such as firms specializing in the application of Title IX, experts in social sciences and law, victim advocates, civil libertarians, advocates for due process, and other scholars in multiple fields (85 FR 30026, 2020). While such policy changes may ultimately benefit people involved in reports of NCSC, the delay in disseminating the information to university personnel may compound the harm to students who confide about NCSC in mentors who are also mandated reporters.

When students experience NCSC, many blame themselves and socially isolate themselves, withdrawing from activities with friends after experiencing the ultimate breach of trust. Lisak indicates that this breach of trust, whether with newly formed friendships or well-

established relationships, causes insidious trauma to people who experience NCSC (The Neurobiology of Trauma, 2013). We must keep this at the forefront of our minds as we consider the potentially traumatic effect of the Title IX Mandate. As mentioned, laws often change when a new political party gains the majority in local, state, and federal governments, but the wheels of change roll slowly in universities as they modify policies and publicize them to their faculty and staff. For example, a first-year student may seek help from a professor after an experience of NCSC, and it is quite probable that the professor has yet to receive information about modifications in mandated reporting requirements. There is confusion among university personnel when they are called to intervene on a student's behalf. It also increases anxiety for the student who is already embarrassed to divulge personal information about sexual coercion to a mentor. One can only imagine the student's shock upon receiving an unexpected official invitation from a Title IX Coordinator or Title IX Investigator to discuss a report of NCSC after divulging the most private information to a trusted mentor.

The collateral effect of changing mandated policies every four years is that universities must continuously undertake the time and resource-consuming activities of discarding, revising, and dismissing policies. Adapting rigid mandates to dynamic and diverse communities causes great confusion for those charged with developing and executing training and educational programs for university students, staff, and administrators across the nation. University officials may delay the development of necessary programs during interim periods before and after elections. The students are the ultimate victims of stalled interventions and mishandled applications of restorative processes. Students, faculty, and staff who have some level of familiarity with the Title IX Mandate's reporting requirements and who can readily identify on-campus and off-campus resources will have to face fewer elements of surprise while navigating

emotionally-charged circumstances. Easy access to information about the reporting requirements of the Title IX Mandate, timely training about NCSC, consent, and how to respond to reports of NCSC is vital so all community members will be well-versed in how to assist affected students. Appreciative Inquiry is a means for students to generate organic responses to the dynamic challenges of their communities.

Freshmen survey participants share the underlying sentiment that they are willing to co-create a safe campus community. They believe they are responsible for ensuring and enforcing barriers to NCSC. An essential point in the study indicates that as students mature in age, they develop the autonomy they want in controlling their privacy, environment, and the type of justice they choose to pursue. Anti-discriminatory laws establish a vital foundation, especially for young students testing and pushing new boundaries in decision-making. One of the major findings of this research is that students feel safer because of the Title IX Mandate. Still, they want information about resources, so they have professional support when they lose their way. They desire options and professional help as they make important decisions about their educations, campus life, and as they confront complex challenges.

Appreciative Inquiry regarding this research's design, development, and performance elicited textured, rich responses from students as they envisioned an ideal campus community. The most at-risk population with first-hand knowledge about peers who experienced NCSC were able to discover and offer ways to contribute to creating and enforcing their vision of an ideal community in a brief period. The Appreciative Inquiry framework prompts group constituents to envision an ideal, opening space for them to think of ways to contribute personally and as group members to achieving community goals (Cooperrider & Whitney, Appreciative Inquiry: A positive revolution in change, 2005). Survey participants in this inquiry made suggestions about

reinstituting gender-specific residence halls, increasing police presence, and limiting access to visitors in the residence halls. These ideas warrant further exploration and idea development by students who live in the residence halls.

This research reinforces the understanding that it is necessary to recognize and obtain consent before engaging in sexual activity with someone. The Title IX Mandate stems from laws that uphold that it is illegal to coerce sexual activity, the most intimate of acts, without the full consent of both or all parties. Why, then, would it not be necessary for university decision-makers to seek students' input in managing reports of NCSC? Universities must ensure that students receive essential information about consent, NCSC, mandated reporting roles of employees, and available resources before obtaining their consent to discuss their involvement with reports of NCSC. When university students engage in participatory and Appreciative Inquiry activities about mandated processes, surprising and innovative solutions about managing dilemmas can surface.

Benefits of Education

Students do not control their personal, intimate information once they confide in mandated reporters of the university. Responsible for enforcing the Title IX Mandate, universities must implement the evolving legislation based on original Title IX Civil Rights laws against sexual harassment and gender discrimination in athletics. The law is intended to guarantee the benefits and opportunities of federally funded universities to every enrolled student, but it can lead to the interruption of important education for students involved in mandated reports of NCSC. University freshmen are a vulnerable population, and when faced with trauma, they may confide in friends or school mentors before they confide in family members. The Title IX Mandate stipulates that university employees, with few professional

exemptions, must report such disclosures to a Title IX Coordinator, regardless of students' requests for privacy.

This observation implies that universities must find inclusive ways to consider the views and needs of at-risk populations in their quest for solutions to NCSC in campus communities. Older students prefer to seek resources and support from university services that offer autonomy over disclosed information. They also request the option for professionally supported encounters, or Restorative Justice, instead of retribution when universities manage the reports. These are important factors when considering funding for intervention and student programs about the Title IX Mandate and NCSC. Responsive universities can direct funding to prepare professors and professional personnel in Restorative Justice and Appreciative Inquiry activities.

Education about resources can be modified to accommodate students by fostering autonomy for more mature students and providing options for increased guidance and intervention for younger or less mature students. The current Title IX Mandate provides a set framework and does not factor in the age or maturity of the people involved in reports of NCSC. When university personnel offers information to all students involved in reports of NCSC, regardless of their ages, they foster autonomy to the level at which the students feel comfortable managing their personal information. In other words, young adult students with higher levels of social maturity who have experienced NCSC can choose restorative versus retributive avenues of justice, and students who desire university-determined interventions in seeking retribution may request them.

Empower Students: Students Feel Safer with Information and Resources

This participatory research based on social constructionist theory not only identifies the sentiments of students regarding mandated reporting of their disclosures of NCSC, but it also

provides us with their views about addressing NCSC and resolving conflict within their communities. For this research, freshman and sophomore Peer Educators created and produced a video (page 97) including fictitious scenarios based on real-life student reports of NCSC on college campuses. The video also includes details about the Title IX Mandate and defines the role of staff in residence halls, professors, peers, and students in complying with the Title IX Mandate. The video was embedded in the initial section of the survey to ensure that all participants had access to baseline information. Using a video and short vignettes about NCSC and how the Title IX Mandate applies to faculty, staff, and students offered a uniform, meaningful way to provide education to all students.

Traditional qualitative analysis reveals that student perceptions about the effect of NCSC on their communities merit exploration. One survey participant responded, “There is no need to talk about it [NCSC] if nobody remembers it,” which is evidence that there is a need for education about NCSC and consent. Facilitated conversations with peers would lend to a broader understanding of one’s responsibility concerning seeking consent and how drugs and alcohol affect one’s ability to consent to sexual activity. Prevention efforts must begin at least during high school for students to understand issues of consent and the consequences to people who experience NCSC, either as the coerced party or as the coercer. University freshmen are highly vulnerable to NCSC during their first days at school, and education about safeguarding against it is of utmost importance before the student reaches college.

Ambiguity about definitions of consent and what constitutes NCSC and impaired memory of NCSC may prevent students from reporting NCSC to university personnel. Experiential learning is an academic precept for many universities; however, the current reality that students must learn about NCSC through personal or vicarious experience, often on their

first or second night of residential campus living, is inhumane. Institutions recruit students to their ranks by promoting the positive aspects of their academic programs, and they understandably strive to downplay the negative aspects of campus life. The implication here is that universities must do more than post statistics about campus health and safety on their websites for parents and guardians to see, as mandated by the Clery Act (Clery Center for Security on Campus, n.d.). They must act preemptively by promoting mass education about consent and NCSC before students come to campus for visits. This observation raises new questions about employing preemptive measures among culturally diverse regions with varying definitions of NCSC and consent.

