



Examining Campus Sexual Misconduct
Adjudication Processes: Identifying
Relevant Research Questions and
Design Feasibility
A Research-to Practice Fellowship Project

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Center for Victim Research

The [Center for Victim Research](#) (CVR) is a one-stop resource center for victim service providers and researchers to connect and share knowledge. Its goals are to increase 1) access to victim research and data and 2) the utility of research and data collection to crime victim services nationwide. CVR's vision is to foster a community of victim service providers and researchers who routinely collaborate to improve practice through effective use of research and data.

Accordingly, CVR engages in a number of training and technical assistance activities to support victim research-and-practice collaborations. Specifically, CVR:

- Hosts a library of open-access and subscription-based victim research;
- Provides light-touch research-focused technical assistance to victim service providers;
- Translates research findings for the field in fact sheets, reports, and webinars; and
- Highlights useful research-and-practice tools and training resources for the field.

CVR also supports two types of [researcher-practitioner collaborations](#): interagency VOCA-SAC partnerships and local-level Research-and-Practice (R/P) Fellowships. In 2018, CVR's R/P Fellowship program supported nine teams of researchers and practitioners engaging in a variety of victim-focused research projects. Fellows were engaged in emerging, ongoing, or advanced research-and-practice partnerships. This report describes activities by one of CVR's 2018 R/P Fellowship teams.

R2P Fellows: Organizational Descriptions

The fellowship partners were the University of Iowa School (UI) of Social Work (SSW) (specifically Associate Professor Carolyn Hartley) and the UI Office of the Sexual Misconduct Response Coordinator (OSMRC; specifically Assistant Director Sara Feldmann, Deputy Title IX Coordinator).

The UI is a research university and the state's most comprehensive institution of higher education. The university values publicly engaged scholarship that contributes to the health and quality of life of the people of Iowa, including UI students. A University strategic initiative on student success includes creating a safer and healthier living and learning environment for students. The SSW's mission is to develop, disseminate, and integrate excellent and compelling research-based knowledge, practice, and policy to improve the lives of vulnerable populations.

The OSMRC, the practitioner partner, directs the university's response to reports of sexual assault, sexual harassment, dating or domestic violence, and stalking when those reports involve members of or visitors to the university community. The OSMRC aims to ensure the university responds promptly and effectively to stop problem behavior, prevent its recurrence, and remedy its effects. More specifically, the OSMRC is the

central office for complainants to report an incident of sexual misconduct. They provide referrals to campus and community confidential resources and victim advocates, facilitate accommodations to address safety concerns and support victims so academic pursuits may continue unimpeded, and they coordinate the university's response by working with victims and complainants to ensure their wishes are understood and they are informed about the investigation process.

Description of the Problem

College campuses address sexual misconduct allegations as policy violations through student code of conduct procedures (Association for Student Conduct Administrators [ASCA], 2014). Title IX requires IHEs to designate “responsible employees” or mandatory reporters of sexual misconduct who are required to report student disclosures of sexual misconduct to campus authorities (U.S. Department of Education, 2001, p. 34).

Mandatory reporting means that many reports of sexual misconduct received by IHEs are not student-initiated (Maryland Higher Education Commission, 2018), and providing supports depends on the success of the reporting offices’ outreach to harmed students. Unfortunately, we know very little about how to successfully engage students who are the subjects of mandatory reports and what influences their decisions to contact campus reporting offices, utilize campus supports, or pursue a formal complaint process.

The purpose of this fellowship was to examine the reporting and adjudication process of sexual misconduct on the UI campus with the goal of identifying potential research questions that could be addressed to increase our understanding of students’ experiences with this process. The deliverable for the fellowship was to identify potential research questions and to draft a conceptual framework and research design that could be used to develop a grant proposal to obtain federal funding to address the research questions.

Addressing the Problem

Developing the research questions came out of the cross learning plan between Dr. Hartley and Ms. Sara Feldman. As part of the fellowship, Dr. Hartley: 1) compiled and reviewed empirical literature on the disclosure and reporting of sexual misconduct on college campuses; 2) examined key federal policies and legal writings that guide campus responses to sexual misconduct; 3) participated in training provided to the adjudicators who preside over investigatory hearings; 4) examined the UI’s sexual misconduct policies and adjudication procedures; and 5) conducted interviews with the OSMRC staff and investigating officers in the Dean of Students Office to understand their role in the investigation process.

In bi-weekly meetings, Ms. Feldmann provided Dr. Hartley with consultation and expertise in understanding the UI sexual misconduct policies, the role and function of the OSMRC and investigatory offices, how sexual misconduct reports are received and move through the reporting and investigation process, and the types of data entered in Moxie (the OSMRC reporting database) that could be extracted for research purposes. Ms. Feldman also helped Dr. Hartley learn how to navigate the Moxie system to conduct the case coding described below.

Data Sources

This fellowship project did not entail collecting research data. Instead, Dr. Hartley had numerous conversations/informal interviews with OSMRC staff and Dean of Students staff ($n=6$ individuals) responsible for investigating formal complaints. We also coded several months of reports to the OSMRC to better understand the characteristics of these cases received. Specifically, we coded cases from three months (October, early in the academic year and during football season, which are high-risk times for sexual misconduct, $n=40$; April, $n=31$; and June, $n=13$, a summer session month when most students are not on campus). We only coded cases involving a student (undergraduate or graduate) as the victim of the sexual misconduct. Accounting for holiday and semester breaks, we estimate that the OSMRC receives 270 total cases per year involving a student who experienced sexual misconduct as defined by UI policy (sexual assault, sexual harassment, dating violence, or stalking).