Students, especially at-risk freshmen, deserve to be equipped with knowledge that will help them avoid, or navigate, the untoward social effects of NCSC. It is crucial that when students experience NCSC, they can seek the assistance of professors, staff members, or other supportive students, well informed about campus resources, and non-judgmental in their demeanors. This means that not only should students receive training, but all university employees should receive formal training about NCSC, consent, and the Title IX Mandate. Newly hired faculty must participate in formal training, and all staff and students must receive updates during staff or department meetings with department managers. As it stands now, most university employees are unaware of the Title IX Mandate reporting requirements unless they learn *experientially* after students confide in them. They also learn about the Mandate requirements when they assume decision-making roles as Deans or work as advocates, Title IX Investigators, or Title IX Coordinators.

The topic of NCSC is emotionally charged, and many employees feel unequipped to assist students who face the aftermath of sexual trauma. Just as students feel empowered when

they are aware of resources, it may very well be that university personnel will feel more confident in their ability to assist students when they also engage in facilitated training about how to respond to students who report NCSC. Students expect guidance from informed mentors, and they prefer to seek resources and support from services that offer the student autonomy over disclosed information. Faculty will benefit from the opportunity to consult with students as experts and listen to their views about mandated reporting and policies intended to eliminate NCSC in university communities. When all community members can participate in safe conversations with peers, whether students, faculty, or staff, they will have heightened awareness about NCSC. Professionally guided conversations about NCSC will invite students and their mentors to share their viewpoints. It will also create a safe, supportive space to offer suggestions to influence policy change.

Pre-University Education

There is a great controversy surrounding offering *Sex Education* classes in elementary, middle, and high schools in the United States, leaving each school district to determine the permissible level of information that a teacher can share with students. School nurses, coaches, and guidance counselors, for example, are appointed to organize classes, as time and resources permit, about sexually transmitted infections, menstruation, and expected physiological changes of males and females. Schools send notices to parents and guardians requesting permission for intermediate or young high school students to participate in sex education programs. Respect for the wishes of the parents may preclude students from attending relevant programs about NCSC and consent, in which case, they receive second-hand, often erroneous information from peers.

Offering third and fourth-year high school students opportunities to learn about consent, NCSC, and the Title IX Mandate when considering life away from home would reinforce

autonomy in informed decision-making. University freshmen who participated in the research survey indicate they would not want their parents to learn about their experiences with NCSC, so it is reasonable to infer that high school students would also refrain from disclosing NCSC to parents and guardians. Students worldwide often continue to live at home while attending college, yet NCSC disregards state and national borders and occurs even when parents support their children. High school students must have the opportunity to access this protective information before moving into campus residential settings.

Ideally, college preparatory classes in U.S. high schools would include information about consent, NCSC, and the Title IX Mandate reporting requirements as a core requirement as students apply for university programs. Once universities send official acceptance and information about upcoming orientations, they can require the student to engage in online education about consent, NCSC, and the roles of university employees in reporting NCSC. Peer-created media such as the student-created video about NCSC and the Title IX Mandate used in this research survey (page 97) would provide an excellent springboard for later facilitated discussion in university residential settings. A peer-created informational video raises student awareness, is student-focused, and can be easily replicated, updated, adapted, and shared when resources and legislation change.

Before surveying students about the Title IX Mandate's requirements of university employees, arrangements to involve students in focus group conversations about the Title IX Mandate would reinforce information they receive from the informational video. Small focus groups would also foster an environment where students can ask clarifying questions more comfortably. Fear of triggering emotions is a common reason for not addressing NCSC in high schools and university programs. It also appears to be a renunciation that unfavorable

circumstances can affect students while away at college. We see that students face trauma associated with NCSC, whether they experience it personally or vicariously, without the benefit of education. We must provide educational programs to our pre-university students before becoming vulnerable freshmen.

Mandated Reporting Roles: Confusion for All

Coerced students may not wish to report NCSC, but when a friend or peer discloses the information to a mandated reporter, the coerced student must confront the issue. Since the Title IX Mandate is federal law, there is no room for choosing to keep information within the realm of the coerced student except by being selective about with whom one shares news. A significant concern is that by the end of their first year of university, many freshmen are unclear about the mandated reporting roles of their mentors. The Title IX Mandate requires professors and resident assistants to report student confidences about NCSC, even if the student asks them not to divulge the information. Students who seek assistance in the aftermath of NCSC may not consider the Mandate's implications for their trusted mentors. The Title IX Mandate is well-intended but may impede the restoration of personal agency that the student loses with an experience of NCSC. Introducing prospective students to the topic of NCSC, consent, and the Title IX Mandate requirements would begin to inform students and decrease their vulnerability as university freshmen.

The federal mandate may discourage professors from interacting with students in a receptive manner when they sense that they will divulge personal information. When students disclose sensitive information, professors or other university employees often struggle with the ethical quandary of betraying student confidences. Although the coercer of NCSC creates the conflict, university employees and faculty members struggle with maintaining an objective and

non-judgmental stance toward students involved with reports of NCSC. This struggle may come into play as professors grant accommodations to students who attend their classes and significantly complicates matters when the parties to NCSC attend the same courses. When students do not have a hand in making class schedules and residential accommodations, one of the parties may sense that school officials and professors discriminate against them. The students at the center of the reports may also be uncomfortable continuing in classes with professors involved in the Title IX investigations.

Many schools only extend training opportunities to university faculty and staff when they become involved in responding to reports of NCSC. Newly hired staff and faculty may receive a handout about the Title IX Mandate. Still, more often than not, they will receive on-the-job training as they fulfill the Department of Education's recently proposed duties of investigating or cross-examining students involved in reports of NCSC. Even when they receive training, such questions about time limits for reporting and what to do when students are no longer enrolled in school or living on campus will arise. Confusion, ambiguous protocols, and reluctance to dredge up negative emotions related to NCSC may deter university personnel from reporting student disclosures of NCSC as required by law. The unspoken effects of the Title IX Mandate to report NCSC may conceivably undermine students in their pursuit of education, faculty in their quest to assist in the development of students, and all university personnel who strive to advocate for students.

Faculty and university personnel often have concerns about damaging students' reputations who plan further study at other universities or those ready to seek career opportunities. One professor confides that when a student reports coerced sexual contact to a faculty member and then chooses not to proceed with an investigation, "the rumor is out there"

because the faculty member has reported the disclosure of NCSC to university decision-makers (Anonymous, 2019). Students who allegedly coerce other students are not cleared of wrongdoing, and it is human nature to try to understand whether the coerced person is really to blame. Reputations and actions of all involved in reports of NCSC are at stake, regardless of their roles as directly involved parties or as responsible for seeing that universities provide the benefits of education to all students. This phenomenon may occur irrespective of how a report of NCSC is managed, but when students have agency over their private information, they can request that professors not report information until they have fully considered their options. It is incumbent upon the person who receives the confidential information to know and provide essential resources to students to support their decisions.

Prevention and Intervention Efforts

The finding that students feel empowered when they have access to on-campus and off-campus resources and information about the Title IX Mandate regarding NCSC is important when developing prevention and intervention programs. Universities must take responsibility for offering formal education about NCSC, consent, and the parameters of mandated legal obligations to acknowledge and confront reports of NCSC. Schools are well-suited to provide information to all new students who apply to live in campus residential settings. Again, freshmen are at the highest risk for NCSC, and it is not unusual for students who are meeting new friends to experience sexual coercion as early as the first night they spend on campus. Currently, universities are reluctant to address these topics with prospective students or bring up negative issues during orientation, especially when parents are present. Repeating information about resources will make students more familiar with the risks, especially when they can view peer-created informational videos when they apply to live in on-campus residential settings.

Survey participants claim that information about consent, NCSC, the Title IX Mandate, and resources make them feel safer and more confident. The implication is that students want universities to provide them with information about challenges they may face at school and resources to support them when they encounter difficulties. Universities must provide this information to incoming students and their parents. Still, the approach to delivering information merits more than bombarding students with yet another informational flyer at an intensive new-student orientation. First and foremost, when at-risk student groups participate in dedicated, informative sessions about the imminent risk of NCSC, they can take immediate precautions to protect themselves and their peers. Engaging speakers from each of the support services, such as victim advocacy, university police, and Title IX Coordinators, to speak to freshmen in mandatory online or face-to-face sessions is an important measure that will enhance student awareness. The trend may be that universities hesitate to discuss negative topics such as NCSC during meetings with new students and their family members, but this research clearly shows that freshmen want and appreciate information about these issues.

All educational sessions must include counseling and advocacy resources so that students who are emotionally triggered by the information can seek confidential assistance. Once students move to campus, the choice of continued online versus face-to-face education can provide students with more in-depth information and a clear support network. Engaging their participation in education about NCSC and related topics from the beginning may heighten their awareness about risks they face. It may also stimulate creativity in solution-finding as their attention is directed toward recognizing warning signs. When students are aware of the issues, they socially construct meaning with their eyes wide open. They can appreciatively contribute to the discovery, design, and development of culturally relevant programs. Facilitated Appreciative

Inquiry is shown to result in increased investment in programs, and in this case, increased awareness of a broader audience about consent, NCSC, and requirements of the Title IX Mandate before they individually or vicariously experience NCSC.

Recruitment of rising sophomores, juniors, and seniors for student employment in responsible roles of Peer Educator or Resident Assistant frequently begins during students' first year of college. University administrators and upper-level students working in these areas identify and invite freshmen with solid communication skills and leadership qualities to apply for these positions as student mentors. All candidates selected as Peer Educators and Resident Assistants must receive formal training about NCSC and the Title IX Mandate before welcoming new students to campus. They are perfectly positioned to engage their mentees in necessary discussions about university life challenges and connect them with essential resources and professional support networks. Implementing these prevention and intervention measures must occur as part of the new student orientation and optimally before the first day move-in events. Student mentors are influential as the first tier to intervention when student peers face difficulties at school. They would serve as popular role models when expanding their outreach to include early prevention education for high school students.

Universities Achieve High Marks: Benefits of Outreach

When university students can deliver timely information to future and current students in ways that garner positive attention from the surrounding community, the university celebrates an exemplary status among regional institutes of higher education. High school students preparing for college begin to receive the benefits of university education before they step foot in the doors of their new campus homes, and university stakeholders more readily fund other university initiatives. Community outreach by students in peer education and campus residential programs

creates an opportunity for all involved to develop vital communication skills, and prospective students can transition to independent living more securely. Activities that increase awareness of high school students about consent, NCSC, and the Title IX Mandate will prepare incoming freshmen to recognize risky situations and intervene to protect their peers as well as themselves.

When university students act as role models and introduce high school students to peer education programs, residence life, and campus resources, they invite incoming freshmen to consider leadership roles within campus communities. Enhanced community awareness may result in students' increased sense of responsibility for disseminating information and providing support to peers and may also heighten their devotion to their communities. Evidence of community outreach and participation in student mentorship and leadership roles will strengthen students' candidacy for graduate programs and professional opportunities.

Community Prevention and Intervention Efforts

Currently, each university is internally focused on complying with the Title IX Mandate in U.S. communities. System-wide universities may follow intra-system protocols for responding to reports of NCSC, but there are few visible inter-system efforts by institutions of higher education to share information. One school may celebrate more resources than another for coordinating interventions and developing advocacy programs for students who report NCSC. Students often transfer between schools, and they do not leave the trauma of NCSC behind with the last school attended. When community-wide universities and community colleges work in unison rather than as individual entities, they maximize information about lessons learned while managing and confronting student reports of NCSC. Sexual Assault Response Teams (SART) that include representatives from local and regional higher education institutions would broaden

the information base from which they operate, enabling them to propose and develop integrated system and community interventions and programming.

Universities across the U.S. host SART meetings that invite representatives from the following areas to report on trends they encounter with students: Title IX officials, physical and mental health care professionals, local and campus police, school decision-making officers, peer educators, residence life assistants, fraternity and sorority representatives, community and hospital sexual assault response teams, and attorneys specializing in cases of NCSC. Some schools exclude students from the meetings because departments discuss confidential information about reports of NCSC. Faculty representatives often do not receive invitations since they are not viewed traditionally as first responders to students who report NCSC. However, it is of interest that the proposed changes to the Title IX Mandate depend heavily on faculty to participate in investigations and cross-examinations of parties to reports of NCSC (Melling, 2019; Yuen & Ahmed, 2018). Professors are often the first people students talk to about an experience of NCSC, and they must be included in SART meetings as first responders. A cross-section of university and community entities will provide a broader, more realistic picture of actual trends and support prevention education and intervention efforts from a multi-lens perspective. Many U.S. universities are strengthened by community and university coalitions to prevent NCSC, and they generate and enforce culture-specific interventions while complying with Title IX legislation. One thought is that universities can involve students in Appreciative Inquiry processes to develop algorithms to follow as they foster student autonomy in the acknowledgment and management of reports of NCSC.

Appreciative Inquiry: Students Direct Interventions to NCSC

This inquiry is one example of ways to promote the autonomy of university students as they confront NCSC and solution-finding to the challenges it imposes. The selection of qualitative participatory research methodology and a social constructionist theoretical framework permits us to examine university freshmen's views about the mandate. Appreciative Inquiry, a social constructionist application, is an inclusive conflict transformation method that highlights the positive core of the student population. It paves the way for students to acquire or regain agency over their lives and innovate pathways to create and sustain their collective vision of an optimal campus community. This research serves not only as an inquiry but also as an educational process that promotes experiential learning as it informs students through the participatory action component. It also engages them as they collaborate to create and produce an informative video about the Title IX Mandate, and it lends the opportunity to freshmen survey participants to voice their views about the impact of the Title IX Mandate to report NCSC.

Appreciative Inquiry integrates all voices of an organization in discovering, designing, and developing solutions to challenges they must confront. Universities that use their resources wisely will call on their professors and professional staff to facilitate Appreciative Inquiry activities as a means to design and implement strengths-based student initiatives. Adept at inspiring discussion and only requiring basic training in the application of Appreciative Inquiry, these natural leaders and mentors are better suited to respectfully encourage student discussion than they are to perform traditional law enforcement duties of investigations and cross-examinations to assess innocence and guilt.

Used in companies, institutions, and organizations of all sizes, Appreciative Inquiry is a tested and successful model for conflict transformation (Cooperrider, Whitney, & Stavros,

Appreciative Inquiry handbook, 2005). It draws on the strengths-based qualities of a group of people. While more time-consuming than imposed solutions, a cross-section of the affected community discovers, designs, and develops their vision of a desirable community. Depending on the community's involvement, the university would invite students from all class levels, peer education programs, residence life, fraternities, and athletic groups. Student groups benefit from experiential learning as they engage in problem-solving techniques they can use throughout their lives. The process allows students to adapt cultural flexibility to rigid legal precepts while ensuring universities acknowledge and confront NCSC in the campus community.

Title IX Mandate: Proceed with Caution

The Department of Education proposes that professors and university administrators cross-examine students involved in reports of NCSC in face-to-face or remote hearings where attorneys may be present but, for the most part, are not allowed to question students (85 FR 30026, 2020). Cross-examination is a skill practiced by students of law. Although it is not to say that faculty and university administrators cannot aptly perform the task, it is worrisome that universities are essentially becoming courtrooms in the presence of an overburdened legal system. Universities currently must appoint people who will perform cross-examinations of the parties to a report when one or both parties do not have someone to represent them in the hearing.

A traditional federal mandate imposes an intended solution to the problem of NCSC on university campuses, but it primarily excludes the voices of the persons most at risk for NCSC. The Mandate also stifles processes fostered by higher education that encourage students to deliberate upon and generate solutions to life’s challenges. A culture of retribution and punishment prevails when universities assume traditionally legal roles of investigation and

adjudication, struggling to adhere to strict judicial guidelines. Ultimately, a mandate robs students of an opportunity to benefit from restorative ways to heal their disrupted and chaotic lives and to transform a culture of neglect and disregard to one of respect for its humanity.

When universities regard their students as expert consultants, they receive first-hand information about the scope of the problem of NCSC among students in on-campus and off-campus settings. Students will direct the attention of university administrators to the social "lairs" where there is the highest risk for NCSC, and their reality-based guidance has the potential to override the dominant voice of power and money that drives university culture. One can imagine a case where a high-level university official recommends the closure of a fraternity residence after receiving reports of repeated NCSC at fraternity-sponsored social events. When generous alumni donors with strong associations to the fraternity protest its closing, the university board may override the decision of the university decision-maker. While this case is hypothetical, one can imagine that students, as primary stakeholders, may exert more influence over the university board than an opposing group of alumni when they recommend closing a fraternity after giving first-hand accounts of the harm its activities inflict on the student community.