Results

The research on college students' reporting of sexual misconduct primarily focuses on student-initiated reporting to campus authorities; however, our data on reporting shows that only 13% of reports to the OSMRC are initiated by students. The remaining 87% of reports are made by a mandatory reporter, with faculty/staff making the majority of mandatory reports (59.2%), followed by housing (18.3%) and law enforcement (9.9%). Thus, for the majority of reports, the OSMRC sends an outreach email to students in an effort to engage them with their office. Approximately half the students respond to the outreach email and meet with an OSMRC compliance coordinator to learn about their reporting options, accommodations available and other resources on campus. One third of students do not respond at all and 13% of students respond but request no assistance.

When students make contact with sexual misconduct reporting offices, they face varying options depending on the circumstances of the sexual misconduct they experienced. Not all student-initiated or mandatory reports will result in a formal investigation. In cases where the accused is unknown or not affiliated with the university, universities lack the jurisdiction to open a formal investigation. In an estimated 56% of reports to our OSMRC, the accused was unknown or not affiliated with the university. Thus, students who work with the OSMRC may be seeking a variety of

supports, while only a small subset of students are making decisions about using the formal complaint process.

As a result of the fellowship, Dr. Hartley (along with her colleague Lynette M. Renner from the University of Minnesota) submitted a grant proposal to the National Institute of Justice's solicitation *Research and Evaluation on Violence Against Women: Sexual Violence, Intimate Partner Violence, Stalking, and Teen Dating Violence* (Competition ID: NIJ-2019-15345, due April 15, 2019). The purpose of the proposed study is twofold: 1) to examine how to improve outreach efforts to students who are the subject of a mandatory sexual misconduct report to the UI OSMRC (Study #1); and 2) to expand our understanding of how students make decisions to utilize the continuum of campus resources and reporting options to help them address the impact of the sexual misconduct and continue their academic pursuits (Study #2).

Study #1 examines the effect of a revised outreach email to students who are the subject of a mandatory sexual misconduct report, using gain- and loss-message framing (Rothman, Bartels, Wlaschin, & Salovey, 2006), on students' response to an outreach email from OSMRC. The revised outreach email will be randomly assigned, along with the current outreach email, to all non-student initiated of sexual misconduct received by the OSMRC and students' responses to the email will be tracked.

Study #2 will use qualitative interviews (n=150) to examine students' experiences working with the OSMRC to understand why they made contact with the reporting office, how they decided which supports to utilize to help them address the impact of the sexual misconduct and continue their academic pursuits, and how they made decisions about whether or not to pursue a formal complaint. Using Liang, Goodman, Tummala-Narra, and Weintraub's (2005) conceptual model of help-seeking in intimate partner violence (IPV), we will specifically examine the costs and benefits of help-seeking and support selection and how help-seeking is influenced by characteristics surrounding the sexual misconduct.

Implications for Policy and Practice

Effectively responding to sexual misconduct reports is a critical component of a comprehensive institutional response to prevent and ameliorate the impacts of misconduct on college campuses. Yet, we know very little about how to successfully engage students who are the subjects of mandatory reports and what influences any students' decisions to engage with reporting offices, utilize campus supports, or pursue a formal complaint process.

Despite the unprecedented attention that campus sexual assault has received in recent years, there is a dearth of research on campus protocols for responding sexual misconduct (Amar, Strout, Simpson, Cardiello, & Beckford, 2014). Recent recommendations for future directions for campus sexual misconduct research include the need for research on barriers to reporting and accessing campus resources, assessing the investigation and adjudication process of sexual misconduct, and

understanding the impact of these processes on participants (McMahon, Wood, Cusano, & Macri, 2018). Our proposed project will address these recommendations.

Large institutions lack the resources to conduct in-person or phone outreach in response to all mandatory reports. As such, an improved outreach email could address limited resources while improving institutes' of higher education (IHEs) outreach to students. Reporting to campus authorities encompasses more pathways than filing a formal complaint and participating in an investigation and adjudication process. Students make decisions about using campus reporting offices and are assessing the costs and benefits to every aspect of the help-seeking process. Understanding how and why students make these decisions will help IHEs define and measure a "successful" response to sexual misconduct and contribute to their mandate to assure a safe and non-discriminatory environment for all students (McMahon et al., 2018).

Sustaining the Partnership

The partnership between Dr. Hartley and the OSMRC will be sustained through successful funding of the grant proposal. If not funded by NIJ, we will solicit funding for the study from other federal funding sources. The partnership will also continue through the establishment this spring 2019 of the Research & Evaluation Subcommittee of Anti-Violence Coalition (AVC). The AVC is chaired by the director of the OSMRC. The mission of the Research & Evaluation Subcommittee is to engage in multidisciplinary collaboration to advance comprehensive, rigorous, assessment, evaluation, and research of the University of Iowa's efforts to end interpersonal violence in the campus community. Dr. Hartley is the chair of this newly established subcommittee.

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