Students Prepare the Way: A Multi-Lens Approach

As social constructionists, we draw on our past and present to create knowledge that will guide future co-creators of knowledge and meaning. Our cultural diversity is evidence that we view our challenges through infinite lenses. As members of the global community, it is our responsibility to find the perspective that makes the most sense. This research utilizes one woman's multi-lens reflections to prompt readers to look through their experiential lenses as they think about ways universities can address the conflict of NCSC within their unique communities.

A research assumption is that there is not one single remedy or cure, as is the stance that one country assumes when it imposes a one-size-fits-all response to reports of NCSC. The Title IX Mandate is one step of many that we as a community can take to mitigate NCSC. When we look to the students as expert consultants, we can collectively implement diverse and targeted ways to educate, protect, and support community members who confront NCSC either personally or vicariously.

Universities are uniquely positioned to disseminate relevant information and invest in resources that the participants of this research indicate are essential. Universities that exclude students from participating in the design and development of ways to respond to reports of NCSC are apt to throw money after solutions developed by people with second-hand rather than first-hand information. When university personnel facilitates focused student deliberation about consent, NCSC, the Title IX Mandate, and the ramifications of mandated reporting, they prepare the way for innovative and surprising ways to create safe communities. Inclusivity of diverse student ideas generates a feeling of responsibility for the community's wellbeing. Communities that honor their unique members are less likely to harm each other.

As universities direct their resources to support the core mission of education, they will advocate for young adults and prepare them to assume leadership roles in the world. Conversely, when resources are shackled to policies created by well-intended secondary stakeholders who speak on behalf of disempowered students, the young adults fail to regain the agency they lost with NCSC. Autonomy comes with practice and awareness, and each student is at different stages of growth and development. Each student descends from lives with or without parents, and all descend from remote ancestors who encourage autonomy at different paces. The Title IX Mandate is one nation's solution with stellar intentions to resolve a national crisis. It is but one

brick in the foundation on which a society builds its response. One result of the Title IX Mandate is that one nation's consciousness is rising. Other countries may forge ahead with their reactions to the crisis, and in a perfect world, all cultures will take up the challenge according to the height of their awareness and the level of their national understanding.

Research Strengths

This research framework illustrates how students engage in Appreciative Inquiry, a social constructionist application, to design and develop a study to identify freshmen views about the Title IX Mandate to report NCSC. The research facilitator introduced Appreciative Inquiry during the first meeting with Peer Educators, and ideas about the research design flowed freely during a discussion of fewer than thirty minutes. The students thought briefly about what would entice them to participate in a research survey during final exam week, and they volunteered ideas about creating an inviting venue. They also generated ideas about collecting data from research participants in a secure manner and then made suggestions about using *Survey Monkey* to design the survey instrument. The Peer Educators acknowledged that students would answer open-ended questions about their opinions if the whole survey did not take more than 20 minutes to complete. The benefit of the survey questions based on the Appreciative Inquiry process is that students respond with strength-based ideas about their vision of an ideal community and contribute to sustaining the community. Proponents of a mandated response to mitigate NCSC profess that imposing a policy is more expedient than generating discussion among all group members. A strength of this study is that it shows how a group can efficiently *discover*, *design*, and *develop* solutions and that few complications result when all members play a role in the process. On the other hand, an imposed remedy meets resistance, exhausts resources, and resulting collateral conflicts require more time and resources to resolve.

The research framework truly exemplifies social constructionist theory as students from all university levels, faculty, staff, and administrators join together to inform and co-construct the research project. Resident Assistants and Peer Educators, student employees from upper-grade levels, work with a graduate of the Film Studies program and the research facilitator to create an informational video about the Title IX Mandate and reporting requirements for their peers and university staff and professors. People co-create knowledge with other people. The inclusion of a cross-section of the university community as co-creators of the inquiry adds to the rich texture of the study results.

The Peer Educators provide insight into disseminating baseline information about NCSC and the Title IX Mandate to all survey participants. Importantly, they suggest embedding an informational video at the beginning of the survey. Students can privately view it and then respond on private laptop computers or cell phones to the subsequent open-ended survey questions. Freshmen's written responses to the survey comprise the unstructured text data for analysis. Engaging student influencers committed to their freshmen peers' welfare, social development, and safety contributes a unique perspective to the overall study. The format is relevant to the survey participants, and the data collected reflects their concerns about NCSC and the effects of the Title IX Mandate on their university life. It also elicits the focused views of freshmen about how they can individually and collectively create a safer community.

An unanticipated strength of the study is found in the layered experience of the videographer who produces the informational video. The graduate of the Film Studies program is an African American female who, along with her videography experience, brings her expertise in influencer roles as Resident Assistant and Peer Educator to the table. She enriches the informational video with her multi-lens perspective about students who experience and report

NCSC. She also has experience in assisting them as both an exempt and a mandated reporter when they disclose experiences of NCSC to her. The scope of her understanding of Title IX and its ramifications brings a unique dimension to the information disseminated in the video.

The research coordinator brings years of health care experience, emphasizing assisting students in recovery from sexual trauma, to collaborate with the videographer to develop scenes about students reporting NCSC to university personnel. Peer Educators and Resident Assistants role-play the scenes that the videographer films. Although fictitious, the collective experience of all involved provides important authenticity to the informational video.

Graduate students performed the sentiment analysis to provide a glimpse into the underlying student emotions associated with NCSC, the Title IX Mandate, and the university's role in managing reports of NCSC. These students of a *Master of Business Analytics* program perform text mining and qualitative sentiment analysis using the cutting-edge analytics software, *R*. The faculty advisor for the online course, *Text and Unstructured Data Analytics*, consults with the research coordinator about the applicability of *R* analytics for qualitative data, then volunteers to assign a final project (for grade) to the graduate students. The professor asks the graduate students to analyze, graph, and summarize data they glean from their choice of survey questions. The professor utilizes the results of the graduate students' data analyses and collaborates with the research coordinator to present an abstract at a national academic conference (Modaresnezhad & Canel, 2019). This is the first step in exposing the research to the academic community at large.

Likewise, graduate students are mature students who may or may not have experience with NCSC. The research does not include their experience, but some may even have experience working as Resident Assistants or Peer Educators. It is highly appropriate that graduate students

of qualitative text mining are the synthesizers and interpreters of the data collected from freshmen. The strength of the research is that it is genuinely a student-informed project. It is a vibrant means of channeling student perceptions about the Title IX Mandate to report NCSC to the readers of this research. It will hopefully inspire readers to continue and expand these research efforts.

The broad spectrum of university community members who contribute to the research encompasses new freshmen, upper-level students, graduate students, administrators, and professional staff from university health, counseling, advocacy programs, Peer Educators, and Resident Assistants. Recommendations of the graduate student analysts of the *Text and Unstructured Data Analytics course* and their observations about limitations of the research enhance the value of the study for students and the public at large. The opportunity to contribute to necessary research that leads to the transformation of policy and practice is invaluable.

Limitations of the Research

One can find the demographic description of the study population in the first six questions of the survey. The information about gender is based on the overall percentages of females and males comprising the freshman class in the spring 2016 semester. The research designers did not ask each participant to identify gender because of their concern that male and transgender students would not participate in the survey for fear that their responses would be traceable. Graduate students performing the analysis wrote comments in the final project advising that a survey question about gender would allow them to glean more information about age- and gender-related perceptions regarding the effects of the Title IX Mandate.

The university's small size in the study may also have discouraged freshmen from participating in or completing the survey. SART members received information that data about

NCSC had been collected from eight residence halls. One team member commented that it would be helpful to trace student remarks to particular residence halls to identify the foci of students who perpetrate NCSC. This is an example of how universities pressed to enforce disciplinary policies may inadvertently undermine fostering restorative processes.

The research designers brainstormed to increase survey participation, but their good intentions may not have been enough to instill a sense of security in survey takers. It is also possible that students who self-selected to participate in the survey, although at risk because of being first-year university students, may not have other risk factors for NCSC. At the survey venue, survey administrators noted that students frequently gathered in groups around one laptop to watch the video even though furniture had been arranged to foster privacy. This may have discouraged some participants from being forthright in their answers. Other participants chose to take the survey at a separate time, perhaps using a personal laptop or cell phone in the privacy of a dorm room. A larger sample could have been obtained through a social media platform, yet many respondents may also be suspicious of such a venue.

The data indicate the need to clarify the information about mandated reporters included in the educational video at the beginning of the survey. The video does not feature a scenario about the peer educator role when students divulge experiences of NCSC to them. Neither does it include a text frame about the mandated reporting requirements of university personnel such as Peer Educators. Survey responses show evidence of confusion with the language used in the text of the informational video. An example of this confusion is illustrated in some students' responses who incorrectly used the word *disclose.* The research facilitator chose to exclude questions from analysis and discussion when they showed recurrent evidence of language confusion.

Responses show student confusion about mandated reporters and personnel exempt from reporting NCSC to a Title IX Coordinator. This is a clear indicator that the language used in the video and the survey must be concise and direct. Peer educators helped create the informational video, but more emphasis needs to be placed on reinforcing their status as exempt from reporting NCSC.

The video is only one step in the informational process. A printed flyer that includes the informative script used in the video would reinforce information for survey participants. This exercise could be considered a pre-test, and a post-test after educational interventions would be of interest in evaluating the efficacy of programming. This analysis reinforces the observation that there is a need for further educational programming about applying the Title IX Mandate within the university community.

Students receive information about the Title IX Mandate in a video before taking the survey. The initial reasoning for this approach was to provide a more private venue where other students would not understand if the survey potentially triggered a strong emotional response in a student. While it helps to achieve confidentiality, it does limit the ability of the student to hear the information more than once or to ask clarifying questions.

Another limitation of the study is the lack of data. Graduate students who analyzed the data recommend a broader, country-wide survey of freshmen's views about the impact of the Title IX Mandate on the occurrence of NCSC. They assert that a study of a broader population would render more diverse information and yield necessary knowledge.

Recommendations for Future Research

It is essential to explore further attitudes of freshmen and university students who have experienced NCSC and have voluntarily or involuntarily reported to a Title IX Coordinator for

investigation. It would also be interesting to evaluate what factors during the first year at the university contribute to trusting in friendships instead of trusting in support services. Resources and educational programming could be better directed for the student population.

The Appreciative Inquiry method stimulates discussion about how a group in conflict can repair or transform a problem using strengths-based skills. As with stand-alone words in text analysis, a stand-alone idea from one participant may generate consideration of other members about the concept, and solutions can be forthcoming. The group's rare expressions or ideas are valuable for further exploration and a necessary starting point for further research.

Studies investigating NCSC in schools must also consider rates of on-campus and off-campus referrals of students for alcohol and substance abuse infractions since sexual trauma and substance abuse go hand-in-hand (Fisher, Cullen, & Turner, 2000). The survey participants in this study report lower rates of NCSC than the national average, potentially due to a poor understanding of consent and their definitions of what constitutes NCSC. The inclusion of survey questions about referrals for substance abuse intervention could provide a more holistic and accurate account of the scope of the problem at each university since these infractions are associated with higher numbers of NCSC. Otherwise, the survey university could look at the low survey numbers of NCSC and promote the university as one where NCSC does not occur.

Expanding the study to all students within the university could provide helpful information about how age and educational maturity affect how a student would use resources. It could also provide important insight into the university's age-based interventions for students. For example, freshmen might want the university Title IX Coordinator to take charge when steering them through pressing charges. A senior student perhaps would prefer to confront the coercer of nonconsensual contact in a face-to-face setting as with a Restorative Justice model.

These research findings indicate that a survey of the entire university student body, rather than one limited to the freshman class, would yield more information about the effect of age on views of the Title IX Mandate. Such research would render a broader understanding of appropriate age-related interventions that support services could offer. Going one step beyond, it also would provide information for educators to develop awareness programs about consent and prevention programs geared toward students based on age.

Future qualitative researchers will benefit from using analysis based on *Text Mining with R.* The software for qualitative research allows us deeper insight into the thoughts and perceptions of university freshmen as they navigate the many challenges associated with student life and maturation facilitated by scholastic and experiential learning.

Further in-depth sentiment analysis and other applications of *R* software are areas left unexplored by graduate students of the *Text and Unstructured Data Analytics* course; however, they would be valuable for universities and policymakers in proposing interventions and modifications to the mandate.

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Figures

Figure 1: Survey - Title IX Mandate to Report Non-consensual Sexual Contact

1. What is your age?
   _18 years old
   _19 years old
   _20 years old
   _21 years old
   _22 years old
   _23 years old
   _24 years old

2. Which race/ethnicity best describes you? (Please choose only one.)
   _American Indian or Alaskan Native
   _Asian / Pacific Islander
   _Black or African American
   _Hispanic
   _White / Caucasian
   _Multiple ethnicity / Other (please specify) _____

3. Are you currently enrolled as a freshman student at this university?
   _Yes
   _No

4. Do you currently live in a residence hall on this university campus?
   _Yes
   _No

5. Are you an international student from another country?
   _Yes
   _No

6. Have you personally experienced non-consensual sexual contact by another student?
   _Yes
   _No
   _I am not sure
   _Other (please specify) _____

7.How does the information about the Title IX Mandate make you feel? _____

8. After viewing the video about the Title IX Mandate, how do you think you would behave if you were to experience non-consensual sexual contact by another student? _____

9. Whom would you tell if you were to experience non-consensual sexual contact? _____

10. How do you believe the Title IX Mandate would affect your decision to ask for help from CARE (victim advocacy), Student Health, or Counseling Services if you were to experience non-consensual sexual contact? _____

11. How do you want Resident Assistants, professors, and student employees of the university to handle your private information if you tell them you experienced non-consensual sexual contact?_____

12. How might the Title IX Mandate to report non-consensual sexual contact affect your relationship with your friends and other students? _____

13. How does the Title IX Mandate affect your safety within the campus community? _____

14. Which university employees are not required to report information about non-consensual sexual contact to a Title IX Coordinator?

_Resident Assistants
_Professors
_Friends
_Health Care Providers
_Victim Advocates
_Peer Educators
_Mental Health Counselors

15. Which university employees are required to report information about non-consensual sexual contact to a Title IX Coordinator?

_Resident Assistants
_Professors
_Friends
_Health Care Providers
_Victim Advocates
_Peer Educators
_Mental Health Counselors

16. What living and classroom arrangements do you believe the university should make for the student who experiences non-consensual sexual contact by another student? _____

17. What should the university do to or for the student who is suspected of causing non-consensual sexual contact to another student? _____

18. If you were to experience non-consensual sexual contact caused by another student, how would you feel about telling that student how his or her actions affected you if a professionally trained counselor were there to help you through it? _____

19. What does an ideal campus community look like to you? _____

20. What can you and other students do to create and maintain an ideal campus community?____

Appendix

Question 1: Age of Survey Participants

Years of Age	Frequency	Percentage
18	48	39.34
19	72	59.02
20	1	0.82

Question 2: Ethnicity of Survey Participants

Ethnicity	Frequency	Percentage
American Indian/Alaskan	1	0.83
Asian/Pacific Islander	7	5.79
Black/African-American	8	6.61
Hispanic	6	4.96
White/Caucasian	97	80.17
Multiple Ethnicity/Other	2	1.65

Gender of Freshman Class and Collected Surveys by Signature

Gender	Frequency	Percentage
Total Freshman Population	2024	
Female	1235	61
Male	789	39
Collected Surveys	141	
Valid Surveys	123	
Female Survey Form	73	52
Male Survey Form	29	21
Undeclared Survey Form	39	28

Question 3: Are you currently enrolled as a freshman student at this university?

Yes - 119	No - 2

Question 4: Do you currently live in a residence hall on this university campus?

Yes – 120	No - 2

Question 5. Are you an international student from another country?

Yes – 3	No - 119

Question 6: Have you personally experienced nonconsensual sexual contact by another student?

NCSC	Frequency	Percentage
Yes	2	1.64
No	111	90.98
Unsure	6	4.92
Other	3	2.46

Responses indicate that students may experience some confusion over what constitutes consent, and drug- or alcohol-facilitated NCSC may have occurred. Still, students cannot clearly state that something happened. Taken together, the sum of percentages for those who claim *other*, *unsure*, and *yes* approximate nine percent of the survey takers who live in campus residential settings. These statistics are closer to national averages of NCSC reported on college campuses (Fisher, Cullen, & Turner, 2000).

Question 7: How does the information about the Title IX Mandate make you feel?

Positive (150)	Undecided (8)	Negative (29)	Outliers (8)
Safer (46)	Unsure (7)	Lose control of privacy (15)	Shocked, disturbed (3)
Action against NCSC (17)	Mixed feelings (1)	Prefer to control privacy (5)	It is not traumatic, "people have sex all the time" (2)
Options for victims (15)		Students in a difficult place (4)	Mandate wording confuses me (1)
A good thing (13)		Deters from seeking help (1)	College is dangerous (1)
Protects (12)		Opposed to mandate (1)	It is not rape if both are drunk (1)
Increased awareness (12)		The student to control reporting (1)	
Faculty/Staff training important (1)			
Informed about options (11)		Promotes "guilty of rape" culture (1)	
Necessary to report NCSC (7)		Only report severe cases (1)	
Helps community (6)			
Stops offenders (3)			
Happy victims have resources (3)			
Have rights (2)			
Video informs about NCSC (1); faculty/staff training important (1)			
Punishes offenders (1)			

Traditional manual qualitative analysis for Question 7 requires the researcher to designate categories such as *Positive*, *Undecided*, and *Negative*, and categories are influenced by the cultural or regional bias of the researcher. The Outliers category includes statements that do not fit into researcher-defined themes. A positive theme is attributed to survey responses that reflect improvements or benefits from the Title IX Mandate. A negative theme is assigned to remarks that mention effects such as loss of privacy, control, or autonomy for students. A label of undecided is given when the student remark does not convey an awareness of either benefit or untoward effects of the policy. This study does not determine the levels or strengths of positive and negative sentiments, so all participant responses appear to carry the same weight in the traditional analysis.

Analysis reveals 150 positive sentiments about the Title IX Mandate to report disclosures of NCSC. Negative sentiments regarding the mandate occur 29 times, and eight remarks indicate student uncertainty about the mandate. Three outlier responses reflect attitudes of shock and feeling disturbed. Three others regard NCSC as something that happens (or is expected to happen) in college and state that people are blameless if both or all parties to NCSC are intoxicated. One person reported feeling confused by the wording used in the survey question, and one response indicates that college, in general, is a dangerous place.

Question 8: After viewing the video about the Title IX Mandate, how do you think you would behave if you were to experience non-consensual sexual contact by another student?

Answered: 102 Skipped: 21

Mandated Reporter (56)	**Exempt from Reporting (80)**	**Not Tell or Unsure (19)**
Tell university official (14)	Tell health professional (23)	Discourages from telling (8)
Tell someone, go for help and resources, tell campus professional (24)	Tell a friend (20)	Feel confused (4)
Have rights when I report (6)	Tell counseling (17)	Strange involving others (4)
Tell the police, press charges (6)	Tell victim advocate (11)	Be quiet, cannot stop thinking about it (2)
Tell people and keep private (5)	Glad did not deal with Title IX, not tell resident assistant (3)	Cannot speculate about my reaction (1)
Do not want the university to hide it (1)	Tell exempt person only (4)	
	Talk to Mom (1)	
	Tell church mentor (1)	
Outliers (23)		
Freak out and cry, be scared, robbed of my spirit, feel uncomfortable (8)		
Behave calmly, try to move on with my life, feel it was a misunderstanding if I changed my mind during making out, not feel too bad (7)		
Not press charges (2)		
Talk to the person who forced NCSC (2)		
Intervene if I see something (1)		
Scream and fight for myself, be unharmed (1)		
If it happens to me again, I will handle it properly (1)		
It would not happen to me because my friends and I look out for each other (1)		

Out of 178 responses, 80 of them recommend telling someone exempt from mandated reporting of NCSC. Thirty-two propose telling a mandated reporter, but it is unclear in 24 responses whether freshmen recommend telling a mandated reporter or someone exempt from reporting. Eight responses recommend not telling anyone, while eight demonstrate uncertainty about reporting to a mandated or exempt university employee. One respondent states that she or he cannot speculate about her or his response, and two responses propose being quiet and trying not to think about it.

Sixteen outlier responses talk about emotions that would be felt or actions one would take in the event of a personal experience of NCSC. One of those sixteen responses suggests there is no NCSC if one of the parties changes her or his mind after foreplay has begun. Two propose confrontation with the coercer of sexual contact, and one respondent indicates she or he would intervene when witnessing potential NCSC. After experiencing NCSC on campus already, one reflects how she or he would approach things differently if it were to happen again. One participant denies that it could ever happen because friends would not allow it. Two responses advise not pressing charges, but it is unclear whether disclosing NCSC to an exempt or mandated reporter would occur.

Question 9: Whom would you tell if you were to experience non-consensual sexual contact?

Answered: 102 Skipped: 21

University Employees (113)	**Non-university People (68)**	**Other (4)**	**Not Tell Anybody (3)**
Student health professional (36)	Friends (46)	Student health professional or victim advocate ONLY if I know them; otherwise, I would tell nobody (2)	Nobody (2)
Counseling center professional (27)	Parents, family, mom (11)	Prefer to tell resident assistant or professor but I want to control my privacy (1)	I would not report since I am a male; people would think I am guilty (1)
Resident assistant, residence supervisor (20)	Mom (8)	I would not tell Dad because he would not handle it well (1)	
Victim advocate (15)	An adult (2)		
Law enforcement, legal service (6)	Church mentor (1)		
Professor (4)			
Campus support people (4)			
Title IX Official (1)			

Traditional frequency tabulation shows 116 students indicate they would tell somebody within the university campus, and 68 indicate they would report to people who are not university employees, including friends, family, adults, and a church mentor. One respondent favors telling a resident assistant or professor yet implies she or he would not do so unless privacy could be controlled. Two others say they would report to a student health professional or victim advocate on the condition that they know them. Thirty-five students responded that they would tell mandated reporters of the university. Three people assert that they would not tell anybody. One of those respondents indicated that he would not report non-consensual sexual contact because people would assume his guilt since he is a male.

Question 10: How do you believe the Title IX Mandate would affect your decision to ask for help from CARE (Victim Advocacy), Student Health, or Counseling Services if you were to experience non-consensual sexual contact?

Answered: 100 Skipped: 23

Encourage Seeking Help (109)	**Unsure or No Effect (16)**	**Discourage Seeking Help (32)**
Would contact all services (43)	No effect on the decision (15)	I would not tell mandated reporter (12)
Encourages to seek help (31)	Unsure (1)	I would not seek assistance (5)
Report if all keep the information confidential and if privacy is ensured (12)		I would not seek help unless kept private (5)
Happy I have resources (7)		The student should control privacy (4)
Law validates people (4)		I do not want to press charges (2)
Forces people to take care of the situation (3)		I would not tell unless seriously injured (1)
Everything is confidential, for my wellbeing (3)		If I tell, information is no longer mine (1)
My safety matters (2)		Discourages from telling resident assistant or professor (1)
Empowered voice (1)		Would tell a friend if I am confused (1)
Makes it easier to talk about it (1)		
Initially frightened but when explained, I asked for help (1)		
Tell an adult (1)		

Traditional qualitative text analysis shows that 74 students taking the survey state the Title IX Mandate encourages them to seek assistance. Twenty-nine responses indicate the mandate encourages them to contact a university professional who is exempt from reporting non-consensual sexual contact. Twenty-two responses reveal that students feel empowered by the mandate, and they understand its purpose is for their safety. Five students say they would only report NCSC if the university ensures privacy.

The majority of responses (109) indicate students would feel comfortable telling counseling, health services, and advocacy services about NCSC, and 15 responses show students would disclose information regardless of information received about the Title IX Mandate. One student declares uncertainty about utilizing these services. Thirty-two responses indicate that information about the mandate discourages them from seeking assistance from these services unless they control the disclosed information.

Question 11: How do you want Resident Assistants, professors, and student employees of the university to handle your private information if you tell them you experienced non-consensual sexual contact?

Answered: 102 Skipped: 21

Keep Private (162)	**Other (52)**	**Report to Title IX Coordinator (37)**
Respect my privacy, keep confidential (82)	Want them to help me (25)	They need to tell T-IX Coordinator (18)
Handle information delicately, professionally (30)	Be non-judgmental, respect and support me, take me seriously, not blame the victim (17)	Require resident assistants to report to T-IX Coordinator (7)
I control information (14)	Provide on-campus resources (8)	Follow protocol (4)
Involve as few people as possible (12)	Not treat me differently (1)	Should report, take the pressure off of the victim (3)
Not reveal my identity unless necessary (10)	I am not sure how teachers should handle (1)	It is better for professionals to handle the issue (3)
My option to press charges, not theirs (10)		Find the person who coerced sexual contact and punish (2)
Only break privacy if others are in danger (2)		
I wish resident assistants and professors would not report (1)		
I do not want friends to report (1)		

The primary sentiment voiced in 162 responses is that students prefer to control their information and determine when it should be reported and what action should be taken. Thirty-seven responses show understanding of the necessity to report, and state it offers them relief to know that somebody else will take over after the initial disclosure. Students emphasize 52 times that they expect the people they tell about NCSC to respect them, refrain from judgment, and help with campus resources. One person verbalizes that she or he is unsure about how teachers should handle disclosures from students.

Question 12: How might the Title IX Mandate to report non-consensual sexual contact affect your relationship with your friends and other students?

Answered: 98 Skipped: 25

Not Affect (55)	Unsure/Other (15)	Affect (69)
Not affect the relationship with friends (37)	Not sure how it will affect friendships (5)	Strengthen relationships, increase confidence in friendships (16)
They will not know, I will not tell them, I will only tell close friends (15)	I expect friends to believe me, to take me seriously (7)	Educates about the mandate, they will assist and support me, advise each other (10)
Friends will act like it is no big deal (2)	I hope it will not affect my friendships (2)	It will make me uncomfortable (7)
I prefer to tell professionals and not friends (1)	I will not tell a resident assistant or professor (1)	It could cause conflict, cause tension but worth it (7)
		It will offer support to my friends (6)
		They will call me a liar, blame me, and say I gave consent (6)
		Distance my friends from me (3)
		Embarrass me if they learn from someone else (3)
		It affects friendship if I know the person who forces me into NCSC (3)
		It would cause stress to my friends (2)
		Heighten my awareness of my friendships (1)
		They will think I am a victim (1)
		Encourage us to talk about it (1)
		We will be more cautious at parties (1)
		It will affect friendship if I am a mandated reporter (1)
		It will hold students accountable (1)

Thirty-seven freshmen respond that the mandate will not affect friendships, and 16 say friendships will not be affected because they will not tell their friends. Two responses convey hope that it would not affect relationships, and five freshmen state they are unsure whether disclosure would affect relationships with peers.

Conversely, 35 responses show that freshmen believe there would be a positive outcome on relationships and the level of awareness about the support friends could offer each other. Participants assert 28 times that mandated reporting would cause tension, discomfort, embarrassment, and distance among friends, and they believe friends would doubt the credibility of the person disclosing NCSC. Four respondents voice concerns that the mandate would cause difficulty in relationships for the mandated reporter or if the person coercing NCSC is known to the circle of friends.

Outlier responses occur seven times as respondents state expectations about how their friends should react to news of NCSC. One student asserts she or he would not tell a mandated reporter. These speculative statements about how the mandate will affect friendships convey students' expectations of their friendships.

Question 13: How does the Title IX Mandate affect your safety within the campus community?

Answered: 98 Skipped: 25

Positive effect (147)	**Other (17)**	**Negative effect (17)**
Safer, feel protected (83)	Does not affect my safety (7)	More emotional risk, discourages going for help, alienates people (9)
Good to know resources (27)	Does not affect the prevalence of offenders (3)	Feel less safe (5)
Guarantees help if rape occurs (12)	I feel safe, maybe because I am a man (2)	Takes away my agency; infringes on my rights like the rape did (3)
Discourages rape when reported (7)	I do not know (2)	
Important to identify offenders, hold accountable (6)	Keep things private (2)	
Increases awareness, people smarter when they go out (6)	Only limits the right to privacy (1)	
The community cares about me (6)		

Freshmen feel safe and sense greater community support because of the Title IX Mandate, as indicated by 147 responses. They reiterate 17 times that they feel less secure, both physically and emotionally, while nine respond that there is no discernable effect on safety. Three of the nine responses communicate that students have less personal agency and feel alienated due to the mandate. One compares the loss of agency effected by the Title IX Mandate to that which occurs with NCSC.

Comments that are difficult to classify as safer or less safe include the observation that the mandate does not affect the prevalence of sexual offenders. Two respondents attribute their safety as possibly due to their male gender. Finally, two responses indicate the importance of keeping things private, yet another disagrees, considering that the mandate causes the loss of personal privacy.

Question 14: Which university employees are not required to report information about non-consensual sexual contact to a Title IX Coordinator?

Answered: 102 Skipped: 21

University Personnel	Frequency	Percentage
Resident assistants	3	2.94
Professors	5	4.90
Mental health counselors	55	53.92
Victim advocates	41	40.20
Peer educators	21	20.59
Friends	88	86.27

After watching the video prompt for the survey, all but 7.84 percent (8) of the 102 respondents demonstrated an understanding that only resident assistants and professors are mandated reporters when they receive information about students who experience NCSC. Approximately two-thirds of the respondents grasp that health care providers are exempt from reporting, and slightly over one-half of the group understand that mental health counselors are not required to report NCSC. Fewer than half of the students (40%) understand that victim advocates are exempt from reporting, and only 21 percent understand peer educators' exempt role. Friends are exempt from reporting NCSC to a Title IX Coordinator; however, when friends seek information from a resident assistant or professor, the mandated reporter must then report the occurrence of NCSC. Conflict among friends can occur when one divulges information about another's NCSC experience, either unsuspectingly or intentionally, to a mandated reporter.

The video does not reference the role of peer educators about the Title IX Mandate; thus, student responses may represent good guesses or a portion of the freshman class who have some experience, either personal or vicarious, with the Title IX Mandate. Peer educators are not required to report NCSC to a Title IX Coordinator. The responses also show evidence of confusion with the language in the informational video's written frames, such as the meaning of the word disclose.

Question 15: Which university employees are required to report information about non-consensual sexual contact to a Title IX Coordinator?

Answered: 102 Skipped: 21

University Personnel	Frequency	Percentage
Resident assistants	96	94.12
Professors	93	91.18
Peer educators	60	58.82
Victim advocates	41	40.20
Mental health counselors	39	38.24
Health care providers	35	34.31
Friends	5	4.90

Most study participants understand that resident assistants (94%) and professors (91%) are mandated reporters of NCSC. Yet 59% of the respondents mistakenly understood Peer educators as mandated reporters. Over one-third of the respondents wrongly report that victim advocates (40%), mental health counselors (38%), and health care providers (35%) must report disclosures of NCSC. Approximately five percent of the participants incorrectly state that friends must report information about NCSC to a Title IX Coordinator.

Question 16: What living and classroom arrangements do you believe the university should make for the student who experiences non-consensual sexual contact with another student?

Answered: 99 Skipped: 24

Individual Responsibility (55)	University Responsibility (75)	Other (4)
Determines and requests accommodations (55)	Separate the two parties, file restraining order (26)	Do nothing, cannot prevent assault, the school provides adequate resources now (3)
	Leniency with missed classes and assignments (13)	Good that health and mental health services are not mandated reporters (1)
	Provide a safe campus (11)	
	Provide support and resources (11)	
	Gender-specific residence halls (7)	
	Expel coercer, prosecute if found guilty (3)	
	Do not allow intoxicated students to bring guests into residence halls (1)	
	Smaller teacher-student ratios (1)	
	Move the whole class, not just the student (1)	
	Avoid victim-blaming (1)	

Survey respondents reiterated 55 times that the coerced student should determine residential and classroom accommodations. Twenty-six respondents assert that the university should separate the parties involved in NCSC and even file a restraining order against the person accused of coercion. Thirteen responses indicate that the university should be lenient with coerced students, permitting them to make up classes and take time off from school. Eleven respondents propose that the university ensures a safe campus for students, and eleven others favor providing resources to students who experience coerced sexual contact. Three people recommend expulsion of the offending student(s), and one student acknowledges that it is essential that the university offer health and mental health services.

Seven university freshmen suggest that the university should offer gender-specific residence halls to mitigate NCSC. Singular recommendations also include prohibiting intoxicated students from bringing guests to their rooms. One respondent recommends moving a whole classroom rather than accommodating one student. Another respondent recommends a smaller teacher-to-student ratio to limit NCSC or perhaps to structure an environment that is more conducive to students seeking assistance. Finally, one respondent reiterates that it is important to avoid victim-blaming.

Question 17: What should the university do to or for the student who is suspected of causing non-consensual sexual contact to another student?

Answered: 101 Skipped: 22

University Responsibility (157)	Law Enforcement Responsibility (6)	Other (16)
Title IX investigation (34)	Law enforcers to determine consequences for students (5)	Causes hypersensitive rape culture, false accusations; false accusations interrupt lives of students; people can lie, no way to know who is telling the truth (4)
Expel student if found guilty (29)	Investigate university if it does not take action against the suspected student (1)	Victim controls the extent to which law is involved (3)
Punish or fine guilty students, make them pay consequences (23)		It is a grey area (2)
Press criminal charges (14)		Do not publicly humiliate students (2)
Address accused student without bias (13)		Ridiculous to suspend students for plagiarism and not for sexual coercion (2)
Keep the offender under surveillance, and file a restraining order against the accused student (8)		The student is not guilty if intoxicated when non-consensual contact occurred (2)
Prevent offender from being with other students (7)		Don't worry about the university's reputation (1)
Suspend offender until further notice (6)		
Educate the general student population and offenders about consent in order to reform issue (6)		
Do nothing (4)		
Make accused and accusing students speak with a counselor (4)		
Place student on probation at school if found guilty (2)		
Believe student reporting NCSC (2)		
Zero-tolerance policy (1)		
Allow the coerced student to miss class for a few days (1)		
Offer restorative justice (1)		
Work with police (1)		
Collect mandatory DNA samples if accused; provide testing for infection to the student (1)		

Responses about what the university should do to or for the student suspected of perpetrating NCSC include 142 favoring action by the university. Survey participants advocate believing the student who reports NCSC and investigating allegations without bias to establish guilt. Respondents also propose that the university press criminal charges and expel the accused student(s) or place them on indefinite probation from school. The majority of respondents recommend that the university determine the punishment for the student(s), enact a restraining order, and arrange for surveillance of the accused student(s) while on campus.

Fourteen responses assert that accusers and law enforcement should determine to what extent an investigation ensues. Four respondents to the survey stated that the university should do nothing. There are 15 general commentaries about the nature of the problem within the college community. Two students comment that the university approach is a grey area, and two suggest that each situation must be assessed on its own merits. Two participants commented that alcohol intoxication to the point of memory loss about the event exonerates the parties of any guilt. Two comments assert that discussion about NCSC causes hypersensitivity about rape, causing a "rape culture," and two respondents state that people are likely to make false accusations.

Four respondents comment on the necessity of pursuing justice without worrying about the university's reputation, stating it is ridiculous to let people off the hook for sexual assault yet suspend students for plagiarism. One final respondent takes a hands-off approach recommending testing for sexually transmitted infections and allowing a few days off from school for the person who reports NCSC.

Question 18: If you were to experience non-consensual sexual contact caused by another student, how would you feel about telling that student how his or her actions affected you if a professionally trained counselor were there to help you through it?

Answered: 98 Skipped: 25

In Favor of Confronting (61)	Unsure (25)	Opposed to Confronting (53)
Definitely confront offender (20)	Possibly would want to confront aggressor (9)	Not comfortable at all (15)
Would feel safer, more comfortable (17)	Unsure, scared (9)	Do not want to confront aggressor (13)
Would feel better confronting aggressor (11)	Unsure I could control my emotions (4)	I would feel awkward (8)
Prefer to confront offender on my own (4)	I would not tell them that I tattled on them (1)	Not at all (7)
I would be truthful (2)	I would feel angry and wonder why he is still on campus (1)	Difficult to face them (4)
I would like this option but do not want it required (2)	I might exaggerate if a counselor is there (1)	I will only face them in court (2)
Awkward but I would do it (2)		Address it by other means (2)
Would do if a mediator is present (1)		I would be violent, do not want to be in the same room (1)
Would confront with or without counselor (1)		No reason to talk about it if neither party remembers it (1)
The perpetrator should have to hear this (1)		

Sixty-nine student responses indicate they favor talking with the offender if a trained counselor or mediator is present. Fifty freshmen assert that they do not want to meet the offender under any circumstance, and two students respond that they would only confront the offender in court. Fourteen students voice that they are unsure about the idea of facing the offender.

Nineteen-year-old survey respondents indicate with more frequency than do 18-year-olds that they would confront the person accused of coercing nonconsensual sexual contact if they received the support of a trained counselor or facilitator.

Outliers to those clearly in favor of or opposed to meeting with the offender in the presence of a trained counselor open up areas to explore further with students. One comment appears in favor of confronting the offender in stating, "The perp should have to hear this." Another statement that merits exploration and may be evidence of a need for education was the response, "There is no need to talk about it if nobody remembers it."

Question 19: What does an ideal campus community look like to you?

Answered: 96 Skipped: 27

University Responsibility (85)	Student Responsibility (50)	Both Responsible (66)	Recommendation for Change (4)
Safe Campus (42)	People look out for each other (19)	Everyone's rights are respected (18)	This is not an ideal campus community (1)
This campus is ideal (11)	No harassment (11)	Friendly (16)	Change the mandate (1)
Diverse, inclusive campus (10)	People comfortable with each other (11)	Work together for a safe environment (9)	Title IX Mandate could discourage people from seeking assistance if people are mandated reporters (1)
Available resources (5)	No sexual assault (8)	No judgment by others (9)	Survivor has complete control over private information (1)
Beautiful place (4)	Students willing to intervene (1)	Fun campus (7)	
Campus life runs smoothly (4)		Understanding, open-minded community (7)	
Everybody is treated equally (3)			
Lots of campus security (2)			
Enforce rules to protect people (1)			
Equal male to female ratio (1)			
Offenders and victims need counseling (1)			
Offenders receive punishment and rehabilitation then work back into the community (1)			

The respondents describe an ideal campus community in 178 varied responses as a safe campus where friendly people look out for each other in a respectful, nonjudgmental way. Eleven of the responses indicate that the campus setting examined in the study is ideal. The majority of the group imagine a campus with a diverse population where everybody is comfortable, having fun, and non-consensual sexual contact does not occur. Three responses suggest that an ideal campus would entail "lots of campus security" and that the school would enforce the rules to protect its people. One person voices that an ideal campus would include people willing to intervene when boundaries are breached and that an equal ratio of men to women in the school population would be ideal.

Two participants assert that the Title IX Mandate discourages people from seeking assistance in the event of non-consensual sexual contact, and one respondent recommends changing the mandate. One respondent verbalizes the importance of the survivor controlling her or his private information. Two responses refer to actions that the school can take to respond to both parties involved with NCSC. They recommend ensuring that both parties receive counseling, punishing the offender, and involving the offender in a rehabilitative process before a gradual return to the campus community.

Question 20: What can you and other students do to create and maintain an ideal campus community?

Answered: 96 Skipped: 27

What Students Can do to Create a Safe Campus (177)	What Universities and Students Can do Together to Create a Safe Campus (50)
Care about the wellbeing of others, be friendly (32)	Bring awareness, educate about consent, understand "no mean no" (17)
Be safety aware (21)	Don't keep rape a secret or sweep under the rug (13)
Respect others (21)	Know and provide resources (10)
Trust instinct and intervene; use the buddy system (20)	Ensure support systems exist; support the victim (8)
Listen to others with an open mind (12)	Increase police presence in early a.m. (1)
Do not sexually assault people (10)	Respect confidentiality; do not gossip (1)
Act like mature adults; respect self (10)	
Do not judge others; do not blame the victim (10)	
Hold each other accountable (6)	
Lead by example; make smart decisions (6)	
Follow Golden Rule (6)	
Drink responsibly; do not use perception-altering drugs (4)	
Make sure consent is given (4)	
Teamwork; fulfill the responsibility of student (4)	
Take action when illegal activities occur (4)	
Let yourself be (3)	
Push for change; make non-consensual sexual contact in social settings as detestable as stranger rape (2)	
Do not drug people (1)	
Be involved, join clubs (1)	

Out of all responses, the majority (189) ascertain that students are responsible for their wellbeing and the well-being of others. Thirty-eight of the responses suggest a role for the school in providing resources for people who experience NCSC. In contrast, only one response indicates that police are a key factor in creating and maintaining an ideal campus community.